



# OFFICIAL NOTICE

## 2023 DIVISION III OFFICIAL NOTICE

117th Annual  
Convention  
January 11-14, 2023  
San Antonio, Texas



THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

P.O. Box 6222  
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[www.ncaa.org](http://www.ncaa.org)  
November 2022

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# Official Notice

## 117th Annual Convention

On behalf of the NCAA Board of Governors, the Division I Board of Directors, the Divisions II and III Presidents Councils, the Division I Council and the Divisions II and III Management Councils, we extend a cordial invitation to each NCAA member to be represented at the Association's 117th Annual Convention scheduled January 11 through 14, 2023.

It is our pleasure to issue this Official Notice of the 2023 NCAA Convention. This publication is provided to the chancellor or president, director of athletics, senior compliance administrator, faculty athletics representative and senior woman administrator at each active NCAA Division III member institution, as well as to the officers of member conferences and provisional member institutions.

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

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

We hope you will join delegates from all divisions at the NCAA State of College Sports Thursday afternoon.

We hope that each member of the Association will be in attendance at the 2023 NCAA Convention. We look forward to seeing you.

*Linda A. Livingston*  
*President, Baylor University*  
*Chair, NCAA Board of Governors*

*Jere Morehead*  
*President, University of Georgia*  
*Chair, Division I Board of Directors*

*Steven Shirley*  
*President, Minot State University*  
*Chair, Division II Presidents Council*

*James Schmidt*  
*Chancellor, University of Wisconsin-Eau Claire*  
*Chair, Division III Presidents Council*

November 15, 2022

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## Accrediting of Delegates

Association policy provides that the appointment of accredited and visiting delegates is the responsibility of the chancellor or president of each member institution or organization. **A link to the appointment of delegate website was emailed to the chancellor or president of all member institutions and organizations.**

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

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

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

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

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

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

At the Convention, each individual representing a member institution or conference who registers will receive an orange Convention badge designating the individual as a delegate. In addition, each president and chancellor will receive a badge with a navy color designation signifying their professional title. Speakers and presenters for menu sessions will receive badges with a lime color designation. Convention vendors will receive badges with a teal color designation. Media will receive badges with a rust color designation. Individuals attending the Convention as a visitor will receive a badge with a mint green color designation.

Voting delegates receive red lanyards and alternate delegates receive blue lanyards. Other delegates with speaking rights receive green lanyards. Delegates without speaking rights and other observers receive white lanyards.

The Convention registration fee for NCAA members was \$325 for all delegates who registered on or before Wednesday, October 12, and \$450 for all delegates who register before Sunday, November 27. Member registration fees on or after November 27 are \$600.

The registration fee includes one ticket to the Delegates Reception and Delegates Breakfast. In addition, attendees will have the opportunity to receive one complimentary ticket to the Honors Celebration Ceremony and Reception Women of

the Year Awards Luncheon and Saluting Excellence on a first-come, first-served basis and to purchase one ticket to the Honors Celebration for \$20 on a first-come, first-served basis. Available tickets can be reserved during the Convention registration process.

## Meetings and Reservations

A listing of Convention meetings of the NCAA and its affiliated organizations was made available to the membership in mid-October. An online registration process was also made available for event registration and hotel reservations. If there is anything further the NCAA can do to facilitate your attendance at the Association's 2023 Convention, please call upon us.

Please note that the Convention schedule of events is available on the NCAA website ([www.ncaa.org/convention](http://www.ncaa.org/convention)). In addition, the Convention program (available through the Convention app) contains the most up-to-date schedule of meetings held in conjunction with the Convention.

The Convention officially begins when the NCAA State of College Sports convenes at 4 p.m., Central time, Thursday, January 12. Adjournment of the Convention has been scheduled for Saturday, January 14.

## Proposed Amendments

The proposed amendments to be considered at the 117th Annual Convention begin on Page No. 1. All amendments, if adopted, become effective as indicated in each proposal.

**It is important that each Division III delegate have access to the Official Notice to the Convention, inasmuch as the Official Notice will be the only publication containing all Convention legislation for the 2023 Convention.**

In accordance with the provisions of NCAA Division III Bylaw 9.3, an amendment to the Association's legislation may be proposed by the NCAA Board of Governors, Division III Presidents Council, the Division III Management Council, 20 or more active Division III member institutions eligible to vote on the matter or two member conferences. The source is indicated in each proposal. When the Presidents Council or Management Council proposes an amendment originally recommended by a committee, the committee is indicated as well.

Please note that the Management and Presidents Councils are authorized to provide during division or general business sessions information detailing positions on key legislative proposals.

## Amendments-to-Amendments

In Division III, all amendments submitted by the membership in accordance with the July 15 deadline were published in the Initial Publication of Proposed Legislation, which was provided to the membership via the NCAA website by August 15. Sponsors of those proposals were permitted to revise them in any manner until September 15. In the interim, the Division III Presidents Council and Management Council had until September 1 to submit its legislative proposals. All properly sponsored proposals

were provided to the membership by September 23 in the Second Publication of Proposed Legislation.

The Division III Presidents Council and Management Council, any 20 active Division III member institutions eligible to vote on a given issue or two member conferences had until November 1 to submit amendments to the original proposals, provided the amendment to the amendment did not increase the modification proposed by the original amendment. As a result of that deadline, all amendments-to-amendments are included in this Official Notice with the proposals they are intended to amend. Resolutions also were handled in accordance with those same deadlines and are included in this publication. No additional amendments-to-amendments or resolutions are permitted for the 2023 Convention unless they are sponsored by the Board of Governors, Presidents Council or Management Council and distributed before or during the business session.

## **Withdrawal of Proposal**

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

## **Review of Interpretations**

The Division III Interpretations and Legislation Committee issues interpretations as to the scope, meaning or effect of the constitution and bylaws applicable to Division III. These rulings are subject to review by the Division III membership upon the request of any member in accordance with Bylaw 9.4.1.4. Any Division III member to which an interpretation applies may request a review of the interpretation by making such a request in writing to the academic and membership affairs staff via electronic mail to Jeff Myers, [jmyers@ncaa.org](mailto:jmyers@ncaa.org) and/or Sarah Turner [sturner@ncaa.org](mailto:sturner@ncaa.org) before 1 p.m. on the day before the Division III business session of the Convention.

## **Emergency Amendments Adopted by the Presidents and Management Councils**

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 situations when the NCAA must respond to or comply with a court, alternative dispute resolution (ADR) or government order or when the Presidents Council deems it appropriate to limit or avoid NCAA liability as a result of litigation, ADR or governmental proceedings or 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. The emergency legislation adopted by the Presidents Council in 2022 appears in Appendix A.

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

The Interpretations and Legislation Committee is authorized to recommend interpretations to be incorporated in the Division III Manual. Such incorporations are approved by the Division III Management Council and are printed in Appendix B in the Official Notice of the Convention.

## **Noncontroversial Amendments Adopted by the Presidents and Management Councils**

The Management Council and Presidents Council are authorized to adopt, in the interim between annual Conventions, noncontroversial legislative amendments that are necessary to promote the normal and orderly administration of the Association's legislation, per Bylaws 21.10.2-(d), 21.11.3-(d) and 9.3.1.1.1. That authorization requires a three-fourths majority vote of the council. The council then submits to the next annual Division III business session the amendments that have been adopted under its authorization. The noncontroversial amendments adopted by the Management Council or Presidents Council in 2022 appear in Appendix C. Approval of the Official Convention Notice during the Division III business session constitutes ratification of these amendments.

## **Modifications of Wording Adopted by the Management Council**

The Management Council is authorized to adopt, in the interim between annual Conventions, proposals that are consistent with the intent of the membership in adopting the original legislation when sufficient documentation and testimony exist to establish clearly that the original wording of the legislation was inconsistent with that intent, per Bylaw 9.4.1.1.1. That authorization requires a two-thirds majority vote of the Management Council. The Management Council then submits to the next annual Division III business session the amendments that have been adopted under this authorization. The modifications adopted by the Management Council in 2022 appear in Appendix D. Approval of the Official Convention Notice during the Division III business session constitutes ratification of these actions.

## **Order of Business**

The NCAA State of College Sports of the 117th annual Convention will begin at 4 p.m., Central time, Thursday, January 12. The NCAA State of College Sports address by the NCAA president will be presented orally during that general session.

At the Division III business session, the various proposals will be taken up in their numerical order, unless that order is changed at the Convention. All proposals are designated for a roll-call vote. The provisions of Bylaw 9.1.1.8 specify that federated legislation pertaining to a single division or more than a single division of the Association may be acted upon by the appropriate divisions during the separate division business sessions.

Amendments for the annual Convention will be presented as indicated on page xiii. For convenience of reference, an index (Appendix E) lists the proposals in the order in which they would appear in the constitution and bylaws in the Division III Manual.

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

## **Voting Procedures**

Methods of voting shall be in accordance with Bylaw 9.1.1.8.3 Each voting delegate, when registering, receives a "voting paddle" for use in indicating the institution's vote when the chair calls for a "paddle" vote. Voting delegates receive paddles of different colors to indicate their division status.

The Association uses an electronic voting system for roll call and general votes. Upon registering for the Convention, each voting delegate receives a voting unit identification card that has been coded for that member institution or conference. The voting delegate must show the voting unit identification card contained in the registration envelope to obtain an electronic voting unit during the business session. The delegate will insert the voting unit identification card into the voting unit. The voting unit becomes active when the voting unit identification card is inserted. Voting unit identification cards are specifically coded for each member institution or conference; therefore, it is important to confirm you are using the correct voting unit identification card.

To place a vote, the delegate will press (1) to support, (2) to oppose and (3) to abstain. The number the delegate chooses will appear on the screen of the voting unit until the vote is received by the system. The delegate may change their vote prior to the vote closing by pressing a second number. The voting results will be displayed on the screens following each vote.

The voting unit identification card and the voting unit should be left at the delegate's chair at the conclusion of the business session or promptly returned to the Convention registration desk.

Amendments to federated provisions are voted on by divisions, with a majority vote required for approval. In such instances (federated provisions), each division is committed to the result of its counted vote.

Delegates are urged to register and receive their voting materials before the NCAA State of College Sports which begins at 4 p.m. Thursday, January 12. In addition, all voting in the division business sessions shall be by show of paddles or by electronic roll-call votes, rather than by voice or hand.

## **Memorial Resolutions**

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

## **Administrative Structure**

Rosters of the NCAA Board of Governors and Division III Presidents Council and Management Council are listed in Appendix H.

## **Request for Interpretations**

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

All such requests must be received in the national office not later than Friday, November 25, 2022. Requests will be considered by the Interpretations and Legislation Committee and the decisions will be reviewed by the Division III Management Council in its pre-Convention meeting. The resulting interpretations will be distributed to the conferences before the beginning of the business session.

# TOPICAL GROUPINGS OF PROPOSED AMENDMENTS 117th ANNUAL CONVENTION

## Topical Groupings

Note: The Roll Call (two-thirds vote) for Resolutions 2023-1 and 2023-2 will occur at a special Division III business session, Friday, January 13 at 10:30 a.m. Central time in the Marriot Rivercenter Salons A-F. The remaining resolution and proposals will be voted on at the Division III Business Session on Saturday, January 14th beginning at 8:00 a.m., Central time in the Marriot Rivercenter, Salons A-F.

### *Proposal Number*

### *General Topic*

1 through 2

Presidents Council Grouping: Special Rules of Order Business Session

3 through 9

Presidents Council Grouping

10 through 15

General Grouping

# 117th Annual Convention

## LEGISLATIVE PROPOSALS SUBMITTED BY THE MEMBERSHIP

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

## DIVISION III LEGISLATIVE PROPOSALS

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

Such legislative proposals developed by the Division III Management Council or by Division III committees reporting to it must be submitted to the Division III Presidents Council for review. They cannot be placed on the agenda for consideration at the Convention unless the Presidents Council agrees to sponsor them. Legislative proposals of an operational nature may be sponsored by the Management Council and placed on the agenda for consideration at the Convention.

The Division III Presidents Council has identified six proposals, three resolutions and one amendment-to-amendment that it believes are of particular interest to Division III chancellors or presidents and has included them in the Presidents Council grouping. The Presidents Council identified all proposals in both the Presidents Council grouping and General grouping for roll-call vote.

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## Presidents Council Grouping: Special Rules of Order Business Session

Note: The vote for Resolutions 2023-1 and 2023-2 will occur at a special Division III business session, Friday, January 13 at 10:30 a.m. Central time in the Marriot Rivercenter Salons A-F. The remaining resolution and proposals will be voted on at the Division III Business Session on Saturday, January 14th beginning at 8:00 a.m., Central time in the Marriot Rivercenter, Salons A-F.

No. 2023-1 RESOLUTION -- SPECIAL RULE OF ORDER -- PRESIDENTS AND  
MANAGEMENT COUNCIL COMPOSITION PROPOSALS --  
ALTERNATIVE VOTING PROCESS

**Resolution:**

[Roll Call (two-thirds vote)]

WHEREAS, there are two proposals for membership consideration that address the composition of the Presidents and Management Councils; one sponsored by the Empire 8, North Coast Athletic Conference, Presidents' Athletic Conference, Southern California Intercollegiate Athletic Conf., and USA South Athletic Conference (Division III Presidents Council and Management Council – Composition – Four-Year Alternating Conference Based Representation) and the other sponsored by the Presidents Council (Division III Presidents Council And Management Council – Composition – Required Geographic and Conference Based Representation).

WHEREAS, adoption of one of the proposals renders the other proposal moot.

WHEREAS, parliamentary procedures used by NCAA Division III does not allow for two pending proposals to be discussed collectively and presented as alternative choices, and therefore, any discussion of one proposal while the other is on the floor would be out of order.

WHEREAS, the governance structure, including the Presidents Council have reviewed these proposals and determined that allowing the proposals to be discussed collectively and presented as alternative choices would reduce confusion, procedural motions and result in a more informed vote.

WHEREAS, the membership may adopt special rules order, as the parliamentary authority for the conduct of NCAA business to allow for two proposals to be discussed and presented as alternative choices.

THEREFORE, BE IT RESOLVED, that the membership shall approve this one-time special rule of order allowing for these two proposals to be discussed collectively and presented as alternative choices, so that the membership shall have the opportunity to consider both proposals during the Division III Business Session prior to any vote.

BE IT FURTHER RESOLVED, that upon conclusion of the discussion of these two proposals, the membership shall vote to determine which proposal should be presented first in order of voting and that any subsequent motion to reorder these two proposals shall be out of order.

BE IT FINALLY RESOLVED, that once the order is established through the aforementioned process, the membership shall adhere to all rules of parliamentary procedure as established by the bylaws of the division.

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

**Resolution:**

[Roll Call (two-thirds vote)]

WHEREAS, there are two proposals for membership consideration that address the playing season structure as set forth in Article 17; one sponsored by the Southern Athletic Association and the Michigan Intercollegiate Athletic Association (Playing And Practice Season -- General Playing Season-Defining Playing And Practice Season Non-Consecutive Days) and the other sponsored by the Management Council (Playing Seasons -- Eliminating Weeks As The Measurement For A Season And Establishing A New Playing Seasons Structure).

WHEREAS, adoption of one of the proposals renders the other proposal moot.

WHEREAS, parliamentary procedures used by NCAA Division III does not allow for two pending proposals to be discussed collectively and presented as alternative choices, and therefore, any discussion of one proposal while the other is on the floor would be out of order.

WHEREAS, the governance structure, including the Presidents Council have reviewed these proposals and determined that allowing the proposals to be discussed collectively and presented as alternative choices would reduce confusion, procedural motions and result in a more informed vote.

WHEREAS, the membership may adopt special rules order, as the parliamentary authority for the conduct of NCAA business to allow for two proposals to be discussed and presented as alternative choices.

THEREFORE, BE IT RESOLVED, that the membership shall approve this one-time special rule of order allowing for these two proposals to be discussed collectively and presented as alternative choices, so that the membership shall have the opportunity to consider both proposals during the Division III Business Session prior to any vote.

BE IT FURTHER RESOLVED, that upon conclusion of the discussion of these two proposals, the membership shall vote to determine which proposal should be presented first in order of voting and that any subsequent motion to reorder these two proposals shall be out of order.

BE IT FINALLY RESOLVED, that once the order is established through the aforementioned process, the membership shall adhere to all rules of parliamentary procedure as established by the bylaws of the division.

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

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## Presidents Council Grouping

No. 2023-3 RESOLUTION – MENTAL HEALTH HARDSHIP WAIVER

**Resolution:**

[Roll Call]

WHEREAS, student-athlete mental health has become a key priority in Division III and the NCAA;

WHEREAS, current legislation allowing for a Medical Hardship Waiver due to mental health, may not be widely understood and does not provide appropriate flexibility which are unique to mental health conditions;

WHEREAS, individuals who may be suffering with a mental health condition often do not seek immediate support, the medical documentation for a Mental Health Hardship Waiver should not be required to be contemporaneous and must provide appropriate flexibility;

WHEREAS, institutions commit substantial mental health resources and professionals to support its students, appropriate medical documentation should not be limited to a physician as it is for a physical injury;

WHEREAS, a student-athlete suffering a mental health condition should not be compelled to sit the season out in order to retain eligibility which also excludes them from having access to critical resources that enhance mental health which includes being with their team, coaches and the ability to participate in the sport they love which serves as their "outlet" for stress;

WHEREAS, Division III and the Association with its resources and access to experts in the mental health field are uniquely positioned to engage in a thoughtful review of the intersection of NCAA regulations and mental health and collaborate with the membership and Division III National Student-Athlete Advisory Committee to develop an historical Mental Health Hardship Waiver;

THEREFORE, BE IT RESOLVED, that the Empire 8, its co-sponsors and the division's membership urge the governance structure to collaborate and establish a hardship waiver process for Mental Health to be distinguished from a physical injury including its own waiver criteria that recognizes the unique circumstances related to mental health conditions.

THEREFORE, BE IT FURTHER RESOLVED, that this process be expedited through the governance structure to provide relief as soon as possible for those student-athletes suffering with a mental health condition.

**Source:** Allegheny Mountain Collegiate Conference, Heartland Collegiate Athletic and Empire 8

**Position Statement(s):** *NCAA Division III Presidents Council.*: The Presidents Council supports this resolution as it raises awareness of a crucial issue impacting student-athletes and provides for an inclusive approach to address that issue.

No. 2023-4 (2-1) LEGISLATIVE AUTHORITY AND PROCESS – CONVENTIONS AND MEETINGS – STUDENT-ATHLETE ADVISORY COMMITTEE VOTING PRIVILEGES

**Intent:** To provide the Student-Athlete Advisory Committee one vote at the Division III Business Session of the NCAA Convention.

**Bylaws:** Amend 9.1, as follows:

[Roll Call]

9.1.1 Operating Procedures.

[9.1.1.1 through 9.1.1.2 unchanged.]

**9.1.1.3 Student-Athlete Advisory Committee. The Division III Student-Athlete Advisory Committee shall have one vote.**

[9.1.1.3 through 9.1.1.8 renumbered as 9.1.1.4 through 9.1.1.9, unchanged.]

**Source:** NCAA Division III Presidents Council [Management Council (Student-Athlete Advisory Committee)].

**Effective Date:** August 1, 2023

**Rationale:** This proposal supports and enhances Division III's commitment to the inclusion of the student-athlete voice. The Student-Athlete Advisory Committee undertakes an extensive legislative review process, collecting feedback from campus and conference Student-Athlete Advisory Committee representatives, in order to establish a national position on all pieces of proposed Convention legislation. This position is taken on behalf of the division's more than 200,000 student-athletes. Committee members currently serve as nonvoting delegates at the NCAA Convention, communicating a national student-athlete position on legislative matters. In addition to providing valuable insights on legislation, obtaining one vote at the Convention business session will ensure that student-athletes are empowered and able to act on decisions that directly impact student-athletes. Further, this vote demonstrates the division's commitment to engaging student-athletes in its governance process and supports not only the Division III philosophy, but the spirit of the amended NCAA Constitution.

**Budget Impact:** None.

No. 2023-5 COMMITTEES – DIVISION III COMMITTEES – AMEND COMPOSITION AND REPRESENTATION

**Intent:** To adjust the composition of six designated governance committees to provide the following: (1) consistency in size and regional representation on designated committees; and (2) a student-athlete voice on governance committees where such representation is not currently present.

**A. Bylaws:** Amend 21.9.5, as follows:

[Roll Call]

21.9.5 General Committees. To conduct Division III business in an efficient and orderly fashion, the following general committees shall be established and will report directly to the Management Council.

**21.9.5.1 Composition Requirements. The Strategic Planning and Finance, Championship, Financial Aid, Interpretations and Legislation, Membership and Nominating Committees shall include the following:**

**(a) Minimum of two, but no more than three members from each Division III geographical area (see Bylaw 21.13 for geographical areas). For Area 4, one must be from a multi-sport conference or institution located in California, Colorado, Oregon, Texas or Washington;**

- (b) One Management Council representative (the council member does not fulfill the area requirement);
- (c) One Student-Athlete Advisory Council member (the SAAC member does not fulfill the area requirement);
- (d) Minimum of three members who identify as female;
- (e) Minimum of three members who identify as male;
- (f) Minimum of two members who identify as Black, Indigenous, People of Color (BIPOC);
- (g) Minimum of one conference office staff;
- (h) Minimum of one Faculty Athletics Representative;
- (i) Minimum of one public institution/multi-sport conference representative; and
- (j) No multi-sport conference shall be represented by more than one individual on each committee.

21.9.5.12 Strategic Planning and Finance Committee.

21.9.5.12.1 Composition. The Strategic Planning and Finance Committee shall consist of ~~13~~ **12** members, ~~including that meet the criteria listed in Bylaw 21.9.5.1 and include~~ the vice chair of the Presidents Council; ~~three~~ **one** additional members of the Presidents Council; the vice chair of the Management Council; ~~four~~ **one** additional members of the Management Council; the chair of the Championships Committee; **and at least** two "at-large" members ~~who do not serve on the Presidents Council, Management Council or Championships Committee; and one student-athlete who shall be a member of the Student-Athlete Advisory Committee. At least two members shall be conference administrators.~~ **with budget oversight.**

21.9.5.12.2 Term of Office. "At-large" members shall serve a maximum of one four-year term. The terms of the other members shall coincide with their terms on those bodies.

21.9.5.12.3 Chair. The vice chair of the Presidents Council shall serve as chair.

21.9.5.12.4 Duties. The committee shall review and make recommendations regarding all budgetary and fiscal policy requests forwarded by the Management Council. The committee shall monitor and update the Division III Strategic Plan consistent with the Division III philosophy statement and the goals and objectives of the NCAA Strategic Plan. The committee also shall monitor the administration of the annual budget and report to the Management Council on a regular basis regarding that topic.

21.9.5.23 Championships Committee.

21.9.5.23.1 Composition. The Championships Committee shall consist of ~~nine~~ **12** members, ~~including that meet the criteria listed in Bylaw 21.9.5.1,~~ the chair of the Management Council and ~~two~~ **one** other Management Council members. ~~The committee shall include at least three men, at least three women, at least one student-athlete and at least one member of an ethnic minority. At least one committee member shall represent each of the~~

~~four regions specified in Bylaw 21.13.1.1.~~ Terms of the Management Council members shall coincide with their terms on that body.

21.9.5.23.2 Duties. The committee shall:

[21.9.5.2.2-(a) through 21.9.5.2.2-(g) renumbered as 21.9.5.3.2-(a) through 21.9.5.3.2-(g) unchanged.]

21.9.5.34 Committee on Student-Athlete Reinstatement.

21.9.5.34.1 Composition. The committee shall be composed of six members, including one member from the Management Council and one student-athlete who shall be a member of the Student-Athlete Advisory Committee. The committee shall include at least two men, and at least two women, and at least one of the positions shall be allocated for a member of an ethnic minority.

21.9.5.34.2 Duties. The committee shall have the authority under Bylaw 14.12 to determine all matters pertaining to the policies and procedures for the reinstatement of eligibility of a student-athlete who is ineligible for intercollegiate competition as a result of an NCAA rules violation, and for waivers of legislation that the Management Council or the membership has authorized the committee to grant. The procedures for processing such appeals or requests shall be established by the committee and approved by the Management Council. The committee may reinstate eligibility immediately, may reinstate eligibility at a future time or may determine that eligibility should not be reinstated. The committee also may impose conditions for reinstatement of eligibility.

21.9.5.34.3 Quorum. Three members present and voting shall constitute a quorum to conduct committee business, it being understood that the chair shall make a special effort to have full committee attendance.

21.9.5.34.4 Authority of Student-Athlete Reinstatement Staff. Subject to review by the Committee on Student-Athlete Reinstatement, the student-athlete reinstatement staff is authorized to apply the reinstatement rules of the Association.

21.9.5.34.5 Appeals. After the student-athlete reinstatement staff has acted on a reinstatement matter, the involved institution may appeal the decision to the Committee on Student-Athlete Reinstatement. Its determination shall be final, binding and conclusive, and shall not be subject to further review by the Management Council or any other authority.

21.9.5.45 Committee on Infractions. The Committee on Infractions shall be appointed and its duties assigned as provided in Bylaw 19.

21.9.5.56 Infractions Appeals Committee. The Infractions Appeals Committee shall be appointed and its duties assigned as provided in Bylaw 19.

21.9.5.67 Financial Aid Committee.

21.9.5.67.1 Composition. The Financial Aid Committee shall consist of ~~12 members.~~ ~~Four~~ **10 members that meet the criteria listed in Bylaw 21.9.5.1.** **At least three** members shall be financial aid administrators, one of whom shall be from a public institution. ~~One member of the committee shall be a member of the Management Council, at least one shall be a president or chancellor and at least one shall be a member of an ethnic minority. At least~~

~~four positions shall be allocated for men and at least four allocated for women.~~

21.9.5.67.2 Duties. The committee shall be responsible for the review and consideration of the Division III bylaws that govern financial aid and report to the Management Council on a regular basis regarding that topic. The committee shall be responsible for the administration of the financial aid reporting process, including the implementation of operating policies and procedures.

21.9.5.78 Interpretations and Legislation Committee.

21.9.5.78.1 Composition. The Interpretations and Legislation Committee shall consist of ~~eight~~ **10 members that meet the criteria listed in Bylaw 21.9.5.1. One shall be a member of the Management Council, one shall be a student-athlete representative, one shall be a faculty athletics representative, one shall be a conference administrator and at least one shall be a member of an ethnic minority. At least three positions shall be allocated for men and at least three allocated for women. At least two members shall have compliance oversight.**

21.9.5.78.2 Duties. The committee shall determine interpretations of all Division III legislation. The committee shall review and refine legislative proposals, incorporate new legislation and interpretations, review deregulation issues and approve the publication of supplementary compilations of interpretations. The committee shall also review and determine the facts related to the certification of a prospective student-athlete's amateur status on request of an institution if the institution disagrees with the determination of facts rendered by the NCAA Eligibility Center.

21.9.5.78.3 Special Operating Rules. The committee shall not have the authority to alter an existing Management Council interpretation. Its decision shall be binding unless overturned upon appeal to the Management Council or Presidents Council at its next regularly scheduled meeting, or at the business session of the annual Convention.

21.9.5.89 Membership Committee.

21.9.5.89.1 Composition. The Membership Committee shall consist of 10 members **that meet the criteria in Bylaw 21.9.5.1. One shall be a Management Council member, at least one shall be a faculty athletics representative, at least one shall be a senior woman administrator, at least one shall be a conference administrator, one shall be a president or chancellor and at least one shall be a member of an ethnic minority. At least four positions shall be allocated for men and at least four positions shall be allocated for women. At least one member shall be appointed from each of the four geographical regions per Bylaw 21.13.1.1.**

21.9.5.89.2 Duties. The committee shall review issues related to Division III membership, including:

[21.9.5.8.2-(a) through 21.9.5.8.2-(d) renumbered as 21.9.5.9.2-(a) through 21.9.5.9.2-(d) unchanged.]

21.9.5.910 Nominating Committee.

21.9.5.910.1 Composition. The Nominating Committee shall consist of ~~eight~~ **10 members that meet the criteria listed in Bylaw 21.9.5.1, including**

~~at least one former NCAA officer or former member of the NCAA Council or Management Council, one current member of the Management Council, and one president or chancellor. A maximum of five members may be at large. The committee shall include at least three men, at least three women, and at least one member of an ethnic minority. At least one member shall be appointed from each of the four geographical regions per Bylaw 21.13.1.1. A current member of the NCAA Division III Student-Athlete Advisory Committee shall serve in an advisory capacity for selections to the Student-Athlete Advisory Committee.~~

21.9.5.9**10**.2 Duties. The committee shall coordinate nominations for the Division III Management Council, all standing committees that report to the Management Council, all Division III sports committees and all Division III positions on Association-wide and common committees.

#### 21.9.5.7**11** Student-Athlete Advisory Committee.

21.9.5.7**11**.1 Composition. The Student-Athlete Advisory Committee shall consist of:

[21.9.5.10.1-(a) through 21.9.5.10.1-(b) renumbered as 21.9.5.11.1-(a) through 21.9.5.11.1-(b) unchanged.]

21.9.5.7**11**.1.1 Partner Conference Student-Athlete Advisory Committee Liaison. Each conference and group of independents without a member on the Student-Athlete Advisory Committee, shall have a student-athlete designated as a Partner Conference Student-Athlete Advisory Committee Liaison. Compositional requirements, roles and responsibilities and term limits for this liaison role shall be set forth in the Student-Athlete Advisory Committee policies and procedures.

21.9.5.7**11**.2 Term of Office. A student-athlete member shall not serve more than three years on the committee and may not be reappointed for another term. Student-athletes may serve on the committee and/or on an Association-wide committee up to one year after completion of their intercollegiate athletics eligibility. A member shall commence service on the first day following the member's election. When a student-athlete member leaves the committee, the student-athlete shall be replaced by a student-athlete from their partner conference, who may serve up to three years on the committee.

21.9.5.7**11**.2.1 Exceptions – Presidents Council and Management Council Members. The term of a student-athlete serving on Presidents Council and Management Council (see Bylaws 21.9.5.10.3 and 21.9.5.10.4) may be extended through the adjournment of the annual NCAA Convention.

21.9.5.7**11**.3 Presidents Council Service. The committee shall submit nominations (at least one representing a male team and one representing a female team) to serve on the Presidents Council. The committee will submit its nominations, pursuant to the committee's policies, to the Presidents Council Nominations Subcommittee for final approval by the Presidents Council. To be eligible to serve on Presidents Council the committee member must have completed at least one year of service on the committee and be serving on a Division III or Association-wide committee. Current Management Council representatives are no not

eligible. Committee members shall be eligible for a one-year term which may be renewed for one year.

21.9.5.~~10~~**11.4** Management Council Service. The committee annually shall elect two members (one male, one female) to serve on the Management Council. To be eligible for Management Council service, at least one committee member shall have completed at least one year of service on the committee. Committee members shall be eligible for not more than two years of service on the Management Council. Committee members appointed to serve on the Management Council shall not be from the same member institution as another current member of the Management Council.

21.9.5.~~10~~**11.5** Duties. The committee shall receive information on and explanations of NCAA activities and legislation and shall review and react to topics referred to it by other Association committees and by Presidents and Management Councils.

**B. Bylaws:** Amend 21.13, as follows:

[Roll Call]

~~21.13~~**12** Geographical ~~Regions~~ **Areas**.

21.~~13~~**12.1** Geographical ~~Regions~~ **Areas**. For the purpose of representation on the Management Council and the President Council (see Bylaws 21.10 ~~and 21.11~~) **and Division III committees (see Bylaw 21.9.5.1)**, the Association shall be divided into geographical ~~regions~~ **areas**.

21.~~13~~**12.1.1** Division III. The geographical ~~regions~~ **areas** are as follows:

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

[21.12 renumbered as 21.13, unchanged.]

**Source:** NCAA Division III Presidents Council [Management Council (Management Council Subgroup Composition and Representation)]

**Effective Date:** August 1, 2023

**Rationale:** Feedback from various membership groups, including the 2022 Division III Membership Survey, indicated a desire to review the composition and representation of the current Division III governance structure. This recommendation considers six governance committees that are integral to the division's overall operation. The recommendation addresses membership concerns by providing greater geographic representation and composition consistency across committees that shape the direction of Division III. (This proposal was originally presented as part of a larger proposal (No. 2-9) that also

addressed the council structure and was subsequently separated into two proposals.)

**Budget Impact:** \$10,500 to address the expansion of the committees.

No. 2023-6 (2-10) COMMITTEE -- NOMINATING COMMITTEE -- COMPOSITION -- AMEND COMMITTEE'S COMPOSITION

**Intent:** To amend the composition of the Nominating Committee to include at least one member from each of the 10 regions (based on sport committee regions model) to cultivate more committee nominations and appointments representative of the membership.

**Bylaws:** Amend 21.9.5.9.1, as follows:

[Roll Call]

21.9.5.9.1 Composition. The Nominating Committee shall consist of ~~ten~~**eight** members, including at least one former NCAA officer or former member of the NCAA Council or Management Council, one current member of the Management Council, and one president or chancellor. ~~A maximum of five members may be at large.~~ The committee shall include at least ~~four~~**three** men, at least ~~four~~**three** women, and at least one member of an ethnic minority. At least one member shall be appointed from each of the ~~ten conference based geographic regions~~**four geographical regions per Constitution 4.13.1.1**. A current member of the NCAA Division III Student-Athlete Advisory Committee shall serve in an advisory capacity for selections to the Student-Athlete Advisory Committee.

**(a) Conference based geographic regions. The nominating committee shall establish ten regions based on conference affiliation and primarily modeled on sport championship region alignments. The establishment of these regions and any amendments are subject to approval of Management Council.**

**Source:** Empire 8 and Great Northeast Athletic Conference.

**Effective Date:** August 1, 2023

**Rationale:** This committee structure will increase the number of nominations for all committees and better serve the entire membership. Having at least one representative from each sport committee region creates a structure that will increase the number of nominations. This model creates a natural protocol for the Nominating Committee representative to regularly communicate with their region ADs and commissioners regarding vacancies and nominations. Institutions and conferences will also have the benefit of knowing precisely who their representative is on the Nominating Committee, further encouraging and improving the entire process. Moreover, this will ensure more equitable conference representation on all NCAA Committees creating a governance structure reflective of the diversity of the membership.

**Budget Impact:** \$3,000 to address the expansion of the committee.

**Position Statement(s):** *Presidents Council and Management Council:* Presidents and Management Councils oppose this proposal as they prefer the governance sponsored proposal amending the six standing committees as a more holistic, representative and inclusive approach to addressing the committee structure.

No. 2023-7 (2-11) DIVISION III PRESIDENTS COUNCIL AND MANAGEMENT COUNCIL -- COMPOSITION - FOUR-YEAR ALTERNATING CONFERENCE BASED REPRESENTATION

**Intent:** To ensure the following: that each Division III multi-sport conference will have one representative on either Presidents or Management Council and that the conference's slot on either will alternate accordingly; the Nominating Committee will coordinate nominations for Management Council and Presidents Council; and, if a conference is unable to secure nominees for either council its slot will go unfilled unless the council is smaller than 18 members in which case an at-large selection will be made from the group of nominees from conferences not currently represented on the respective council, including nominees from independent institutions.

**A. Bylaws:** Amend 21.9, as follows:

[Roll Call]

21.9.5.9 Nominating Committee.

[21.9.5.9.1 unchanged.]

21.9.5.9.2 Duties. The committee shall coordinate nominations for **the Division III Presidents Council**, the Division III Management Council, all standing committees that report to the Management Council, all Division III sports committees and all Division III positions on Association-wide and common committees.

**B. Bylaws:** Amend 21.9.5.10, as follows:

[Roll Call]

21.9.5.10 Student-Athlete Advisory Committee.

[21.9.5.10.1 through 21.9.5.10.2 unchanged.]

21.9.5.10.3 Presidents Council Service. The committee shall submit nominations (at least one representing a male team and one representing a female team) to serve on the Presidents Council. The committee will submit its nominations, pursuant to the committee's policies, ~~to the Presidents Council Nominations Subcommittee~~ for final approval by the Presidents Council. **The nominations may not be used to fill a conference slot on the Presidents Council.** To be eligible to serve on Presidents Council the committee member must have completed at least one year of service on the committee and be serving on a Division III or Association-wide committee. Current Management Council representatives are not eligible. Committee members shall be eligible for a one-year term which may be renewed for one year.

21.9.5.10.4 Management Council Service. The committee annually shall elect two members (one male, one female) to serve on the Management Council. **The two members may not be used to fill conference slots on the Management Council.** To be eligible for Management Council service, at least one committee member shall have completed at least one year of service on the committee. Committee members shall be eligible for not more than two years of service on the Management Council. Committee members appointed to serve on the Management Council shall not be from the same member institution as another current member of the Management Council.

[21.9.5.10.5 unchanged.]

**C. Bylaws:** Amend 21.10, as follows:

[Roll Call]

## 21.10 Presidents Council.

21.10.1 Composition. The Presidents Council shall include **no less than 18 Division III chancellors or presidents but not more than half of the number of active multi-sport conferences (rounding up to the next whole number). The council shall also include 20 members and shall be comprised of 18 Division III chancellors or presidents and two student-athletes** from the Student-Athlete Advisory Committee (see Bylaw 21.9.5.10.3).

21.10.1.1 Members - Chancellors or Presidents. ~~At least two members of the Council shall be included from each Division III geographical region (see Bylaw 21.13 for geographical regions) and ten members shall serve "at large."~~ In addition, appropriate consideration shall be given to appointing Division III chancellors or presidents from historically black colleges and universities. The members of the council shall include:

[21.10.1.1-(a) through 21.10.1.1-(i) unchanged.]

**(j) Between Presidents Council and Management Council, each active Division III multi-sport conference will have a slot for one non-student-athlete representative. That conference slot will rotate between the councils.**

[21.10.2 through 21.10.3 unchanged.]

21.10.3.2 Selection of Members - Chancellors or Presidents. Members of the Presidents Council shall be selected by Division III chancellors or presidents. ~~The council annually shall appoint a nominating committee, which shall present to the council (before the Convention) a slate of nominees to serve as members of the council. Additional candidates shall be placed on the appropriate slate of nominees if such candidates have the endorsement of at least 10 chancellors or presidents of Division III institutions. In all cases, an effort shall be made to develop a balanced slate that provides fair representation among the division's regions, conferences and institutions.~~ At no time shall two individuals from the same institution serve on the Presidents Council and Management Council simultaneously.

**21.10.3.2.1 Conference Slot. If there are no nominees for a conference slot, the slot will go unfilled. If the council is smaller than 18 members, to get the council to at least 18 members, selection may be made from any membership nominees, including nominees from independent institutions, provided the nominees are from a conference not currently represented on the respective council.**

21.10.3.2.2 ~~2~~ **Election** ~~Mail-Vote~~. Members of the Presidents Council shall be elected by **electronic** mail vote of the chancellors or presidents of Division III institutions. Voting by proxy shall not be allowed. The election shall not be subject to the requirement in Robert's Rules of Order, Newly Revised, that all candidates in an election remain in contention until one receives a majority.

21.10.3.2.3 ~~3~~ **Vacancies**. The Presidents Council, by a majority vote, may fill a vacancy that occurs **for a conference slot among the members** for the unexpired term **provided there remains at least two years for that term**. Members appointed to fill vacancies shall be appointed only for the unexpired portion of that term.

21.10.3.3 Term of Office - Members Chancellors or Presidents. Members of the Presidents Council shall serve four-year terms. ~~The council may waive the four-year term limit if an extension is necessary and appropriate to enhance the~~

~~council's continuity and effectiveness or otherwise allow the council to continue to fulfill its representational requirements. Members shall not be eligible for another term on the council until two years have elapsed.~~ An individual may not serve on the council for more than two terms.

[21.10.3.4 unchanged.]

21.10.3.5 Determination of Full Term. **The conference shall retain its slot for the entire four-year term (see Bylaw 21.10.3.2.2). If a Presidents Council member serves more than one half of a term, the conference slot will remain unfilled for the remainder of the unexpired term.**~~Presidents Council members who serve more than one-half of a term shall be considered to have served a full term.~~

D. **Bylaws:** Amend 21.11, as follows:

[Roll Call]

21.11 Management Council.

21.11.1 Composition. The Management Council shall include **no less than 18 members (who are not student-athletes) but no more than half of the number of active multi-sport conferences (rounding up to the next whole number)**~~21 members~~ and shall be comprised of Division III chancellors or presidents, athletics direct reports (non-chancellors or presidents with oversight of intercollegiate athletics), faculty athletics representatives, directors of athletics, senior woman administrators, **and** conference representatives ~~and student-athletes~~. **The council shall also include two student-athletes (see Bylaws 21.9.5.10.4 and 21.11.1.2).**

21.11.1.1 Members Who Are Not Student-Athletes. ~~At least two members who are not student-athletes shall be included from each Division III geographical region (see Bylaw 21.13.1.1). One of these members shall serve as chair and one shall serve as vice chair.~~ These members ~~also~~ shall include:

[21.11.1.1-(a) through 21.11.1.1-(g) unchanged.]

**(h) Between Presidents Council and Management Council, each active Division III multi-sport conference will have a slot for one non-student-athlete representative. That conference slot will rotate between the councils.**

[21.11.1.2 unchanged.]

21.11.2 Vacancies. ~~A representative of a playing conference or member institution whose term of service has expired shall not be replaced on the Management Council by a representative of the same conference or institution for a period of at least one year.~~ At no time shall two individuals from the same institution serve on the Management Council and Presidents Council simultaneously.

~~21.11.2.1 Exception — Student-Athlete Advisory Committee. The Management Council may waive the application of Bylaw 21.11.2 for Student-Athlete Advisory Committee members selected to serve on the Management Council.~~

[21.11.3 through 21.11.4 unchanged.]

**21.11.4.1.1 Conference Slot. If there are no nominees for a conference slot, the slot will go unfilled. If the council is smaller than 18 members, to get the council to at least 18 members, selection may be made from any membership nominees, including nominees from independent institutions, provided the nominees are from a conference not currently represented on the respective council.**

[21.11.4.1.1 renumbered as 21.11.4.1.2, unchanged.]

21.11.4.1.2~~3~~ Vacancies. When a vacancy occurs on the council, the council, by a majority vote, may fill **the conference slot for** the unexpired term **provided there remains at least two years for that term**. Members appointed to fill vacancies shall be appointed only for the unexpired portion of that term.

21.11.4.2 Term of Office. Members of the Management Council shall serve four-year terms. ~~Members shall not be eligible for re-election to another term on the council until four years have elapsed.~~ A member may not serve on the council more than two terms.

[21.11.4.3 unchanged.]

21.11.4.4 Determination of Full Term. **The conference shall retain its slot for the entire four-year term (see Bylaw 21.11.4.1.3). If a Management Council member serves more than one half of a term, the conference slot will remain unfilled for the remainder of the unexpired term.**~~Management Council members who serve more than one-half of a term shall be considered to have served a full term.~~

E. **Bylaws:** Amend 21.13, as follows:

[Roll Call]

21.13 Geographical Regions.

21.13.1 Geographical Regions. For the purpose of **committee** representation ~~on the Management Council and the President Council (see Bylaws 21.10 and 21.11)~~, the Association shall be divided into geographical regions.

[21.13.1.1 unchanged.]

**Source:** Empire 8, North Coast Athletic Conference, Presidents' Athletic Conference, Southern California Intercollegiate Athletic Conf., and USA South Athletic Conference

**Effective Date:** August 1, 2024

**Rationale:** This change will provide for improved and consistent representation for the Division III membership. It will ensure broad representation and the most diverse perspective at all times. By establishing a rotation this will be a fair and transparent process for all member institutions to be part of the two highest Councils in the Division III governance structure. The rotation allows for simplified planning and representation with the ability for member institutions to anticipate when terms end and engage the necessary bodies within their conference to determine the slate of candidates to put forth. This change establishes a Council of an estimated 22 individuals serving on each and should be adjusted if additional conferences join Division III. If an individual resigns or is no longer connected to that conference, the member institutions of that conference will be responsible for submitting replacement options for the Nominating Committee to consider.

**Budget Impact:** \$42,000 to address the expansion of the councils.

**Position Statement(s):** *Presidents Council and Management Council:* Presidents and Management Councils oppose this proposal as they prefer the governance

sponsored proposal as a more inclusive, representative and manageable governance approach.

No. 2023-8 DIVISION III PRESIDENTS COUNCIL AND MANAGEMENT COUNCIL -- COMPOSITION -- REQUIRED GEOGRAPHIC AND CONFERENCE REPRESENTATION

**Intent:** To adjust the composition of the NCAA Division III Presidents Council and Management Council to provide representation from each active multi-sport conference on either Presidents or Management Council.

**A. Bylaws:** Amend 21.10, as follows:

[Roll Call]

**21.10 Division III Presidents and Management Councils.**

**21.10.1 Composition. The Presidents and Management Councils shall each consist of the following members:**

- (a) A minimum of three members from each Division III geographical area (see Bylaw 21.13 for geographical areas). At least one representative from Area 4 must be from a multi-sport conference or institution located in California, Colorado, Oregon, Texas or Washington. A Student-Athlete Advisory Committee representative may not fulfill the area requirement; and**
- (b) A member from every multi-sport conference shall be represented on either Presidents or Management Council but not both, nor may there be multiple representatives from a multi-sport conference on the same Council.**

**21.10.2 Presidents Council.**

**21.10.2.1** Composition. The Presidents Council shall include 20 members and shall be comprised of 18 Division III chancellors or presidents and two student-athletes from the Student-Athlete Advisory Committee (see Bylaw 21.9.5.10.3).

~~21.10.2.1.1~~ **Members - Chancellors or Presidents.** *At least two members of the Council shall be included from each Division III geographical region (see Bylaw 21.13 for geographical regions) and ten members shall serve "at large." In addition, appropriate consideration shall be given to appointing Division III chancellors or presidents from historically black colleges and universities.* The members of the council shall include **the criteria in Bylaw 21.10.1 and the following:**

[21.10.2.1.1-(a) through 21.10.2.1.1-(e) unchanged.]

- (f) At least ~~four~~ **eight** institutional chancellors or presidents who are ~~women~~; **identify as female;****
- (g) At least ~~four~~ **eight** institutional chancellors or presidents who are ~~men~~; **who identify as male; and****
- (h) ~~At least two institutional chancellors or presidents who are members of an ethnic minority; and~~ **At least three members who identify as Black, Indigenous, People of Color (BIPOC).****
- ~~(i) At least two institutional chancellors or presidents who are not ethnic minorities.~~

**21.10.2.2 Duties and Responsibilities.** The Presidents Council shall:

[21.10.2.2-(a) through 21.10.2.2-(l) unchanged.]

## 21.10.32.3 Election/Term of Office.

21.10.32.3.1 Members - Student-Athletes. The selection and term of office for the two Student-Athlete Advisory Council members are set forth in Bylaw 21.9.5.10.3.

21.10.32.23.2 Selection of Members - Chancellors or Presidents. Members of the Presidents Council shall be selected by Division III chancellors or presidents. The council annually shall appoint a nominating committee, which shall present to the council (before the Convention) a slate of nominees to serve as members of the council. Additional candidates shall be placed on the appropriate slate of nominees if such candidates have the endorsement of at least 10 chancellors or presidents of Division III institutions. In all cases, an effort shall be made to develop a balanced slate that provides fair representation among the division's regions, conferences and institutions. At no time shall two individuals from the same institution serve on the Presidents Council and Management Council simultaneously.

21.10.32.23.4.1 Mail Vote. Members of the Presidents Council shall be elected by mail vote of the chancellors or presidents of Division III institutions. Voting by proxy shall not be allowed. The election shall not be subject to the requirement in Robert's Rules of Order, Newly Revised, that all candidates in an election remain in contention until one receives a majority.

21.10.32.23.2.2 Vacancies. The Presidents Council, by a majority vote, may fill a vacancy that occurs among the members for the unexpired term. Members appointed to fill vacancies shall be appointed only for the unexpired portion of that term.

21.10.32.3.3 Term of Office - Members Chancellors or Presidents. Members of the Presidents Council shall serve four-year terms. The council may waive the four-year term limit if an extension is necessary and appropriate to enhance the council's continuity and effectiveness or otherwise allow the council to continue to fulfill its representational requirements. Members shall not be eligible for another term on the council until two years have elapsed. An individual may not serve on the council for more than two terms.

21.10.32.43.4 Staggered Terms. The terms of service of Presidents Council members shall expire on a staggered basis to provide for continuity. Members may be appointed for less than full terms in order to accomplish this purpose.

21.10.32.53.5 Determination of Full Term. Presidents Council members who serve more than one-half of a term shall be considered to have served a full term.

## 21.1110.3 Management Council.

21.1110.13.1 Composition. The Management Council shall include ~~21 members~~ **the number of members to ensure every multi-sport conference has a representative on either Presidents or Management Council** and shall be comprised of Division III chancellors or presidents, athletics direct reports (non-chancellors or presidents with oversight of intercollegiate athletics), faculty athletics representatives, directors of athletics, senior woman administrators, conference representatives and student-athletes.

21.1110.13.1.1 Members Who Are Not Student-Athletes. *At least two members who are not student-athletes shall be included from each Division III geographical region (see Bylaw 21.13.1.1). One of these members shall serve as chair and one*

~~shall serve as vice chair.~~ These members ~~also~~ shall include **the criteria listed in Bylaw 21.10.1 and the following:**

[21.10.3.1.1-(a) through 21.10.3.1.1-(d) unchanged.]

(e) At least three members ~~of an ethnic minority~~ **who identify as Black, Indigenous, People of Color (BIPOC);**

**(f) At least three members from a public institution/multi-sport conference;**

**(g) At least two conference commissioners;**

~~(f h)~~ At least eight ~~men~~ **members that identify as female;** and

~~(g i)~~ At least eight ~~women~~ **members that identify as male.**

~~21.11.10.13.21.2~~ Student-Athletes. Two members of the Management Council shall be members of the Student-Athlete Advisory Committee per Bylaw 21.9.5.10.4.

~~21.11.10.23.2~~ Vacancies. A representative of a playing conference or member institution whose term of service has expired shall not be replaced on the Management Council by a representative of the same conference or institution for a period of at least one year. At no time shall two individuals from the same institution serve on the Management Council and Presidents Council simultaneously.

~~21.11.10.23.12.1~~ Exception -- Student-Athlete Advisory Committee. The Management Council may waive the application of Bylaw 21.11.2 for Student-Athlete Advisory Committee members selected to serve on the Management Council.

~~21.11.10.3.3~~ Duties and Responsibilities. The Management Council shall:

[21.10.3.3-(a) through 21.10.3.3-(i) unchanged.]

~~21.11.10.43.4~~ Election/Term of Office.

~~21.11.10.43.14.1~~ Selection. Members of the Management Council shall be selected by the Division III membership. Annually, a slate of candidates shall be solicited from the Division III membership. The nominees will be identified by the Management Council (or a subcommittee of the Management Council), and then forwarded to the Presidents Council for approval before consideration by the full Division III membership.

~~21.11.10.43.14.1.1~~ Election. Members of the Management Council shall be elected by electronic mail vote by the athletics directors of Division III institutions and Division III conference commissioners who are eligible to vote at the NCAA convention. Voting by proxy shall not be allowed. The election shall not be subject to the requirement in Robert's Rules of Order, Newly Revised, that all candidates in an election remain in contention until one receives a majority.

~~21.11.10.43.14.21.2~~ Vacancies. When a vacancy occurs on the council, the council, by a majority vote, may fill the unexpired term. Members appointed to fill vacancies shall be appointed only for the unexpired portion of that term.

~~21.11.10.43.24.2~~ Term of Office. Members of the Management Council shall serve four-year terms. Members shall not be eligible for re-election to another

term on the council until four years have elapsed. A member may not serve on the council more than two terms.

~~21.10.43.34.3~~ **21.10.43.34.3 Staggered Terms.** The terms of service of Management Council members shall expire on a staggered basis to provide for continuity. Members may be appointed for less than full terms in order to accomplish this purpose.

~~21.10.43.4.4~~ **21.10.43.4.4 Determination of Full Term.** Management Council members who serve more than one-half of a term shall be considered to have served a full term.

#### ~~21.121~~ **21.121** Administrative Committee.

~~21.121.1~~ **21.121.1 Composition.** The Administrative Committee shall consist of five members, including the chair of the Presidents Council, the vice chair of the Presidents Council and the chair of the Management Council. If the chair of the Management Council is a chancellor or president, the committee also shall include two athletics administrators who are senior members of the Management Council. If the chair of the Management Council is not a chancellor or president, the committee also shall include a chancellor or president serving on the Management Council and a senior member of the Management Council.

~~21.121.2~~ **21.121.2 Duties.** The Administrative Committee shall be empowered in the interim between meetings of the Presidents Council and Management Council to transact items of business clearly necessary to promote the normal and orderly administration of Division III.

~~21.121.3~~ **21.121.3 Ratification.** All actions of the Administrative Committee shall be reported to and subject to ratification by the Management Council and Presidents Council at their next regularly scheduled meetings.

[21.13 renumbered as 21.15, unchanged.]

**B. Bylaws:** Amend 21.13, as follows:

[Roll Call]

#### ~~21.1312~~ **21.1312** Geographical ~~Regions~~ **Areas**.

~~21.1312.1~~ **21.1312.1 Geographical ~~Regions~~ Areas.** For the purpose of representation on the Management Council and the President Council (see Bylaws 21.10 ~~and 21.11~~) **and Division III committees (see Bylaw 21.9.5.1)**, the Association shall be divided into geographical ~~regions~~ **areas**.

~~21.1312.1.1~~ **21.1312.1.1** Division III. The geographical ~~regions~~ **areas** are as follows:

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

[21.12 renumbered as 21.13, unchanged.]

**Source:** NCAA Division III Presidents Council [Management Council (Management Council Subgroup Composition and Representation)]

**Effective Date:** August 1, 2023

**Rationale:** Feedback from various membership groups, including the 2022 Division III Membership Survey, indicated a desire to review the composition and representation of the current Division III governance structure. This recommendation considers the division's highest governance bodies, the President and Management Councils that are integral to the division's overall operation. The recommendation addresses membership concerns by providing greater geographic and conference representation as well as a more holistic approach to inclusivity on the councils that lead Division III. (This proposal was originally presented as part of a larger proposal (No. 2-9) that also addressed the committee structure and was subsequently separated into two proposals.)

**Budget Impact:** \$18,000 to address the expansion of the councils.

No. 2023-8-1 PRESIDENTS COUNCIL AND MANAGEMENT COUNCIL -- AMEND COMPOSITION AND REPRESENTATION -- STUDENT-ATHLETES DO NOT SATISFY CONFERENCE REPRESENTATION REQUIREMENTS

**Intent:** To amend Proposal No. \_\_ to establish that student-athletes on the councils do not satisfy the conference representation requirements.

**Bylaws:** Amend 21.10, as follows:

[Roll Call]

21.10 Presidents Council.

21.10.1 Composition. The Presidents and Management Councils shall each consist of the following members:

- (a) A minimum of three members from each Division III geographical area (see Bylaw 21.13 for geographical areas). At least one representative from Area 4 must be from a multi-sport conference or institution located in California, Colorado, Oregon, Texas or Washington. A Student-Athlete Advisory Committee representative may not fulfill the area requirement; and
- (b) A member from every multi-sport conference shall be represented on either Presidents or Management Council but not both, nor may there be multiple representatives from a multi-sport conference on the same Council. **A Student-Athlete Advisory Committee representative's conference affiliation will neither satisfy the representational requirement nor constitute multiple representation from a multi-sport conference.**

[21.10.1.1 unchanged.]

[21.10.2 through 21.10.3 unchanged.]

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

**Effective Date:** August 1, 2023

**Rationale:** This proposal amends 2023 NCAA Division III Proposal No. \_\_ confirming student-athletes don't satisfy the conference representational requirements. The student-athletes on the councils are members of the National Student-Athlete

Advisory Committee (SAAC) and represent the student-athlete voice on those councils. This is a unique perspective and should remain their focus.

**Budget Impact:** \$42,000 (total budget impact for Proposal No. 8 as amended) to address the expansion of the councils.

No. 2023-9 (2-8) DIVISION MEMBERSHIP -- PROVISIONAL MEMBERSHIP -- APPLICATION PROCESS -- APPLICATION FOR MEMBERSHIP -- REQUIRE CONFERENCE MEMBERSHIP

**Intent:** To require an institution to have a bona fide invitation from an active Division III conference before applying for Division III membership and maintain a conference affiliation during the Division III membership process.

**Bylaws:** Amend 20.10.2.2, as follows:

[Roll Call]

20.10.2.2 Application for Membership. After it has been determined that the institution meets the Association's requirement of acceptable academic standards and during the exploratory year, the institution shall submit an application on a form approved by the Membership Committee available from the national office. The form shall be received in the national office not later than January 15. Any form received after that date shall be postmarked not later than January 8. The application may be approved by the Membership Committee.

20.10.2.2.1 Standards for Application for Membership. An institution must satisfy all of the following at the time of application:

[20.10.2.2.1-(a) unchanged.]

**(b) Receipt of a bona fide invitation for membership from an active Division III multisport conference. A conference affiliation shall be maintained during the Division III membership process;**

[20.10.2.2.1-(b) through 20.10.2.2.1-(d) relettered as 20.10.2.2.1-(c) through 20.10.2.2.1-(e), unchanged.]

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

**Effective Date:** For institutions whose provisional or reclassifying membership process will begin during or after the 2024-25 academic year.

**Rationale:** This recommendation will assist applicant institutions in finding a home with a Division III conference and will promote long-term stability of Division III institutions and conferences. Independent institutions often face challenges with scheduling, finances and championship opportunities that could be alleviated by conference membership. This recommendation increases the likelihood that institutions will operate successful, competitive programs in Division III and ensures that conferences are committed to providing a conference home to institutions in the membership process. It also supports an optimal student-athlete experience by providing student-athletes access to a conference student-athlete advisory committee, conference grant programs, conference championships, and post season honors.

**Budget Impact:** None.

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## General Grouping

### No. 2023-10 (2-5) PLAYING AND PRACTICE SEASON -- GENERAL PLAYING SEASON-DEFINING PLAYING AND PRACTICE SEASON NON-CONSECUTIVE DAYS

**Intent:** The intent of this proposal is to be more permissible and flexible to enhance the overall student experience by allowing for a total of 114/144 days of athletically related contact with their coaching staff. These would be days that do not have to be consecutive in nature but must include at least one day off from activity/contact each week.

**A. Bylaws:** Amend 17.1, as follows:

[Roll Call]

17.1 General Playing-Season Regulations. Unless set forth differently in the applicable sports section in Bylaw 17, an institution shall conduct its playing season within the parameters stated in this section.

17.1.1 Playing Season. The playing (i.e., practice and competition) season for a particular sport **shall be defined by 114 team days**. ~~is the period of time between the date of an institution's first officially recognized practice session and the date of the institution's last practice session or date of competition, whichever occurs later.~~ **Any day in which athletically related activities occur with any student shall count as a day for that team.** An institution is permitted to conduct athletically related activities (see Bylaw 17.02.1.1) in each academic year only **on these days** ~~during the playing season~~ as regulated for each sport in accordance with the provisions of this bylaw. The institution must conduct the same playing season for varsity and subvarsity teams in the same sport.

17.1.1.1 Declaration of Playing Season. Each member institution shall determine the playing season for each of the sports referenced under Bylaw 17.02.13. Declaration of the institution's playing season in each such sport shall be on file in writing in the department of athletics before the beginning of the institution's playing season for that sport. Changes in the declaration for a particular sport are permissible and also shall be filed in writing in the office of the institution's director of athletics.

17.1.1.2 Segments of Playing Season. Segment limitations are applicable to all team and individual sports (listed under Bylaws 17.02.13.1 and 17.02.13.2), except for football, golf, rowing, tennis and sports with a winter NCAA championship. The segments shall be defined as follows:

[17.1.1.2-(a) unchanged.]

(b) Nontraditional Segment. ~~The remaining portion of the playing season shall be known as the "nontraditional segment."~~ **period outside the traditional segment when any days not used during the traditional segment may be used.**

17.1.1.3 Length of Playing Season.

17.1.1.3.1 Sports with a Fall NCAA Championship. The length of an institution's playing season shall be limited to a maximum of ~~18 weeks~~ **114 days**.

17.1.1.3.1.1 Segment Limitations. Except for the sport of football (see Bylaw 17.11) and unless otherwise noted in the applicable sport section, the playing season shall be conducted according to the following:

[17.1.1.3.1.1-(a) through 17.1.1.3.1.1-(b) unchanged.]

(1) First Permissible Practice and Competition. ~~February 1.~~ **End of traditional segment.**

[17.1.1.3.1.1-(b)-(2) unchanged.]

**(3) Days may not be used five weekdays before the first day of the institution's final examination period for a regular academic term, through the end of that examination period.**

**(4) Days may not be used during any institutional break period.**

17.1.1.3.2 Sports with a Winter NCAA Championship. The length of an institution's playing season shall be limited to a maximum of ~~19 weeks.~~ **114 days.**

17.1.1.3.2.1 Season Limitations. Except for the sports of basketball, women's bowling, ice hockey and men's and women's wrestling (the applicable provisions are set forth in the specific sports sections) and unless otherwise noted in the applicable sport section, the playing season shall be conducted according to the following:

(a) First Practice or Competition. ~~September 7 or the institution's first day of classes for the fall term, whichever is earlier.~~ **The seventh day after the first day of classes.**

(b) End of Season. All practice and competition shall be completed by the conclusion of the NCAA championship. An institution may continue practice and competition beyond the NCAA championship provided it **has days unused,** ~~is within 19 weeks~~ and all practice and competition is completed not later than five weekdays before the first day of the institution's final examinations for the regular academic year. If an institution's academic year concludes with a nonregular academic term (e.g., May term), then all practice and competition shall be completed not later than the first day of final examinations for that nonregular academic term [see Bylaws 17.1.2-(c) and (d) regarding holiday, vacation and final examination periods].

17.1.1.3.3 Sports with a Spring NCAA Championship, except for Golf, Rowing and Tennis. The length of an institution's playing season shall be limited to a maximum of ~~19 weeks.~~ **114 days.**

17.1.1.3.3.1 Segment Limitations. Unless otherwise noted in the applicable sport section, the playing season shall be conducted according to the following:

[17.1.1.3.3.1-(a) unchanged.]

(1) First Date of Practice or Competition. ~~September 7 or the institution's first day of classes for the fall term, whichever is earlier.~~ **January 15.**

- (2) End of Segment. All ~~practice and~~ competition shall be completed by the conclusion of the NCAA championship. **An institution may continue to practice beyond the NCAA championship provided it has days unused, and all practice is completed not later than five weekdays before the first day of the institution's final examinations for the regular academic year. If an institution's academic year concludes with a nonregular academic term (e.g., May term), then all practice shall be completed not later than the first day of final examinations for that nonregular academic term [see Bylaws 17.1.2-(c) and (d) regarding holiday, vacation and final examination periods].**

[17.1.1.3.3.1-(b) unchanged.]

- (1) First Practice and Competition. ~~September 7 or the institution's first day of classes, whichever is earlier.~~**The seventh day after the first day of classes.**
- (2) End of Segment. ~~All practice and competition shall be completed not later than five weekdays before the first day of the institution's final regular fall examination period [see Bylaws 17.1.2-(c) and 17.1.2-(d) regarding holiday, vacation and final examination periods].~~**Start of traditional segment.**
- (3) **Days may not be used five weekdays before the first day of the institution's final examination period for a regular academic term, through the end of that examination period.**

**(4) Days may not be used during any institutional break period.**

17.1.1.3.4 Golf, Rowing and Tennis. The length of an institution's playing season shall be limited to a maximum of ~~19 weeks.~~**114 days.**

17.1.1.3.4.1 Periods.

[17.1.1.3.4.1-(a) through 17.1.1.3.4.1-(b) unchanged.]

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

- (2) End of Period. All ~~practice and~~ competition shall be completed by the conclusion of the NCAA championship. **An institution may continue to practice beyond the NCAA championship provided it has days unused, and all practice is completed not later than five weekdays before the first day of the institution's final examinations for the regular academic year. If an institution's academic year concludes with a nonregular academic term (e.g., May term), then all practice shall be completed not later than the first day of final examinations for that nonregular academic term [see Bylaws 17.1.2-(c) and (d) regarding holiday, vacation and final examination periods]**

17.1.2 General Regulations for Computing Playing Seasons. In determining the length of an institution's playing season, the following regulations shall apply:

- (a) Week. A week shall be defined by the institution as any consecutive seven-day period, regardless of the day on which the seven-day period begins. ~~The playing season, or its segments (or periods in golf, rowing and tennis), shall consist of~~

~~consecutive weeks. Practice or competition during any part of a week shall be counted as a full week (e.g., practice or competition during nine weeks and one day shall be counted as 10 weeks). An institution may not redefine its week except in the following circumstances:~~

~~(1) During a segment (or period in golf, rowing and tennis) of the playing season, following a period of at least seven consecutive days that includes a vacation, final examination period or holiday period during which no athletically-related activities occur [see Bylaw 17.1.2-(d)]; or~~

~~(2) Between the fall and spring period in golf, rowing and tennis and between segments of the playing season in other sports, provided the institution divides its practice and playing season into two distinct segments per Bylaw 17.1.1.2.~~

(b) Total Combined Length. The total number of weeks days for both segments (or periods in golf, rowing and tennis) of a playing season combined shall not exceed the maximum permitted in a particular sport;

(c) ~~Holiday, Vacation Periods. In traditional and nontraditional segments (or periods in golf, rowing and tennis), any practice or competition during published vacation and holiday periods during the academic year shall be counted as part of the playing season. If practice or competition is not scheduled during any full week (seven consecutive days) that includes a vacation or holiday period, it neither shall be counted as part of the playing season nor shall constitute a break in a segment (or period in golf, rowing and tennis) [see Bylaw 17.1.2-(a)-(1)];~~

(d) ~~Final-Examination Periods:~~

~~(1) Traditional Segment. Any practice or competition during a final examination period during the academic year shall be counted as part of the playing season. If practice or competition is not scheduled during any full week (seven consecutive days) that includes a final examination period, it neither shall be counted as part of the playing season nor shall constitute a break in a segment [see Bylaw 17.1.2-(a)-(1)].~~

~~(2) Nontraditional Segment. An institution shall not conduct practice or competition during a final examination period. For any final examination period of a regular academic term (e.g., winter quarter, spring semester), an institution may not conduct practice and competition five weekdays before the first day of the final examination period. This period shall not be counted as part of the playing season nor shall constitute a break in the segment.~~

(e) ~~Nontraditional Segment. The nontraditional segment shall be counted as part of the institution's declared playing season, regardless of whether competition occurs during that segment; and~~

[17.1.2-(f) relettered as 17.1.2-(c), unchanged.]

(1) It shall be permissible to designate a single date for issuing equipment and for taking team pictures after the beginning of classes in the fall term or the day before the beginning of a segment or, in basketball and football, the day before the beginning of preseason practice **and shall not count as a day used.**

(2) 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 team pictures. **Neither shall count as a day used.**

### 17.1.3 Postseason Activities.

[17.1.3-(a) through 17.1.3-(d) unchanged.]

- (1) Continue to practice (but may not compete against outside competition) ~~beyond its declared playing season, including the conference championship (if any)~~, without counting such practice against the institution's declared playing-season limitation as long as such practice begins not earlier than three weeks before the start of the NCAA championship in that sport.

[17.1.3-(d)-(2) through 17.1.3-(d)-(3) unchanged.]

[17.1.3-(e) unchanged.]

- (f) ~~Post-NCAA Championships Participation.~~ **Joint-Declaration Program.** ~~After the conclusion of an NCAA (or NAIA or NCCAA) championship in a sport, an institution may resume practice and/or competition in the sport, provided it is continuing its permissible playing season in the sport and provided the activity occurs during the academic year.~~ An institution in the joint-declaration program may participate in the championship for which the institution declared, even when the championship occurs outside the permissible NCAA playing season. Institutions in the joint-declaration program must abide by all other NCAA regulations for all sports, including the length of the playing season (see Bylaw 31.2.1.2);

[17.1.3-(g) unchanged.]

- (1) An institution may exclude a maximum of ~~three weeks of competition~~ **18 days** from its declared playing season for qualifying competition for the championship event; and

[17.1.3-(g)-(2) unchanged.]

[17.1.3-(h) unchanged.]

[17.1.4 through 17.1.6 unchanged.]

**B. Bylaws:** Amend 17.4, as follows:

[Roll Call]

### 17.4 Basketball.

17.4.1 Length of Playing Season. (See Bylaw 17.1.1.3.2 for winter NCAA championship sports.)

17.4.2 Preseason Practice. (See Bylaw 17.1.1.3.2)

~~17.4.2.1 On-Court Practice. A member institution shall not commence on-court preseason basketball practice sessions before October 15.~~

~~17.4.2.1.1 Permissible Conditioning Activities. Team conditioning or physical-fitness activities supervised by coaching staff members may be conducted on or off court but shall not begin before October 15.~~

~~17.4.2.1.2 Prohibited Activities. Before the start of on-court preseason basketball practice per Bylaw 17.4.2.1, members of the institution's coaching staff may not be involved in athletically related activities with one or more team members at any location (see Bylaw 17.02.1.1).~~

~~17.4.2.1.2.1 Exception: Team promotional activities (e.g., autograph sessions, fan picture sessions, meeting with fans) per Bylaw 12.5.1 are permissible before the start of on-court preseason basketball practice per Bylaw 17.4.2.1, provided these promotional arrangements do not involve any of the practice activities prohibited under the provisions of Bylaw 17.4.2.1.2.~~

~~17.4.2.1.2.2 Exception— Officiating Clinic: Before the start of on-court preseason basketball practice per Bylaw 17.4.2.1, student athletes may observe an officiating clinic related to playing rules that is conducted by video conference, provided no student athlete misses class time to observe the clinic.~~

[17.4.3 through 17.4.6 unchanged.]

**C. Bylaws:** Amend 17.6, as follows:

[Roll Call]

17.6 Bowling, Women's. Regulations for computing the bowling playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (See Figure 17-1)

17.6.1 Length of Playing Season. (See Bylaw 17.1.1.3.2 for winter NCAA championship sports.)

17.6.2 Preseason Practice. *A member institution shall not commence practice sessions in bowling before October 1.* **(See Bylaw 17.1.1.3.2)**

17.6.3 First Date of Competition. A member institution shall not engage in its first date of competition in bowling before October 1.

[17.6.4 through 17.6.6 unchanged.]

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

[Roll Call]

17.11 Football.

17.11.1 Definitions:

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 reviewed by 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.)* **The playing season shall consist of 114 team days. The institution is limited**

**to 16 days in the spring period. Any days not used in the traditional segment and spring period may be used for strength and conditioning activities as follows:**

**(a) Days may not be used five weekdays before the first day of an institution's final examination period for a regular academic term, through the end of that examination period.**

**(b) Days may not be used during any institutional break period.**

[17.11.3 through 17.11.7 unchanged.]

**E. Bylaws:** Amend 17.14, as follows:

[Roll Call]

17.14 Ice Hockey. Regulations for computing the ice hockey playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. Institutions that conduct women's ice hockey shall comply with the same playing and practice season legislation that currently exists for men's ice hockey. (See Figure 17-1)

[17.14.1 unchanged.]

17.14.2 Preseason Practice A member institution shall not commence on-ice practice sessions in ice hockey before the second Monday in October.

17.14.2.1 Exception – Off-Ice Training. A member institution shall not commence off-ice practice sessions *prior to the first Monday in October which must be included in the calculation of the 19-week playing season* **earlier than the seventh day after the first day of classes.**

[17.14.3 through 17.14.6 unchanged.]

**F. Bylaws:** Amend 17.24, as follows:

[Roll Call]

17.24 Track and Field, Indoor/Outdoor. Regulations for computing the indoor/outdoor track and field playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (See Figure 17-1)

17.24.1 Length of Playing Season. The length of an institution's playing season in indoor and outdoor track and field shall be limited to the following:

(a) An institution that sponsors only indoor or outdoor track and field (but not both) shall be limited to a maximum playing season of ~~19 weeks~~ **114 days.**

(b) An institution that sponsors both indoor and outdoor track and field shall be limited to a maximum playing season of ~~24 weeks~~ **144 days,** *which may not be divided into segments (i.e., traditional and nontraditional). The weeks of the playing season shall be conducted consecutively and in accordance with Bylaw 17.1.2.*

[17.24.1.1 unchanged.]

[17.24.2 through 17.24.6 unchanged.]

**G. Bylaws:** Amend 17.28, as follows:

[Roll Call]

17.28 Wrestling, Women's Regulations for computing the women's wrestling playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (See Figure 17-1)

17.28.1 Length of Playing Season. (See Bylaw 17.1.1.3.2 for winter NCAA championship sports.)

17.28.2 Preseason Practice. A member institution shall not commence practice sessions in women's wrestling before October 10.

**17.28.2.1 Strength and Conditioning Activities. An institution may conduct strength and conditioning activities but not practice activities beginning the seventh day after the first day of classes and between the completion of the traditional segment and five weekdays before the first day of the final examination for the regular academic year. These days shall count against the 114 day limit.**

17.28.3 First Date of Competition. A member institution shall not engage in its first date of competition (match, exhibition or scrimmage) against outside competition in women's wrestling before November 1.

[17.28.4 through 17.28.6 unchanged.]

**H. Bylaws:** Amend 17.29, as follows:

[Roll Call]

17.29 Wrestling, Men's. Regulations for computing the men's wrestling playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (See Figure 17-1)

17.29.1 Length of Playing Season. (See Bylaw 17.1.1.3.2 for winter NCAA championship sports.)

17.29.2 Preseason Practice. A member institution shall not commence practice sessions in men's wrestling before October 10.

**17.29.2.1 Strength and Conditioning Activities. An institution may conduct strength and conditioning activities but not practice activities beginning the seventh day after the first day of classes and between the completion of the traditional segment and five weekdays before the first day of the final examination for the regular academic year. These days shall count against the 114 day limit.**

17.29.3 First Date of Competition. A member institution shall not engage in its first date of competition (match, exhibition or scrimmage) against outside competition in men's wrestling before November 1.

[17.29.4 through 17.29.6 unchanged.]

**Source:** Michigan Intercollegiate Athletic Association and Southern Athletic Association

**Effective Date:** August 1, 2023

**Rationale:** Coaches are often more influential in the lives of their own student-athletes while at college. This legislation returns us to the temporary legislation of the COVID years and allows for a more flexible and more permissible approach to managing the entire season. We believe that in addition to enhancing the

student-athletes overall experience in college, it will also aid in the retention of younger, more vulnerable student-athletes.

**Budget Impact:** None.

**Position Statement(s):** *Management Council:* The Management Council takes no position on this proposal. The Council prefers and supports the Management Council sponsored proposal amending the playing season structure. In the event the council proposal is defeated, the Council agrees that this proposal is preferable over the existing structure.

No. 2023-11 (2-4) PLAYING SEASONS – ELIMINATING WEEKS AS THE MEASUREMENT FOR A SEASON AND ESTABLISHING A NEW PLAYING SEASONS STRUCTURE

**Intent:** To restructure the playing and practice seasons for all sports (except football) as follows: (1) eliminate using "weeks" as a measure for defining the seasons; (2) establish the fall and spring traditional segments by a start and end date; (3) increase the nontraditional segment interaction for fall and spring sports from 16 to 24 days; (4) measure the winter sports season by 114 days, with flexibility to use eight of those days before or after the season; and (5) measure period sports (golf, rowing and tennis) seasons by 114 days.

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

[Roll Call]

17.02 Definitions and Applications.

[17.02.1 through 17.02.12 unchanged.]

17.02.12.2 Determining the First Permissible Practice Date for Fall Sports Other Than Football – Application of the 16 Units. To determine the first permissible practice date, an institution shall count back a total of 16 units on a calendar starting with **no earlier than** the day before the first ~~scheduled intercollegiate competition~~ **permissible contest date** (see Bylaw 17.02.12.2.1), as follows:

[17.02.12.2-(a) through 17.02.12.2-(b) unchanged.]

(c) The first six units: assign one unit to each of the six calendar days (not including Sunday) before the first ~~scheduled~~ **permissible** intercollegiate competition (see Bylaw 17.02.12.2.1);

[17.02.12.2-(d) through 17.02.12.2-(e) unchanged.]

17.02.12.2.1 ~~First Scheduled Intercollegiate Competition~~ **Permissible Contest Date.** The assignment of units for counting using the preseason practice formula ~~should~~ **may** begin ~~on~~ **no earlier than** the day before the first ~~scheduled intercollegiate competition (see Bylaw 17.1.1.3.4.1 for exception)~~ **permissible contest date.** It is not permissible to determine the starting date for preseason practice by counting back from the first scheduled preseason exhibition, scrimmage or joint practice season.

[17.02.12.2.2 through 17.02.12.2.5 unchanged.]

[17.02.13 through 17.02.14 unchanged.]

**B. Bylaws:** Amend 17.1.1, as follows:

[Roll Call]

17.1.1 ~~Playing Season. The playing (i.e., practice and competition) season for a particular sport is the period of time between the date of an institution's first officially recognized practice session and the date of the institution's last practice session or date of competition, whichever occurs later.~~ An institution is permitted to conduct athletically related activities (see Bylaw 17.02.1.1) in each academic year only during the playing season as regulated for each sport in accordance with the provisions of this bylaw. The institution must conduct the same playing season for varsity and subvarsity teams in the same sport.

17.1.1.1 ~~Declaration of Playing Season.~~ Each member institution shall determine the playing season for each of the sports referenced under Bylaw 17.02.13. Declaration of the institution's playing season in each such sport shall be on file in writing in the department of athletics before the beginning of the institution's playing season for that sport. Changes in the declaration for a particular sport are permissible and also shall be filed in writing in the office of the institution's director of athletics.

17.1.1.2 ~~Segments of Playing Season.~~ Segment limitations are applicable to all team and individual sports (listed under Bylaws 17.02.13.1 and 17.02.13.2), except for football, golf, rowing, tennis and sports with a winter NCAA championship . The segments shall be defined as follows:

[17.1.1.2-(a) through 17.1.1.2-(b) unchanged.]

~~17.1.1.3 Length of Playing Season.~~

~~17.1.1.3.1 Sports with a Fall NCAA Championship. The length of an institution's playing season shall be limited to a maximum of 18 weeks.~~

~~17.1.1.3.1.1 Segment Limitations. Except for the sport of football (see Bylaw 17.11) and unless otherwise noted in the applicable sport section, the playing season shall be conducted according to the following:~~

~~(a) Traditional Segment.~~

~~(1) First Permissible Practice. A member institution shall not commence practice before the date that permits a maximum of 16 units in the preseason practice formula (see Bylaw 17.02.12) before the first scheduled intercollegiate competition. This provision is not applicable to men's water polo [see Bylaw 17.27.2-(a)].~~

~~(2) First Contest or Date of Competition. September 1 or the preceding Friday if September 1 falls on a Saturday, Sunday or Monday (see Bylaw 17.1.4.5.1-(d) regarding alumni game). This provision is not applicable to men's water polo [see Bylaw 17.27.3-(a)]. Exempted scrimmages, exhibitions and joint practices [see Bylaw 17.1.4.5.1-(c)] are permitted prior to the first regular-season contest or date of competition.~~

~~(3) End of Segment. All practice and competition shall be completed by the conclusion of the NCAA championship.~~

~~(b) Nontraditional Segment.~~

~~(1) First Permissible Practice and Competition. February 1.~~

- ~~(2) End of Segment. All practice and competition shall be completed not later than five weekdays before the first day of the institution's final examinations for the regular academic year. If an institution's academic year concludes with a nonregular academic term (e.g., May term), then all practice and competition shall be completed not later than the first day of final examinations for that nonregular academic term [see Bylaws 17.1.2(c) and 17.1.2(d) regarding holiday, vacation and final examination periods].~~

~~17.1.1.3.2 Sports with a Winter NCAA Championship. The length of an institution's playing season shall be limited to a maximum of 19 weeks.~~

~~17.1.1.3.2.1 Season Limitations. Except for the sports of basketball, women's bowling, ice hockey and men's and women's wrestling (the applicable provisions are set forth in the specific sports sections) and unless otherwise noted in the applicable sport section, the playing season shall be conducted according to the following:~~

- ~~(a) First Practice or Competition. September 7 or the institution's first day of classes for the fall term, whichever is earlier.~~
- ~~(b) End of Season. All practice and competition shall be completed by the conclusion of the NCAA championship. An institution may continue practice and competition beyond the NCAA championship provided it is within 19 weeks and all practice and competition is completed not later than five weekdays before the first day of the institution's final examinations for the regular academic year. If an institution's academic year concludes with a nonregular academic term (e.g., May term), then all practice and competition shall be completed not later than the first day of final examinations for that nonregular academic term [see Bylaws 17.1.2(c) and (d) regarding holiday, vacation and final examination periods].~~

~~17.1.1.3.3 Sports with a Spring NCAA Championship, except for 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 Segment Limitations. Unless otherwise noted in the applicable sport section, the playing season shall be conducted according to the following:~~

~~(a) Traditional Segment.~~

- ~~(1) First Date of Practice or Competition. September 7 or the institution's first day of classes for the fall term, whichever is earlier.~~
- ~~(2) End of Segment. All practice and competition shall be completed by the conclusion of the NCAA championship.~~

~~(b) Nontraditional Segment.~~

- ~~(1) First Practice and Competition. September 7 or the institution's first day of classes, whichever is earlier.~~
- ~~(2) End of Segment. All practice and competition shall be completed not later than five weekdays before the first day of the institution's final regular fall examination period [see~~

~~Bylaws 17.1.2(c) and 17.1.2(d) regarding holiday, vacation and final examination periods.~~

~~17.1.1.3.4 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:~~

~~(a) Fall Period:~~

~~(1) First Permissible Practice. The date that permits a maximum of 16 units in the preseason practice formula before the first permissible date of competition (as opposed to the institution's first date of competition) as specified in each sport.~~

~~(2) First Permissible Competition. In 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.~~

~~(3) End of Period. All practice and competition shall be completed not later than five weekdays before the first day of the final regular fall examination period.~~

~~(b) Spring Period:~~

~~(1) First Practice or Competition. January 15.~~

~~(2) End of Period. All practice and competition shall be completed by the conclusion of the NCAA championship.~~

**17.1.1.3 Week. A week shall be defined by the institution as any consecutive seven-day period, regardless of the day on which the seven-day period begins. (See Bylaw 17.1.4.1 for day off requirements) An institution may not redefine its week except in the following circumstances:**

**(a) During a segment (or period in golf, rowing and tennis) of the playing season, following a period of at least seven consecutive days that includes a vacation, final-examination period or holiday period during which no athletically related activities occur; or**

**(b) Between the fall and spring period in golf, rowing and tennis and between segments of the playing season in other sports, provided the institution divides its practice and playing season into two distinct segments per Bylaw 17.1.1.2.**

**17.1.1.4 Equipment Issue, Team Pictures.**

**(a) It shall be permissible to designate a single date for issuing equipment and for taking team pictures after the beginning of classes in the fall term or the day before the beginning of preseason practice.**

**(b) Exception for Sundays. If the day before the beginning of preseason is a Sunday, the member institution may designate the preceding Saturday for issuing equipment and taking team pictures.**

**C. Bylaws:** Amend 17.1.2, as follows:

[Roll Call]

17.1.2 General Regulations for Computing Playing Seasons. In determining the length of an institution's playing season, the following regulations shall apply:

- (a) ~~Week. A week shall be defined by the institution as any consecutive seven-day period, regardless of the day on which the seven-day period begins. The playing season, or its segments (or periods in golf, rowing and tennis), shall consist of consecutive weeks. Practice or competition during any part of a week shall be counted as a full week (e.g., practice or competition during nine weeks and one day shall be counted as 10 weeks). An institution may not redefine its week except in the following circumstances:~~
- ~~(1) During a segment (or period in golf, rowing and tennis) of the playing season, following a period of at least seven consecutive days that includes a vacation, final-examination period or holiday period during which no athletically related activities occur [see Bylaw 17.1.2-(d)]; or~~
  - ~~(2) Between the fall and spring period in golf, rowing and tennis and between segments of the playing season in other sports, provided the institution divides its practice and playing season into two distinct segments per Bylaw 17.1.1.2.~~
- (b) ~~Total Combined Length. The total number of weeks for both segments (or periods in golf, rowing and tennis) of a playing season combined shall not exceed the maximum permitted in a particular sport;~~
- (c) ~~Holiday, Vacation Periods. In traditional and nontraditional segments (or periods in golf, rowing and tennis), any practice or competition during published vacation and holiday periods during the academic year shall be counted as part of the playing season. If practice or competition is not scheduled during any full week (seven consecutive days) that includes a vacation or holiday period, it neither shall be counted as part of the playing season nor shall constitute a break in a segment (or period in golf, rowing and tennis) [see Bylaw 17.1.2-(a)-(1)];~~
- (d) ~~Final-Examination Periods.~~
- ~~(1) Traditional Segment. Any practice or competition during a final-examination period during the academic year shall be counted as part of the playing season. If practice or competition is not scheduled during any full week (seven consecutive days) that includes a final-examination period, it neither shall be counted as part of the playing season nor shall constitute a break in a segment [see Bylaw 17.1.2-(a)-(1)].~~
  - ~~(2) Nontraditional Segment. An institution shall not conduct practice or competition during a final-examination period. For any final-examination period of a regular academic term (e.g., winter quarter, spring semester), an institution may not conduct practice and competition five weekdays before the first day of the final-examination period. This period shall not be counted as part of the playing season nor shall constitute a break in the segment.~~
- (e) ~~Nontraditional Segment. The nontraditional segment shall be counted as part of the institution's declared playing season, regardless of whether competition occurs during that segment; and~~
- (f) ~~Equipment Issue, Team Pictures.~~

- (1) *It shall be permissible to designate a single date for issuing equipment and for taking team pictures after the beginning of classes in the fall term or the day before the beginning of a segment or, in basketball and football, the day before the beginning of preseason practice.*
- (2) *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 team pictures.*

**17.1.2.1 Sports with a Fall NCAA Championship other than football. Except for the sport of football (see Bylaw 17.11) and unless otherwise noted in the applicable sport section, the playing season shall be conducted according to the following:**

**(a) Traditional Segment.**

- (1) **First Permissible Practice.** A member institution shall not commence practice before the date that permits a maximum of 16 units in the preseason practice formula (see Bylaw 17.02.12) before the first permissible contest date. This provision is not applicable to men's water polo [see Bylaw 17.27.2-(a)].
- (2) **First Contest or Date of Competition.** September 1 or the preceding Friday if September 1 falls on a Saturday, Sunday or Monday (see Bylaw 17.1.4.5.1-(d) regarding alumni game). This provision is not applicable to men's water polo [see Bylaw 17.27.3-(a)]. Exempted scrimmages, exhibitions and joint practices [see Bylaw 17.1.4.5.1-(c)] are permitted prior to the first regular-season contest or date of competition.
- (3) **End of Segment. NCAA championships selections.** For those sports without an NCAA championship, the season shall not extend beyond the selection date of the last Division III fall championship sport to conduct selections.
- (i) **Exception.** An institution may participate in post-season activities as set forth Bylaw 17.1.3.

**(b) Nontraditional Segment. An institution may conduct a maximum of 24 days of athletically related activities as follows:**

- (1) **First Permissible Practice and Competition.** First class date after January 1st.
- (2) **End of Segment.** All practice and competition shall be completed not later than five weekdays before the first day of the institution's final examinations for the regular academic year. If an institution's academic year concludes with a nonregular academic term (e.g., May term), then all practice and competition shall be completed not later than the first day of final examinations for that nonregular academic term [see Bylaws 17.1.2-(c) and 17.1.2-(d) regarding holiday, vacation and final examination periods].
- (3) **Days.** No more than four days of athletically related activity may occur in any one week. Any athletically related activity by any member of the team shall constitute the use of a day. No class shall be missed for participation in these days (including the competition date).

- (4) Competition: One date of competition may occur and shall be counted as one of the 24 permissible days of athletically related activities. No more than eight hours of athletically related activity may occur on the date. (See Bylaw 17.1.4.4 for additional sport specific limitations).

17.1.2.2 Sports with a Winter NCAA Championship. Unless otherwise noted in the applicable sport section, the playing season shall be conducted according to the following:

(a) The length of an institution's playing season shall be limited to a maximum 114 team days, occurring between the following.

- (1) First Practice or Competition. September 7 or the institution's first day of classes for the fall term, whichever is earlier. (This does not apply in the sports of basketball, women's bowling, ice hockey and men's and women's wrestling, in which the applicable start date provisions are set forth in the specific sports sections.)
- (2) End of Season. All practice and competition shall be completed by NCAA championships selections. For those sports without an NCAA championship, the season shall not extend beyond the selection date of the last Division III winter championship sport to conduct selections.

(b) Exceptions.

- (1) An institution may participate in post-season activities as set forth in Bylaw 17.1.3, that shall not count toward against the 114 days.
- (2) An institution may use up to eight of the 114 permissible days outside the playing season provided:
  - (i) The days are not used before the first day of classes;
  - (ii) The days are not used five weekdays before an exam period through the exam period;
  - (iii) The days may not be used during the summer vacation period; and
  - (iv) No more than than three days are used per week.

17.1.2.3 Sports with a Spring NCAA Championship, except for Golf, Rowing and Tennis. Unless otherwise noted in the applicable sport section, the playing season shall be conducted according to the following:

(a) Traditional Segment.

- (1) First Date of Practice or Competition. Fifteen weeks before NCAA championship selection in that sport. An institution may use up to 12 of its 24 nontraditional days set forth in Bylaw 17.1.1.4(b)(3) in the two weeks immediately preceding the start of the season.
- (2) End of Segment. NCAA championships selections. For those sports without an NCAA championship, the season shall not extend beyond the selection date of the last Division III spring championship sport to conduct selections.
  - (i) Exception. An institution may participate in post-season activities as set forth Bylaw 17.1.3.

**(b) Nontraditional Segment.** An institution may conduct a maximum of 24 days of athletically related activities as follows:

- (1) First Practice and Competition.** September 7 or the institution's first day of classes, whichever is earlier.
- (2) End of Segment.** All practice and competition shall be completed not later than five weekdays before the first day of the institution's final regular fall examination period.
- (3) Days.** No more than four days of athletically related activity may occur in any one week. Any athletically related activity by any member of the team shall constitute the use of a day. No class shall be missed for participation in these days (including the competition date).
- (4) Competition.** One date of competition may occur and shall be counted as one of the 24 permissible days of athletically related activities. No more than eight hours of athletically related activity may occur on the date. (See Bylaw 17.1.4.4 for additional sport specific limitations).

**17.1.2.4 Period Sports (Golf, Rowing and Tennis).** Unless otherwise noted in the applicable sport section, the playing season shall be limited to a maximum of 114 team days conducted within the following periods:

**(a) Fall Period.**

- (1) First Permissible Practice.** The date that permits a maximum of 16 units in the preseason practice formula before the first permissible date of competition as specified in each sport.
- (2) First Permissible Competition.** In 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.
- (3) End of Period.** All practice and competition shall be completed not later than five weekdays before the first day of the final regular fall examination period.

**(b) Spring Period.**

- (1) First Practice or Competition.** January 15.
- (2) End of Period.** All practice and competition shall be completed by the NCAA championship selections for the sport.
  - (i) Exception.** An institution may participate in post-season activities as set forth Bylaw 17.1.3.

**D. Bylaws:** Amend 17.1.3, as follows:

[Roll Call]

**17.1.3 Postseason Activities.** The following may occur after NCAA championship selections:

- ~~(a) Makeup Contests. An institution is not permitted to extend the playing season to make up suspended or canceled games except for contests that determine a~~

~~conference champion or the automatic qualifier to the NCAA championships, provided such contests are concluded not later than 6 p.m. local time of the competition on the date on which participants are selected for the NCAA championship;~~

~~(b) Conference Championships. Conference championships must be included within the institution's playing season;~~

~~(e a) NCAA, NCCAA or NAIA Championships Participation in Team Sports. Neither **p**Practice for nor **and** participation in any NCAA, NCCAA or NAIA championship event is considered part of the institution's declared playing season;~~

~~(d b) Under Consideration for Selection to a NCAA Team Championship. **Golf, Rowing and Tennis.** A member institution that has reason to believe it is under consideration for selection to participate in an NCAA championship event may do the following:~~

~~(1) Continue to practice (but may not compete against outside competition) beyond its declared playing season, including the conference championship (if any), without counting such practice against the institution's declared playing-season limitation as long as such practice begins not earlier than three weeks before the start of the NCAA championship in that sport.~~

~~(2 1) An institution's spring championship sport team that earns its conference's automatic qualification in the fall segment/period may not continue to practice after the fall segment/period and before the spring segment/period based on its belief that it is under consideration for selection to the spring NCAA championship.~~

~~(3) An institution that is not selected to participate in the NCAA championship may continue to practice or compete until the end of that championship only if it has time remaining in its declared playing season.~~

~~(e c) NCAA Championships Participation in Individual Sports. Only appropriate squad members considered necessary for effective practice with the individual(s) preparing for the NCAA championships may continue to practice without counting such practice against the institution's declared playing-season limitation;~~

~~(f d) Post-NCAA Championships Participation. **Joint-Declaration Program:** After the conclusion of an NCAA (or NAIA or NCCAA) championship in a sport, an institution may resume practice and/or competition in the sport, provided it is continuing its permissible playing season in the sport and provided the activity occurs during the academic year. An institution in the joint-declaration program may participate in the championship for which the institution declared, even when the championship occurs outside the permissible NCAA playing season. Institutions in the joint-declaration program must abide by all other NCAA regulations for all sports, including the length of the playing season (see Bylaw 31.2.1.2);~~

~~(g e) Non-NCAA Postseason Championships and Qualifying Competition **Tournament.** Practice and/or competition in **one** non-NCAA (or non-NAIA or non-NCCAA) postseason championships (e.g., an invitational tournament scheduled after a conference championship) must be counted against the institution's declared playing-season limitation. For emerging sports for women (see Bylaw 20.02.6) or a non-NCAA championship sport used for sport sponsorship purposes (see Bylaw 20.11.3.4.1), practice and competition for one postseason championship may be excluded under the following circumstances **provided:**~~

(1) ~~An institution may exclude a maximum of~~**The tournament does not extend beyond** three weeks ~~of competition from its declared playing season for qualifying competition for the championship event~~**or conclude after the NCAA championship**; and

(2) ~~The qualifying competition shall be the only event from which teams or individuals are selected to participate in the championship event. In women's gymnastics, practice for and competition in the National Collegiate Gymnastics Association national championship are exempt from the institution's declared playing season limitation; and~~**The institution and/or individuals were not selected to the NCAA championship (or NAIA or NCCAA).**

(h f) Foreign Tours. Participation by a member institution on a certified foreign tour (see Bylaw 17.31) need not be included within the institution's declared playing-season ~~limitation~~ in the sport.

E. **Bylaws:** Amend 17.1.4, as follows:

[Roll Call]

17.1.4 Practice, Contest and Dates of Competition Limitations.

[17.1.4.1 unchanged.]

17.1.4.2 Missed Class Time. A student-athlete shall not miss class for the following:

(a) Practice activities ~~in any segment~~; and

[17.1.4.2-(b) unchanged.]

[17.1.4.2.1 unchanged.]

[17.1.4.3 unchanged.]

17.1.4.4 Nontraditional Segment **Competition** Limitations for Baseball, Field Hockey, Lacrosse, Soccer, Softball and Volleyball. The nontraditional segment shall be subject to the following limitations:

~~(a) All practice and competition shall be limited to a maximum of five weeks;~~

~~(b) A maximum of 16 days of athletically related activity with not more than four days of athletically related activity in any one week shall be permitted;~~

~~(c) Any athletically related activity (see Bylaw 17.02.1.1) by any member of the applicable team shall constitute the use of a day;~~

~~(d) One date of competition may occur and shall be counted as one of the 16 permissible days of athletically related activity; and~~

[17.1.4.4-(e) relettered as 17.1.4.4-(a), unchanged.]

(1) Baseball. Two regulation baseball games or 18 regulation innings (e.g.i.e., three outs per inning, three strike outs per out).

[17.1.4.4-(a)-(2) through 17.1.4.4-(a)-(4) unchanged.]

(5) Softball. Three regulation softball games or 21 regulation innings (e.g.i.e., three outs per inning, three strikes per out).

[17.1.4.4-(a)-(6) unchanged.]

[17.1.4.5 unchanged.]

**F. Bylaws:** Amend 17.24, as follows:

[Roll Call]

17.24 Track and Field, Indoor/Outdoor. Regulations for computing the indoor/outdoor track and field playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (See Figure 17-1)

17.24.1 Length of Playing Season. The length of an institution's playing season in indoor and outdoor track and field shall be limited to the following:

- (a) An institution that sponsors only indoor or outdoor track and field (but not both) shall be limited to a maximum playing season of ~~19 weeks~~ **114 days**.
- (b) An institution that sponsors both indoor and outdoor track and field shall be limited to a maximum playing season of ~~24 weeks~~ **144 days**, ~~which may not be divided into segments (i.e., traditional and nontraditional). The weeks of the playing season shall be conducted consecutively and in accordance with Bylaw 17.1.2.~~

[17.24.1.1 unchanged.]

[17.24.2 through 17.24.6 unchanged.]

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

**Effective Date:** August 1, 2023

**Rationale:** The current playing and practice seasons structure was established in 2004 and has been subject to multiple reviews since its adoption. The Division III Interpretations and Legislation Committee was charged with conducting the most recent review and engaged in extensive membership outreach including to, coaches associations, the Division III Commissioners Association, NADIII and other affiliate groups. The concepts reflected in this recommendation do not address all concerns expressed by the membership and the committee acknowledged that additional future changes may be necessary. However, this proposal offers an alternative to the existing framework that would provide more flexibility to interact with student-athletes outside the traditional season while still upholding philosophical tenets of Division III regarding the appropriate balance of academics, athletics and additional collegiate opportunities. This proposal offers a less rigid approach to the traditional segment by eliminating the weeks structure without increasing the monitoring burden on member institutions. The recommendation also provides flexibility to implement consensus health and safety standards. For these reasons the proposal reflects positive change for member institutions and their student-athletes.

**Budget Impact:** None.

No. 2023-12 (2-3) PLAYING AND PRACTICE SEASONS – FALL PRESEASON PRACTICE FORMULA – SPORTS OTHER THAN FOOTBALL -- PRESEASON ACCLIMATIZATION FOR FALL SPORTS

**Intent:** To amend the preseason legislation for all fall sports, except football and men's water polo, as follows (1) to calculate the first permissible start date by counting back 18 days; (2) require an acclimatization period during the first seven days during preseason practice; (3) require one day off of physical activity

per defined week of the preseason, including the acclimatization period; and (4) require all student-athletes, including those who arrive to preseason practice after the first day of practice to undergo the seven-day acclimatization period.

**A. Bylaws:** Amend 17.02.12, as follows:

[Roll Call]

17.02.12 Fall Preseason Practice Formula -- Sports Other Than Football. In cross country, field hockey, *golf, rowing*, rugby, soccer, **triathlon, tennis** and women's volleyball, the first permissible date for preseason practice shall be **no earlier than 18 days before its first scheduled contest**. *determined by the application of 16 units in the preseason practice formula, as specified in this section. In golf, tennis and rowing, see bylaw 17.1.1.3.4.1 for determining the first permissible date for preseason practice.*

**17.02.12.1 Seven-Day Acclimatization Period – Days 1-4. Preseason practice shall begin with four days of an acclimatization period for both first-time participants (e.g., first years and transfers) and continuing student-athletes. The four-day acclimatization period shall be conducted as follows:**

- (a) **Institutions may not conduct conditioning, speed, strength, or agility tests before the start of the acclimatization period.**
- (b) **Institutions are permitted to conduct weight training activities during days 1-4 of the acclimatization period without counting those activities toward the maximum hour limitations for practices; however, weight training activities may not be conducted during the required three hours of continuous recovery time between any sessions.**
- (c) **Institutions are not permitted to conduct outside competition (e.g., scrimmages, joint practices, or competition) during days 1-4 of the acclimatization period.**
- (d) **During the first day of the acclimatization period in cross country, field hockey, rowing, rugby, soccer, tennis, triathlon and women's volleyball, an institution may conduct either:**
  - (1) **One practice and one walk-through session (See Bylaw 17.02.12.7), which shall be limited to a combined total of four hours per day with the practice session not to exceed three hours. Student-athletes must be provided with at least three hours of continuous recovery time between any sessions (e.g., practice or walk-through session). During the recovery 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; or**
  - (2) **One testing session (e.g., speed, conditioning, or agility tests), not to exceed one hour in length, one practice, not to exceed two hours in length and one one-hour walk-through session (See Bylaw 17.02.12.7). Student-athletes must be provided with at least three hours of continuous recovery time between any sessions (e.g., practice, walk-through session, or testing). During the recovery 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.**

- (e) During days 2-4, participants in the sports of cross country, field hockey, rowing, rugby, soccer, tennis, triathlon, and women's volleyball shall not engage in more than one 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. No equipment related to the respective sport may be used and conditioning activities may not occur during the walk-through/activity session. Student-athletes must be provided with at least three hours of continuous recovery time between any sessions (e.g., practice, walk-through, or activity). During the recovery 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.
- (f) During days 1-4 of the acclimatization period, participants in the sport of golf shall not engage in more than four hours of practice per day. Student-athletes must be provided with at least three hours of continuous recovery time between any practice periods of less than four hours on the same day. Student-athletes must be provided with at least three hours of continuous recovery time immediately after any single four-hour practice. During the recovery 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.

**17.02.12.2 Seven-Day Acclimatization Period – Days 5-7. Days 5-7 of the acclimatization period shall be conducted as follows:**

- (a) Beginning on day 5 of the acclimatization period, an institution may conduct multiple practice sessions on the same day in cross country, field hockey, golf, rowing, rugby, soccer, tennis, triathlon and women's volleyball;
- (b) Student-athletes in cross country, field hockey, rowing, rugby, soccer, tennis, triathlon and women's volleyball shall not engage in more than two practices and one walk-through session (See Bylaw 17.02.12.7), which shall be limited to a combined total of five hours per day with any single practice session not to exceed three hours;
- (c) Student-athletes in cross country, field hockey, rowing, rugby, soccer, tennis, triathlon and women's volleyball must be provided with at least three hours of continuous recovery time between practice sessions and a walk-through session (See Bylaw 17.02.12.7). During this recovery 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;
- (d) Student-athletes in the sports of golf shall not engage in more than five hours of practice per day. Student-athletes must be provided with at least three hours of continuous recovery time between any practice periods of less than five hours on the same day;
- (e) Student-athletes must be provided with at least three hours of continuous recovery time immediately after any single five-hour practice. During the recovery 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; and

(f) Institutions are not permitted to conduct outside competition (e.g., scrimmages, joint practices, or competition) during days 5-7 of the acclimatization period.

17.02.12.3 Mandatory Day Off During the Combined Acclimatization Periods. All physical athletically related activity (e.g., on-field activity, weight lifting and conditioning) is prohibited during one calendar day per defined week, before classes are in session (See Bylaw 17.1.4.1 for day-off requirements when classes are in session).

17.02.12.4 First Scheduled Intercollegiate Competition. The counting for cross country, field hockey, rugby, soccer, triathlon and women's volleyball should begin on the day before the first scheduled intercollegiate competition (see Bylaw 17.1.1.3.4.1 for golf, rowing and tennis). It is not permissible to determine the starting date for preseason practice by counting back from the first scheduled preseason exhibition, scrimmage or joint practice season.

17.02.12.25.4 Football Preseason Practice Formula. Do not use the preseason practice formula detailed within this section for the sport of football. Instead, use the formula in Bylaw 17.11.3.1.

~~17.02.12.26 Determining the First Permissible Practice Date for Fall Sports Other Than Football – Application of the 16 Units: Men's Water Polo Preseason Practice Formula. To determine the first permissible practice date, an institution shall count back a total of 16 units on a calendar starting with the day before the first scheduled intercollegiate competition (see Bylaw 17.02.12.2.1), as follows:~~  
**In the sport of men's water polo, the first permissible date for preseason practice shall be determined by the application of 21 units in the preseason practice formula as follows:**

[17.02.12.2-(a) through 17.02.12.2-(b) renumbered as 17.02.12.6-(a) through 17.02.12.6-(b) unchanged.]

(c) The first six units: assign one unit to each of the six calendar days (not including Sunday) before the first scheduled intercollegiate competition (see Bylaw 17.02.12.6.2.2-1);

(d) The remaining ~~15~~7 units:

(1) Assign one unit to each calendar day (not including Sundays) that occurs on or after the opening day of classes for the fall term ~~(see Bylaw 17.02.12.2.2), and~~

(2) Assign two units to each calendar day before the opening day of classes for the fall term (not including Sundays) until the sum of units on the calendar reaches ~~21~~7;

(e) The date on which the total count of units on the calendar reaches ~~21~~7 is the first permissible date for preseason practice ~~(see Bylaw 17.02.12.2.3).~~

17.02.12.76.1 Unit -- Defined. A "unit" is a numerical value assigned to a particular calendar day within the application of the preseason practice formula that is used to determine the first permissible practice date for fall sports other than football. The number of units assigned to a particular day does not determine or limit the number of practices that may be conducted on that day.

17.02.12.26.72 First Scheduled Intercollegiate Competition. The assignment of units for counting using the preseason practice formula should begin on the day before the first scheduled intercollegiate competition ~~(see Bylaw 17.1.1.3.4.1 for exception)~~. It is not permissible to

determine the starting date for preseason practice by counting back from the first scheduled preseason exhibition, scrimmage or joint practice season.

~~17.02.12.26.23~~ **17.02.12.26.23** Opening Day of Classes. The opening day of classes is defined as the first day of classes as listed in the member institution's official catalog. Required freshman orientation is not considered to be the opening day of classes for the academic year.

~~17.02.12.26.34~~ **17.02.12.26.34** Remainder of One Counting Unit. If the ~~20<sup>th</sup>~~6<sup>th</sup> and ~~21<sup>st</sup>~~17<sup>th</sup> unit is on the same day, it is permissible to begin practice on that day since it is the day in which the total count of units reaches ~~20~~16.

~~17.02.12.2.5 Men's Water Polo. In the sport of men's water polo, the first permissible date for preseason practice shall be determined by the application of 21 units in the preseason practice formula. The 21 units shall be applied in the same manner as set forth in 17.02.12.2-(a)-(e) with the exception that there are 15 remaining units after applying 17.02.12.2-(c). The remaining 15 units shall be assigned in the manner described in 17.02.12.2-(d) Nos. (1) and (2).~~

**17.02.12.7 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, and other game situations provided no conditioning or contact activities occur. Further, it is not permissible for student-athletes to wear any protective equipment (e.g., helmet, pads) or use any equipment related to the sport except tools related to the specific sport (e.g. soccer ball, field hockey ball and stick, etc.)**

**B. Bylaws:** Amend 17.1.1.3, as follows:

[Roll Call]

17.1.1.3 Length of Playing Season.

17.1.1.3.1 Sports with a Fall NCAA Championship. The length of an institution's playing season shall be limited to a maximum of 18 weeks.

17.1.1.3.1.1 Segment Limitations. Except for the sport of football (see Bylaw 17.11) and unless otherwise noted in the applicable sport section, the playing season shall be conducted according to the following:

[17.1.1.3.1.1-(a) unchanged.]

- (1) First Permissible Practice. A member institution shall not commence practice **earlier than 18 days**~~before the date that permits a maximum of 16 units in the preseason practice formula (see Bylaw 17.02.12)~~ before the first scheduled intercollegiate competition. This provision is not applicable to men's water polo [see Bylaw 17.27.2-(a)].

[17.1.1.3.1.1-(a)-(2) through 17.1.1.3.1.1-(a)-(3) unchanged.]

[17.1.1.3.1.1-(b) unchanged.]

[17.1.1.3.2 through 17.1.1.3.3 unchanged.]

17.1.1.3.4 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.]

- (1) First Permissible Practice. The date that permits a maximum of 16 units in the preseason practice formula **not earlier than 18 days** before the first permissible date of competition (as opposed to the institution's first date of competition) as specified in each sport.

[17.1.1.3.4.1-(a)-(2) through 17.1.1.3.4.1-(a)-(3) unchanged.]

[17.1.1.3.4.1-(b) unchanged.]

**C. Bylaws:** Amend 17.27.2, as follows:

[Roll Call]

17.27.2 Preseason Practice.

- (a) Men. A member institution shall not commence practice sessions in men's water polo before the date that permits a maximum of 21 permissible units in the preseason practice formula (see Bylaw 17.02.12.62-5) before the first scheduled intercollegiate competition.

[17.27.2-(b) unchanged.]

**Source:** New Jersey Athletic Conference, North Coast Athletic Conference and Southern California Intercollegiate Athletic Conf..

**Effective Date:** August 1, 2023

**Rationale:** There was a great emphasis on the guidelines within the NCAA's Prevention of Catastrophic Injury and Death in Collegiate Athletes document over the course of the 2020-21 academic year as teams faced more and longer periods of inactivity than ever before. As we now return to more usual seasons of play, there is a recognition that current legislation for the fall sport preseason practice period makes it more difficult for teams to implement the important health and safety guidelines laid out in the NCAA Prevention of Catastrophic Injury and Death in Collegiate Athletes document - except in the sports of football and men's water polo. The proposed changes incorporate additional structure and time for all institutions to equitably implement the guidelines, in place since 2018-19, into the preseasons for all other fall sports through structured acclimatization periods. The proposed changes also help limit risk to institutions by providing the space to meet the guidelines published by the NCAA. Additionally, the structure of the preseason days may allow some flexibility for incoming student-athletes to participate in important orientation activities along with the rest of the incoming students.

**Budget Impact:** Varies by Institution.

**Position Statement(s):** *Management Council:* The Management Council opposes this proposal, as it establishes standards that don't provide for the necessary institutional and sport specific flexibility and guidance that exists in current health and safety recommendations.

No. 2023-13 (2-6) DIVISION MEMBERSHIP -- ESTABLISHING STUNT AS AN EMERGING SPORT FOR WOMEN

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

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

[Roll Call]

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

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

[17.02.13.2 unchanged.]

[17.02.14 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)**

**17.22.1 Length of Playing Season. (See Bylaw 17.1.1.3.3 for spring NCAA Championship sports.)**

**17.22.2 Preseason Practice. (See Bylaw 17.1.1.3.3.1)**

**17.22.3 First Date of Competition. (See Bylaw 17.1.1.3.3.1)**

**17.22.4 End of Playing Season. (See Bylaw 17.1.1.3.3.1)**

**17.22.5 Number of Dates of Competition.**

**17.22.5.1 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 14 dates of competition, except for those dates of competition excluded under Bylaw 17.3.5.3. Countable date of competition limitations apply separately to multiple teams (e.g., varsity, subvarsity and freshmen). For in-season foreign competition, see Bylaw 17.1.4.3.**

**17.22.5.2 Maximum Limitations-Student-Athlete. A student-athlete may participate each academic year in a maximum of 14 dates of competition during the institution's stunt playing season. This limitation includes those dates of competition in which the student-athlete represents the institution, including competition as a member of the varsity, junior varsity and freshmen team of the institution in accordance with Bylaws 17.02.7 and 17.02.9.**

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

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

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

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

[Roll Call]

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:

(a) Team Sports. Acrobatics and Tumbling ~~and~~, rugby; and **stunt; and**

[20.02.6-(b) unchanged.]

[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		Fencing	8	5

Basketball	18		Golf	6	4
Field Hockey	12		Men's Gymnastics	6	6
Football	7		Women's Gymnastics	6	5
Ice Hockey	18		Rifle	6	4
Lacrosse	10		Skiing	5	5
Women's Rowing	8		Swimming and Diving	8	8
Women's Rugby	8		Tennis	10	6
Soccer	13		Track and Field, Indoor	5	10
Softball	24		Track and Field, Outdoor	6	12
<b>Stunt</b>	<b>6</b>	<b>16</b>	Women's Triathlon	4	3
Volleyball	17		Wrestling, Men's	7	6
Water Polo	13		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 20.11.3.8.11 unchanged.]

[20.11.3.9 through 20.11.3.10 unchanged.]

[20.11.4 unchanged.]

[20.12 through 20.15 unchanged.]

**Source:** NCAA Division III Management Council (Committee on Women's Athletics).

**Effective Date:** August 1, 2023

**Rationale:** The sport continues to grow at the club, high school and collegiate levels, and the proposal is supported by the sport's national governing body. Further, the cost of sponsoring the sport is low and provides an opportunity for enriching member institutions' enrollment management strategies. Stunt provides opportunities for participants with diverse sport backgrounds (e.g., powerlifting, gymnastics) and female sport administrators, coaches, and officials. The sport's national governing body demonstrated that current stunt programs are fully integrated into institutional athletics departments as stand-alone programs, that 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 rules are consistent with NCAA values and legislation.

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

No. 2023-14 (2-2) RECRUITING – SOCIAL MEDIA – ALLOWING PUBLIC COMMUNICATION AFTER JANUARY 1ST OF SENIOR YEAR IN HIGH SCHOOL

**Intent:** To change the date when institutions may have public communications via social media with prospective student-athletes that have deposited, from May 1st to January 1st of their senior year in high school; and clarify that the content of the public communication with the prospective student-athlete is not subject to the publicity limitations (e.g., the public communications may include discussions about campus visits, commitment to attend the institution or acceptance to an institution)

**Bylaws:** Amend 13.02, as follows:

[Roll Call]

13.02.10.5 Exception – After Receipt of Financial Deposit. On or after ~~January~~May 1 of a prospective student-athlete's senior year in high school, there shall be no limit on the forms of electronically transmitted correspondence that may be sent by an institution to a prospective student-athlete, provided the institution has received a financial deposit in response to the institution's offer of admission. **Content of any electronically transmitted correspondence sent within these parameters will not be considered publicizing recruitment of the prospective student-athlete as set forth in Bylaw 13.10.**

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

**Effective Date:** Immediate

**Rationale:** Regulations regarding the use of social media continue to be a subject of debate. Monitoring can be difficult; and education can be challenging given the evolving nature of social media. Current legislation may unnecessarily restrict opportunities for meaningful recruiting conversations. However, complete deregulation raises concerns regarding the appropriateness of interactions and potentially places further demands on PSAs and coaching staffs. This proposal reflects a balancing of concerns expressed by administrators, coaches' associations and Division III National Student-Athlete Advisory Committee. By establishing a firm date after deposit and not restricting content, it reduces the need to monitor these interactions during this period. Coaches could engage on social media without the pressure of engaging in these interactions with as large a recruiting pool if such public communication was allowed earlier or with a broader population. The proposed deregulation would permit coaches to engage with PSAs in the latter half of their senior year when those students are more aware of the recruiting process generally and better equipped to manage such conversations. This proposal represents a limited approach to deregulation that provides coaches and PSAs greater latitude to interact within a limited, but important, window of time.

**Budget Impact:** None.

No. 2023-15 (2-7) DIVISION MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- ELIMINATION OF INSTITUTIONAL AND CONFERENCE SELF-STUDY GUIDE SUBMISSION REQUIREMENTS

**Intent:** To eliminate the requirement for active member institutions and active multisport conferences to submit a comprehensive self-study guide at least once every five years.

**A. Bylaws:** Amend 20.8.4.17, as follows:

[Roll Call]

~~20.8.4.17 Self-Study Guide. 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 ISSG shall be submitted to the national office not later than June 1 of the academic year in which it is due. The ISSG shall be available for examination on request by an authorized representative of the Association and may be reviewed by the Membership Committee with a focus on legislative issues and results of action plans in areas of deficiencies.~~

~~20.8.4.17.1 Institutions Completing Provisional or Reclassifying Membership. An institution that completes the provisional or reclassifying membership period and is granted active membership status must conduct a comprehensive self-study and evaluation of its intercollegiate athletics program not later than the end of the first year of active membership, regardless of when the previous self-study was completed.~~

~~20.8.4.17.2 Failure to Conduct the Institutional Self-Study Report.~~

~~20.8.4.17.2.1 Penalty Period. A penalty period of not less than three academic years shall apply to an institution that fails to conduct the Institutional Self-Study Report subject to the conditions set forth in this bylaw. The penalty period begins once a first failure occurs.~~

~~20.8.4.17.2.1.1 First Failure. An institution shall be placed on membership probation for the length of the penalty period beginning with the next academic year after the failed submission. A failure to conduct the report is considered to have occurred when the institution does not submit the Notification of Completion form to the NCAA national office by June 1 of the academic year in which it is due. During the first year of the penalty period, the institution shall be subject to the probationary year conditions.~~

~~20.8.4.17.2.1.2 Second Failure. An institution shall be placed in restricted membership for one academic year beginning with the next academic year after a second failure is discovered during the penalty period. Failure to meet any of the following requirements shall be considered a second failure:~~

- ~~(a) Institutional Self-Study Guide;~~
- ~~(b) Sports sponsorship requirement; or~~
- ~~(c) Conditions of membership probation.~~

~~20.8.4.17.2.1.3 Third Failure. An institution shall forfeit immediately its membership in the Association after a third failure is discovered during the penalty period. Failure to meet any of the requirements in Bylaw 20.8.4.17.2.1.2 shall be considered a third failure.~~

~~20.8.4.17.2.2 Waiver. The Management Council, on recommendation of the Membership Committee, may grant waivers of Bylaw 20.8.4.17.2 if it deems that extenuating circumstances warrant such action.~~

[20.8.4.18 through 20.8.4.27 renumbered as 20.8.4.17 through 20.8.4.26, unchanged.]

**B. Bylaws:** Amend 20.9.4.6, as follows:

[Roll Call]

*20.9.4.6 Self-Study Guide. Multisport conferences shall conduct a comprehensive self-study and evaluation of their intercollegiate athletics programs at least once every five years, using the Conference Self-Study Guide (CSSG). The CSSG shall be completed and submitted to the national office not later than June 1 of the academic year in which it is due.*

*20.9.4.6.1 Failure to Submit the Conference Self-Study Report. If a multisport conference fails to submit the Conference Self-Study Report by June 1 of the academic year in which it is due, the conference may lose Division III grant and initiative funding beginning in the next academic year after the failed submission.*

[20.9.4.7 renumbered as 20.9.4.6, unchanged.]

**Source:** NCAA Division III Management Council (Membership Committee).

**Effective Date:** Immediate

**Rationale:** The adoption of a new Constitution at the 2022 NCAA Convention afforded Division III with the autonomy to determine, among other things, what it means to be an active member. The Division III membership clearly directed, through both the 2022 membership survey and a request by 31 conferences, that the institutional self-study guide (ISSG) and conference self-study guide (CSSG) requirements be eliminated for active members. The immediate effective date ensures institutions that had previously received a deadline extension through May 31, 2023, are also covered under the legislative change. Provisional and reclassifying institutions will still be required to complete an ISSG as part of the three-year provisional or reclassifying membership process, and new multisport conferences will still be required to submit a CSSG as part of the application and review process. Additionally, the self-study guides will remain available as resources for institutions and conferences to utilize at their own discretion.

**Budget Impact:** None.

## Appendix A

### **Emergency Legislation Adopted by the NCAA Division III Presidents Council**

Pursuant to NCAA Bylaw 9.3.1.1.2, the NCAA Division III Presidents Council is permitted to adopt emergency legislative amendments if it must respond to, or comply with, a court, alternative dispute resolution (ADR) or government order or when the Presidents Council deems it appropriate to limit or avoid NCAA liability as a result of litigation, ADR or governmental proceedings. This action will be referenced in the report of this Official Convention Notice during the 2023 NCAA Division III business session, and acceptance of the report will constitute approval of this action and incorporation in the 2023-24 NCAA Division III manual. If a delegate objects to the incorporation of the amendment, that objection should be raised at the time of the report of the Official Notice. Division III membership then will decide by majority vote of the eligible voters whether to incorporate that amendment.

There is no Emergency Legislation submitted for approval during the 2023 NCAA Convention.

## Appendix B

### **Interpretations to be Included in the 2023-24 NCAA Division III Manual**

In accordance with its authority to recommend incorporation of interpretations in the next printing of the NCAA Division III Manual, the NCAA Division III Interpretations and Legislation Committee has recommended, and the NCAA Division III Management Council has approved inclusion of the following in the Division III Manual. This will be referenced in the report of this Official Convention Notice during the 2023 Division III business session. Approval of this Official Notice will constitute the incorporation of these interpretations. If a delegate objects to incorporation of a particular interpretation, that objection should be raised at the time of the report of the Official Notice. (It is preferred that any delegate intending to raise an objection also inform a member of the NCAA academic and membership affairs staff of that intent before the Division III business session.) The Division III membership then will decide by majority vote of the eligible voters whether to incorporate the interpretation.

It should be noted that these interpretations already have been accepted by the membership, and the only issue concerning these interpretations that is before the membership is whether they should be set forth in the 2023-24 Division III Manual and subsequent Division III Manuals. If the membership votes not to incorporate a particular interpretation into the Manual, the interpretation will still be binding on the membership; it simply will not be included in the 2023-24 Division III Manual.

For each of these interpretations approved by the Management Council, the provisions of Bylaw 9.4.1.4 also would apply (i.e., any Division III member to which the interpretation applies may request a review of that interpretation at the Division III business session by making such a request in writing to the NCAA academic and membership affairs staff or the Association's Convention office prior to 1 p.m. on the day preceding the Division III business session of the Convention). If an interpretation is not challenged per Bylaw 9.4.1.4 and the incorporation of the interpretation into the 2023-24 Division III Manual also is not challenged, it will appear in the 2023-24 Division III Manual as noted.

There are no Incorporations of Interpretations submitted for approval during the 2023 NCAA Convention.

## Appendix C

# Noncontroversial Legislation Adopted by the NCAA Division III Management Council or Presidents Council

Pursuant to NCAA Bylaws 21.10.2-(d), 21.11.3-(d) and 9.3.1.1.1, the NCAA Division III Management Council or Presidents Council has adopted the following noncontroversial legislative amendments during the past year. The Management Council and Presidents Council are permitted to adopt such legislation if it is necessary to promote the normal and orderly administration of the Association's legislation. These actions will be referenced in the report of this Official Convention Notice during the 2023 NCAA Division III business session. Approval of the Official Notice will constitute ratification of these actions and incorporation in the 2023-24 NCAA Division III Manual. If a delegate objects to ratification of a particular amendment, that objection should be raised at the time of the report of the Official Notice. (It is preferred that any delegate intending to raise an objection also inform a member of the NCAA academic and membership affairs staff of that intent before the Division III business session.) The NCAA Division III membership then will decide by majority vote of the eligible voters whether to ratify that amendment.

### NO. NC-2023-1 CONSTITUTION – MOVE EXISTING DIVISION III PROVISIONS TO OPERATING BYLAWS

**Intent:** To relocate Division III constitutional provisions to operating bylaws.

**A. Constitution:** Amend 3, as follows:

~~3 NCAA Membership.~~

~~3.01 General Principles.~~

~~3.01.1 Classes of Membership. The NCAA offers three classes of membership: active, conference and provisional. Eligibility for and method of election to membership, obligations and conditions for continuing membership, voting rights, and other membership privileges for each class are defined in this article.~~

~~3.01.2 Division Membership. Active and conference members of the NCAA may be divided into divisions for purposes of bylaw legislation and competition in NCAA championships. Criteria for membership in these divisions are defined in Bylaw 20.~~

~~3.01.3 Obligation to Meet Division Criteria. Division membership criteria constitute enforceable legislation. Each member institution shall comply with all applicable criteria of its division, and an institution that fails to do so shall be subject to the enforcement procedures, as well as to possible reclassification.~~

~~3.01.4 Assignment to Geographical Areas. Active and conference members are assigned to geographical areas for the purpose of representation on the Management Council, Presidents Council and various committees, as well as to facilitate the work of the Association. Geographical districts and regions are defined in Constitution 4.13.~~

~~3.01.5 Termination or Suspension of Membership. All rights and privileges of a member shall cease immediately upon termination or suspension of its membership.~~

~~3.02 Definitions and Applications.~~

*3.02.1 Competitive Body. A competitive body is an athletics conference that conducts competition among its member institutions and determines a conference champion in one or more sports.*

*3.02.2 Legislative Body. A legislative body is an athletics conference that develops and maintains rules and regulations governing the athletics programs and activities of its member institutions.*

### *3.02.3 Membership Categories.*

*3.02.3.1 Active Member. An active member is a four-year college or university or a two-year upper-level collegiate institution accredited by the appropriate regional accrediting agency and duly elected to active membership under the provisions of this article (see Constitution 3.2.3). Active members have the right to compete in NCAA championships, to vote on legislation and other issues before the Association, and to enjoy other privileges of membership designated in the constitution and bylaws of the Association. (See Constitution 3.2.2.1.1 regarding restrictions on the privileges of for-profit institutions.)*

*3.02.3.1.1 Athletics Consortium. An athletics consortium consists of one member institution and neighboring member or nonmember institutions (but not more than one nonmember institution), recognized and approved by Membership Committee. The student-athletes of the combined institutions are permitted to compete on the NCAA member institution's athletics teams, provided they meet the eligibility requirements of the NCAA and the member institution (see Constitution 3.1.2).*

#### *3.02.3.1.2 Membership Classification Status.*

*3.02.3.1.2.1 Membership Probation. Membership probation is a membership classification status assigned to an institution that indicates that an institution's membership is not in good standing. The status of membership probation serves as a warning that certain conditions and obligations of membership have not been satisfied and failure to correct such deficiencies shall result in the institution's reclassification to the category of restricted membership. During the probationary year, the institution shall be required to complete an athletics program assessment using a form approved by the Membership Committee and shall also be provided with the guiding principles to establish a model Division III athletics program. An institutional staff member(s) may also be required to attend an NCAA Regional Rules Seminar. An institution does not lose membership benefits as a result of being placed on membership probation.*

*3.02.3.1.2.2 Restricted. Restricted membership is a membership classification status assigned to an institution that fails to comply with the minimum requirements of its division (e.g., sports sponsorship) and has failed during its period of membership probation to rectify such deficiencies as identified by the Division III Membership Committee or Committee on Infractions. An institution placed in restricted membership shall lose eligibility for a number of membership privileges, including, but not limited to, championships eligibility, voting privileges and Division III grant and initiative funding while in this status. The institution must comply with all requirement(s) involved with the associated penalty period. Failure to comply shall result in immediate forfeiture of membership in the Association. If the institution is placed in restricted membership without having served a probationary year, the institution shall be required to complete an athletics program assessment using a form approved by the Membership Committee and*

~~shall also be provided with the guiding principles to establish a model Division III athletics program.~~

~~3.02.3.2 Provisional Member. A provisional member is a four-year college or university or a two-year upper-level collegiate institution accredited by the appropriate regional accrediting agency and that has applied for active membership in the Association. Provisional membership is a prerequisite for active membership in the Association. The institution shall be elected to provisional membership under the provisions of this article (see Constitution 3.6.3). Provisional members shall receive all publications and mailings received by active members in addition to other privileges designated in the constitution and bylaws of the Association (see Bylaw 20.3).~~

~~3.02.3.3 Member Conference. A member conference is a group of at least seven colleges and/or universities that conducts competition among its members and determines a conference champion in one (single-sport conference) or more (multisport conference) sports (in which the NCAA conducts championships or for which it is responsible for providing playing rules for intercollegiate competition); duly elected to conference membership under the provisions of this article (see Constitution 3.3.3). A member conference is entitled to all of the privileges of active members except the right to compete in NCAA championships (see Constitution 3.3.2). Additional standards related to size and division status are set forth in Constitution 3.3.~~

~~3.02.3.3.1 Single-Sport Conference. A single-sport conference is an NCAA Division III member conference that sponsors only one sport. A conference that sponsors one sport, but sponsors both men's and women's competition in that sport, is not a single-sport conference.~~

### ~~3.1 Eligibility for Membership.~~

~~3.1.1 General. Membership is available to colleges, universities and athletics conferences that have acceptable academic standards (as defined in Constitution 3.2.3.2), and that are located in the U.S., its territories or possessions. Such institutions or organizations must accept and observe the principles set forth in the constitution and bylaws of the Association.~~

~~3.1.2 Athletics Consortiums. The Membership Committee may approve an athletics consortium involving a member institution and neighboring member or nonmember institutions, but not more than one nonmember institution, to permit student-athletes of the combined institutions to compete on the member institution's intercollegiate athletics teams, provided the student-athletes satisfy the eligibility requirements of the member institution and the NCAA. The Membership Committee shall develop and publish appropriate criteria to be applied to such consortiums.~~

~~3.1.2.1 General Policy. In general, a consortium shall be approved on the basis of existing academic considerations with the understanding that there shall be no change in the basic recruitment, enrollment or financial aid policies of the involved institutions as a result of such approval.~~

~~3.1.2.2 Combining Entire Athletics Programs. The institutions shall combine their entire athletics programs, and the consortium shall not be formed on a sport-by-sport basis.~~

~~3.1.2.3 Conference Approval. An institution that belongs to an NCAA member conference first shall receive approval of its conference before instituting a consortium for its intercollegiate athletics program. If more than one institution~~

~~holds such conference membership, all such conferences shall approve the consortium.~~

~~3.1.2.4 Eligibility Requirements for Student-Athletes. Participating student-athletes shall meet all eligibility requirements of the member institution(s), the athletics conference(s) involved and the NCAA. The member institution(s) shall certify the eligibility of all student-athletes under those rules.~~

~~3.1.2.5 Financial Assistance to Student-Athletes. Within a consortium:~~

- ~~(a) Each institution shall be responsible for the financial assistance awarded to its student-athletes. The financial arrangement between or among the institutions for the exchange of funds to cover the academic costs of student-athletes who take part in the exchange program shall apply to student-athletes in the same manner as it applies to those students not participating in the intercollegiate athletics program;~~
- ~~(b) One institution may not provide a scholarship or any other form of financial aid to a student-athlete enrolled in another institution or transmit a scholarship or gift aid to another institution to be used by one or more of its student-athletes; and~~
- ~~(c) Financial aid limitations as set forth in Bylaw 15 shall be applicable to the consortium as one entity and shall include all countable student-athletes, regardless of the institution in which they are enrolled.~~

~~3.1.2.6 Length of Approval. NCAA approval shall be for a four-academic-year period, at the end of which the institutions shall submit a report on the program setting forth its effect upon their academic and athletics operations.~~

~~3.1.2.7 NCAA Division Membership. The institutions may be members of different NCAA divisions but shall select one division for legislative and competitive purposes.~~

~~3.1.2.8 NCAA Member Involvement. At least one of the institutions shall be a member of the NCAA, and not more than one nonmember institution shall be included.~~

~~3.1.2.9 NCAA Membership Application. The institutions shall apply for NCAA membership as a consortium and shall be considered as one member of the Association, with their combined names included on the official NCAA membership records.~~

~~3.1.2.10 Prior Academic Consortium Relationship. The institutions shall have had a prior academic consortium relationship.~~

~~3.1.2.11 Recruitment. It is permissible for one institution to recruit prospective student-athletes with a view to their possible enrollment at another institution in the consortium, provided the individuals qualify for admission to that institution and the athletics interests of the member institution are not involved, directly or indirectly, in influencing the admission or award of financial assistance.~~

## 3.2 Active Membership.

### 3.2.1 Eligibility Requirements.

~~3.2.1.1 Types of Institutions. Active membership is available to four-year colleges and universities and two-year upper-level collegiate institutions, accredited by the~~

~~appropriate regional accrediting agency, pursuant to Board of Governors policy and duly elected to active membership under the provisions of Constitution 3.2.3.~~

~~3.2.1.2 Compliance With Association Rules. The institution shall administer its athletics programs in accordance with the constitution, bylaws and other legislation of the Association.~~

~~3.2.1.3 Standards. The institution's athletics programs shall reflect the establishment and maintenance of high standards of personal honor, eligibility and fair play.~~

### ~~3.2.2 Privileges:~~

~~3.2.2.1 Active Members. Active members shall be entitled to all of the privileges of membership under the constitution and bylaws of the Association and all privileges incidental thereto.~~

~~3.2.2.1.1 Exception — For-Profit Institutions. For-profit institutions shall be restricted, as follows:~~

~~(a) A for-profit institution shall not have voting privileges at the annual NCAA Convention nor any special convention. The institution shall be entitled to three accredited delegates without voting privileges. Any of the accredited delegates shall be entitled to privileges of the floor and the right to active participation in the business proceedings;~~

~~(b) Representatives of a for-profit institution shall not be permitted to serve as a voting institution representative on an NCAA committee; and~~

~~(c) A for-profit institution shall not receive NCAA grants or financial distributions directly from the NCAA.~~

~~3.2.2.2 Use of Association's Registered Marks. Active members may use the registered marks of the Association (i.e., the Association's name, logo or other insignia) only in accordance with guidelines established by the Board of Governors.~~

### ~~3.2.3 Election Procedures:~~

~~3.2.3.1 Application. An institution desiring to become an active member of this Association shall complete a provisional membership period (see Constitution 3.6 and Bylaw 20.3). After it has been determined that the institution has met the requirements of provisional membership, its request for active membership will be referred to the Membership Committee for election.~~

~~3.2.3.2 Accreditation and Division Classification. After it has been determined that the institution meets the Association's requirement of acceptable academic standards (i.e., the institution is accredited by one of the regional accrediting agencies), the application shall be considered with regard to requested membership division and sport classification in accordance with Bylaw 20. The application then shall be referred to the Membership Committee for consideration.~~

~~3.2.3.3 Election. The Membership Committee shall elect the applicant to membership effective the following September 1, the beginning of practice in any sport for that fall term or the first day of classes for that fall term, whichever occurs first. When the vote of the Membership Committee has been completed, the applicant shall be notified.~~

~~3.2.3.4 Resignation and Re-Election to Membership. If an institution resigns its membership and subsequently applies to re-establish its membership, the institution first shall complete a provisional membership period (see Constitution 3.6 and Bylaw 20.3) before such institution becomes eligible for re-election as an active member.~~

#### ~~3.2.4 Conditions and Obligations of Membership.~~

~~3.2.4.1 General. The active members of this Association agree to administer their athletics programs in accordance with the constitution, bylaws and other legislation of the Association.~~

~~3.2.4.2 Obligation to Meet Division Criteria. Division membership criteria constitute enforceable legislation. Each member institution shall comply with all applicable criteria of its division, and an institution that fails to do so shall be subject to the enforcement procedures, as well as to possible reclassification.~~

~~3.2.4.3 Certification of Eligibility/Declaration of Ineligibility. The active member is responsible for certifying the eligibility of student athletes under the terms of the constitution, bylaws or other legislation of the Association before permitting a student-athlete to represent the institution in intercollegiate competition. Procedures for eligibility certification shall be approved by the president or chancellor, who may designate an individual on the institution's staff to administer proper certification of eligibility. The institution shall be obligated immediately to apply all applicable rules and withhold ineligible student-athletes from all intercollegiate competition (see Bylaw 14.10 and see Bylaw 14.12 for procedures regarding restoration of eligibility).~~

~~3.2.4.4 Application of Rules to All Recognized Varsity Sports. The constitution, bylaws and other legislation of this Association, unless otherwise specified therein, shall apply to all teams in sports recognized by the member institution as varsity intercollegiate sports and that involve all-male teams, mixed teams of males and females, and all-female teams. To be recognized as a varsity sport, the following conditions must be met:~~

- ~~(a) The sport shall be one in which the Association conducts championships, except as provided in Bylaw 20.11.3.4.1 (waiver) or an emerging sport for women per Bylaw 20.02.6;~~
- ~~(b) The sport officially shall have been accorded varsity status by the institution's president or chancellor or committee responsible for intercollegiate athletics;~~
- ~~(c) The sport is administered by the department of intercollegiate athletics;~~
- ~~(d) The eligibility of student-athletes participating in the sport shall be reviewed and certified by a staff member designated by the institution's president or chancellor or committee responsible for intercollegiate athletics policy; and~~
- ~~(e) Qualified participants in the sport shall receive the institution's official varsity awards.~~

~~3.2.4.4.1 Intent to Sponsor a Varsity Sport. Once an institution evidences an intent or commitment to sponsor a sport on a varsity level (e.g., official announcement that competition will be conducted on a varsity basis, employment of individuals to coach the varsity team), the institution must begin applying NCAA recruiting regulations to the applicable sport.~~

~~3.2.4.5 Student-Athlete Statement. The active member shall administer annually, on a form prescribed by the Management Council, a signed statement for each student-athlete that provides information prescribed in Bylaw 14.1.3.~~

~~3.2.4.5.1 Administrative Requirements. The statement shall be administered individually to each student-athlete by the athletics director or the athletics director's designee before the student-athlete's participation in intercollegiate competition each academic year. The athletics director and head coach in the sport shall sign the affirmation of eligibility form. The statement shall be kept on file in the office of the athletics director, and such file shall be available for examination upon request by an authorized representative of the NCAA.~~

~~3.2.4.6 Drug-Testing Consent Form. The active member shall administer annually, on a form prescribed by the Management Council, a signed drug-testing consent form for each student-athlete per Bylaw 14.1.4 (see Bylaw 12.02.6 for a definition of student-athlete).~~

~~3.2.4.6.1 Administrative Requirements. The consent form shall be administered individually to each student-athlete before the student-athlete's participation in intercollegiate competition each academic year. Failure to complete and sign the consent form before such competition shall result in the student-athlete's ineligibility for practice and competition in all intercollegiate athletics. The consent form shall be kept on file in the office of the athletics director, and such file shall be available for examination on request by an authorized representative of the NCAA (see Bylaw 14.1.4.1).~~

~~3.2.4.7 Student-Athlete Health Insurance Portability and Accountability Act (HIPAA) Authorization/Buckley Amendment Consent Form -- Disclosure of Protected Health Information. The active member institution shall administer annually, on a form prescribed by the Management Council, a statement for each student-athlete to voluntarily sign that provides information prescribed in Bylaw 14.1.6.~~

~~3.2.4.7.1 Administrative Requirements. The statement shall be administered individually to each student-athlete by the athletics director or the athletics director's designee before the student-athlete's participation in intercollegiate athletics each academic year. The authorization/consent by the student-athlete is voluntary and is not required for the student-athlete to be eligible to participate. Any signed statement(s) shall be kept on file in the office of the athletics director.~~

~~3.2.4.8 Certification of Insurance Coverage. An active member institution must certify insurance coverage for medical expenses resulting from athletically related injuries sustained by a student-athlete participating in the covered event (see Constitution 3.2.4.8.3) in an intercollegiate sport as recognized by the participating institution. [D]~~

~~3.2.4.8.1 Source of Insurance. Such insurance coverage must be of equal or greater value than the deductible of the NCAA catastrophic injury insurance and may be provided through the following sources: [D]~~

- ~~(a) Parents' or guardians' insurance coverage;~~
- ~~(b) Participant's personal insurance coverage; or~~
- ~~(c) Institution's insurance program.~~

~~3.2.4.8.2 Athletically Related Injuries. For purposes of this bylaw, athletically related injuries are injuries that are a direct result of participation in a covered event (see Constitution 3.2.4.8.3).~~

~~3.2.4.8.3 Covered Event. A covered event includes the following:~~

- (a) ~~Any intercollegiate sports activity, including team travel, competition, practices and conditioning sessions during the playing season (see Bylaw 17.1.1);~~
- (b) ~~An NCAA-sanctioned competition in which the insured person (i.e., student-athlete) is an official competitor; or~~
- (c) ~~Practice or conditioning sessions that are authorized, organized or directly supervised by the athletics department personnel at the member institution other than during the playing season. Such sessions must occur on campus or at approved off-campus facilities as part of an intercollegiate athletics activity. For insured student-athletes who compete in individual sports, off-campus intercollegiate athletics activities must be authorized by athletics department personnel at the participating school and take place at approved locations.~~

~~3.2.4.9 Standards: Active members agree to establish and maintain high standards of personal honor, eligibility and fair play.~~

~~3.2.4.10 Discipline of Members: In accordance with directions of the Membership Committee or the annual Convention, active members shall refrain from athletics competition with designated institutions as required under the provisions of the Association's enforcement procedures (see Bylaw 19).~~

~~3.2.4.11 Publication of Satisfactory Progress Requirements: Active members are obligated to publish their satisfactory progress requirements for student-athletes (see Bylaw 14.4.1).~~

~~3.2.4.12 Missed Class Time Policies: Active members are obligated to establish policies in all sports concerning student-athletes' missed class time due to participation in intercollegiate athletics and in athletics competition scheduled during final examination periods (see Bylaw 17.1.4.2).~~

~~3.2.4.13 Chancellor or President Attestation of Compliance Obligations: An active member institution shall not be eligible to enter a team or individual competitors in an NCAA championship and shall be subject to removal from and/or ineligibility of individuals to serve on an NCAA board, council or committee unless its president or chancellor attests to understanding the institutional obligations and personal responsibilities imposed by Constitution 2.1 (Principle of Institutional Control and Responsibility) and Constitution 2.8 (Principle of Rules Compliance) annually by October 15. [See Bylaw 31.2.1-(d)].~~

~~3.2.4.14 Compliance-Related Certification: A member institution shall not be eligible to enter a team or individual competitors in an NCAA championship and shall be subject to removal from and/or ineligibility of individuals to serve on an NCAA board, council or committee unless it certifies [see Bylaw 31.2.1-(d)] attesting that the conditions of Bylaw 31.2.1.7 have been satisfied.~~

~~3.2.4.15 Reporting Secondary Violations: An institution shall submit secondary violations to the NCAA enforcement staff as they are discovered using the online reporting system.~~

~~3.2.4.16 Convention and Regional Rules Seminar Attendance: Each year, an active member institution must be represented by an institutional staff member who is certified as a voting delegate (see Constitution 5.1.3.4) and who votes for their institution at the NCAA Convention Division III business session. At least once every three years, an active member institution must be represented by at least one institutional staff member at the NCAA Regional Rules Seminar.~~

~~3.2.4.16.1 Conference Rules Seminar. An institution may satisfy the Regional Rules Seminar attendance requirement by attending a Division III Conference Rules Seminar that has been approved by the Membership Committee.~~

~~3.2.4.16.2 Failure to Meet Any Portion of Convention or Regional Rules Seminar Attendance Requirement.~~

~~3.2.4.16.2.1 Penalty Period. A penalty period of not less than three academic years shall apply to an institution that fails to meet any portion of the Convention or Regional Rules Seminar attendance requirement subject to the conditions set forth in this bylaw. The penalty period begins once a first failure (see Bylaw 3.2.4.16.2.1.1) occurs.~~

~~3.2.4.16.2.1.1 First Failure. An institution shall be placed on membership probation for the length of the penalty period beginning with the next academic year after a first failure of this requirement is discovered. During the first year of the penalty period, the institution shall be subject to the probationary year conditions in Constitution 3.02.3.1.2.1.~~

~~3.2.4.16.2.1.2 Second Failure. An institution shall be placed in restricted membership in accordance with Constitution 3.02.3.1.2.2 for one academic year beginning with the next academic year after a second failure is discovered during the penalty period. Failure to meet any of the following requirements shall be considered a second failure:~~

- ~~(a) Any portion of the NCAA Convention and Regional Rules Seminar attendance;~~
- ~~(b) Sports sponsorship requirement; or~~
- ~~(c) Conditions of membership probation (see Constitution 3.02.3.1.2.1).~~

~~3.2.4.16.2.1.3 Third Failure. An institution shall forfeit immediately its membership in the Association after a third failure is discovered during the penalty period. Failure to meet any of the requirements in Constitution 3.2.4.16.2.1.2 shall be considered a third failure.~~

~~3.2.4.16.3 Waiver. The Membership Committee, may grant waivers of Constitution 3.2.4.16 if it deems that unusual circumstances warrant such action.~~

~~3.2.4.17 Concussion Management Plan. An active member institution shall have a concussion management plan for its student athletes. The plan shall adhere to the process and format (e.g., the concussion protocol checklist) prescribed by the Board of Governors or designee and include, but is not limited to, the following: [D]~~

- ~~(a) An annual process that ensures student athletes are educated about the signs and symptoms of concussions. Student athletes must acknowledge that they have received information about the signs and symptoms of concussions and that they have a responsibility to report concussion-related injuries and illnesses to a medical staff member;~~
- ~~(b) A process that ensures a student athlete who exhibits signs, symptoms or behaviors consistent with a concussion shall be removed from athletics activities (e.g., competition, practice, conditioning sessions) and evaluated by~~

a medical staff member (e.g., sports medicine staff, team physician) with experience in the evaluation and management of concussions;

- (c) A policy that precludes a student-athlete diagnosed with a concussion from returning to athletics activity (e.g., competition, practice, conditioning sessions) for at least the remainder of that calendar day; and
- (d) A policy that requires medical clearance for a student-athlete diagnosed with a concussion to return to athletics activity (e.g., competition, practice, conditioning sessions) as determined by a physician (e.g., team physician) or the physician's designee.

*3.2.4.17.1 Annual Review and Retention Requirement. The concussion management plan shall be annually reviewed by and be kept on file in the office of the athletics health care administrator.*

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

*3.2.4.19 Catastrophic Sport Injury Report. An active member institution shall submit data detailing student-athlete fatalities, near fatalities and catastrophic injuries (e.g., injuries and illnesses related to head, neck, spine, cardiac, pulmonary, heat, sickle cell trait, eyes) to the NCAA on an annual basis pursuant to applicable policies and procedures that govern the reporting of such data as determined by the Committee on Competitive Safeguards and Medical Aspects of Sports.*

*3.2.4.20 Designation of Team Physician. An active member institution shall designate a licensed physician to serve as team physician for its intercollegiate teams. The team physician shall be a medical doctor (MD) or osteopathic physician (DO) with a current license in good standing to practice medicine in the state of the active member institution. The team physician shall be authorized to oversee the medical services for injuries and illnesses incidental to a student-athlete's participation in intercollegiate athletics.*

*3.2.4.21 Independent Medical Care. An active member institution shall establish an administrative structure that provides independent medical care and affirms the unchallengeable autonomous authority of primary athletics health care providers (team physicians and athletic trainers) to determine medical management and return-to-play decisions related to student-athletes.*

*3.2.4.22 Athletics Health Care Administrator. An active member institution shall designate an athletics health care administrator to oversee the institution's athletic health care administration and delivery.*

*3.2.4.23 Athletics Diversity and Inclusion Designee. An active member institution shall designate an athletics diversity and inclusion designee to be the primary contact and conduit for diversity and inclusion-related information.*

*3.2.4.24 Academic Success Rate. Active members shall annually submit student-athlete graduation rate data, by the applicable deadline, for the Academic Success Rate (ASR) in a form prescribed by the Management Council.*

*3.2.4.24.1 Failure to Submit Data. An active member institution that fails to submit student-athlete graduation rate data for the ASR by the applicable deadline shall not be eligible to enter a team or individual competitors in an*

~~NCAA championship (See Bylaw 31.2.1.10) and may be subject to additional membership penalties.~~

~~3.2.4.25 COVID-19 Liability Waivers. An institution shall not require student-athletes to waive their legal rights regarding COVID-19 as a condition of athletics participation.~~

~~3.2.4.26 COVID-19 Health Costs. Prior to a student-athlete participating in any intercollegiate outside competition in the fall 2020 term, the institution shall:~~

- ~~(a) Review the institution's and student-athlete's existing health care cost coverage (e.g., health insurance) with the student-athlete.~~
- ~~(b) Inform the student-athlete of the risk classification of their sport(s) according to the NCAA Resocialization of Collegiate Sport: Developing Standards for Practice and Competition; and~~
- ~~(c) Provide information about how the school is complying with the NCAA Resocialization of Collegiate Sport: Developing Standards for Practice and Competition.~~

### ~~3.2.5 Loss of Active Membership.~~

~~3.2.5.1 Termination or Suspension. The membership of any active member failing to maintain the academic or athletics standards required for such membership or failing to meet the conditions and obligations of membership may be suspended, terminated or otherwise disciplined by the Management Council, on the recommendation of the Membership Committee. Membership shall not be suspended or terminated unless:~~

- ~~(a) A notice of intention to suspend or terminate membership, stating the grounds on which such a motion will be based, is given in writing to the NCAA Board of Governors and to the president or chancellor of the member institution on or before the first day of November before the Convention;~~
- ~~(b) The Presidents Council approves the notification of intention to move for suspension or termination; and~~
- ~~(c) Such notice is included in the Official Notice of the annual Convention.~~

~~3.2.5.1.1 Cessation of Rights and Privileges. All rights and privileges of the member shall cease on any termination or suspension of active membership.~~

~~3.2.5.2 Removal of Accreditation. If an active member's accreditation is removed by its regional accrediting agency, it shall forfeit immediately its membership in the Association.~~

~~3.2.5.3 Failure to Pay Dues. If an active member fails to pay its annual dues for one year, its membership shall be automatically terminated.~~

~~3.2.5.4 Reinstatement of Terminated Member. Any active member whose membership has been terminated (see Constitution 3.2.5.1) may have it reinstated by the Membership Committee.~~

~~3.2.5.5 Reinstatement of Suspended Member. Any active member whose membership has been suspended (see Constitution 3.2.5.1) may be reinstated to good standing in accordance with the terms, if any, of the suspension action, or at any time after six months from the date of such suspension, by the Membership Committee.~~

*3.2.6 Discipline of Active Members. Disciplinary or corrective actions other than suspension or termination of membership may be effected during the period between annual Conventions for violation of NCAA rules (see Bylaws 19 and 32 for enforcement regulations, policies and procedures).*

*3.2.6.1 Restoration of Good Standing. Disciplined members shall resume good standing in accordance with the terms of the disciplinary action taken, or may be restored to good standing at any time by a majority vote of the members of the Committee on Infractions present and voting. If fewer than eight members are present, any committee action requires a favorable vote of at least four committee members. Disciplined members also may be restored to good standing by the Membership Committee.*

*3.3 Member Conference.*

*3.3.1 Eligibility.*

*3.3.1.1 Conference Competition Requirement. Conference membership is available to duly elected athletics conferences of colleges and universities that conduct conference competition and determine a champion in one or more sports in which the Association conducts championships or for which it is responsible for providing playing rules for intercollegiate competition.*

*3.3.1.2 Composition of Conference. A conference shall be comprised of at least seven core institutions. Provisional or reclassifying member institutions in their third year of the membership process may be considered core institutions for purposes of comprising a conference, provided there are at least four active member institutions. A conference may include provisional members in addition to the seven core members.*

*3.3.1.2.1 Core Institution. A core institution is an active NCAA Division III member institution that is a member of an NCAA Division III conference and participates in that conference in more than one conference-sponsored sport. An institution may be a core institution in only one multisport conference. An institution that was considered a core institution in more than one multisport conference prior to September 1, 2011, may continue as a core institution in those conferences until it is no longer an active member of the particular conference.*

*3.3.1.2.2 Single-Sport Conference. Conference status may be granted to a single-sport conference provided it has 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-institution minimum, provided there are at least four active member institutions.*

*3.3.1.2.2.1 National Collegiate Championship Sports. For sports with a National Collegiate Championship, the single-sport conference minimum is controlled by the number of members needed for National Collegiate automatic qualification (see Bylaw 18.5.2) (Note: Provisional member institutions may not be used to satisfy the requisite minimum institutions in Bylaw 18.5.2.)*

*3.3.1.2.3 Institutions Competing in More Than One Conference. An institution may participate in single-sport conferences or as an associate member in conferences in addition to the one in which it is considered core.*

~~3.3.1.2.4 Grace Period. A conference shall continue to be considered a member conference for two academic years following the date it fails to satisfy the conference composition requirement. At the expiration of the grace period, if the conference does not meet the composition requirement to continue to qualify as a member conference, it shall enter into restricted status. A conference placed in restricted status shall lose eligibility for a number of membership privileges, including but not limited to voting and automatic qualification privileges, and grant and initiative funding. Institutions that are members of a conference in restricted status shall continue to receive the benefits of active membership (e.g., voting rights at the NCAA Convention, grant initiative funding for independent member institutions).~~

### ~~3.3.2 Privileges:~~

~~3.3.2.1 Privileges of Member Conferences. Member conferences shall be entitled to all of the privileges of active members except the right to compete as such in NCAA championships.~~

~~3.3.2.2 Voting Rights. Only those member conferences that have seven primary members as designated on the conference's membership form and meet the criteria listed below shall be permitted to vote on issues before the Association.~~

~~3.3.2.2.1 Competitive and Legislative Body. The member conference shall be both a competitive and a legislative body on the conference level (see Constitution 3.02.1 and 3.02.2).~~

~~3.3.2.2.2 Minimum Size and Division Status:~~

~~3.3.2.2.2.1 Full Voting Privileges. The member conference shall be composed of at least seven members in a single division in order to be eligible for full voting privileges, including voting on federated bylaws (those bylaws that may be amended by one or more divisions acting separately).~~

~~3.3.2.2.2.2 Partial Voting Privileges. Those member conferences with at least seven members but without a minimum of seven members in a single division shall be permitted to vote on all dominant or common provisions (those provisions that apply to all three divisions of the Association). On these common provisions, the conference shall vote in the division in which the majority of its membership is classified. In the event that its membership is divided evenly between two divisions, the Board of Governors shall determine its voting division. Such conferences shall not vote on federated provisions (those provisions that may be amended by one or more divisions acting separately).~~

~~3.3.2.2.3 Five Sport/Three Season Requirement. The member conference shall conduct conference competition in at least five sports for men, with at least one in each season, for the conference to vote on issues related solely to men's programs and five sports for women, with at least one in each season, for the conference to vote on issues related solely to women's programs. A season-ending tournament or round-robin regular-season play in a sport shall satisfy the conference competition requirement for that sport.~~

~~3.3.2.3 Use of Association's Registered Marks. Member conferences may use the registered marks of the Association (i.e., the Association's name, logo or other insignia) only in accordance with guidelines established by the Board of Governors.~~

### 3.3.3 Election Procedures:

*3.3.3.1 Application. An athletics conference desiring to become a member conference shall make application on a form available from the national office. A check in the appropriate amount for annual dues (see Constitution 3.7.2) shall accompany the application. Should the applicant fail election, the dues paid shall be refunded.*

*3.3.3.2 Election. Athletics conferences may be elected as member conferences by the Membership Committee.*

### 3.3.4 Conditions and Obligations of Membership:

*3.3.4.1 General. The member conferences of this Association agree to administer their athletics programs in accordance with the constitution, bylaws and other legislation of the Association.*

*3.3.4.2 Conference Competition. Member conferences shall conduct conference competition and determine a champion in one or more sports in which the Association conducts championships or for which it is responsible for providing playing rules for intercollegiate competition.*

*3.3.4.3 Composition of Conference. The member conference shall maintain a membership of institutions that are active members of this Association, except that a conference with at least seven active members also may continue to qualify as a member conference if it contains one or more provisional members.*

*3.3.4.4 President or Chancellor Involvement. Institutional presidents or chancellors shall have the ultimate responsibility and final authority for the operation of the member conference and the actions of any institution that is a member of that conference.*

*3.3.4.5 Conference Student-Athlete Advisory Committee. Each multisport member conference shall establish a student-athlete advisory committee for its student-athletes. The composition and duties of the committee shall be determined by the conference.*

*3.3.4.6 Self-Study Guide. Multisport conferences shall conduct a comprehensive self-study and evaluation of their intercollegiate athletics programs at least once every five years, using the Conference Self-Study Guide (GSSG). The GSSG shall be completed and submitted to the national office not later than June 1 of the academic year in which it is due.*

*3.3.4.6.1 Failure to Submit the Conference Self-Study Report. If a multisport conference fails to submit the Conference Self-Study Report by June 1 of the academic year in which it is due, the conference may lose Division III grant and initiative funding beginning in the next academic year after the failed submission.*

*3.3.4.7 Athletics Diversity and Inclusion Designee. An active member conference shall designate an athletics diversity and inclusion designee to be the primary contact and conduit for diversity and inclusion-related information.*

### 3.3.5 Loss of Member-Conference Status:

*3.3.5.1 Termination or Suspension. The membership of any member conference failing to maintain the academic or athletics standards required for membership or failing to meet the conditions and obligations of membership may be suspended or terminated or otherwise disciplined by the Management Council, on the*

~~recommendation of the Membership Committee. Membership shall not be suspended or terminated unless:~~

- ~~(a) Notice of intention to suspend or terminate membership, stating the grounds on which such motion will be based, is given in writing to the president of this Association and to the president or chancellor of the member conference on or before the first day of November before the Convention;~~
- ~~(b) The Presidents Council approves the notification of intention to move for suspension or termination; and~~
- ~~(c) Such notice is included in the Official Notice of the annual Convention.~~

~~3.3.5.1.1 Cessation of Rights and Privileges. All rights and privileges of the member shall cease on any termination or suspension of conference membership.~~

~~3.3.5.2 Ineligible Conference Member Institution. If any member of an athletics conference is found to be ineligible for active membership in this Association, such conference shall be ineligible for conference membership and its membership terminated, unless the conference has 40 or more members and at least 90 percent of said conference members are active members of the Association.~~

~~3.3.5.3 Failure to Pay Dues. If a member conference fails to pay its annual dues for one year, its membership shall be automatically terminated.~~

~~3.3.5.4 Reinstatement of Terminated Member. Any member conference whose membership has been terminated (see Constitution 3.3.5.1) may have it reinstated by the Membership Committee.~~

~~3.3.5.5 Reinstatement of Suspended Member. Any member conference whose membership has been suspended (see Constitution 3.3.5.1) may be reinstated to good standing in accordance with the terms, if any, of the suspension action, or at any time after six months from the date of such suspension, by the Membership Committee.~~

~~3.3.6 Discipline of Member Conferences. Disciplinary or corrective actions other than suspension or termination of membership may be effected during the period between annual Conventions for violation of NCAA rules (see Bylaws 19 and 32 for enforcement regulations, policies and procedures).~~

~~3.3.6.1 Restoration of Good Standing. Disciplined members shall resume good standing in accordance with the terms of disciplinary action taken, or may be restored to good standing at any time by a vote of at least three members of the Committee on Infractions present and voting in accordance with Bylaw 19.5.2.8 or the Membership Committee.~~

~~3.6 Provisional Membership.~~

~~3.6.1 Eligibility.~~

~~3.6.1.1 Types of Institutions. Provisional membership is available to four-year colleges and universities and two-year upper-level collegiate institutions, accredited by the appropriate regional accrediting agency and duly elected to provisional membership under the provisions of Constitution 3.6.3 and Bylaw 20.3.~~

~~3.6.2 Privileges and Voting Rights.~~

~~3.6.2.1 Publications and Convention Representation. Provisional members shall receive all publications and mailings received by active members of the Association, shall be entitled to be represented by one nonvoting delegate at any Convention of the Association and shall have such other privileges as may be accorded by the bylaws of the Association.~~

~~3.6.2.2 Use of Association's Registered Marks. A provisional member may use the registered marks of the Association (i.e., the Association's name, logo or other insignia) only in accordance with guidelines established by the Board of Governors.~~

### ~~3.6.3 Election Procedures.~~

~~3.6.3.1 Application. An institution desiring to become a provisional member of this Association must complete a one-year "exploratory period" before application and attend a required information meeting. The applicant institution must register with the national office by January 15 in order to start this period. Following the exploratory period, the applicant shall apply on a form available from the national office. Provisional applications shall be approved based on the standards in Bylaw 20.3.1.2.1.~~

~~3.6.3.1.1 Fee — Provisional Members. Each provisional member shall pay a nonrefundable fee of an amount determined annually by the Membership Committee based on an analysis of the expenses and benefits associated with the membership process. At the time of registration for the exploratory year, a portion of the fee, as determined by the Membership Committee, shall be due, and the remainder of the fee shall be due by September 1 of the first year of provisional membership. Provisional members in years one through three shall also pay NCAA dues.~~

~~3.6.3.2 Accreditation and Division Classification. After it has been determined that the institution meets the Association's requirement of acceptable academic standards (i.e., the institution is accredited by one of the regional accrediting agencies), the application shall be considered by the Membership Committee with regard to requested membership division in accordance with Bylaw 20.~~

~~3.6.3.3 Election. The Membership Committee shall elect the applicant to provisional membership effective the following September 1. The applicant shall be notified on completion of the election process.~~

~~3.6.4 Conditions and Obligations of Membership. The conditions and obligations applicable to provisional members are set forth in Bylaw 20.3.7.~~

### ~~3.6.5 Loss of Provisional Membership.~~

~~3.6.5.1 Termination. The membership of any provisional member failing to maintain the academic or athletics standards required for such membership or failing to meet the conditions and obligations of membership may be terminated by the Membership Committee. A notice of intention to terminate membership, stating the grounds on which such a motion will be based, shall be given in writing to the president or chancellor of the member institution.~~

~~3.6.5.2 Cessation of Rights and Privileges. All rights and privileges of the provisional member shall cease on any termination of provisional membership.~~

~~3.6.5.3 Discipline of Member Conference. During the provisional member's compliance period, disciplinary or corrective actions other than termination of membership may be effected on a member conference that contains provisional members that fail to fulfill conditions and obligations of provisional membership.~~

~~3.6.5.4 Reinstatement of Terminated Member. Any provisional member whose membership is terminated may reapply for membership after a period of one year by the Membership Committee. The Membership Committee may grant credit to such an institution for any portion of the first two years of the three-year provisional period the institution previously completed as a provisional member, provided the portion was completed within the last 10 years.~~

### ~~3.7 Dues of Members.~~

~~3.7.1 Determination of Dues. The annual dues of the various classes of membership shall be recommended to the membership by the Board of Governors.~~

~~3.7.2 Current Annual Dues. The annual dues for various classes of membership shall be:~~

~~Active Members: \* \$ 2,000 Member~~

~~Conferences: \$ 1,000~~

~~\*See Constitution 3.6.3.1.1 for provisional membership~~

~~3.7.3 Payment Deadline. Dues are payable September 1 of each year. A member shall not be permitted to vote at a Convention of the Association if its dues are not paid for that year. To be eligible to compete in NCAA championships, dues shall be paid in accordance with Bylaw 31.2.1. Membership is terminated if a member fails to pay dues for one year (see Constitution 3.2.5.3, 3.3.5.3 and 3.4.5.2).~~

**B. Constitution:** Amend 4, as follows:

### 4 Organization.

#### 4.01 General Principles.

[4.01.1 through 4.01.2 unchanged.]

#### 4.02 Definitions and Applications.

4.02.1 Association. The "Association," as used in this Manual, refers to the National Collegiate Athletic Association, a diverse, voluntary, unincorporated Association of four-year colleges and universities, conferences and other educational institutions.

4.02.2 Faculty Athletics Representative. A faculty athletics representative is a member of an institution's faculty or administrative staff who is designated by the institution's president or chancellor or other appropriate entity to represent the institution and its faculty in the institution's relationships with the NCAA and its conference(s), if any (see Constitution 6.1.3).

4.02.3 On the Staff. On the staff, as it applies to individuals from member institutions or conferences who are eligible to serve on committees or as officers or representatives of the Association, is defined as those individuals who receive a regular salary from a member institution or organization for the performance of a regular staff function representing at least 50 percent of the normal workload for a staff member at that institution or conference. An individual on sabbatical or other temporary leave for a period not exceeding 12 consecutive months may be considered to be "on the staff" of an institution or organization. An individual on terminal leave or on leave in excess of 12 consecutive months shall not be considered to be "on the staff."

[4.02.4 unchanged.]

#### 4.02.5 Senior Woman Administrator.

~~4.02.5.1 Institutional Senior Woman Administrator. An institutional senior woman administrator is the highest-ranking female involved in the management of an institution's intercollegiate athletics program. An institution with a female director of athletics may designate a different female involved in the management of the member's program as a fifth representative to the NCAA governance structure.~~

~~4.02.6 Athletics Direct Report. An athletics direct report is the institutional staff member designated by the institution's president or chancellor for responsibility and oversight of the intercollegiate athletics program.~~

[4.1 unchanged.]

#### ~~4.4 Presidents Council.~~

~~4.4.1 Composition. The Presidents Council shall include 18 members and shall be comprised of Division III presidents or chancellors. At least two members of the Council shall be included from each Division III geographical region (see Constitution 4.13.1.1 for geographical regions) and seven members shall serve "at large." In addition, appropriate consideration shall be given to appointing Division III presidents or chancellors from historically black colleges and universities. The members of the Council shall include:~~

- ~~(a) At least three institutional presidents or chancellors from colleges or universities with full-time undergraduate enrollment of 2,400 or more;~~
- ~~(b) At least three institutional presidents or chancellors from colleges or universities with full-time undergraduate enrollment between 1,400 and 2,400;~~
- ~~(c) At least three institutional presidents or chancellors from colleges or universities with full-time undergraduate enrollment of 1,400 or less;~~
- ~~(d) At least three institutional presidents or chancellors from public colleges or universities;~~
- ~~(e) At least three institutional presidents or chancellors from private colleges or universities;~~
- ~~(f) At least four institutional presidents or chancellors who are women;~~
- ~~(g) At least four institutional presidents or chancellors who are men;~~
- ~~(h) At least two institutional presidents or chancellors who are members of an ethnic minority; and~~
- ~~(i) At least two institutional presidents or chancellors who are not ethnic minorities.~~

~~4.4.2 Duties and Responsibilities. The Presidents Council shall:~~

- ~~(a) Implement policies adopted by the Association's Board of Governors;~~
- ~~(b) Establish and direct the general policy of Division III;~~
- ~~(c) Establish a strategic plan for Division III;~~
- ~~(d) Adopt noncontroversial and intent-based amendments, and administrative bylaws to govern Division III independent of the Management Council;~~
- ~~(e) Sponsor Division III legislation independent of the Management Council;~~

- (f) ~~Identify, before the printing of the notice of any Convention, Division III 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;~~
- (g) ~~Delegate the resolution of management issues to the Management Council and ratify those actions (see Constitution 4.8.3);~~
- (h) ~~Ratify, amend or rescind the actions of the Management Council (see Constitution 4.9);~~
- (i) ~~Ensure that there is gender and ethnic diversity among its membership, the membership of the Management Council (see Constitution 4.8) and the membership of each of the other bodies in the Division III administrative structure;~~
- (j) ~~Make budgetary recommendations to the Association's Board of Governors related to Division III matters, including championships, and approve the use of funds allocated to Division III;~~
- (k) ~~Approve regulations providing for the administration of Division III championships; and~~
- (l) ~~Advise the Board of Governors concerning the employment of the NCAA president and concerning the oversight of their employment.~~

#### 4.4.3 Election/Term of Office.

~~4.4.3.1 Selection. Members of the Presidents Council shall be selected by Division III presidents or chancellors. The Council annually shall appoint a nominating committee, which shall present to the Council (before the Convention) a slate of nominees to serve as members of the Council. Additional candidates shall be placed on the appropriate slate of nominees if such candidates have the endorsement of at least 10 presidents or chancellors of Division III institutions. In all cases, an effort shall be made to develop a balanced slate that provides fair representation among the division's regions, conferences and institutions. At no time shall two individuals from the same institution serve on the Presidents Council and Management Council simultaneously.~~

~~4.4.3.1.1 Mail Vote. Members of the Presidents Council shall be elected by mail vote of the presidents or chancellors of Division III institutions. Voting by proxy shall not be allowed. The election shall not be subject to the requirement in Robert's Rules of Order, Newly Revised, that all candidates in an election remain in contention until one receives a majority.~~

~~4.4.3.1.2 Vacancies. The Presidents Council, by a majority vote, may fill a vacancy that occurs among the members for the unexpired term. Members appointed to fill vacancies shall be appointed only for the unexpired portion of that term.~~

~~4.4.3.2 Term of Office. Members of the Presidents Council shall serve four-year terms. The Presidents Council may waive the four-year term limit if an extension is necessary and appropriate to enhance the Presidents Council's continuity and effectiveness or otherwise allow the Presidents Council to continue to fulfill its representational requirements. Members shall not be eligible for another term on the Council until two years have elapsed. An individual may not serve on the Council for more than two terms.~~

~~4.4.3.3 Staggered Terms. The terms of service of Presidents Council members shall expire on a staggered basis to provide for continuity. Members may be appointed for less than full terms in order to accomplish this purpose.~~

~~4.4.3.4 Determination of Full Term: Presidents Council members who serve more than one-half of a term shall be considered to have served a full term.~~

#### ~~4.8 Management Council.~~

~~4.8.1 Composition. The Management Council shall include 21 members and shall be comprised of Division III presidents or chancellors, athletics direct reports (non-presidents or chancellors with oversight of intercollegiate athletics), faculty athletics representatives, directors of athletics, senior woman administrators, conference representatives and student-athletes.~~

~~4.8.1.1 Members Who Are Not Student-Athletes. At least two members who are not student-athletes shall be included from each Division III geographical region (see Constitution 4.13.1.1). One of these members shall serve as chair and one shall serve as vice chair. These members also shall include:~~

~~(a) At least nine directors of athletics or senior woman administrators;~~

~~(b) At least two institutional presidents or chancellors;~~

~~(c) At least two athletics direct reports;~~

~~(d) At least two faculty athletics representatives;~~

~~(e) At least three members of an ethnic minority;~~

~~(f) At least eight men; and~~

~~(g) At least eight women.~~

~~4.8.1.2 Student-Athletes. Two members of the Management Council shall be members of the Student-Athlete Advisory Committee per Bylaw 21.9.5.10.3.~~

~~4.8.2 Vacancies. A representative of a playing conference or member institution whose term of service has expired shall not be replaced on the Management Council by a representative of the same conference or institution for a period of at least one year. At no time shall two individuals from the same institution serve on the Presidents Council and Management Council simultaneously.~~

~~4.8.2.1 Exception — Student-Athlete Advisory Committee. The Management Council may waive the application of Constitution 4.8.2 for Student-Athlete Advisory Committee members selected to serve on the Management Council.~~

~~4.8.3 Duties and Responsibilities. The Management Council shall:~~

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

~~(b) Resolve Division III issues;~~

~~(c) Make recommendations to the Presidents Council related to Division III matters as it deems appropriate, including budgetary recommendations and recommendations related to championships;~~

~~(d) Adopt noncontroversial and intent-based amendments, and administrative bylaws to govern Division III;~~

~~(e) Sponsor legislative proposals in accordance with Constitution 4.4.2-(h);~~

~~(f) Make interpretations of the bylaws of Division III;~~

- ~~(g) Delegate the resolution of Division III issues to the Division III substructure and consider relevant reports and recommendations from the Division III substructure;~~
- ~~(h) Review appeals by member institutions of decisions made by a Division III committee or the NCAA staff regarding the application of NCAA legislation to a particular situation when no other committee, subcommittee or conference has the authority to act. The Management Council shall review the complete record in order to determine whether there is sufficient basis to grant relief from the application of the legislation; and~~
- ~~(i) Administer duties related to the business session of the annual Convention, including arrangements, programs, rules, voting and the examination and approval of the voting credentials of delegates.~~

#### ~~4.8.4 Election/Term of Office.~~

~~4.8.4.1 Selection. Members of the Management Council shall be selected by the Division III membership. Annually, a slate of candidates shall be solicited from the Division III membership. The nominees will be identified by the Management Council (or a subcommittee of the Management Council), and then forwarded to the Presidents Council for approval before consideration by the full Division III membership.~~

~~4.8.4.1.1 Election. Members of the Management Council shall be elected by electronic mail vote by the athletics directors of Division III institutions and Division III conference commissioners who are eligible to vote at the NCAA convention. Voting by proxy shall not be allowed. The election shall not be subject to the requirement in Robert's Rules of Order, Newly Revised, that all candidates in an election remain in contention until one receives a majority~~

~~4.8.4.1.2 Vacancies. When a vacancy occurs on the Council, the Council, by a majority vote, may fill the unexpired term. Members appointed to fill vacancies shall be appointed only for the unexpired portion of that term.~~

~~4.8.4.2 Term of Office. Members of the Management Council shall serve four-year terms. Members shall not be eligible for re-election to another term on the Council until four years have elapsed. A member may not serve on the Council more than two terms.~~

~~4.8.4.3 Staggered Terms. The terms of service of Management Council members shall expire on a staggered basis to provide for continuity. Members may be appointed for less than full terms in order to accomplish this purpose.~~

~~4.8.4.4 Determination of Full Term. Management Council members who serve more than one-half of a term shall be considered to have served a full term.~~

[4.9 unchanged.]

#### ~~4.11 Administrative Committee.~~

~~4.11.1 Composition. The Administrative Committee shall consist of five members, including the chair of the Presidents Council, the vice chair of the Presidents Council and the chair of the Management Council. If the chair of the Management Council is a president or chancellor, the committee also shall include two athletics administrators who are senior members of the Management Council. If the chair of the Management Council is not a president or chancellor, the committee also shall include a president or chancellor serving on the Management Council and a senior member of the Management Council.~~

~~4.11.2 Duties. The committee shall be empowered in the interim between meetings of the Presidents Council and Management Council to transact items of business clearly necessary to promote the normal and orderly administration of Division III.~~

~~4.11.3 Ratification. All actions of the Administrative Committee shall be reported to and subject to ratification by the Management Council and Presidents Council at their next regularly scheduled meetings.~~

#### ~~4.13 Geographical Regions.~~

~~4.13.1 Geographical Regions. For the purpose of representation on the Presidents Council and the Management Council (see Constitution 4.4 and 4.8), the Association shall be divided into geographical regions.~~

~~4.13.1.1 Division III. The geographical regions are as follows:~~

~~(a) Region 1 — Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont;~~

~~(b) Region 2 — New York, Pennsylvania;~~

~~(c) Region 3 — Alabama, Arkansas, Florida, Georgia, Indiana, Kentucky, Louisiana, Michigan, Mississippi, North Carolina, Ohio, Puerto Rico, South Carolina, Tennessee, Virginia, West Virginia; and~~

~~(d) Region 4 — Alaska, Arizona, California, Colorado, Hawaii, Idaho, Illinois, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, Wyoming.~~

### **C. Constitution:** Amend 5, as follows:

#### ~~5 Legislative Authority and Process.~~

[5.01 through 5.1 unchanged.]

~~5.1.3.2 Provisional Delegates. Each provisional member shall be entitled to one accredited delegate without voting privilege.~~

[5.1.3.3 through 5.1.3.5 unchanged.]

[5.1.4 unchanged.]

~~5.1.4.3.4 Single Gender Athletics Program. An active member or member conference with no men's athletics program shall not be permitted to vote on issues affecting only men's athletics, and an active member or member conference with no women's athletics program shall not be permitted to vote on issues affecting only women's athletics.~~

[5.1.4.4 unchanged.]

[5.2 unchanged.]

#### ~~5.3 Amendment Process.~~

##### ~~5.3.1 Authorizing Legislation.~~

[5.3.1.1 unchanged.]

~~5.3.1.1.1 Noncontroversial Amendment. The Management Council or Presidents Council, in the interim between annual Conventions, by a three-~~

~~fourths majority of its members present and voting, may adopt noncontroversial legislative amendments clearly necessary to promote the normal and orderly administration of the division's legislation. The Management Council or Presidents Council shall then sponsor legislation at the next annual Convention to confirm the adoption of such amendments.~~

~~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 unchanged.]

~~5.3.1.3 Amendment-to-Amendment — Division Dominant Provisions: A proposed amendment to a division dominant provision may be amended at any annual or special Convention. From July 15 through September 15, sponsors of proposed amendments may refine and change the proposed amendments in any manner that is germane to the original. After September 15, proposed amendments may be amended only if the amendment to the proposed amendment does not increase the modification of the provision to be amended.~~

~~5.3.1.4 Amendment-to-Amendment — Federated Provisions: A proposed amendment to a federated provision of the bylaws may be amended at any annual or special Convention. From July 15 through September 15, sponsors of proposed amendments may refine and change the proposed amendments in any manner that is germane to the original. After September 15, proposed amendments may be amended only if the amendment to the proposed amendment does not increase the modification of the provision to be amended.~~

[5.3.2 unchanged.]

~~5.3.3 Sponsorship — Amendments to Division Dominant Provisions:~~

~~5.3.3.1 Amendment: An amendment to a division dominant provision may be sponsored by the appropriate divisional presidential administrative group.~~

~~5.3.3.2 Amendment-to-Amendment: An amendment-to-amendment to a division dominant provision may be sponsored by the appropriate divisional presidential administrative group.~~

~~5.3.3.3 Editorial Changes: The presiding officer may permit changes in the wording of a proposed amendment of a purely editorial nature or to correct typographical errors.~~

~~5.3.4 Sponsorship — Amendments to Division III Legislation:~~

~~5.3.4.1 Amendment: An amendment to a provision of the bylaws may be sponsored by:~~

- (a) ~~The Management Council or Presidents Council;~~
- (b) ~~Twenty or more active member institutions with voting privileges, on written verification of sponsorship signed by each sponsoring member's president or chancellor or the president's or chancellor's designated representative; or~~
- (c) ~~Two or more member conferences with voting privileges, when submitted by the chief elected or executive officer of the conferences on behalf of each conference's active member institutions and signed by the chairs of the conferences' official presidential administrative groups or at least two chancellors or presidents of the conference's member institutions if the conference has no presidential administrative group.~~

~~5.3.4.1.1 Amendment, Federated Provision. When legislation is applicable only to a particular division, only members of that division may submit amendments to that legislation.~~

~~5.3.4.1.2 Primary Contact Person. All amendments to the constitution and bylaws proposed by member institutions shall designate a primary contact person.~~

~~5.3.4.2 Amendment to Amendment. An amendment to an amendment of a provision of the bylaws may be sponsored by:~~

- (a) ~~The Management Council or Presidents Council;~~
- (b) ~~Twenty or more active member institutions with voting privileges, when submitted in writing by each institution's president or chancellor or the president's or chancellor's designated representative; or~~
- (c) ~~Two or more member conferences with voting privileges, when submitted in writing by the chief elected or executive officer of the conferences on behalf of each conference's active member institutions and signed by the chairs of the conferences' official presidential administrative groups or at least two chancellors or presidents of the conference's member institutions if the conference has no presidential administrative group.~~

~~5.3.4.2.1 Primary Contact Person. All amendments to amendments to the constitution and bylaws proposed by member institutions shall designate a primary contact person.~~

~~5.3.4.3 Editorial Changes. The presiding officer may permit changes in the wording of proposed amendments of a purely editorial nature or to correct typographical errors.~~

### 5.3.5 ~~Submission Deadline.~~

~~[5.3.5.1 unchanged.]~~

#### ~~5.3.5.2 Division Dominant Provisions.~~

~~5.3.5.2.1 Amendments. Amendments to division dominant provisions shall be sponsored by the appropriate divisional presidential administrative group in accordance with the following deadlines:~~

- (a) ~~Annual Convention -- September 1.~~
- (b) ~~Special Convention -- Ninety days before a special Convention.~~

~~5.3.5.2.1.1 Exception. A divisional presidential administrative group, by a two-thirds majority of its members present and voting, may establish a later date for the submission of amendments for an annual Convention when a special Convention is held after September 1.~~

~~5.3.5.2.2 Amendments-to-Amendments. The appropriate divisional presidential administrative group must submit amendments to its original amendments in writing and such amendments must be submitted not later than 5 p.m. Eastern time September 15, unless the amendment-to-amendment does not increase the modification specified in the original. Any amendment-to-amendment submitted after September 15 shall not increase the modification of the original and must be submitted not later than 5 p.m. Eastern time November 1 before an annual Convention or 60 days before a special Convention. A divisional presidential administrative group may propose amendments-to-amendments at the time of the Convention without meeting these procedural requirements, provided the amendment-to-amendment has been approved by two-thirds of the divisional presidential administrative group and copies are distributed before or during the appropriate business session.~~

### ~~5.3.5.3 Legislation.~~

~~5.3.5.3.1 Amendment. Deadline dates for receipt at the national office of proposed amendments are as follows:~~

#### ~~5.3.5.3.1.1 Amendment Proposed by Membership.~~

~~(a) Annual Convention -- 5 p.m. Eastern time July 15 (at least one of the sponsors of a conference-sponsored amendment or at least 10 of the 20 individual institution sponsors must meet the July 15 deadline, and the required president or chancellor approval for these amendments must be received by 5 p.m. Eastern time August 1). The additional conference or 10 individual institutions must meet the deadline of 5 p.m. Eastern time September 1 or the amendment will be automatically withdrawn.~~

~~(b) Special Convention -- Ninety days before a special Convention.~~

~~5.3.5.3.1.1.1 Exception. The Presidents Council, by a two-thirds majority of its members present and voting, may establish a later date for the submission of amendments for an annual Convention when a special Convention is held after July 15.~~

~~5.3.5.3.1.2 Amendments Sponsored by Management Council or Presidents Council.~~

~~(a) Annual Convention -- September 1.~~

~~(b) Special Convention -- Ninety days before a special Convention.~~

~~5.3.5.3.1.2.1 Exception. The Presidents Council, by a two-thirds majority of its members present and voting, may establish a later date for the submission of amendments for an annual Convention when a special Convention is held after September 1.~~

~~5.3.5.3.2 Amendment-to-Amendment. Sponsors of proposed amendments must submit amendments to their original amendments in writing and such amendments-to-amendments must be received at the Association's national office not later than 5 p.m. Eastern time September 15, unless the amendment-to-amendment does not increase the modification specified in~~

~~the original. Any amendment-to-amendment submitted after September 15 shall not increase the modification of the original and must be submitted in writing and received at the Association's national office not later than 5 p.m. Eastern time November 1 before an annual Convention or 60 days before a special Convention.~~

~~5.3.5.3.2.1 Exception — Management Council or Presidents Council. The Management Council or Presidents Council may propose amendments-to-amendments at the time of the Convention without meeting these procedural requirements, provided that in each instance the proposed amendment to an amendment has been approved by two-thirds of the respective Council and copies are distributed before or during the business session.~~

~~5.3.5.3.3 Cost Considerations. The sponsors of each proposed amendment or amendment-to-amendment must include a written financial impact statement regarding the potential financial impact (e.g., additional costs, cost savings) of the proposed legislation as it applies to the NCAA, conferences, institutions, student-athletes and prospective student-athletes.~~

#### 5.3.6 Notification to Membership.

[5.3.6.1 unchanged.]

##### 5.3.6.2 Amendments to Division Dominant Provisions.

~~5.3.6.2.1 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 75 days before a special Convention.~~

~~5.3.6.2.2 Official Notice. A copy of the proposed amendments shall be mailed to members of the appropriate division not later than November 15 before an annual Convention or 45 days before a special Convention.~~

~~5.3.6.2.3 Delayed Date. If a divisional presidential administrative group establishes a date later than July 15 or September 1 for the submission of amendments to division dominant provisions for an annual Convention, it, by a two-thirds majority of its members present and voting, may establish a later date for publishing copies of the proposed amendments for information of the membership.~~

~~5.3.6.2.4 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.~~

##### 5.3.6.3 Amendments to Legislation.

~~5.3.6.3.1 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 Management Council or Presidents Council; and~~

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

~~(c) Not later than 75 days before a special Convention — All proposed amendments.~~

~~5.3.6.3.2 Official Notice. A copy of the proposed amendments shall be mailed to members of the appropriate division not later than November 15 before an annual Convention or 45 days before a special Convention.~~

~~5.3.6.3.3 Delayed Date. If the Presidents Council establishes a date later than July 15 or September 1 for the submission of amendments for an annual Convention, it, by a two-thirds majority of its members present and voting, may establish a later date for publishing copies of the proposed amendments for information of the membership.~~

~~5.3.6.3.4 Amendments-to-Amendments. Copies of all amendments to proposed 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.~~

~~5.3.7 Committee Review — Legislation. All amendments submitted by the membership per Constitution 5.3.4 shall be evaluated by an appropriate committee before they can be included on the agenda for Convention. Such evaluation may involve a position of support or opposition and/or a suggestion of an alternative amendment by the committee. The committee shall complete its evaluation not later than October 7. The committee position, if any, shall not prevent the membership from voting on the amendment at the next Convention, provided all appropriate submission deadlines have been met.~~

~~5.3.7.1 Committee Designation. The Management Council shall assign each amendment to the appropriate committee(s) for evaluation and shall designate a subcommittee of itself or a special committee when no appropriate committee exists.~~

~~5.3.7.2 Publication of Committee Position. The position of the appropriate committee shall be printed with the relevant amendment in the Official Notice of the Convention.~~

~~5.3.8 Adoption of Amendment, Voting Requirements.~~

~~[5.3.8.1 through 5.3.8.2 unchanged.]~~

~~5.3.8.3 Division Dominant Provision. Adoption of an amendment to a division dominant provision shall require a two-thirds majority vote of all delegates of the affected division present and voting at a division's annual or special Convention.~~

~~5.3.8.3.1 Change of Voting Requirement of Division Dominant Provision. In order to change a division dominant provision to a federated provision, a two-thirds majority vote of all delegates present and voting at the division's annual or special Convention is required. In order to change a division dominant provision to a dominant or common provision, the change must be adopted through the procedure and with the voting requirement applicable to such provisions.~~

~~5.3.8.4 Common Provision. Adoption of an amendment to a common provision shall be adopted by each of the applicable divisions, acting separately pursuant to the divisional legislative process described in Constitution 5.3, and must be approved by all applicable divisions to be effective.~~

~~5.3.8.4.1 Change of Voting Requirement of Common Provision. In order to change a common provision to a federated provision, each of the applicable divisions shall adopt the change acting separately pursuant to the divisional legislative process described in Constitution 5.3. The change must be approved by all applicable divisions to be effective. In order to change a common provision to a dominant provision, a two-thirds majority vote of all delegates present and voting in joint session at an annual or special Convention is required.~~

~~5.3.8.5 Federated Provision. Adoption of an amendment to a federated provision shall require a majority vote of the delegates present and voting of one or more division(s) of the Association, acting separately, at an annual or special Convention or at a division legislative meeting of the Association. Such legislation shall apply only to the division(s) adopting it.~~

~~5.3.8.5.1 Change of Voting Requirement of Federated Provision. In order to change a federated provision to any other type of provision, the change must be adopted through the procedure and with the voting requirement applicable to the particular type of provision.~~

#### ~~5.3.9 Adoption of Amendment to Amendment, Voting Requirements.~~

~~[5.3.9.1 unchanged.]~~

~~5.3.9.2 Division Dominant Provision. A proposed amendment to an amendment of a division dominant provision shall be approved by a majority vote of the delegates of the affected division present and voting.~~

~~5.3.9.3 Federated Provision. A proposed amendment to an amendment of a federated provision shall be approved by a majority vote of the delegates of the affected division present and voting.~~

#### ~~5.3.10 Special Voting Requirements. The following topics are subject to special voting requirements.~~

~~[5.3.10.1 unchanged.]~~

~~5.3.10.2 Division Championship. A division championship per Bylaw 18.02.1.2 may be established by a majority vote of all members of that division present and voting at an annual Convention, subject to all requirements, standards and conditions prescribed in Bylaw 18.3.~~

~~[5.3.10.3 unchanged.]~~

#### ~~5.3.11 Intent and Rationale.~~

~~[5.3.11.1 unchanged.]~~

~~5.3.11.2 Amendments to Division Dominant Provisions. All amendments to division dominant provisions shall include a statement of intent and a separate statement of rationale. The statement of rationale shall not exceed 200 words in length. All amendments to amendments shall include a statement of intent and a cost estimate. An amendment to amendment also may include a statement of rationale that shall not exceed 50 words in length.~~

~~5.3.11.3 Amendments to Federated Provisions. All amendments to federated provisions shall include a statement of intent and a separate statement of rationale. The statement of rationale shall not exceed 200 words in length. All amendments to amendments shall include a statement of intent and a cost estimate. An amendment to amendment also may include a statement of rationale that shall not exceed 50 words in length.~~

#### ~~5.3.12 Effective Date.~~

~~[5.3.12.1 unchanged.]~~

~~5.3.12.1.1 Alternative to August 1 Effective Date. If a voting delegate wishes to propose an immediate effective date, or to propose any other effective date before the first day of August, a two-thirds majority of all delegates present and eligible to vote on the amendment is required to approve the immediate or alternative effective date. Those amendments specified as being effective immediately shall become effective on adjournment of the Convention.~~

~~5.3.12.2 Division Dominant Provisions. All amendments to division dominant provisions shall become effective not earlier than the first day of August after adoption by the Convention.~~

~~5.3.12.2.1 Alternative to August 1 Effective Date. If a voting delegate wishes to propose an immediate effective date, or to propose any other effective date before the first day of August, a two-thirds majority of all delegates present and eligible to vote on the amendment is required to approve the immediate or alternative effective date. Those amendments specified as being effective immediately shall become effective on adjournment of the Convention.~~

~~5.3.12.3 Federated Provisions. All amendments to federated provisions shall become effective not earlier than the first day of August after adoption by the Convention.~~

~~5.3.12.3.1 Alternative to August 1 Effective Date. If a voting delegate wishes to propose an immediate effective date, or to propose any other effective date before the first day of August, the rationale statement shall contain reasons why the amendment has an alternative effective date. Those amendments specified as being effective immediately shall become effective on adjournment of the Convention.~~

#### ~~5.3.13 Reconsideration.~~

~~[5.3.13.1 unchanged.]~~

~~5.3.13.2 Vote on Division Dominant Provisions. An affirmative or negative vote on a division dominant provision is final and may not be reconsidered once that vote has been confirmed by the presiding officer.~~

~~5.3.13.3 Vote on Federated Provisions. An affirmative or negative vote on a federated provision is final and may not be reconsidered once that vote has been confirmed by the presiding officer.~~

#### ~~5.4 Other Legislative and Amendment Procedures.~~

##### ~~5.4.1 Interpretations of Constitution and Bylaws.~~

~~5.4.1.1 Authorization. The Presidents Council and Management Council per Constitution 4.4 and 4.8, in the interim between Conventions, and the Interpretations and Legislation Committee, in the interim between meetings of the Presidents Council and Management Council, are empowered to make interpretations of the constitution and bylaws (see Constitution 5.2.5).~~

~~5.4.1.1.1 Modification of Wording. In addition to its general authority to make binding interpretations of NCAA legislation, the Management Council, by a two-thirds majority of its members present and voting, may interpret legislation consistent with the intent of the membership in adopting the legislation if sufficient documentation and testimony are available to clearly establish that the wording of the legislation is inconsistent with that intent. The Management Council shall sponsor legislation at the next annual Convention to confirm any such interpretations.~~

#### ~~5.4.1.2 Interpretation Process.~~

~~5.4.1.2.1 Staff Interpretation (Determination). The academic and membership affairs staff shall respond to a request from a member institution for an interpretation of NCAA rules.~~

~~5.4.1.2.1.1 Appeal of Staff Interpretation. A member institution may appeal a staff interpretation to the Interpretations and Legislation Committee. Such a request must be submitted in writing by the institution's conference or by one of the five individuals who are authorized to request such interpretations on behalf of the institution [i.e., president or chancellor, faculty athletics representative, athletics director, senior woman administrator, compliance coordinator, or designated substitute(s) for the president or chancellor and/or athletics director, as specified in writing to the national office].~~

~~5.4.1.2.1.2 Review of Staff Interpretations. The Interpretations and Legislation Committee shall review all staff interpretations.~~

~~5.4.1.2.1.3 Publication and Notification. A staff interpretation shall be binding on the requesting institution on notification of the response to its interpretation request, unless the interpretation is modified or reversed on appeal or review by the Interpretations and Legislation Committee. A staff interpretation that has been reviewed and approved by the Interpretations and Legislation Committee shall be binding on all institutions on publication to the membership (e.g., announced on the NCAA website or Legislative Services Database for the Internet).~~

~~5.4.1.2.2 Review of Interpretations and Legislation Committee Decision. The Management Council shall review all interpretations issued by the Interpretations and Legislation Committee and may approve, reverse or modify such interpretations. A member institution may appeal a decision of the Interpretations and Legislation Committee to the Management Council meeting immediately after the decision of the committee. The appeal must be submitted in writing by the institution's president or chancellor, faculty athletics representative or director of athletics. The Management Council shall establish the procedures for such an appeal.~~

~~5.4.1.2.3 Publication or Notification. Interpretations issued by the Interpretations and Legislation Committee shall be binding on notification to affected institutions and on all member institutions after publication and circulation to the membership.~~

~~5.4.1.2.4 Revision. Interpretations approved by the Management Council may not be revised by the Interpretations and Legislation Committee. The Interpretations and Legislation Committee may only recommend to the Management Council revisions of such interpretations.~~

~~5.4.1.3 Application. An interpretation of the constitution or bylaws shall be applicable to the membership division(s) to which the provision applies.~~

~~5.4.1.4 Request for Convention Review. Any member of the Association to which an interpretation applies may request a review of the interpretation at the next annual Convention by making such a request in writing to the Association's Convention office before 1 p.m. on the day before the business sessions of the Convention.~~

~~5.4.1.4.1 Affirmation of Interpretation. An interpretation of the constitution or bylaws submitted for review requires the same vote for affirmation that would be required for an amendment of the provisions to which the interpretation applies (e.g., majority vote of the delegates present and voting in the appropriate division for an interpretation of a federated provision). An interpretation that fails to receive the required vote for affirmation shall not be binding on the membership.~~

~~5.4.1.5 Amendment by Membership. A proposed amendment to an existing interpretation must be submitted in accordance with the requirements of Constitution 5.3.4.~~

~~5.4.1.6 Convention-Approved Interpretations. All interpretations approved by the Convention shall be incorporated into the constitution or bylaws.~~

~~5.4.1.7 Review Authority of Management Council. An institution may appeal to the Management Council a decision of a committee (excluding actions of the Committee on Student-Athlete Reinstatement, related to the restoration of a student-athlete's eligibility, and the Committee on Infractions) or the NCAA staff regarding the application of legislation to a particular situation. In reaching its decision, the Management Council shall review the complete record in order to determine whether there is sufficient basis to grant relief from the application of the legislation. The Management Council shall establish the process for such a review; shall monitor the actions taken under this authorization; and shall report annually to the membership the actions taken, in summary, aggregate form.~~

~~5.4.1.7.1 Previously Approved Legislative Relief Wavers. Specific legislative relief waiver requests that have been previously approved on a routine basis by the Management Council, or a committee designated by the Management Council, may be processed by an institution or conference. Documentation of each approval shall be kept on file at the institution or the conference office.~~

## 5.4.2 Resolutions.

[5.4.2.1 through 5.4.2.3 unchanged.]

### 5.4.2.4 Division Dominant Provisions:

~~5.4.2.4.1 Sponsorship. A resolution related to a division dominant provision may be sponsored by the appropriate divisional presidential administrative group.~~

~~5.4.2.4.2 Submission Deadline. A proposed resolution related to a division dominant provision must be submitted before November 1. A divisional presidential administrative group may sponsor resolutions at the time of the Convention without meeting this deadline provided the proposed resolution~~

~~has been approved by a two-thirds majority vote of that presidential administrative group and copies are distributed during the appropriate division business sessions.~~

#### ~~5.4.2.4.3 Voting Requirements.~~

~~5.4.2.4.3.1 Adoption — Annual/Special Convention. Adoption of a resolution shall require a majority vote of the delegates of the applicable division present and voting at an annual or special Convention.~~

~~5.4.2.4.3.2 Mail Ballot. If a majority of the delegates of the applicable division present and voting so direct, a resolution shall be referred to the entire membership of that division for a mail vote conducted under conditions approved by the appropriate presidential administrative group. A two-thirds majority of members of the applicable division voting in any such mail vote shall be required for the enactment of the legislation proposed in the resolution.~~

#### ~~5.4.2.5 Federated Provisions.~~

~~5.4.2.5.1 Sponsorship. A resolution related to a federated provision may be sponsored by:~~

~~(a) The Management Council or Presidents Council;~~

~~(b) Twenty or more active member institutions with voting privileges, on written verification of sponsorship signed by each sponsoring member's president or chancellor or the president's or chancellor's designated representative;~~

~~(c) Two or more member conferences with voting privileges when submitted by the chief elected or executive officer of the conference on behalf of each conference's active member institutions and signed by the chairs of the conferences' official presidential administrative groups or at least two chancellors or presidents of the conference's member institutions if the conference has no presidential administrative group.~~

~~5.4.2.5.2 Submission Deadline. A proposed resolution related to a federated provision must be submitted in writing to the national office before November 1.~~

~~5.4.2.5.2.1 Exception. The Presidents Council or Management Council may sponsor resolutions at the time of the Convention without meeting this deadline, provided the proposed resolution has been approved by a two-thirds vote of the Presidents Council or Management Council and copies are distributed before or during the business sessions.~~

~~5.4.2.5.3 Cost Considerations. The sponsors of each proposed resolution shall include a written financial impact statement regarding the potential financial impact (e.g., additional costs, cost savings) of the proposed resolution as it applies to the NCAA, conferences, institutions, student-athletes or prospective student-athletes.~~

#### ~~5.4.2.5.4 Voting Requirements.~~

~~5.4.2.5.4.1 Adoption — Annual/Special Convention. Adoption of a resolution shall require a majority vote of the delegates of the~~

~~applicable division present and voting at an annual or special Convention.~~

~~5.4.2.5.4.2 Mail Ballot. If a majority of the delegates of the applicable division present and voting so direct, a resolution shall be referred to the members of the applicable division for a mail vote conducted by the officers under conditions approved by the Presidents Council. A two-thirds majority of members of the applicable division voting in any such mail vote shall be required for the enactment of the legislation proposed in the resolution.~~

#### 5.4.3 Special Rules of Order.

[5.4.3.1 unchanged.]

~~5.4.3.2 Division Business Sessions. Each division may adopt special rules of order not inconsistent with the constitution and bylaws by a two-thirds majority of the delegates of the applicable division present and voting at any annual or special Convention.~~

[5.4.3.3 unchanged.]

#### 5.4.4 Statements of Division Philosophy.

~~5.4.4.1 Authorization. Each division or subdivision, through appropriate deliberative processes, may prepare a statement of division philosophy relating to the development and operation of an intercollegiate athletics program in the division or subdivision.~~

~~5.4.4.2 Scope and Application. Such a statement is not binding on member institutions but shall serve as a guide for the preparation of legislation by the division or subdivision and for planning and implementation of programs by institutions and conferences.~~

~~5.4.4.3 Adoption Process. A statement of division philosophy may be adopted at any annual or special Convention by a majority vote of the delegates of the division present and voting. If a statement of division philosophy is adopted, it shall be published in the NCAA Manual.~~

### **D. Constitution:** Amend 6, as follows:

#### 6 Institutional Control.

##### 6.01 General Principle.

~~6.01.1 Institutional Control. The control and responsibility for the conduct of intercollegiate athletics shall be exercised by the institution itself and by the conference(s), if any, of which it is a member. Administrative control or faculty control, or a combination of the two, shall constitute institutional control.~~

##### 6.1 Institutional Governance.

~~6.1.1 President or Chancellor. A member institution's president or chancellor has ultimate responsibility and final authority for the conduct of the intercollegiate athletics program and the actions of any board in control of that program.~~

~~6.1.2 Athletics Board. A board in control of athletics or an athletics advisory board, which has responsibility for advising or establishing athletics policies and making policy decisions, is not required. However, if such a board exists, it must conform to the following provisions:~~

~~6.1.2.1 Composition. Administration and/or faculty staff members shall constitute at least a majority of the board in control of athletics or an athletics advisory board, irrespective of the president or chancellor's responsibility and authority or whether the athletics department is financed in whole or in part by student fees. If the board has a parliamentary requirement necessitating more than a simple majority in order to transact some or all of its business, then the administrative and faculty members shall be of sufficient number to constitute at least that majority.~~

~~6.1.2.1.1 Administrator Defined. An administrator (for purposes of this legislation) is an individual employed by the institution as a full-time administrative staff member who holds an academic appointment, is directly responsible to the institution's president or chancellor or serves as a chief administrative official (e.g., admissions director, finance officer, department head, or athletics department head). Other nonacademic staff members and individuals who are members of an institution's board of trustees or similar governing body would not be considered to be administrators for purposes of this regulation.~~

~~6.1.2.1.2 Board Subcommittee. If a board subcommittee is appointed, it is not necessary for the subcommittee to have majority control by administration and/or faculty members (see Constitution 6.1.2.1 for composition requirements), provided all actions of the subcommittee are approved by the entire board before becoming effective. However, if the subcommittee's actions are effective permanently or become effective immediately and remain in effect until reviewed by the entire board at a later date, the subcommittee's membership must satisfy the majority control requirement.~~

~~6.1.2.1.3 Attendance. A parliamentary majority of administrators and faculty members of a board in control of athletics is not required to be present at any single meeting in order to conduct business.~~

~~6.1.2.2 Chair or Voting Delegate. Only an administrator or faculty member (as opposed to a student, alumnus or governing board member) may serve as chair of a member institution's board in control of intercollegiate athletics or represent the board as the institution's voting delegate at Conventions. Institutional representatives in these positions have responsibility for advising or establishing athletics policies and making policy decisions that require administrative and/or faculty control.~~

~~6.1.3 Faculty Athletics Representative. A member institution shall designate an individual to serve as faculty athletics representative. An individual so designated after January 12, 1989, shall be a member of the institution's faculty or an administrator who holds faculty rank and shall not hold an administrative or coaching position in the athletics department. Duties of the faculty athletics representative shall be determined by the member institution.~~

~~6.1.4 Student Athlete Advisory Committee. Each institution shall establish a student-athlete advisory committee for its student-athletes. The composition and duties of the committee shall be determined by the institution.~~

## ~~6.2 Budgetary Control.~~

~~6.2.1 Normal Budgeting Procedures. The institution's annual budget for its intercollegiate athletics programs shall be controlled by the institution and subject to its normal budgeting procedures.~~

~~6.2.2 President or Chancellor Approval. The institution's president or chancellor or an institutional administrator designated by the president or chancellor from outside the athletics department shall approve the annual budget in the event that the institution's normal budgeting procedures do not require such action.~~

~~6.2.3 Financial Audit. All expenditures and revenue for or on behalf of a Division III member institution's intercollegiate athletics programs shall be subject to the institution's regular financial audit. In particular, additional revenue and expenditures associated with outside groups or individuals shall be included in this audit.~~

### ~~6.3 Self-Study and Evaluation.~~

~~6.3.1 Self-Study Guide. 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 ISSG shall be submitted to the national office not later than June 1 of the academic year in which it is due. The ISSG shall be available for examination on request by an authorized representative of the Association and may be reviewed by the Membership Committee with a focus on legislative issues and results of action plans in areas of deficiencies.~~

~~6.3.1.1 Institutions Completing Provisional or Reclassifying Membership. An institution that completes the provisional or reclassifying membership period and is granted active membership status must conduct a comprehensive self-study and evaluation of its intercollegiate athletics program not later than the end of the first year of active membership, regardless of when the previous self-study was completed.~~

#### ~~6.3.1.2 Failure to Conduct the Institutional Self-Study Report.~~

~~6.3.1.2.1 Penalty Period. A penalty period of not less than three academic years shall apply to an institution that fails to conduct the Institutional Self-Study Report subject to the conditions set forth in this bylaw. The penalty period begins once a first failure (see Bylaw 6.3.1.2.1.1) occurs.~~

~~6.3.1.2.1.1 First Failure. An institution shall be placed on membership probation for the length of the penalty period beginning with the next academic year after the failed submission. A failure to conduct the report is considered to have occurred when the institution does not submit the Notification of Completion form to the NCAA national office by June 1 of the academic year in which it is due. During the first year of the penalty period, the institution shall be subject to the probationary year conditions in Constitution 3.02.3.1.2.1.~~

~~6.3.1.2.1.2 Second Failure. An institution shall be placed in restricted membership in accordance with Constitution 3.02.3.1.2.2 for one academic year beginning with the next academic year after a second failure is discovered during the penalty period. Failure to meet any of the following requirements shall be considered a second failure:~~

~~(a) Institutional Self-Study Guide;~~

~~(b) Sports sponsorship requirement; or~~

~~(c) Conditions of membership probation (see Constitution 3.02.3.1.2.1).~~

~~6.3.1.2.1.3 Third Failure. An institution shall forfeit immediately its membership in the Association after a third failure is discovered during the penalty period. Failure to meet any of the requirements in Constitution 6.3.1.2.1.2 shall be considered a third failure.~~

~~6.3.1.2.2 Waiver. The Management Council, on recommendation of the Membership Committee, may grant waivers of Constitution 6.3.1.2 if it deems that extenuating circumstances warrant such action.~~

~~6.4 Responsibility for Actions of Outside Entities.~~

~~6.4.1 Independent Agencies or Organizations. An institution's "responsibility" for the conduct of its intercollegiate athletics program shall include responsibility for the acts of an independent agency or organization when a member of the institution's executive or athletics administration, or an athletics department staff member, has knowledge that such agency or organization is promoting the institution's intercollegiate athletics program.~~

~~6.4.2 Representatives of Athletics Interests. An institution's "responsibility" for the conduct of its intercollegiate athletics program shall include responsibility for the acts of individuals when a member of the institution's executive or athletics administration has knowledge or should have knowledge that such an individual:~~

- ~~(a) Has participated in or is a member of an agency or organization as described in Constitution 6.4.1;~~
- ~~(b) Has made financial contributions to the athletics department or to an athletics booster organization of that institution;~~
- ~~(c) Has been requested by the athletics department staff to assist in the recruitment of prospective student-athletes or is assisting in the recruitment of prospective student-athletes;~~
- ~~(d) Has assisted or is assisting in providing benefits to enrolled student-athletes; or~~
- ~~(e) Is otherwise involved in promoting the institution's athletics program.~~

~~6.4.2.1 Agreement to Provide Benefit or Privilege. Any agreement between an institution (or any organization that promotes, assists or augments in any way the athletics interests of the member institution, including those identified per Constitution 6.4.1) and an individual who, for any consideration, is or may be entitled under the terms of the agreement to any benefit or privilege relating to the institution's athletics program, shall contain a specific clause providing that any such benefit or privilege may be withheld if the individual has engaged in conduct that is determined to be a violation of NCAA legislation. The clause shall provide for the withholding of the benefit or privilege from a party to the agreement and any other person who may be entitled to a benefit or privilege under the terms of the agreement.~~

~~6.4.2.2 Retention of Identity as "Representative." Any individual participating in the activities set forth in Constitution 6.4.2 shall be considered a "representative of the institution's athletics interests," and once so identified as a representative, it is presumed the person retains that identity.~~

**E. Bylaws:** Amend 9, as follows:

**9 Legislative Authority and Process.**

**9.01 General Principles.**

**9.01.1 Basis of Legislation. All legislation of the Association shall be adopted by the membership in Convention assembled, or by the divisional governance entities.**

**9.02 Definitions and Applications.**

## 9.02.1 Legislative Provisions.

9.02.1.1 Division Dominant. A division dominant provision is a regulation that applies to all members of the division and is of sufficient importance to the division that it requires a two-thirds majority vote of all delegates present and voting at the division's annual or special Convention. Division dominant provisions are identified by the diamond symbol (◊).

9.02.1.2 Common. A common provision is a regulation that applies to more than one of the divisions of the Association. A common provision shall be adopted by each of the applicable divisions, acting separately pursuant to the divisional legislative process described in Bylaw 9.3 and must be approved by all applicable divisions to be effective. Common provisions are identified by the pound sign (#).

9.02.1.3 Federated. A federated provision is a regulation adopted by a majority vote of the delegates present and voting of the division (or subdivision if applicable), acting pursuant to the legislative process described in Bylaw 9.3. Such a provision applies only to the division(s) or subdivision(s) that adopts it.

## 9.1 Conventions and Meetings.

### 9.1.1 Operating Procedures.

9.1.1.1 Authority. The following procedures and policies set forth in Article 9 only apply to Division III specific legislative business (as opposed to Association-wide business).

#### 9.1.1.2 Institutional and Conference Delegates.

9.1.1.2.1 With Voting Privileges. Each active member and each member conference with voting privileges, shall be entitled to one vote. Institutions and conferences designating both a male and female as voting or alternate delegates on the Convention appointment form shall be allowed to appoint four official institutional delegates. In all circumstances, institutions shall be limited to not more than three official delegates.

9.1.1.2.2 Without Voting Privileges. Each member conference without voting privileges shall be entitled to one accredited delegate without voting privilege.

9.1.1.3 Provisional Delegates. Each provisional member shall be entitled to one accredited delegate without voting privileges.

9.1.1.4 Certification and Voting of Delegates. The certification and voting of delegates shall be conducted as follows:

- (a) Delegates shall be certified to the NCAA national office as entitled to represent the member in question by the proper executive officers of their institutions or organizations;
- (b) An active member or member conference represented by more than one delegate shall designate (on the proper form signed by the chancellor or president) the delegate entitled to cast its vote. Once the member has so designated its primary voting and alternate voting delegates, transferring the voting rights between or among them is a matter of institutional judgment, inasmuch as the voter and alternate(s) have been approved as voters;

- (c) The same delegate may represent both an active member and a member conference;
- (d) A delegate shall not represent any active member or member conference unless the delegate actually is identified with such member, and an institution's student may not serve as its voting or alternate voting delegate;
- (e) Whenever the Association votes on any question by roll call, either written or via voice, on demand of any delegate, the names of delegates as they vote shall be checked by the Membership Committee in order to verify the authority of the voter; and
- (f) Voting by proxy shall not be allowed.

#### 9.1.1.5 Delegate Participation in Conventions and Meetings.

9.1.1.5.1 Active Delegate. Privileges of the floor and the right to active participation in the business proceedings of any annual or special Convention of the Association are accorded to the following:

- (a) Any of the accredited delegates authorized in Bylaw 9.1.1.4 to represent an active member or member conference with voting privileges;
- (b) The single accredited delegate authorized in Bylaw 9.1.1.2.2 to represent a member conference without voting privileges or in Bylaw 9.1.1.3 to represent a provisional member;
- (c) Any member of the Board of Governors, Presidents Council, Management Council and the chair (or a committee member designated to speak for the chair) of an NCAA committee listed in Bylaw 21; and
- (d) Any member of the Division III Student-Athlete Advisory Committee.

9.1.1.6 Quorum. Forty active members and member conferences shall constitute a quorum for the transaction of the division's business.

9.1.1.7 Parliamentary Rules. The rules contained in the current edition of Robert's Rules of Order, Newly Revised, shall be the parliamentary authority for the conduct of all meetings. Additionally, they shall be the deciding reference used in case of parliamentary challenge in all instances to which they apply and in which they are not superseded by the constitution, the bylaws or any special rule of order adopted by the division.

9.1.1.8 Consideration of Legislation. Legislation shall be acted on only at the Convention business sessions in accordance with the constitution and bylaws.

9.1.1.8.1 Order and Grouping of Legislation. In the consideration of groupings of related amendments or amendments-to-amendments, the Convention shall consider first the amendment that contemplates the greatest modification of the present circumstance, followed by the other amendments in the order of decreasing modification. Once an amendment in such a grouping is adopted, those that follow ordinarily will become moot.

9.1.1.8.2 Single-Gender Athletics Program. An active member or member conference with no men's athletics program shall not be permitted to vote on issues affecting only men's athletics, and an active member or member

conference with no women's athletics program shall not be permitted to vote on issues affecting only women's athletics.

9.1.1.8.3 Voting Methods. The methods of voting at an NCAA Convention shall be by voice, paddle, roll call and/or secret ballot, in accordance with the following procedures:

- (a) Voice Vote. The presiding officer shall determine whether to use voice voting. In the taking of a voice vote, if the presiding officer is in doubt, or on request for a division of the assembly by any member eligible to vote on the particular issue, the presiding officer shall retake the vote by a show of paddles.
- (b) Paddle Vote. The presiding officer shall determine whether to use paddle voting, which may be accomplished through electronic collection. In the taking of a vote by show of paddles, if the presiding officer is in doubt, or on the request of any member eligible to vote on the particular issue, the presiding officer shall order the vote to be counted.
- (c) Secret Ballot. Voting by secret ballot shall be conducted only when so ordered by a majority of the eligible delegates present and voting, after the making of an undebatable motion to vote in that manner.
- (d) Roll Call. Voting by roll call, on issues other than those so designated by the Divisions III Presidents Council shall be conducted only when so ordered by a majority of the eligible delegates present and voting, after the making of an undebatable motion to vote in that manner. If both a roll-call vote and a secret ballot are moved on a particular issue, the vote shall be taken first on whether to vote by roll call. Any interim or following vote to amend, postpone, reconsider, refer or table a proposal that has been designated by the presidential administrative groups for a roll-call vote during the Convention also must be conducted by roll-call vote.

## 9.2 Elements of Legislation.

9.2.1 Operating Bylaws. The Division may adopt legislation to be included in the operating bylaws, which provide rules and regulations not inconsistent with the provisions of the constitution and which shall include, but not be limited to, the following particulars:

- (a) The administration of intercollegiate athletics by members of the Association;
- (b) The establishment and control of NCAA championships (games, matches, meets and tournaments) and other athletics events sponsored or sanctioned by the Association;
- (c) The procedures for administering and enforcing the provisions of the constitution and bylaws; and
- (d) The adoption of rules of play and competition in the various sports, and the delegation of authority in connection with such subjects to individuals, officers or committees.

9.2.2 Administrative Bylaws. The administrative bylaws of the division (i.e., administrative regulations, executive regulations, enforcement policies and procedures) provide rules and regulations for the implementation of policy adopted by the membership as set forth in the constitution and operating bylaws. They are distinct from the operating bylaws in that, to provide greater flexibility and efficiency

in the conduct of the affairs of the Association, they may be adopted or amended by the Presidents Council and the Management Council.

9.2.2.1 Administrative Regulations. The division is empowered to adopt or revise administrative regulations consistent with the provisions of the constitution and bylaws, subject to amendment by the membership, for the implementation of policy established by legislation governing the general activities of the division. The administrative bylaws may be adopted or amended by the Presidents Council or Management Council or at any annual or special Convention by a majority vote of the delegates in Divisions III present and voting in accordance with the relevant sections of Bylaw 9.3.3.

9.2.2.2 Executive Regulations. The Division is empowered to adopt or revise executive regulations consistent with the provisions of the constitution and bylaws, subject to amendment by the Divisions III membership. Executive regulations relate to the administration of the division's championships, the expenditure of the division's funds, the distribution of the income of the division and the general administration of the affairs of the division. The executive regulations may be adopted or amended by the Presidents Council or Management Council or at any annual or special Convention by a majority vote of the delegates in Divisions III present and voting in accordance with the relevant sections of Bylaw 9.3.3.

9.2.2.3 Enforcement Policies and Procedures. The Committee on Infractions is empowered to adopt, formulate and revise enforcement policies and procedures for the conduct of the Association's infractions program (see Bylaw 32) and its internal operating procedures, and review and approve the enforcement staff's internal operating procedures, subject to approval by the Management Council. These enforcement policies and procedures shall be developed by the Committee on Infractions, shall not be inconsistent with the provisions of the constitution and bylaws and shall be subject to amendment by the membership. The Infractions Appeals Committee may adopt or revise enforcement policies and procedures that relate directly to the infractions appeals process, subject to review and approval by the Management Council. Such policies and procedures shall not be inconsistent with the provisions of the constitution and bylaws and shall be subject to amendment by the membership.

9.2.3 Resolutions. Legislation of a temporary character effective only for a specified time period may be enacted through resolutions not inconsistent with the constitution, bylaws (including administrative bylaws) and special rules of order.

9.2.4 Interpretations of Constitution and Bylaws. The Presidents Council and Management Council, and the Interpretations and Legislation Committee are empowered to make interpretations of the constitution and bylaws (See Bylaw 9.4.1).

9.2.5 Special Rules of Order. The division may adopt special rules of order not inconsistent with the constitution and bylaws. These special rules, with Robert's Rules of Order, Newly Revised, the constitution and the bylaws, shall be the parliamentary authority for the conduct of all meetings of the division and, together, shall be the deciding reference used in case of parliamentary challenge in all instances to which they apply.

9.2.6 Statements of Division Philosophy. The membership through appropriate deliberative processes, may prepare a statement of division philosophy relating to the development and operation of an intercollegiate athletics program in the division. Such a statement is not binding on member institutions but shall serve as a guide for

the preparation of legislation by the division and for planning and implementation of programs by institutions and conferences.

### **9.3 Amendment Process.**

#### **9.3.1 Authorizing Legislation.**

**9.3.1.1 Amendment.** Division dominant and federated provisions may be amended at any annual or special convention.

**9.3.1.1.1 Noncontroversial Amendment.** The Management Council or Presidents Council, in the interim between annual Conventions, by a three-fourths majority of its members present and voting, may adopt noncontroversial legislative amendments clearly necessary to promote the normal and orderly administration of the division's legislation. The Management Council or Presidents Council shall then sponsor legislation at the next annual Convention to confirm the adoption of such amendments.

**9.3.1.1.2 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.

**9.3.1.2 Amendment-to-Amendment -- Division Dominant Provisions.** A proposed amendment to a division dominant provision may be amended at any annual or special Convention. From July 15 through September 15, sponsors of proposed amendments may refine and change the proposed amendments in any manner that is germane to the original. After September 15, proposed amendments may be amended only if the amendment to the proposed amendment does not increase the modification of the provision to be amended.

**9.3.1.3 Amendment-to-Amendment -- Federated Provisions.** A proposed amendment to a federated provision of the bylaws may be amended at any annual or special Convention. From July 15 through September 15, sponsors of proposed amendments may refine and change the proposed amendments in any manner that is germane to the original. After September 15, proposed amendments may be amended only if the amendment to the proposed amendment does not increase the modification of the provision to be amended.

#### **9.3.2 Sponsorship -- Amendments to Division Dominant Provisions.**

**9.3.2.1 Amendment.** An amendment to a division dominant provision may be sponsored by the Presidents Council.

9.3.2.2 Amendment-to-Amendment. An amendment-to-amendment to a division dominant provision may be sponsored by the Presidents Council.

9.3.2.3 Editorial Changes. The presiding officer may permit changes in the wording of a proposed amendment of a purely editorial nature or to correct typographical errors.

### 9.3.3 Sponsorship -- Amendments to Division III Legislation.

9.3.3.1 Amendment. An amendment to a provision of the bylaws may be sponsored by:

- (a) The Management Council or Presidents Council;
- (b) Twenty or more active member institutions with voting privileges, on written verification of sponsorship signed by each sponsoring member's chancellor or president or the chancellor's or president's designated representative; or
- (c) Two or more member conferences with voting privileges, when submitted by the chief elected or executive officer of the conferences on behalf of each conference's active member institutions and signed by the chairs of the conferences' official presidential administrative groups or at least two chancellors or presidents of the conference's member institutions if the conference has no presidential administrative group.

9.3.3.1.1 Amendment, Federated Provision. When legislation is applicable only to a particular division, only members of that division may submit amendments to that legislation.

9.3.3.1.2 Primary Contact Person. All amendments proposed by member institutions shall designate a primary contact person.

9.3.3.2 Amendment-to-Amendment. An amendment to an amendment of a provision of the bylaws may be sponsored by:

- (a) The Management Council or Presidents Council;
- (b) Twenty or more active member institutions with voting privileges, when submitted in writing by each institution's chancellor or president or the chancellor's or president's designated representative; or
- (c) Two or more member conferences with voting privileges, when submitted in writing by the chief elected or executive officer of the conferences on behalf of each conference's active member institutions and signed by the chairs of the conferences' official presidential administrative groups or at least two chancellors or presidents of the conference's member institutions if the conference has no presidential administrative group.

9.3.3.2.1 Primary Contact Person. All amendments-to-amendments proposed by member institutions shall designate a primary contact person.

9.3.3.3 Editorial Changes. The presiding officer may permit changes in the wording of proposed amendments of a purely editorial nature or to correct typographical errors.

### 9.3.4 Submission Deadline.

9.3.4.1 Division Dominant Provisions.

9.3.4.1.1 Amendments. Amendments to division dominant provisions shall be sponsored by the Presidents Council in accordance with the following deadlines:

(a) Annual Convention -- September 1.

(b) Special Convention -- Ninety days before a special Convention.

9.3.4.1.1.1 Exception. The Presidents Council, by a two-thirds majority of its members present and voting, may establish a later date for the submission of amendments for an annual Convention when a special Convention is held after September 1.

9.3.4.1.2 Amendments-to-Amendments. The Presidents Council must submit amendments to its original amendments in writing and such amendments must be submitted not later than 5 p.m. Eastern time September 15, unless the amendment-to-amendment does not increase the modification specified in the original. Any amendment-to-amendment submitted after September 15 shall not increase the modification of the original and must be submitted in writing not later than 5 p.m. Eastern time November 1 before an annual Convention or 60 days before a special Convention. The Presidents Council may propose amendments-to-amendments at the time of the Convention without meeting these procedural requirements, provided the amendment-to-amendment has been approved by two-thirds of the Presidents Council and copies are distributed before or during the appropriate business session.

#### 9.3.4.2 Legislation.

9.3.4.2.1 Amendment. Deadline dates for receipt at the national office of proposed amendments are as follows:

9.3.4.2.1.1 Amendment Proposed by Membership.

(a) Annual Convention -- 5 p.m. Eastern time July 15 (at least one of the sponsors of a conference-sponsored amendment or at least 10 of the 20 individual institution sponsors must meet the July 15 deadline and the required chancellor or president approval for these amendments must be received by 5 p.m. Eastern time August 1). The additional conference or 10 individual institutions must meet the deadline of 5 p.m. Eastern time September 1 or the amendment will be automatically withdrawn.

(b) Special Convention -- Ninety days before a special Convention.

9.3.4.2.1.1.1 Exception. The Presidents Council, by a two-thirds majority of its members present and voting, may establish a later date for the submission of amendments for an annual Convention when a special Convention is held after July 15.

9.3.4.2.1.2 Amendments Sponsored by Management Council or Presidents Council.

(a) Annual Convention -- September 1.

(b) Special Convention -- Ninety days before a special Convention.

9.3.4.2.1.2.1 Exception. The Presidents Council, by a two-thirds majority of its members present and voting, may establish a later date for the submission of amendments for an annual Convention when a special Convention is held after September 1.

9.3.4.2.2 Amendment-to-Amendment. Sponsors of proposed amendments must submit amendments to their original amendments in writing and such amendments-to-amendments must be received at the Association's national office not later than 5 p.m. Eastern time September 15, unless the amendment-to-amendment does not increase the modification specified in the original. Any amendment-to-amendment submitted after September 15 shall not increase the modification of the original and must be submitted in writing and received at the Association's national office not later than 5 p.m. Eastern time November 1 before an annual Convention or 60 days before a special Convention.

9.3.4.2.2.1 Exception -- Management Council or Presidents Council. The Management Council or Presidents Council may propose amendments-to-amendments at the time of the Convention without meeting these procedural requirements, provided that in each instance the proposed amendment to an amendment has been approved by two-thirds of the respective council and copies are distributed before or during the business session.

9.3.4.2.3 Cost Considerations. The sponsors of each proposed amendment or amendment-to-amendment must include a written financial impact statement regarding the potential financial impact (e.g., additional costs, cost savings) of the proposed legislation as it applies to the NCAA, conferences, institutions, student-athletes and prospective student-athletes.

### 9.3.5 Notification to Membership.

#### 9.3.5.1 Amendments to Division Dominant Provisions.

9.3.5.1.1 Initial Publication. Amendments to division dominant provisions sponsored by the Presidents Council 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 75 days before a special Convention.

9.3.5.1.2 Official Notice. A copy of the proposed amendments shall be published not later than November 15 before an annual Convention or 45 days before a special Convention.

9.3.5.1.3 Delayed Date. If the Presidents Council establishes a date later than July 15 or September 1 for the submission of amendments to division dominant provisions for an annual Convention, it, by a two-thirds majority of its members present and voting, may establish a later date for publishing copies of the proposed amendments for information of the membership.

9.3.5.1.4 Amendments-to-Amendments. Copies of all amendments-to-amendments to division dominant provisions submitted by the Presidents Council 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.

#### 9.3.5.2 Amendments to Legislation.

9.3.5.2.1 Initial Publication. Proposed amendments shall be published for the information of the 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 Management Council or Presidents Council; and
- (b) Not later than September 23 -- Those submitted by the Management Council or Presidents Council and those modified by the sponsors; or
- (c) Not later than 75 days before a special Convention -- All proposed amendments.

9.3.5.2.2 Official Notice. A copy of the proposed amendments shall be published not later than November 15 before an annual Convention or 45 days before a special Convention.

9.3.5.2.3 Delayed Date. If the Presidents Council establishes a date later than July 15 or September 1 for the submission of amendments for an annual Convention, it, by a two-thirds majority of its members present and voting, may establish a later date for publishing copies of the proposed amendments for information of the membership.

9.3.5.2.4 Amendments-to-Amendments. Copies of all amendments to proposed 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.

9.3.6 Committee Review -- Legislation. All amendments submitted by the membership shall be evaluated by an appropriate committee before they can be included on the agenda for Convention. Such evaluation may involve a position of support or opposition and/or a suggestion of an alternative amendment by the committee. The committee shall complete its evaluation not later than October 7. The committee position, if any, shall not prevent the membership from voting on the amendment at the next Convention, provided all appropriate submission deadlines have been met.

9.3.6.1 Committee Designation. The Management Council shall assign each amendment to the appropriate committee(s) for evaluation and shall designate a subcommittee of itself or a special committee when no appropriate committee exists.

9.3.6.2 Publication of Committee Position. The position of the appropriate committee shall be printed with the relevant amendment in the Official Notice of the Convention.

#### 9.3.7 Adoption of Amendment, Voting Requirements.

9.3.7.1 Division Dominant Provision. Adoption of an amendment to a division dominant provision shall require a two-thirds majority vote of all Division III delegates present and voting at the annual or special Convention.

**9.3.7.1.1 Change of Voting Requirement of Division Dominant Provision.** In order to change a division dominant provision to a federated provision, a two-thirds majority vote of all delegates present and voting at the division's annual or special Convention is required. In order to change a division dominant provision to a common provision, the change must be adopted through the procedure and with the voting requirement applicable to such provisions.

**9.3.7.2 Common Provision.** Adoption of an amendment to a common provision shall be adopted by each of the applicable divisions, acting separately pursuant to the divisional legislative process, and must be approved by all applicable divisions to be effective.

**9.3.7.2.1 Change of Voting Requirement of Common Provision.** In order to change a common provision to a federated provision, each of the applicable divisions shall adopt the change acting separately pursuant to the divisional legislative process. The change must be approved by all applicable divisions to be effective.

**9.3.7.3 Federated Provision.** Adoption of an amendment to a federated provision shall require a majority vote of the division's delegates present and voting, at an annual or special Convention or at a division legislative meeting of the Association. Such legislation shall apply only to the division(s) adopting it.

**9.3.7.3.1 Change of Voting Requirement of Federated Provision.** In order to change a federated provision to any other type of provision, the change must be adopted through the procedure and with the voting requirement applicable to the particular type of provision.

### **9.3.8 Adoption of Amendment-to-Amendment, Voting Requirements.**

**9.3.8.1 Division Dominant Provision.** A proposed amendment to an amendment of a division dominant provision shall be approved by a majority vote of the delegates of the division present and voting.

**9.3.8.2 Federated Provision.** A proposed amendment to an amendment of a federated provision shall be approved by a majority vote of the delegates of the division present and voting.

### **9.3.9 Special Voting Requirements.** The following topics are subject to special voting requirements.

**9.3.9.1 Division Championship.** A division championship per Bylaw 18.02.1.2 may be established by a majority vote of all members of the division present and voting at an annual Convention, subject to all requirements, standards and conditions prescribed in Bylaw 18.3.

### **9.3.10 Intent and Rationale.**

**9.3.10.1 Amendments to Division Dominant Provisions.** All amendments to division dominant provisions shall include a statement of intent and a separate statement of rationale. The statement of rationale shall not exceed 200 words in length. All amendments-to-amendments shall include a statement of intent and a cost estimate. An amendment-to-amendment also may include a statement of rationale that shall not exceed 50 words in length.

**9.3.10.2 Amendments to Federated Provisions.** All amendments to federated provisions shall include a statement of intent and a separate statement of rationale. The statement of rationale shall not exceed 200 words in length. All amendments-to-amendments shall include a statement of intent and a cost

estimate. An amendment-to-amendment also may include a statement of rationale that shall not exceed 50 words in length.

### 9.3.11 Effective Date.

9.3.11.1 Division Dominant Provisions. All amendments to division dominant provisions shall become effective not earlier than the first day of August after adoption by the Convention.

9.3.11.1.1 Alternative to August 1 Effective Date. If a voting delegate wishes to propose an immediate effective date, or to propose any other effective date before the first day of August, a two-thirds majority of all delegates present and eligible to vote on the amendment is required to approve the immediate or alternative effective date. Those amendments specified as being effective immediately shall become effective on adjournment of the Convention.

9.3.11.2 Federated Provisions. All amendments to federated provisions shall become effective not earlier than the first day of August after adoption by the Convention.

9.3.11.2.1 Alternative to August 1 Effective Date. If a voting delegate wishes to propose an immediate effective date, or to propose any other effective date before the first day of August, the rationale statement shall contain reasons why the amendment has an alternative effective date. Those amendments specified as being effective immediately shall become effective on adjournment of the Convention.

### 9.3.12 Reconsideration.

9.3.12.1 Vote on Division Dominant Provisions. An affirmative or negative vote on a division dominant provision is final and may not be reconsidered once that vote has been confirmed by the presiding officer.

9.3.12.2 Vote on Federated Provisions. An affirmative or negative vote on a federated provision is final and may not be reconsidered once that vote has been confirmed by the presiding officer.

### 9.4 Other Legislative and Amendment Procedures.

#### 9.4.1 Interpretations of Constitution and Bylaws.

9.4.1.1 Authorization. The Presidents Council and Management Council in the interim between Conventions, and the Interpretations and Legislation Committee, in the interim between meetings of the Presidents Council and Management Council, are empowered to make interpretations of the constitution and bylaws.

9.4.1.1.1 Modification of Wording. In addition to its general authority to make binding interpretations of NCAA legislation, the Management Council, by a two-thirds majority of its members present and voting, may interpret legislation consistent with the intent of the membership in adopting the legislation if sufficient documentation and testimony are available to clearly establish that the wording of the legislation is inconsistent with that intent. The Management Council shall sponsor legislation at the next annual Convention to confirm any such interpretations.

#### 9.4.1.2 Interpretation Process.

9.4.1.2.1 Staff Interpretation (Determination). The academic and membership affairs staff shall respond to a request from a member institution for an interpretation of NCAA rules.

9.4.1.2.1.1 Appeal of Staff Interpretation. A member institution may appeal a staff interpretation to the Interpretations and Legislation Committee. Such a request must be submitted in writing by the institution's conference or by one of the five individuals who are authorized to request such interpretations on behalf of the institution [i.e., chancellor or president, faculty athletics representative, athletics director, senior woman administrator, compliance coordinator, or designated substitute(s) for the chancellor or president and/or athletics director, as specified in writing to the national office].

9.4.1.2.1.2 Review of Staff Interpretations. The Interpretations and Legislation Committee shall review all staff interpretations.

9.4.1.2.1.3 Publication and Notification. A staff interpretation shall be binding on the requesting institution on notification of the response to its interpretation request unless the interpretation is modified or reversed on appeal or review by the Interpretations and Legislation Committee. A staff interpretation that has been reviewed and approved by the Interpretations and Legislation Committee shall be binding on all institutions on publication to the membership (e.g., announced on the NCAA website or Legislative Services Database for the Internet).

9.4.1.2.2 Review of Interpretations and Legislation Committee Decision. The Management Council shall review all interpretations issued by the Interpretations and Legislation Committee and may approve, reverse, or modify such interpretations. A member institution may appeal a decision of the Interpretations and Legislation Committee to the Management Council meeting immediately after the decision of the committee. The appeal must be submitted in writing by the institution's chancellor or president, faculty athletics representative or director of athletics. The Management Council shall establish the procedures for such an appeal.

9.4.1.2.3 Publication or Notification. Interpretations issued by the Interpretations and Legislation Committee shall be binding on notification to affected institutions and on all member institutions after publication and circulation to the membership.

9.4.1.2.4 Revision. Interpretations approved by the Management Council may not be revised by the Interpretations and Legislation Committee. The Interpretations and Legislation Committee may only recommend to the Management Council revisions of such interpretations.

9.4.1.3 Application. An interpretation of the constitution or bylaws shall be applicable to the membership division(s) to which the provision applies.

9.4.1.4 Request for Convention Review. Any member of the Association to which an interpretation applies may request a review of the interpretation at the next annual Convention by making such a request in writing to the Association's Convention office before 1 p.m. on the day before the business sessions of the Convention.

9.4.1.4.1 Affirmation of Interpretation. An interpretation of the constitution or bylaws submitted for review requires the same vote for affirmation that would be required for an amendment of the provisions to which the interpretation applies (e.g., majority vote of the delegates present and voting in the appropriate division for an interpretation of a federated provision). An interpretation that fails to receive the required vote for affirmation shall not be binding on the membership.

9.4.1.5 Amendment by Membership. A proposed amendment to an existing interpretation must be submitted in accordance with the requirements of Bylaw 9.3.

9.4.1.6 Convention-Approved Interpretations. All interpretations approved by the Convention shall be incorporated into the constitution or bylaws.

9.4.1.7 Review Authority of Management Council. An institution may appeal to the Management Council a decision of a committee (excluding actions of the Committee on Student-Athlete Reinstatement, related to the restoration of a student-athlete's eligibility, and the Committee on Infractions) or the NCAA staff regarding the application of legislation to a particular situation. In reaching its decision, the Management Council shall review the complete record in order to determine whether there is sufficient basis to grant relief from the application of the legislation. The Management Council shall establish the process for such a review; shall monitor the actions taken under this authorization; and shall report annually to the membership the actions taken, in summary, aggregate form.

9.4.1.7.1 Previously Approved Legislative Relief Waivers. Specific legislative relief waiver requests that have been previously approved on a routine basis by the Management Council, or a committee designated by the Management Council, may be processed by an institution or conference. Documentation of each approval shall be kept on file at the institution or the conference office.

## 9.4.2 Resolutions.

9.4.2.1 Authorization. Legislation pertaining to the division may be enacted through resolutions not inconsistent with the constitution, bylaws (including administrative bylaws) and special rules of order.

9.4.2.2 Scope and Application. Legislation enacted through resolutions shall be of a temporary nature, effective only for a limited time as specified in the resolution itself.

### 9.4.2.3 Division Dominant Provisions.

9.4.2.3.1 Sponsorship. A resolution related to a division dominant provision may be sponsored by the Presidents Council.

9.4.2.3.2 Submission Deadline. A proposed resolution related to a division dominant provision must be submitted before November 1. The Presidents Council may sponsor resolutions at the time of the Convention without meeting this deadline provided the proposed resolution has been approved by a two-thirds majority vote of that Council and copies are distributed during the division business sessions.

#### 9.4.2.3.3 Voting Requirements.

9.4.2.3.3.1 Adoption -- Annual/Special Convention. Adoption of a resolution shall require a majority vote of the delegates of the division present and voting at an annual or special Convention.

9.4.2.3.3.2 Mail Ballot. If a majority of the delegates of the division present and voting so direct, a resolution shall be referred to the entire membership of that division for a mail vote conducted under conditions approved by the Presidents Council. A two-thirds majority of members of the division voting in any such mail vote shall be required for the enactment of the legislation proposed in the resolution.

#### 9.4.2.4 Federated Provisions.

9.4.2.4.1 Sponsorship. A resolution related to a federated provision may be sponsored by:

- (a) The Management Council or Presidents Council;
- (b) Twenty or more active member institutions with voting privileges, on written verification of sponsorship signed by each sponsoring member's chancellor or president or the chancellor's or president's designated representative; or
- (c) Two or more member conferences with voting privileges when submitted by the chief elected or executive officer of the conference on behalf of each conference's active member institutions and signed by the chairs of the conferences' official presidential administrative groups or at least two chancellors or presidents of the conference's member institutions if the conference has no presidential administrative group.

9.4.2.4.2 Submission Deadline. A proposed resolution related to a federated provision must be submitted in writing to the national office before November 1.

9.4.2.4.2.1 Exception. The Presidents Council or Management Council may sponsor resolutions at the time of the Convention without meeting this deadline, provided the proposed resolution has been approved by a two-thirds vote of the Presidents Council or Management Council and copies are distributed before or during the business sessions.

9.4.2.4.3 Cost Considerations. The sponsors of each proposed resolution shall include a written financial impact statement regarding the potential financial impact (e.g., additional costs, cost savings) of the proposed resolution as it applies to the NCAA, conferences, institutions, student-athletes or prospective student-athletes.

#### 9.4.2.4.4 Voting Requirements.

9.4.2.4.4.1 Adoption -- Annual/Special Convention. Adoption of a resolution shall require a majority vote of the delegates of the division present and voting at an annual or special Convention.

9.4.2.4.4.2 Mail Ballot. If a majority of the delegates of the division present and voting so direct, a resolution shall be referred to the members of the division for a mail vote conducted by the officers under conditions approved by the Presidents Council. A two-thirds majority of members of the division voting in any such mail vote shall

be required for the enactment of the legislation proposed in the resolution.

#### **9.4.3 Special Rules of Order.**

**9.4.3.1 Division Business Sessions.** The division may adopt special rules of order not inconsistent with the constitution and bylaws by a two-thirds majority of the delegates of the division present and voting at any annual or special Convention.

**9.4.3.2 Amendment Process.** Proposed special rules of order and amendments to existing special rules of order shall be subject to the same procedural requirements for previous notice and amendments.

#### **9.4.4 Statements of Division Philosophy.**

**9.4.4.1 Authorization.** Each division or subdivision, through appropriate deliberative processes, may prepare a statement of division philosophy relating to the development and operation of an intercollegiate athletics program in the division or subdivision.

**9.4.4.2 Scope and Application.** Such a statement is not binding on member institutions but shall serve as a guide for the preparation of legislation by the division or subdivision and for planning and implementation of programs by institutions and conferences.

**9.4.4.3 Adoption Process.** A statement of division philosophy may be adopted at any annual or special Convention by a majority vote of the delegates of the division present and voting. If a statement of division philosophy is adopted, it shall be published in the NCAA Manual.

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

#### **20.01 General Principles.**

20.01.1 Membership in the Association. Eligibility for membership in the Association; conditions, obligations and classes of Association membership; and procedures governing the termination, suspension and reinstatement of such membership are governed by Constitution 3.

**20.01.2 Classes of Membership.** The NCAA offers three classes of membership: active, conference and provisional. Eligibility for and method of election to membership, obligations and conditions for continuing membership, voting rights, and other membership privileges for each class are defined in this article.

20.01.23 Division Membership. Each active and provisional member institution and member conference is designated as a member of Division I, II or III for certain legislative and competitive purposes. In football, Division I is divided into Football Bowl Subdivision and NCAA Football Championship Subdivision. Multidivision classification is permitted under specified circumstances (see Bylaw 20.4).

**20.01.4 Obligation to Meet Division Criteria.** Division membership criteria constitute enforceable legislation. Each member institution shall comply with all applicable criteria of its division, and an institution that fails to do so shall be subject to the enforcement procedures, as well as to possible reclassification.

**20.01.5 Assignment to Geographical Areas.** Active and conference members are assigned to geographical areas for the purpose of representation on the

Management Council, Presidents Council and various committees, as well as to facilitate the work of the Association.

**20.01.6 Termination or Suspension of Membership.** All rights and privileges of a member shall cease immediately upon termination or suspension of its membership.

G. **Bylaws:** Amend 20.02, as follows:

20.02 Definitions and Applications.

[20.02.1 through 20.02.2 unchanged.]

~~20.02.3 Provisional Membership.~~ **Membership Categories.** ~~Provisional membership is a prerequisite for active membership and shall not be less than a three-year period. During the third year of provisional membership, an institution shall administer its athletics programs in accordance with the constitution, bylaws and other legislation of the Association.~~

**20.02.3.1 Active Member.** An active member is a four-year college or university or a two-year upper-level collegiate institution accredited by the appropriate regional accrediting agency and duly elected to active membership under the provisions of this article. Active members have the right to compete in NCAA championships, to vote on legislation and other issues before the Association, and to enjoy other privileges of membership designated in the constitution and bylaws of the Association.

**20.02.3.1.1 Athletics Consortium.** An athletics consortium consists of one member institution and neighboring member or nonmember institutions (but not more than one nonmember institution), recognized and approved by Membership Committee). The student-athletes of the combined institutions are permitted to compete on the NCAA member institution's athletics teams, provided they meet the eligibility requirements of the NCAA and the member institution.

**20.02.3.1.2 Membership Classification Status.**

**20.02.3.1.2.1 Probation.** Membership probation is a membership classification status assigned to an institution that indicates that an institution's membership is not in good standing. The status of membership probation serves as a warning that certain conditions and obligations of membership have not been satisfied and failure to correct such deficiencies shall result in the institution's reclassification to the category of restricted membership. During the probationary year, the institution shall be required to complete an athletics program assessment using a form approved by the Membership Committee and shall also be provided with the guiding principles to establish a model Division III athletics program. An institutional staff member(s) may also be required to attend an NCAA Regional Rules Seminar. An institution does not lose membership benefits as a result of being placed on membership probation.

**20.02.3.1.2.2 Restricted.** Restricted membership is a membership classification status assigned to an institution that fails to comply with the minimum requirements of its division (e.g., sports sponsorship) and has failed during its period of membership probation to rectify such deficiencies as identified by the Division III Membership Committee or Committee on Infractions. An institution placed in restricted membership shall lose eligibility for a number of membership privileges, including, but not limited to, championships

eligibility, voting privileges and Division III grant and initiative funding while in this status. The institution must comply with all requirements involved with the associated penalty period. Failure to comply shall result in immediate forfeiture of membership in the Association. If the institution is placed in restricted membership without having served a probationary year, the institution shall be required to complete an athletics program assessment using a form approved by the Membership Committee and shall also be provided with the guiding principles to establish a model Division III athletics program.

**20.02.3.2 Provisional Membership.** Provisional membership is a prerequisite for active membership and shall not be less than a three-year period. During the third year of provisional membership, an institution shall administer its athletics programs in accordance with the constitution, bylaws and other legislation of the Association.

**20.02.3.3 Member Conference.** A member conference is a group of at least seven colleges and/or universities that conducts competition among its members and determines a conference champion in one (single-sport conference) or more (multisport conference) sports (in which the NCAA conducts championships or for which it is responsible for providing playing rules for intercollegiate competition), duly elected to conference membership under the provisions of this article. A member conference is entitled to all of the privileges of active members except the right to compete in NCAA championships.

**20.02.3.3.1 Single-Sport Conference.** A single-sport conference is an NCAA Division III member conference that sponsors only one sport. A conference that sponsors one sport but sponsors both men's and women's competition in that sport, is not a single-sport conference.

~~20.02.4 Membership—Probation~~**Competitive Body.** ~~Membership probation is a membership classification status assigned to an institution to indicate that an institution's membership is not in good standing. The status of membership probation serves as a warning that certain conditions and obligations of membership have not been satisfied and failure to correct such deficiencies shall result in the institution's reclassification to the category of restricted membership. During the probationary year, the institution shall be required to complete an athletics program assessment using a form approved by the Membership Committee and shall also be provided with the guiding principles to establish a model Division III athletics program. An institutional staff member(s) may also be required to attend an NCAA Regional Rules Seminar. An institution does not lose membership benefits as a result of being placed on membership probation.~~**A competitive body is an athletics conference that conducts competition among its member institutions and determines a conference champion in one or more sports.**

~~20.02.5 Restricted Membership~~**Legislative Body.** ~~Restricted membership is a membership classification status assigned to an institution that fails to comply with the minimum requirements of its division (e.g., sports sponsorship) and has failed during its period of membership probation to rectify such deficiencies as identified by the Division III Membership Committee or Committee on Infractions. An institution placed in restricted membership shall lose eligibility for a number of membership privileges, including championships eligibility, voting privileges and Division III grant and initiative funding, while in this status. The institution must comply with all requirement(s) involved with the associated penalty period. Failure to comply shall forfeit immediately its membership in the Association. If the institution is placed in restricted membership without having served a probationary year, the institution shall be required to complete~~

*an athletics program assessment using a form approved by the Membership Committee and shall also be provided with the guiding principles to establish a model Division III athletics program. **A legislative body is an athletics conference that develops and maintains rules and regulations governing the athletics programs and activities of its member institutions.***

[20.02.6 through 20.02.7 unchanged.]

**H. Bylaws:** Amend 20.3, as follows:

### **20.3 Provisional Membership-Eligibility for Membership.**

#### **20.3.1 Application Process.**

*20.3.1.1 Exploratory Year. An institution seeking Division III membership shall complete an exploratory year in accordance with Constitution 3.6.3.1. To satisfy the registration requirement, the institution shall submit its registration on a form approved by the Membership Committee available from the national office. The form shall be received in the national office not later than January 15. Any form received after that date shall be postmarked not later than January 8.*

*20.3.1.1.1 Standards for Exploratory Year. The institution shall be required to complete an exploratory year for a period of one academic year beginning with the academic year that immediately follows registration (see Bylaw 20.3.1.2).*

*20.3.1.1.2 Timing of Application for Division III. During the exploratory year, the institution may submit an application for Division III membership in accordance with Bylaw 20.3.1.2 for the academic year that immediately follows the exploratory year. An institution that does not submit an application for Division III membership during the exploratory year is not eligible to apply for Division III membership until it re-registers for a new exploratory year and completes the process according to the prescribed timeline.*

*20.3.1.1.3 Exploratory Year Waiver. Not later than May 15th following the submission of the exploratory registration, an institution may apply for a waiver of the exploratory year. The Division III Membership Committee, may grant waivers of the exploratory year based on a determination that the institution demonstrates a commitment to the Division III philosophy and evidence of the resources necessary to conduct a viable Division III athletics program. The waiver request shall include:*

- (a) An application for Division III provisional membership on the form approved by Membership Committee;*
- (b) A letter of recommendation from a sponsoring active NCAA Division III member endorsing the institution and attesting to the establishment of a mentoring relationship;*
- (c) Information demonstrating that the institution satisfied NCAA Division III minimum sport sponsorship requirements during the previous three academic years;*
- (d) A statement indicating the director of athletics and the individual with compliance oversight (if different than the director of athletics) will attend an NCAA regional rules seminar in the year of submission of the waiver request; and*

- (e) Information demonstrating that the institution shall not award athletically related financial aid to any student that participates in athletics. The institution may honor previously awarded athletically related financial aid to students that choose not to participate in athletics.

~~20.3.1.2 Application for Membership. After it has been determined that the institution meets the Association's requirement of acceptable academic standards (per Constitution 3.6.3.2) and during the exploratory year (see Bylaw 20.3.1.1), the institution shall submit an application on a form approved by the Membership Committee available from the national office. The form shall be received in the national office not later than January 15. Any form received after that date shall be postmarked not later than January 8. The application may be approved by the Membership Committee.~~

~~20.3.1.2.1 Standards for Application for Membership. An institution must satisfy all of the following at the time of application:~~

- (a) Participation in an exploratory year during the year of application to Division III (see Bylaw 20.3.1.1);
- (b) Satisfactory completion of a viability statement describing the institution's commitment to the Division III philosophy statement (see Bylaw 20.11). The Membership Committee shall make available the viability statement form as part of the provisional member application;
- (c) Sponsorship by an active Division III member, including the establishment of a good-faith mentoring relationship and submission of a letter of recommendation signed by the sponsoring institution's president or chancellor, athletics director, senior woman administrator and faculty athletics representative; and
- (d) Demonstration of a functioning compliance system. The Membership Committee shall make available the athletics assessment form as part of the provisional member application.

~~20.3.2 Class Size and Assignment. There shall be a maximum of four institutions admitted to the provisional or reclassifying membership program in any one year, and a maximum of 12 provisional or reclassifying institutions participating in the program in total. Institutions shall be assigned a start year based on the following criteria, in no particular order:~~

- (a) Geographic location in an area that needs or can accept new members;
- (b) Reclassifying versus provisional status;
- (c) Existing or potential membership in an active Division III conference;
- (d) Broad-based sports sponsorship profile; and
- (e) Whether the institution has previously provided athletically related financial aid.

~~20.3.2.1 Waiver. The Membership Committee may grant waivers of Bylaw 20.3.2 if it deems that circumstances warrant such action.~~

~~20.3.3 Three-Year Provision. Provisional membership shall not be less than a three-year period. At the end of the three-year period, a provisional member shall be eligible to apply for active membership (see Constitution 3.2.3).~~

~~20.3.3.1 Waivers.~~

~~20.3.3.1.1 Credit for Time Completed Previously as Provisional Member. The Membership Committee may waive any portion of the first two years of the three-year provisional period if the institution previously completed as a provisional or reclassifying member.~~

~~20.3.3.1.2 Reclassification of Provisional Membership from Division II to Division III. The Division III Membership Committee may waive one year of the three-year provisional membership period if an institution reclassifies its provisional membership from Division II to Division III. The waiver may be granted only if the institution meets Division III financial aid requirements and the minimum contest and participant requirements during its previous year of provisional membership. The institution shall serve a minimum of three total years of provisional membership before being considered for active membership. An institution that reclassifies its provisional membership from Division II to Division III shall comply with the provisional membership legislation in effect at the time of its reclassification.~~

~~20.3.4 Compliance with Association Rules. Unless specified otherwise in Bylaw 20.4, a provisional member shall administer its athletics program in accordance with the constitution, bylaws and other legislation of the Association.~~

~~20.3.4.1 Athletically Related Financial Aid Exception. A provisional member shall not award new athletically related financial aid to incoming students (e.g., freshmen, transfers) beginning with the first year of provisional membership and thereafter. Following the completion of year two, a provisional member may no longer award athletically related financial aid to any student, unless the institution previously awarded athletically related financial aid to the student, and the student no longer participates in intercollegiate athletics. During the second year of provisional membership (and each following year), a provisional member must complete the financial aid reporting process (see Bylaw 15.4.1.1).~~

~~20.3.5 Standards. The institution's athletics programs shall reflect the establishment and maintenance of high standards of personal honor, eligibility and fair play.~~

~~20.3.6 Sports Sponsorship Requirement. During each year of provisional membership, institutions shall meet all requirements for sports sponsorship as set forth in Bylaw 20.11.3.~~

~~20.3.7 Conditions and Obligations of Provisional Membership.~~

~~20.3.7.1 Education Program. Each provisional member must complete the provisional member education program before being granted active membership. The Membership Committee shall administer this program, which is described on the NCAA website (i.e., [www.ncaa.org](http://www.ncaa.org)) or may be obtained from the NCAA national office.~~

~~20.3.7.2 Determination of Provisional Membership Standing. A provisional member may be permitted to continue the three-year provisional member process with or without conditions as determined by the Membership Committee in instances of noncompliance with Division III and/or provisional membership regulations.~~

~~20.3.7.3 Repeat of Provisional Membership. The Membership Committee may require a provisional member to repeat any one of the three years of the provisional membership period. An institution may repeat only once during the three-year provisional membership period.~~

~~20.3.7.4 First Year of Active Division III Membership. The Membership Committee shall have the authority to place an institution that has completed its provisional process in restricted membership status for its first year of active Division III membership. The Membership Committee shall establish the parameters of restricted membership, which may include, but are not limited to, loss of any or all championships access, voting privileges and Division III grant and initiative funding.~~

~~20.3.7.5 Reporting Secondary Violations. The provisional member shall submit secondary violations to the NCAA enforcement staff as they are discovered using the online reporting system.~~

**20.3.1 General. Membership is available to colleges, universities and athletics conferences that have acceptable academic standards that are located in the U.S., its territories or possessions and further defined in the Constitution. Such institutions or organizations must accept and observe the principles set forth in the constitution and bylaws of the Association.**

**20.3.2 Athletics Consortiums. The Membership Committee may approve an athletics consortium involving a member institution and neighboring member or nonmember institutions, but not more than one nonmember institution, to permit the student-athletes of the combined institutions to compete on the member institution's intercollegiate athletics teams, provided the student-athletes satisfy the eligibility requirements of the member institution and the NCAA. The Membership Committee shall develop and publish appropriate criteria to be applied to such consortiums.**

**20.3.2.1 General Policy. In general, a consortium shall be approved on the basis of existing academic considerations with the understanding that there shall be no change in the basic recruitment, enrollment or financial aid policies of the involved institutions as a result of such approval.**

**20.3.2.2 Combining Entire Athletics Programs. The institutions shall combine their entire athletics programs, and the consortium shall not be formed on a sport-by-sport basis.**

**20.3.2.3 Conference Approval. An institution that belongs to an NCAA member conference first shall receive approval of its conference before instituting a consortium for its intercollegiate athletics program. If more than one institution holds such conference membership, all such conferences shall approve the consortium.**

**20.3.2.4 Eligibility Requirements for Student-Athletes. Participating student-athletes shall meet all eligibility requirements of the member institution(s), the athletics conference(s) involved and the NCAA. The member institution(s) shall certify the eligibility of all student-athletes under those rules.**

**20.3.2.5 Financial Assistance to Student-Athlete. Within a consortium:**

**(a) Each institution shall be responsible for the financial assistance awarded to its student-athletes. The financial arrangement between or among the institutions for the exchange of funds to cover the academic costs of student-athletes who take part in the exchange program shall apply to student-athletes in the same manner as it applies to those students not participating in the intercollegiate athletics program;**

**(b) One institution may not provide a scholarship or any other form of financial aid to a student-athlete enrolled in another institution or transmit a**

scholarship or gift aid to another institution to be used by one or more of its student-athletes; and

(c) Financial aid limitations as set forth in Bylaw 15 shall be applicable to the consortium as one entity and shall include all countable student-athletes, regardless of the institution in which they are enrolled.

20.3.2.6 Length of Approval. NCAA approval shall be for a four-academic-year period, at the end of which the institutions shall submit a report on the program setting forth its effect upon their academic and athletics operations.

20.3.2.7 NCAA Division Membership. The institutions may be members of different NCAA divisions but shall select one division for legislative and competitive purposes.

20.3.2.8 NCAA Member Involvement. At least one of the institutions shall be a member of the NCAA, and not more than one nonmember institution shall be included.

20.3.2.9 NCAA Membership Application. The institutions shall apply for NCAA membership as a consortium and shall be considered as one member of the Association, with their combined names included on the official NCAA membership records.

20.3.2.10 Prior Academic Consortium Relationship. The institutions shall have had a prior academic consortium relationship.

20.3.2.11 Recruitment. It is permissible for one institution to recruit prospective student-athletes with a view to their possible enrollment at another institution in the consortium, provided the individuals qualify for admission to that institution and the athletics interests of the member institution are not involved, directly or indirectly, in influencing the admission or award of financial assistance.

I. **Bylaws:** Amend 20.8, as follows:

~~20.8 Eligibility for National Collegiate and Division Championships. **Active Membership.**~~

~~20.8.1 Eligibility for National Collegiate Championships. Separate championships in each division are not sponsored in the following sports:~~

<del>Women's beach volleyball</del>	<del>Women's ice hockey (Divisions I and II)</del>
<del>Women's bowling</del>	<del>Men's and women's skiing</del>
<del>Men's and women's fencing</del>	<del>Men's volleyball (Divisions I and II)</del>
<del>Men's gymnastics</del>	<del>Men's water polo</del>
<del>Women's gymnastics</del>	<del>Women's water polo</del>

~~An active member institution in good standing, regardless of division, is eligible for the National Collegiate Championships if a division championship in the respective sport is not offered in its division. Such an institution is required to meet only the institutional and individual eligibility requirements of its division that govern the sport in question.~~

~~20.8.2 Options When No Division III Championship Is Conducted. An active member institution that holds membership in Division III is eligible to compete in the Division II championships in those sports for which no championship is conducted in Division III.~~

~~Such an institution is required to meet only the institutional and individual eligibility requirements of Division III that govern the sport in question.~~

~~20.8.2.1 Exception for Maximum Number of Contests or Dates of Competition. A Division III member institution that is eligible for a championship in another division because there is no championship in that sport in its membership division shall apply the maximum number of contests or dates of competition in the sport involved that applies to the division in which it declares its intention to compete.~~

### **20.8.1 Eligibility Requirements.**

**20.8.1.1 Types of Institutions.** Active membership is available to four-year colleges and universities and two-year upper-level collegiate institutions, accredited by the appropriate regional accrediting agency, pursuant to Board of Governors policy and duly elected to active membership.

**20.8.1.2 Compliance With Association Rules.** The institution shall administer its athletics programs in accordance with the constitution, bylaws and other legislation of the Association.

**20.8.1.3 Standards.** The institution's athletics programs shall reflect the establishment and maintenance of high standards of personal honor, eligibility and fair play.

### **20.8.2 Privileges.**

**20.8.2.1 Active Members.** Active members shall be entitled to all of the privileges of membership under the constitution and bylaws of the Association and all privileges incidental thereto.

**20.8.2.1.1 Exception -- For-Profit Institutions.** For-profit institutions shall be restricted, as follows:

- (a) A for-profit institution shall not have voting privileges at the annual NCAA Convention nor any special convention. The institution shall be entitled to three accredited delegates without voting privileges. Any of the accredited delegates shall be entitled to privileges of the floor and the right to active participation in the business proceedings;**
- (b) Representatives of a for-profit institution shall not be permitted to serve as a voting institution representative on an NCAA committee; and**
- (c) A for-profit institution shall not receive NCAA grants or financial distributions directly from the NCAA.**

**20.8.2.2 Use of Association's Registered Marks.** Active members may use the registered marks of the Association (i.e., the Association's name, logo or other insignia) only in accordance with guidelines established by the Board of Governors.

### **20.8.3 Election Procedures.**

**20.8.3.1 Application.** An institution desiring to become an active member of this Association shall complete a provisional membership period. After it has been determined that the institution has met the requirements of provisional membership, its request for active membership will be referred to the Membership Committee for election.

20.8.3.2 Accreditation and Division Classification. After it has been determined that the institution meets the Association's requirement of acceptable academic standards (i.e., the institution is accredited by one of the regional accrediting agencies), the application shall be considered with regard to requested membership division and sport classification in accordance with Bylaw 20. The application then shall be referred to the Membership Committee for consideration.

20.8.3.3 Election. The Membership Committee shall elect the applicant to membership effective the following September 1, the beginning of practice in any sport for that fall term or the first day of classes for that fall term, whichever occurs first. When the vote of the Membership Committee has been completed, the applicant shall be notified.

20.8.3.4 Resignation and Re-Election to Membership. If an institution resigns its membership and subsequently applies to re-establish its membership, the institution first shall complete a provisional membership period before such institution becomes eligible for re-election as an active member.

#### 20.8.4 Conditions and Obligations of Membership.

20.8.4.1 General. The active members of this Association agree to administer their athletics programs in accordance with the constitution, bylaws and other legislation of the Association.

20.8.4.2 Obligation to Meet Division Criteria. Division membership criteria constitute enforceable legislation. Each member institution shall comply with all applicable criteria of its division, and an institution that fails to do so shall be subject to the enforcement procedures, as well as to possible reclassification.

20.8.4.3 Certification of Eligibility/Declaration of Ineligibility. The active member is responsible for certifying the eligibility of student-athletes under the terms of the constitution, bylaws or other legislation of the Association before permitting a student-athlete to represent the institution in intercollegiate competition. Procedures for eligibility certification shall be approved by the chancellor or president, who may designate an individual on the institution's staff to administer proper certification of eligibility. The institution shall be obligated immediately to apply all applicable rules and withhold ineligible student-athletes from all intercollegiate competition (see Bylaw 14.10 and see Bylaw 14.12 for procedures regarding restoration of eligibility).

20.8.4.4 Application of Rules to All Recognized Varsity Sports. The constitution, bylaws and other legislation of this Association, unless otherwise specified therein, shall apply to all teams in sports recognized by the member institution as varsity intercollegiate sports and that involve all male teams, mixed teams of males and females, and all female teams. To be recognized as a varsity sport, the following conditions must be met:

- (a) The sport shall be one in which the Association conducts championships, except as provided in Bylaw 20.11.3.4.1 (waiver) or an emerging sport for women;
- (b) The sport officially shall have been accorded varsity status by the institution's chancellor or president or committee responsible for intercollegiate athletics;
- (c) The sport is administered by the department of intercollegiate athletics;

- (d) The eligibility of student-athletes participating in the sport shall be reviewed and certified by a staff member designated by the institution's chancellor or president or committee responsible for intercollegiate athletics policy; and
- (e) Qualified participants in the sport shall receive the institution's official varsity awards.

20.8.4.4.1 Intent to Sponsor a Varsity Sport. Once an institution evidences an intent or commitment to sponsor a sport on a varsity level (e.g., official announcement that competition will be conducted on a varsity basis, employment of individuals to coach the varsity team), the institution must begin applying NCAA recruiting regulations to the applicable sport.

20.8.4.5 Student-Athlete Statement. The active member shall administer annually, on a form prescribed by the Management Council, a signed statement for each student-athlete that provides information prescribed in Bylaw 14.1.3.

20.8.4.5.1 Administrative Requirements. The statement shall be administered individually to each student-athlete by the athletics director or the athletics director's designee before the student-athlete's participation in intercollegiate competition each academic year. The athletics director and head coach in the sport shall sign the affirmation of eligibility form. The statement shall be kept on file in the office of the athletics director, and such file shall be available for examination upon request by an authorized representative of the NCAA.

20.8.4.6 Drug-Testing Consent Form. The active member shall administer annually, on a form prescribed by the Management Council, a signed drug-testing consent form for each student-athlete per Bylaw 14.1.4 (see Bylaw 12.02.6 for a definition of student-athlete).

20.8.4.6.1 Administrative Requirements. The consent form shall be administered individually to each student-athlete before the student-athlete's participation in intercollegiate competition each academic year. Failure to complete and sign the consent form before such competition shall result in the student-athlete's ineligibility for practice and competition in all intercollegiate athletics. The consent form shall be kept on file in the office of the athletics director, and such file shall be available for examination on request by an authorized representative of the NCAA (see Bylaw 14.1.4.1).

20.8.4.7 Student-Athlete Health Insurance Portability and Accountability Act (HIPAA) Authorization/Buckley Amendment Consent Form -- Disclosure of Protected Health Information. The active member institution shall administer annually, on a form prescribed by the Management Council, a statement for each student-athlete to voluntarily sign that provides information prescribed in Bylaw 14.1.6.

20.8.4.7.1 Administrative Requirements. The statement shall be administered individually to each student-athlete by the athletics director or the athletics director's designee before the student-athlete's participation in intercollegiate athletics each academic year. The authorization/consent by the student-athlete is voluntary and is not required for the student-athlete to be eligible to participate. Any signed statement(s) shall be kept on file in the office of the athletics director.

20.8.4.8 Certification of Insurance Coverage. An active member institution must certify insurance coverage for medical expenses resulting from athletically related injuries sustained by a student-athlete participating in the covered event in an intercollegiate sport as recognized by the participating institution. [D]

20.8.4.8.1 Source of Insurance. Such insurance coverage must be of equal or greater value than the deductible of the NCAA catastrophic injury insurance and may be provided through the following sources: [D]

- (a) Parents' or guardians' insurance coverage;
- (b) Participant's personal insurance coverage; or
- (c) Institution's insurance program.

20.8.4.8.2 Athletically Related Injuries. For purposes of this bylaw, athletically related injuries are injuries that are a direct result of participation in a covered event.

20.8.4.8.3 Covered Event. A covered event includes the following:

- (a) Any intercollegiate sports activity, including team travel, competition, practices and conditioning sessions during the playing season (see Bylaw 17.1.1);
- (b) An NCAA-sanctioned competition in which the insured person (i.e., student-athlete) is an official competitor; or
- (c) Practice or conditioning sessions that are authorized, organized or directly supervised by the athletics department personnel at the member institution other than during the playing season. Such sessions must occur on campus or at approved off-campus facilities as part of an intercollegiate athletics activity. For insured student-athletes who compete in individual sports, off-campus intercollegiate athletics activities must be authorized by athletics department personnel at the participating school and take place at approved locations.

20.8.4.9 Standards. Active members agree to establish and maintain high standards of personal honor, eligibility and fair play.

20.8.4.10 Discipline of Members. In accordance with directions of the Membership Committee or the annual Convention, active members shall refrain from athletics competition with designated institutions as required under the provisions of the Association's enforcement procedures (see Bylaw 19).

20.8.4.11 Publication of Satisfactory-Progress Requirements. Active members are obligated to publish their satisfactory-progress requirements for student-athletes (see Bylaw 14.4.1).

20.8.4.12 Missed Class-Time Policies. Active members are obligated to establish policies in all sports concerning student-athletes' missed class time due to participation in intercollegiate athletics and in athletics competition scheduled during final examination periods (see Bylaw 17.1.4.2).

20.8.4.13 Chancellor or President Attestation of Compliance Obligations. An active member institution shall not be eligible to enter a team or individual competitors in an NCAA championship and shall be subject to removal from and/or ineligibility of individuals to serve on an NCAA board, council or

committee unless its chancellor or president attests to understanding the institutional obligations and personal responsibilities imposed by Constitution Article 6 Part A and Bylaw 20.14.1 annually by October 15. [See Bylaw 31.2.1-(d)].

20.8.4.14 Compliance-Related Certification. A member institution shall not be eligible to enter a team or individual competitors in an NCAA championship and shall be subject to removal from and/or ineligibility of individuals to serve on an NCAA board, council or committee unless it certifies [see Bylaw 31.2.1-(d)] attesting that the conditions of Bylaw 31.2.1.7 have been satisfied.

20.8.4.15 Reporting Secondary Violations. An institution shall submit secondary violations to the NCAA enforcement staff as they are discovered using the online reporting system.

20.8.4.16 Convention and Regional Rules Seminar Attendance. Each year, an active member institution must be represented by an institutional staff member who is certified as a voting delegate and who votes for their institution at the NCAA Convention Division III business session. At least once every three years, an active member institution must be represented by at least one institutional staff member at the NCAA Regional Rules Seminar.

20.8.4.16.1 Conference Rules Seminar. An institution may satisfy the Regional Rules Seminar attendance requirement by attending a Division III Conference Rules Seminar that has been approved by the Membership Committee.

20.8.4.16.2 Failure to Meet Any Portion of Convention or Regional Rules Seminar Attendance Requirement.

20.8.4.16.2.1 Penalty Period. A penalty period of not less than three academic years shall apply to an institution that fails to meet any portion of the Convention or Regional Rules Seminar attendance requirement subject to the conditions set forth in this bylaw. The penalty period begins once a first failure) occurs.

20.8.4.16.2.1.1 First Failure. An institution shall be placed on membership probation for the length of the penalty period beginning with the next academic year after a first failure of this requirement is discovered. During the first year of the penalty period, the institution shall be subject to the probationary year conditions.

20.8.4.16.2.1.2 Second Failure. An institution shall be placed in restricted membership in accordance or one academic year beginning with the next academic year after a second failure is discovered during the penalty period. Failure to meet any of the following requirements shall be considered a second failure:

- (a) Any portion of the NCAA Convention and Regional Rules Seminar attendance;
- (b) Sports-sponsorship requirement; or
- (c) Conditions of membership probation.

20.8.4.16.2.1.3 Third Failure. An institution shall forfeit immediately its membership in the Association after a third failure is discovered during the penalty period. Failure to meet

any of the requirements in Bylaw 20.8.4.16.2.1.2 shall be considered a third failure.

20.8.4.16.3 Waiver. The Membership Committee may grant waivers of Bylaw 20.8.4.16 if it deems that unusual circumstances warrant such action.

20.8.4.17 Self-Study Guide. 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 ISSG shall be submitted to the national office not later than June 1 of the academic year in which it is due. The ISSG shall be available for examination on request by an authorized representative of the Association and may be reviewed by the Membership Committee with a focus on legislative issues and results of action plans in areas of deficiencies.

20.8.4.17.1 Institutions Completing Provisional or Reclassifying Membership. An institution that completes the provisional or reclassifying membership period and is granted active membership status must conduct a comprehensive self-study and evaluation of its intercollegiate athletics program not later than the end of the first year of active membership, regardless of when the previous self-study was completed.

20.8.4.17.2 Failure to Conduct the Institutional Self-Study Report.

20.8.4.17.2.1 Penalty Period. A penalty period of not less than three academic years shall apply to an institution that fails to conduct the Institutional Self-Study Report subject to the conditions set forth in this bylaw. The penalty period begins once a first failure occurs.

20.8.4.17.2.1.1 First Failure. An institution shall be placed on membership probation for the length of the penalty period beginning with the next academic year after the failed submission. A failure to conduct the report is considered to have occurred when the institution does not submit the Notification of Completion form to the NCAA national office by June 1 of the academic year in which it is due. During the first year of the penalty period, the institution shall be subject to the probationary year conditions.

20.8.4.17.2.1.2 Second Failure. An institution shall be placed in restricted membership for one academic year beginning with the next academic year after a second failure is discovered during the penalty period. Failure to meet any of the following requirements shall be considered a second failure:

- (a) Institutional Self-Study Guide;
- (b) Sports-sponsorship requirement; or
- (c) Conditions of membership probation.

20.8.4.17.2.1.3 Third Failure. An institution shall forfeit immediately its membership in the Association after a third failure is discovered during the penalty period. Failure to meet any of the requirements in Bylaw 20.8.4.17.2.1.2 shall be considered a third failure.

20.8.4.17.2.2 Waiver. The Management Council, on recommendation of the Membership Committee, may grant waivers of Bylaw 20.8.4.17.2 if it deems that extenuating circumstances warrant such action.

20.8.4.18 Concussion Management Plan. An active member institution shall have a concussion management plan for its student-athletes. The plan shall adhere to the process and format (e.g., the concussion protocol checklist) prescribed by the Board of Governors or designee and include, but is not limited to, the following: [D]

- (a) An annual process that ensures student-athletes are educated about the signs and symptoms of concussions. Student-athletes must acknowledge that they have received information about the signs and symptoms of concussions and that they have a responsibility to report concussion-related injuries and illnesses to a medical staff member;
- (b) A process that ensures a student-athlete who exhibits signs, symptoms or behaviors consistent with a concussion shall be removed from athletics activities (e.g., competition, practice, conditioning sessions) and evaluated by a medical staff member (e.g., sports medicine staff, team physician) with experience in the evaluation and management of concussions;
- (c) A policy that precludes a student-athlete diagnosed with a concussion from returning to athletics activity (e.g., competition, practice, conditioning sessions) for at least the remainder of that calendar day; and
- (d) A policy that requires medical clearance for a student-athlete diagnosed with a concussion to return to athletics activity (e.g., competition, practice, conditioning sessions) as determined by a physician (e.g., team physician) or the physician's designee.

20.8.4.18.1 Annual Review and Retention Requirement. The concussion management plan shall be annually reviewed by and be kept on file in the office of the athletics health care administrator.

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

20.8.4.20 Catastrophic Sport Injury Report. An active member institution shall submit data detailing student-athlete fatalities, near fatalities and catastrophic injuries (e.g., injuries and illnesses related to head, neck, spine, cardiac, pulmonary, heat, sickle cell trait, eyes) to the NCAA on an annual basis pursuant to applicable policies and procedures that govern the reporting of such data as determined by the Committee on Competitive Safeguards and Medical Aspects of Sports.

20.8.4.21 Designation of Team Physician. An active member institution shall designate a licensed physician to serve as team physician for its intercollegiate teams. The team physician shall be a medical doctor (MD) or osteopathic physician (DO) with a current license in good standing to practice medicine in the state of the active member institution. The team physician shall be authorized to oversee the medical services for injuries and illnesses incidental to a student-athlete's participation in intercollegiate athletics.

20.8.4.22 Independent Medical Care. An active member institution shall establish an administrative structure that provides independent medical care and affirms the unchallengeable autonomous authority of primary athletics health care providers (team physicians and athletic trainers) to determine medical management and return-to-play decisions related to student-athletes.

20.8.4.23 Athletics Health Care Administrator. An active member institution shall designate an athletics health care administrator to oversee the institution's athletics health care administration and delivery.

20.8.4.24 Athletics Diversity and Inclusion Designee. An active member institution shall designate an athletics diversity and inclusion designee to be the primary contact and conduit for diversity and inclusion-related information.

20.8.4.25 Academic Success Rate. Active members shall annually submit student-athlete graduation rate data, by the applicable deadline, for the Academic Success Rate (ASR) in a form prescribed by the Management Council.

20.8.4.25.1 Failure to Submit Data. An active member institution that fails to submit student-athlete graduation rate data for the ASR by the applicable deadline shall not be eligible to enter a team or individual competitors in an NCAA championship (See Bylaw 31.2.1.10) and may be subject to additional membership penalties.

20.8.4.26 COVID-19 Liability Waiver. An institution shall not require student-athletes to waive their legal rights regarding COVID-19 as a condition of athletics participation.

20.8.4.27 COVID-19 Health Cost. Prior to a student-athlete participating in any intercollegiate outside competition in the fall 2020 term, the institution shall:

- (a) Review the institution's and student-athlete's existing health care cost coverage (e.g., health insurance) with the student-athlete.
- (b) Inform the student-athlete of the risk classification of their sport(s) according to the NCAA Resocialization of Collegiate Sport: Developing Standards for Practice and Competition; and
- (c) Provide information about how the school is complying with the NCAA Resocialization of Collegiate.

## 20.8.5 Loss of Active Membership.

20.8.5.1 Termination or Suspension. The membership of any active member failing to maintain the academic or athletics standards required for such membership or failing to meet the conditions and obligations of membership may be suspended, terminated or otherwise disciplined by the Management Council, on the recommendation of the Membership Committee. Membership shall not be suspended or terminated unless:

- (a) A notice of intention to suspend or terminate membership, stating the grounds on which such a motion will be based, is given in writing to the NCAA Board of Governors and to the chancellor or president of the member institution on or before the first day of November before the Convention;
- (b) The Presidents Council approves the notification of intention to move for suspension or termination; and

(c) Such notice is included in the Official Notice of the annual Convention.

20.8.5.1.1 Cessation of Rights and Privileges. All rights and privileges of the member shall cease on any termination or suspension of active membership.

20.8.5.2 Removal of Accreditation. If an active member's accreditation is removed by its regional accrediting agency, it shall forfeit immediately its membership in the Association.

20.8.5.3 Failure to Pay Dues. If an active member fails to pay its annual dues for one year, its membership shall be automatically terminated.

20.8.5.4 Reinstatement of Terminated Member. Any active member whose membership has been terminated may have it reinstated by the Membership Committee.

20.8.5.5 Reinstatement of Suspended Member. Any active member whose membership has been suspended may be reinstated to good standing in accordance with the terms, if any, of the suspension action, or at any time after six months from the date of such suspension, by the Membership Committee.

20.8.6 Discipline of Active Members. Disciplinary or corrective actions other than suspension or termination of membership may be affected during the period between annual Conventions for violation of NCAA rules (see Bylaws 19 and 32 for enforcement regulations, policies and procedures).

20.8.6.1 Restoration of Good Standing. Disciplined members shall resume good standing in accordance with the terms of the disciplinary action taken, or may be restored to good standing at any time by a majority vote of the members of the Committee on Infractions present and voting. If fewer than eight members are present, any committee action requires a favorable vote of at least four committee members. Disciplined members also may be restored to good standing by the Membership Committee.

J. Bylaws: Amend 20.9, as follows:

20.9 Member Conference.

20.9.1 Eligibility.

20.9.1.1 Conference Competition Requirement. Conference membership is available to duly elected athletics conferences of colleges and universities that conduct conference competition and determine a champion in one or more sports in which the Association conducts championships or for which it is responsible for providing playing rules for intercollegiate competition.

20.9.1.2 Composition of Conference. A conference shall be comprised of at least seven core institutions. Provisional or reclassifying member institutions in their third year of the membership process may be considered core institutions for purposes of comprising a conference, provided there are at least four active member institutions. A conference may include provisional members in addition to the seven core members.

20.9.1.2.1 Core Institution. A core institution is an active NCAA Division III member institution that is a member of an NCAA Division III conference and participates in that conference in more than one conference-sponsored sport. An institution may be a core institution in only one multisport conference. An institution that was considered a core institution in more than one multisport conference prior to September 1,

2011, may continue as a core institution in those conferences until it is no longer an active member of the particular conference.

20.9.1.2.2 Single-Sport Conference. Conference status may be granted to a single-sport conference provided it has seven 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 seven-institution minimum, provided there are at least four active member institutions.

20.9.1.2.2.1 National Collegiate Championship Sports. For sports with a National Collegiate Championship, the single-sport conference minimum is controlled by the number of members needed for national collegiate automatic qualification (see Bylaw 18.5.2). (Note: Provisional member institutions may not be used to satisfy the requisite minimum institutions in Bylaw 18.5.2.)

20.9.1.2.3 Institutions Competing in More Than One Conference. An institution may participate in single-sport conferences or as an associate member in conferences in addition to the one in which it is considered core.

20.9.1.2.4 Grace Period. A conference shall continue to be considered a member conference for two academic years following the date it fails to satisfy the conference composition requirement. At the expiration of the grace period, if the conference does not meet the composition requirement to continue to qualify as a member conference, it shall enter into restricted status. A conference placed in restricted status shall lose eligibility for a number of membership privileges, including but not limited to voting and automatic qualification privileges, and grant and initiative funding. Institutions that are members of a conference in restricted status shall continue to receive the benefits of active membership (e.g., voting rights at the NCAA Convention, grant initiative funding for independent member institutions).

## **20.9.2 Privileges.**

20.9.2.1 Privileges of Member Conferences. Member conferences shall be entitled to all of the privileges of active members except the right to compete as such in NCAA Championships.

20.9.2.2 Voting Rights. Only those member conferences that have seven primary members as designated on the conference's membership form and meet the criteria listed below shall be permitted to vote on issues before the Association.

20.9.2.2.1 Competitive and Legislative Body. The member conference shall be both a competitive and a legislative body on the conference level.

20.9.2.2.2 Minimum Size and Division Status.

20.9.2.2.2.1 Full Voting Privileges. The member conference shall be composed of at least seven members in a single division in order to be eligible for full voting privileges, including voting on federated bylaws (those bylaws that may be amended by one or more divisions acting separately).

20.9.2.2.2.2 Partial Voting Privileges. Those member conferences with at least seven members but without a minimum of seven

members in a single division shall be permitted to vote on all dominant or common provisions (those provisions that apply to all three divisions of the Association). On these common provisions, the conference shall vote in the division in which the majority of its membership is classified. In the event that its membership is divided evenly between two divisions, the Board of Governors shall determine its voting division. Such conferences shall not vote on federated provisions (those provisions that may be amended by one or more divisions acting separately).

20.9.2.2.3 Five-Sport/Three-Season Requirement. The member conference shall conduct conference competition in at least five sports for men, with at least one in each season, for the conference to vote on issues related solely to men's programs and five sports for women, with at least one in each season, for the conference to vote on issues related solely to women's programs. A season-ending tournament or round-robin regular season play in a sport shall satisfy the conference competition requirement for that sport.

20.9.2.3 Use of Association's Registered Marks. Member conferences may use the registered marks of the Association (i.e., the Association's name, logo or other insignia) only in accordance with guidelines established by the Board of Governors.

### 20.9.3 Election Procedures.

20.9.3.1 Application. An athletics conference desiring to become a member conference shall make application on a form available from the national office. A check in the appropriate amount for annual dues shall accompany the application. Should the applicant fail election, the dues paid shall be refunded.

20.9.3.2 Election. Athletics conferences may be elected as member conferences by the Membership Committee.

### 20.9.4 Conditions and Obligations of Membership.

20.9.4.1 General. The member conferences of this Association agree to administer their athletics programs in accordance with the constitution, bylaws and other legislation of the Association.

20.9.4.2 Conference Competition. Member conferences shall conduct conference competition and determine a champion in one or more sports in which the Association conducts championships or for which it is responsible for providing playing rules for intercollegiate competition.

20.9.4.3 Composition of Conference. The member conference shall maintain a membership of institutions that are active members of this Association, except that a conference with at least seven active members also may continue to qualify as a member conference if it contains one or more provisional members.

20.9.4.4 Chancellor or President Involvement. Institutional chancellors or presidents shall have the ultimate responsibility and final authority for the operation of the member conference and the actions of any institution that is a member of that conference.

20.9.4.5 Conference Student-Athlete Advisory Committee. Each multisport member conference shall establish a student-athlete advisory committee for its

student-athletes. The composition and duties of the committee shall be determined by the conference.

20.9.4.6 Self-Study Guide. Multisport conferences shall conduct a comprehensive self-study and evaluation of their intercollegiate athletics programs at least once every five years, using the Conference Self-Study Guide (CSSG). The CSSG shall be completed and submitted to the national office not later than June 1 of the academic year in which it is due.

20.9.4.6.1 Failure to Submit the Conference Self-Study Report. If a multisport conference fails to submit the Conference Self-Study Report by June 1 of the academic year in which it is due, the conference may lose Division III grant and initiative funding beginning in the next academic year after the failed submission.

20.9.4.7 Athletics Diversity and Inclusion Designee. An active member conference shall designate an athletics diversity and inclusion designee to be the primary contact and conduit for diversity and inclusion-related information.

#### 20.9.5 Loss of Member-Conference Status.

20.9.5.1 Termination or Suspension. The membership of any member conference failing to maintain the academic or athletics standards required for membership or failing to meet the conditions and obligations of membership may be suspended or terminated or otherwise disciplined by the Management Council, on the recommendation of the Membership Committee. Membership shall not be suspended or terminated unless:

- (a) Notice of intention to suspend or terminate membership, stating the grounds on which such motion will be based, is given in writing to the president of this Association and to the chancellor or president of the member conference on or before the first day of November before the Convention;
- (b) The Presidents Council approves the notification of intention to move for suspension or termination; and
- (c) Such notice is included in the Official Notice of the annual Convention.

20.9.5.1.1 Cessation of Rights and Privileges. All rights and privileges of the member shall cease on any termination or suspension of conference membership.

20.9.5.2 Ineligible Conference Member Institution. If any member of an athletics conference is found to be ineligible for active membership in this Association, such conference shall be ineligible for conference membership and its membership terminated, unless the conference has 40 or more members and at least 90% of said conference members are active members of the Association.

20.9.5.3 Failure to Pay Dues. If a member conference fails to pay its annual dues for one year, its membership shall be automatically terminated.

20.9.5.4 Reinstatement of Terminated Members. Any member conference whose membership has been terminated may have it reinstated by the Membership Committee.

20.9.5.5 Reinstatement of Suspended Members. Any member conference whose membership has been suspended may be reinstated to good standing in

accordance with the terms, if any, of the suspension action, or at any time after six months from the date of such suspension, by the Membership Committee.

**20.9.6 Discipline of Member Conferences.** Disciplinary or corrective actions other than suspension or termination of membership may be affected during the period between annual Conventions for violation of NCAA rules (see Bylaws 19 and 32 for enforcement regulations, policies and procedures).

**20.9.6.1 Restoration of Good Standing.** Disciplined members shall resume good standing in accordance with the terms of disciplinary action taken or may be restored to good standing at any time by a vote of at least three members of the Committee on Infractions present and voting in accordance with Bylaw 19.5.2.8 or the Membership Committee.

K. **Bylaws:** Amend 20.10, as follows:

## **20.10 Provisional Membership.**

**20.10.1 Eligibility.** Provisional membership is available to four-year colleges and universities and two-year upper-level collegiate institutions, accredited by the appropriate regional accrediting agency and duly elected to provisional membership under the provisions of Constitution 3.6.3 and Bylaw 20.3.

### **20.10.2 Application Process.**

**20.10.2.1 Exploratory Year.** An institution seeking Division III membership shall complete an exploratory year. To satisfy the registration requirement, the institution shall submit its registration on a form approved by the Membership Committee available from the national office. The form shall be received in the national office not later than January 15. Any form received after that date shall be postmarked not later than January 8.

**20.10.2.1.1 Standards for Exploratory Year.** The institution shall be required to complete an exploratory year for a period of one academic year beginning with the academic year that immediately follows registration.

**20.10.2.1.2 Timing of Application for Division III.** During the exploratory year, the institution may submit an application for Division III membership in accordance with Bylaw 20.10.2.2 for the academic year that immediately follows the exploratory year. An institution that does not submit an application for Division III membership during the exploratory year is not eligible to apply for Division III membership until it re-registers for a new exploratory year and completes the process according to the prescribed timeline.

**20.10.2.1.3 Fee -- Provisional Members.** Each provisional member shall pay a nonrefundable fee of an amount determined annually by the Membership Committee based on an analysis of the expenses and benefits associated with the membership process. At the time of registration for the exploratory year, a portion of the fee, as determined by the Membership Committee, shall be due, and the remainder of the fee shall be due by September 1 of the first year of provisional membership. Provisional members in years one through three shall also pay NCAA dues.

**20.10.2.1.4 Exploratory Year Waiver.** Not later than May 15th following the submission of the exploratory registration, an institution may apply for a waiver of the exploratory year. The Division III Membership Committee may grant waivers of the exploratory year based on a determination that

the institution demonstrates a commitment to the Division III philosophy and evidence of the resources necessary to conduct a viable Division III athletics program. The waiver request shall include:

- (a) An application for Division III provisional membership on the form approved by Membership Committee;
- (b) A letter of recommendation from a sponsoring active NCAA Division III member endorsing the institution and attesting to the establishment of a mentoring relationship;
- (c) Information demonstrating that the institution satisfied NCAA Division III minimum sport-sponsorship requirements during the previous three academic years;
- (d) A statement indicating the director of athletics and the individual with compliance oversight (if different than the director of athletics) will attend an NCAA regional rules seminar in the year of submission of the waiver request; and
- (e) Information demonstrating that the institution shall not award athletically related financial aid to any student that participates in athletics. The institution may honor previously awarded athletically related financial aid to students that choose not to participate in athletics.

20.10.2.2 Application for Membership. After it has been determined that the institution meets the Association's requirement of acceptable academic standards and during the exploratory year, the institution shall submit an application on a form approved by the Membership Committee available from the national office. The form shall be received in the national office not later than January 15. Any form received after that date shall be postmarked not later than January 8. The application may be approved by the Membership Committee.

20.10.2.2.1 Standards for Application for Membership. An institution must satisfy all of the following at the time of application:

- (a) Participation in an exploratory year during the year of application to Division III;
- (b) Satisfactory completion of a viability statement describing the institution's commitment to the Division III philosophy statement. The Membership Committee shall make available the viability statement form as part of the provisional member application;
- (c) Sponsorship by an active Division III member, including the establishment of a good faith mentoring relationship and submission of a letter of recommendation signed by the sponsoring institution's chancellor or president, athletics director, senior woman administrator and faculty athletics representative; and
- (d) Demonstration of a functioning compliance system. The Membership Committee shall make available the athletics assessment form as part of the provisional member application.

20.10.2.3 Accreditation and Division Classification. After it has been determined that the institution meets the Association's requirement of acceptable academic standards (i.e., the institution is accredited by one of the regional accrediting agencies), the application shall be considered by the

Membership Committee with regard to requested membership division in accordance with Bylaw 20.

20.10.2.4 Election. The Membership Committee shall elect the applicant to provisional membership effective the following September 1. The applicant shall be notified on completion of the election process.

20.10.3 Class Size and Assignment. There shall be a maximum of four institutions admitted to the provisional or reclassifying membership program in any one year, and a maximum of 12 provisional or reclassifying institutions participating in the program in total. Institutions shall be assigned a start year based on the following criteria, in no particular order:

- (a) Geographic location in an area that needs or can accept new members;
- (b) Reclassifying versus provisional status;
- (c) Existing or potential membership in an active Division III conference;
- (d) Broad-based sports sponsorship profile; and
- (e) Whether the institution has previously provided athletically related financial aid.

20.10.3.1 Waiver. The Membership Committee may grant waivers of Bylaw 20.10.3 if it deems that circumstances warrant such action.

20.10.4 Three-Year Provision. Provisional membership shall not be less than a three-year period. At the end of the three-year period, a provisional member shall be eligible to apply for active membership.

20.10.4.1 Waivers.

20.10.4.1.1 Credit for Time Completed Previously as Provisional Member. The Membership Committee may waive any portion of the first two years of the three-year provisional period the institution previously completed as a provisional or reclassifying member.

20.10.4.1.2 Reclassification of Provisional Membership from Division II to Division III. The Division III Membership Committee may waive one year of the three-year provisional membership period if an institution reclassifies its provisional membership from Division II to Division III. The waiver may be granted only if the institution meets Division III financial aid requirements and the minimum contest and participant requirements during its previous year of provisional membership. The institution shall serve a minimum of three total years of provisional membership before being considered for active membership. An institution that reclassifies its provisional membership from Division II to Division III shall comply with the provisional membership legislation in effect at the time of its reclassification.

20.10.5 Compliance with Association Rules. Unless specified otherwise in Bylaw 20.10, a provisional member shall administer its athletics program in accordance with the constitution, bylaws and other legislation of the Association.

20.10.5.1 Athletically Related Financial Aid Exception. A provisional member shall not award new athletically related financial aid to incoming students (e.g., freshmen, transfers) beginning with the first year of provisional membership and thereafter. Following the completion of year two, a provisional member may no longer award athletically related financial aid to any student, unless the institution previously awarded athletically related financial aid to the student,

and the student no longer participates in intercollegiate athletics. During the second year of provisional membership (and each following year), a provisional member must complete the financial aid reporting process (see Bylaw 15.4.1.1).

**20.10.6 Standards.** The institution's athletics programs shall reflect the establishment and maintenance of high standards of personal honor, eligibility and fair play.

**20.10.7 Sports-Sponsorship Requirement.** During each year of provisional membership, institutions shall meet all requirements for sports sponsorship as set forth in Bylaw 20.11.3.

**20.10.8 Conditions and Obligations of Provisional Membership.**

**20.10.8.1 Education Program.** Each provisional member must complete the provisional member education program before being granted active membership. The Membership Committee shall administer this program, which is described on the NCAA website (i.e., [www.ncaa.org](http://www.ncaa.org)) or may be obtained from the NCAA national office.

**20.10.8.2 Determination of Provisional Membership Standing.** A provisional member may be permitted to continue the three-year provisional member process with or without conditions as determined by the Membership Committee in instances of noncompliance with Division III and/or provisional membership regulations.

**20.10.8.3 Repeat of Provisional Membership.** The Membership Committee may require a provisional member to repeat any one of the three years of the provisional membership period. An institution may repeat only once during the three-year provisional membership period.

**20.10.8.4 First Year of Active Division III Membership.** The Membership Committee shall have the authority to place an institution that has completed its provisional process in restricted membership status for its first year of active Division III membership. The Membership Committee shall establish the parameters of restricted membership, which may include, but are not limited to, loss of any or all championships access, voting privileges and Division III grant and initiative funding.

**20.10.8.5 Reporting Secondary Violations.** The provisional member shall submit secondary violations to the NCAA enforcement staff as they are discovered using the online reporting system.

**20.10.9 Privileges and Voting Rights.**

**20.10.9.1 Publications and Convention Representation.** Provisional members shall receive all publications and mailings received by active members of the Association, shall be entitled to be represented by one nonvoting delegate at any Convention of the Association and shall have such other privileges as may be accorded by the bylaws of the Association.

**20.10.9.2 Use of Association's Registered Marks.** A provisional member may use the registered marks of the Association (i.e., the Association's name, logo or other insignia) only in accordance with guidelines established by the Board of Governors.

**20.10.10 Loss of Provisional Membership.**

**20.10.10.1 Termination.** The membership of any provisional member failing to maintain the academic or athletics standards required for such membership or failing to meet the conditions and obligations of membership may be terminated by the Membership Committee. A notice of intention to terminate membership, stating the grounds on which such a motion will be based, shall be given in writing to the chancellor or president of the member institution.

**20.10.10.2 Cessation of Rights and Privileges.** All rights and privileges of the provisional member shall cease on any termination of provisional membership.

**20.10.10.3 Discipline of Member Conferences.** During the provisional member's compliance period, disciplinary or corrective actions other than termination of membership may be affected on a member conference that contains provisional members that fail to fulfill conditions and obligations of provisional membership.

**20.10.10.4 Reinstatement of Terminated Member.** Any provisional member whose membership is terminated may reapply for membership after a period of one year by the Membership Committee. The Membership Committee may grant credit to such an institution for any portion of the first two years of the three-year provisional period the institution previously completed as a provisional member, provided the portion was completed within the last 10 years.

L. Bylaws: Amend 20.12, as follows:

#### **20.12 Eligibility for National Collegiate and Division Championships.**

**20.12.1 Eligibility for National Collegiate Championships.** Separate championships in each division are not sponsored in the following sports:

<b><u>Women's beach volleyball</u></b>	<b><u>Women's ice hockey (Divisions I and II)</u></b>
<b><u>Women's bowling</u></b>	<b><u>Men's and women's skiing</u></b>
<b><u>Men's and women's fencing</u></b>	<b><u>Men's volleyball (Divisions I and II)</u></b>
<b><u>Men's gymnastics</u></b>	<b><u>Men's water polo</u></b>
<b><u>Women's gymnastics</u></b>	<b><u>Women's water polo</u></b>

**An active member institution in good standing, regardless of division, is eligible for the National Collegiate Championships if a division championship in the respective sport is not offered in its division. Such an institution is required to meet only the institutional and individual eligibility requirements of its division that govern the sport in question.**

**20.12.2 Options When No Division III Championship Is Conducted.** An active member institution that holds membership in Division III is eligible to compete in the Division II championships in those sports for which no championship is conducted in Division III. Such an institution is required to meet only the institutional and individual eligibility requirements of Division III that govern the sport in question.

**20.12.2.1 Exception for Maximum Number of Contests or Dates of Competition.** A Division III member institution that is eligible for a championship in another division because there is no championship in that sport in its membership division shall apply the maximum number of contests or dates of competition in

the sport involved that applies to the division in which it declares its intention to compete.

M. **Bylaws:** Amend 20.13, as follows:

#### **20.13 Dues of Members.**

**20.13.1 Determination of Dues.** The annual dues of the various classes of membership shall be recommended to the membership by the Board of Governors.

**20.13.2 Current Annual Dues.** The annual dues for various classes of membership shall be:

**Active Members:** \$2,000.

**Member Conferences:** \$1,000.

**\*See Bylaw 20.10 for provisional membership.**

**20.13.3 Payment Deadline.** Dues are payable September 1 of each year. A member shall not be permitted to vote at a Convention of the Association if its dues are not paid for that year. To be eligible to compete in NCAA championships, dues shall be paid in accordance with Bylaw 31.2.1. Membership is terminated if a member fails to pay dues for one year.

N. **Bylaws:** Amend 20.14, as follows:

#### **20.14 Institutional Governance.**

**20.14.1 Chancellor or President.** A member institution's chancellor or president has ultimate responsibility and final authority for the conduct of the intercollegiate athletics program and the actions of any board in control of that program.

**20.14.2 Athletics Board.** A board in control of athletics or an athletics advisory board, which has responsibility for advising or establishing athletics policies and making policy decisions, is not required. However, if such a board exists, it must conform to the following provisions.

**20.14.2.1 Composition.** Administration and/or faculty staff members shall constitute at least a majority of the board in control of athletics or an athletics advisory board, irrespective of the chancellor or president's responsibility and authority or whether the athletics department is financed in whole or in part by student fees. If the board has a parliamentary requirement necessitating more than a simple majority in order to transact some or all of its business, then the administrative and faculty members shall be of sufficient number to constitute at least that majority.

**20.14.2.1.1 Administrator Defined.** An administrator (for purposes of this legislation) is an individual employed by the institution as a full-time administrative staff member who holds an academic appointment, and is directly responsible to the institution's chancellor or president or serves as a chief administrative official (e.g., admissions director, finance officer, department head, or athletics department head). Other nonacademic staff members and individuals who are members of an institution's board of trustees or similar governing body would not be considered to be administrators for purposes of this regulation.

**20.14.2.1.2 Board Subcommittee.** If a board subcommittee is appointed, it is not necessary for the subcommittee to have majority control by administration and/or faculty members [see also Constitution Article 6

(C)], provided all actions of the subcommittee are approved by the entire board before becoming effective. However, if the subcommittee's actions are effective permanently or become effective immediately and remain in effect until reviewed by the entire board at a later date, the subcommittee's membership must satisfy the majority-control requirement.

20.14.2.1.3 Attendance. A parliamentary majority of administrators and faculty members of a board in control of athletics is not required to be present at any single meeting in order to conduct business.

20.14.2.2 Chair or Voting Delegate. Only an administrator or faculty member (as opposed to a student, alumnus or governing board member) may serve as chair of a member institution's board in control of intercollegiate athletics or represent the board as the institution's voting delegate at Conventions. Institutional representatives in these positions have responsibility for advising or establishing athletics policies and making policy decisions that require administrative and/or faculty control.

20.14.3 Faculty Athletics Representative. A member institution shall designate an individual to serve as faculty athletics representative. An individual so designated after January 12, 1989, shall be a member of the institution's faculty or an administrator who holds faculty rank and shall not hold an administrative or coaching position in the athletics department. Duties of the faculty athletics representative shall be determined by the member institution.

20.14.4 Student-Athlete Advisory Committee. Each institution shall establish a student-athlete advisory committee for its student-athletes. The composition and duties of the committee shall be determined by the institution.

#### 20.14.5 Budgetary Control.

20.14.5.1 Normal Budgeting Procedures. The institution's annual budget for its intercollegiate athletics programs shall be controlled by the institution and subject to its normal budgeting procedures.

20.14.5.2 Chancellor or President Approval. The institution's chancellor or president or an institutional administrator designated by the chancellor or president from outside the athletics department shall approve the annual budget in the event that the institution's normal budgeting procedures do not require such action.

20.14.5.3 Financial Audit. All expenditures and revenue for or on behalf of a Division III member institution's intercollegiate athletics programs shall be subject to the institution's regular financial audit. In particular, additional revenue and expenditures associated with outside groups or individuals shall be included in this audit.

#### 20.14.6 Responsibility for Actions of Outside Entities.

20.14.6.1 Independent Agencies or Organizations. An institution's "responsibility" for the conduct of its intercollegiate athletics program shall include responsibility for the acts of an independent agency or organization when a member of the institution's executive or athletics administration, or an athletics department staff member, has knowledge that such agency or organization is promoting the institution's intercollegiate athletics program.

20.14.6.2 Representatives of Athletics Interests. An institution's "responsibility" for the conduct of its intercollegiate athletics program shall include

responsibility for the acts of individuals when a member of the institution's executive or athletics administration has knowledge or should have knowledge that such an individual:

- (a) Has participated in or is a member of an agency or organization as described in Bylaw 20.14.6.1;
- (b) Has made financial contributions to the athletics department or to an athletics booster organization of that institution;
- (c) Has been requested by the athletics department staff to assist in the recruitment of prospective student-athletes or is assisting in the recruitment of prospective student-athletes;
- (d) Has assisted or is assisting in providing benefits to enrolled student-athletes; or
- (e) Is otherwise involved in promoting the institution's athletics program.

20.14.6.2.1 Agreement to Provide Benefit or Privilege. Any agreement between an institution (or any organization that promotes, assists or augments in any way the athletics interests of the member institution, including those identified per Bylaw 20.14.6.1) and an individual who, for any consideration, is or may be entitled under the terms of the agreement to any benefit or privilege relating to the institution's athletics program, shall contain a specific clause providing that any such benefit or privilege may be withheld if the individual has engaged in conduct that is determined to be a violation of NCAA legislation. The clause shall provide for the withholding of the benefit or privilege from a party to the agreement and any other person who may be entitled to a benefit or privilege under the terms of the agreement.

20.14.6.2.2 Retention of Identity as "Representative." Any individual participating in the activities set forth in Bylaw 20.14.4.2 shall be considered a "representative of the institution's athletics interests," and once so identified as a representative, it is presumed the person retains that identity.

**O. Bylaws:** Amend 21, as follows:

21 Committees.

21.02 Definitions and Applications.

[21.02.1 through 21.02.2 unchanged.]

21.02.3 Federated Committees. Federated committees deal with issues that apply to a specific membership division. Federated committees perform duties necessary to the ongoing operation of that division and are comprised only of members from that division.

[21.02.4 through 21.02.5 unchanged.]

**21.02.6 Faculty Athletics Representative. A faculty athletics representative is a member of an institution's faculty or administrative staff who is designated by the institution's chancellor or president or other appropriate entity to represent the institution and its faculty in the institution's relationships with the NCAA and its conference(s), if any [see Constitution Article 2E(2)].**

21.02.7 On the Staff. On the staff, as it applies to individuals from member institutions or conferences who are eligible to serve on committees or as officers or representatives of the Association, is defined as those individuals who receive a regular salary from a member institution or organization for the performance of a regular staff function representing at least 50% of the normal workload for a staff member at that institution or conference. An individual on sabbatical or other temporary leave for a period not exceeding 12 consecutive months may be considered to be "on the staff" of an institution or organization. An individual on terminal leave or on leave in excess of 12 consecutive months shall not be considered to be "on the staff."

**21.02.8 Senior Woman Administrator.**

21.02.8.1 Institutional Senior Woman Administrator. An institutional senior woman administrator is the highest-ranking female involved in the management of an institution's intercollegiate athletics program. An institution with a female director of athletics may designate a different female involved in the management of the member's program as a fifth representative to the NCAA governance structure.

21.02.9 Athletics Direct Report. An athletics direct report is the institutional staff member designated by the institution's chancellor or president for responsibility and oversight of the intercollegiate athletics program.

[21.1 through 21.9 unchanged.]

**21.10 Presidents Council.**

21.10.1 Composition. The Presidents Council shall include 18 members and shall be comprised of Division III chancellors or presidents. At least two members of the Council shall be included from each Division III geographical region (see Bylaw 21.13 for geographical regions) and seven members shall serve "at large." In addition, appropriate consideration shall be given to appointing Division III chancellors or presidents from historically black colleges and universities. The members of the council shall include:

- (a) At least three institutional chancellors or presidents from colleges or universities with full-time undergraduate enrollment of 2,400 or more;
- (b) At least three institutional chancellors or presidents from colleges or universities with full-time undergraduate enrollment between 1,400 and 2,400;
- (c) At least three institutional chancellors or presidents from colleges or universities with full-time undergraduate enrollment of 1,400 or less;
- (d) At least three institutional chancellors or presidents from public colleges or universities;
- (e) At least three institutional chancellors or presidents from private colleges or universities;
- (f) At least four institutional chancellors or presidents who are women;
- (g) At least four institutional chancellors or presidents who are men;
- (h) At least two institutional chancellors or presidents who are members of an ethnic minority; and
- (i) At least two institutional chancellors or presidents who are not ethnic minorities.

**21.10.2 Duties and Responsibilities. The Presidents Council shall:**

- (a) Implement policies adopted by the Association's Board of Governors;
- (b) Establish and direct the general policy of Division III;
- (c) Establish a strategic plan for Division III;
- (d) Adopt noncontroversial and intent-based amendments, and administrative bylaws to govern Division III independent of the Management Council;
- (e) Sponsor Division III legislation independent of the Management Council;
- (f) Identify, before the publishing of the notice of any Convention, Division III 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;
- (g) Delegate the resolution of management issues to the Management Council and ratify those actions (see Bylaw 21.11.3);
- (h) Ratify, amend or rescind the actions of the Management Council (see Bylaw 21.11);
- (i) Ensure that there is gender and ethnic diversity among its membership, the membership of the Management Council (see Bylaw 21.11.8) and the membership of each of the other bodies in the Division III administrative structure;
- (j) Make budgetary recommendations to the Association's Board of Governors related to Division III matters, including championships, and approve the use of funds allocated to Division III;
- (k) Approve regulations providing for the administration of Division III championships; and
- (l) Advise the Board of Governors concerning the employment of the NCAA president and concerning the oversight of their employment.

**21.10.3 Election/Term of Office.**

21.10.3.1 Selection. Members of the Presidents Council shall be selected by Division III chancellors or presidents. The council annually shall appoint a nominating committee, which shall present to the council (before the Convention) a slate of nominees to serve as members of the council. Additional candidates shall be placed on the appropriate slate of nominees if such candidates have the endorsement of at least 10 chancellors or presidents of Division III institutions. In all cases, an effort shall be made to develop a balanced slate that provides fair representation among the division's regions, conferences and institutions. At no time shall two individuals from the same institution serve on the Presidents Council and Management Council simultaneously.

21.10.3.1.1 Mail Vote. Members of the Presidents Council shall be elected by mail vote of the chancellors or presidents of Division III institutions. Voting by proxy shall not be allowed. The election shall not be subject to the requirement in Robert's Rules of Order, Newly Revised, that all candidates in an election remain in contention until one receives a majority.

21.10.3.1.2 Vacancies. The Presidents Council, by a majority vote, may fill a vacancy that occurs among the members for the unexpired term. Members appointed to fill vacancies shall be appointed only for the unexpired portion of that term.

21.10.3.2 Term of Office. Members of the Presidents Council shall serve four-year terms. The council may waive the four-year term limit if an extension is necessary and appropriate to enhance the council's continuity and effectiveness or otherwise allow the council to continue to fulfill its representational requirements. Members shall not be eligible for another term on the council until two years have elapsed. An individual may not serve on the council for more than two terms.

21.10.3.3 Staggered Terms. The terms of service of Presidents Council members shall expire on a staggered basis to provide for continuity. Members may be appointed for less than full terms in order to accomplish this purpose.

21.10.3.4 Determination of Full Term. Presidents Council members who serve more than one-half of a term shall be considered to have served a full term.

## **21.11 Management Council.**

21.11.1 Composition. The Management Council shall include 21 members and shall be comprised of Division III chancellors or presidents, athletics direct reports (non-chancellors or presidents with oversight of intercollegiate athletics), faculty athletics representatives, directors of athletics, senior woman administrators, conference representatives and student-athletes.

21.11.1.1 Members Who Are Not Student-Athletes. At least two members who are not student-athletes shall be included from each Division III geographical region (see Bylaw 21.13.1.1). One of these members shall serve as chair and one shall serve as vice chair. These members also shall include:

- (a) At least nine directors of athletics or senior woman administrators;
- (b) At least two institutional chancellors or presidents;
- (c) At least two athletics direct reports;
- (d) At least two faculty athletics representatives;
- (e) At least three members of an ethnic minority;
- (f) At least eight men; and
- (g) At least eight women.

21.11.1.2 Student-Athletes. Two members of the Management Council shall be members of the Student-Athlete Advisory Committee per Bylaw 21.9.5.10.3.

21.11.2 Vacancies. A representative of a playing conference or member institution whose term of service has expired shall not be replaced on the Management Council by a representative of the same conference or institution for a period of at least one year. At no time shall two individuals from the same institution serve on the Management Council and Presidents Council simultaneously.

21.11.2.1 Exception -- Student-Athlete Advisory Committee. The Management Council may waive the application of Bylaw 21.11.2 for Student-Athlete Advisory Committee members selected to serve on the Management Council.

21.11.3 Duties and Responsibilities. The Management Council shall:

- (a) Implement policies adopted by the Association's Board of Governors and the Presidents Council;
- (b) Resolve Division III issues;
- (c) Make recommendations to the Presidents Council related to Division III matters as it deems appropriate, including budgetary recommendations and recommendations related to championships;
- (d) Adopt noncontroversial and intent-based amendments and administrative bylaws to govern Division III;
- (e) Sponsor legislative proposals in accordance with Bylaw 9.3.3;
- (f) Make interpretations of the bylaws of Division III;
- (g) Delegate the resolution of Division III issues to the Division III substructure and consider relevant reports and recommendations from the Division III substructure;
- (h) Review appeals by member institutions of decisions made by a Division III committee or the NCAA staff regarding the application of NCAA legislation to a particular situation when no other committee, subcommittee or conference has the authority to act. The Management Council shall review the complete record in order to determine whether there is sufficient basis to grant relief from the application of the legislation; and
- (i) Administer duties related to the business session of the annual Convention, including arrangements, programs, rules, voting and the examination and approval of the voting credentials of delegates.

#### 21.11.4 Election/Term of Office.

21.11.4.1 Selection. Members of the Management Council shall be selected by the Division III membership. Annually, a slate of candidates shall be solicited from the Division III membership. The nominees will be identified by the Management Council (or a subcommittee of the Management Council), and then forwarded to the Presidents Council for approval before consideration by the full Division III membership.

21.11.4.1.1 Election. Members of the Management Council shall be elected by electronic mail vote by the athletics directors of Division III institutions and Division III conference commissioners who are eligible to vote at the NCAA convention. Voting by proxy shall not be allowed. The election shall not be subject to the requirement in Robert's Rules of Order, Newly Revised, that all candidates in an election remain in contention until one receives a majority.

21.11.4.1.2 Vacancies. When a vacancy occurs on the council, the council, by a majority vote, may fill the unexpired term. Members appointed to fill vacancies shall be appointed only for the unexpired portion of that term.

21.11.4.2 Term of Office. Members of the Management Council shall serve four-year terms. Members shall not be eligible for re-election to another term on the council until four years have elapsed. A member may not serve on the council more than two terms.

21.11.4.3 Staggered Terms. The terms of service of Management Council members shall expire on a staggered basis to provide for continuity. Members may be appointed for less than full terms in order to accomplish this purpose.

21.11.4.4 Determination of Full Term. Management Council members who serve more than one-half of a term shall be considered to have served a full term.

## **21.12 Administrative Committee.**

21.12.1 Composition. The Administrative Committee shall consist of five members, including the chair of the Presidents Council, the vice chair of the Presidents Council and the chair of the Management Council. If the chair of the Management Council is a chancellor or president, the committee also shall include two athletics administrators who are senior members of the Management Council. If the chair of the Management Council is not a chancellor or president, the committee also shall include a chancellor or president serving on the Management Council and a senior member of the Management Council.

21.12.2 Duties. The Administrative Committee shall be empowered in the interim between meetings of the Presidents Council and Management Council to transact items of business clearly necessary to promote the normal and orderly administration of Division III.

21.12.3 Ratification. All actions of the Administrative Committee shall be reported to and subject to ratification by the Management Council and Presidents Council at their next regularly scheduled meetings.

## **21.13 Geographical Regions.**

21.13.1 Geographical Regions. For the purpose of representation on the Management Council and the President Council (see Bylaws 21.10 and 21.11), the Association shall be divided into geographical regions.

21.13.1.1 Division III. The geographical regions are as follows:

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

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

**Effective Date:** August 1, 2022

**Budget Impact:**

**Additional Information:**

This proposal relocates the federated provisions of the existing constitution to operating bylaws. The Board of Governors Proposal BOG 2022-1 established a new Constitution effective August 1, 2022 (Division III editorially corrected numbering of that proposal to reflect accurate Division III numbering of bylaws). The new Constitution would only include provisions that applied to the entire Association. Consequently, the existing provisions need to be relocated. This proposal relocates

the federated provisions in Constitution 3, 4, 5 and 6 to new article 9, and existing articles 20 and 21. These bylaws were relocated without substantive changes.

NO. NC-2023-2 CHAMPIONSHIP – ELIGIBILITY FOR CHAMPIONSHIPS – STUDENT-ATHLETE ELIGIBILITY – INELIGIBILITY FOR USE OF BANNED DRUGS – PENALTY – CANNABINOIDS OR NARCOTICS – POSITIVE TEST RESULTS IN BANNED DRUG CLASS CANNABINOIDS

**Intent:** To specify that a student-athlete who, as a result of a drug test administered by the NCAA, tests positive for use of a substance in the banned drug class cannabinoids shall be subject to prescribed penalties

**Bylaws:** Amend 18.4.1.5, as follows:

18.4.1.5 Ineligibility for Use of Banned Drugs. A student-athlete who, as a result of a drug test administered by the NCAA, tests positive for use of a substance in a banned drug class, as set forth in Bylaw 31.2.3.1, shall be declared ineligible for further participation in postseason and regular-season competition in accordance with the ineligibility provisions in this bylaw.

[18.4.1.5.1 unchanged.]

18.4.1.5.1.1 Second Positive Test. If a student-athlete who previously tested positive for the use of a substance in a banned drug class other than cannabinoids and narcotics tests positive a second time for the use of a substance in a banned drug class other than cannabinoids and narcotics, they shall lose all remaining regular-season and postseason eligibility in all sports. If a student-athlete who previously tested positive for the use of a substance in a banned drug class other than cannabinoids, they shall engage, along with the institution, in an education and management plan for substance misuse as developed and facilitated by the institution (e.g., engagement with campus counseling services, participation in identified programs to address the substance misuse, enrollment in evidence-based educational sessions). ~~and If a student-athlete who previously tested positive for the use of a substance in a banned drug class other than cannabinoids and narcotics test positive for the use of substance in the banned drug class~~ narcotics tests positive for the use of a substance in the banned drug classes cannabinoids or narcotics, they shall be ineligible for competition for 50 percent of a season in all sports (i.e., 50 percent of the Bylaw 17 maximum regular-season contests or dates of competition). The student-athlete shall remain ineligible from the time the institution is notified of the test result until the prescribed penalty is fulfilled and they test negative (in accordance with the testing methods authorized by the Board of Governors).

18.4.1.5.2 Penalty – ~~Cannabinoids or~~ Narcotics. A student-athlete who, as a result of a drug test administered by the NCAA, tests positive for use of a substance in the banned drug classes ~~cannabinoids or~~ narcotics (in accordance with the testing methods authorized by the Board of Governors) shall be ineligible for competition during 50 percent of a season in all sports (i.e., 50 percent of the Bylaw 17 maximum regular-season contests or dates of competition). The student-athlete shall remain ineligible from the time the institution is notified of the test result until the prescribed penalty is fulfilled and they test negative (in accordance with the testing methods authorized by the Board of Governors).

18.4.1.5.2.1 Second Positive Test. If a student-athlete who previously tested positive for the use of a substance in the banned drug classes ~~cannabinoids or~~ narcotics tests positive a second time for the use of a substance in the banned drug classes ~~cannabinoids or~~ narcotics, they shall

be charged with the loss of one additional season of participation in all sports, in addition to the use of a season of participation, pursuant to Bylaw 14.2.4.1, during the same academic year. The student-athlete shall remain ineligible for all regular-season and postseason competition during the time period ending one calendar year (i.e., 365 days) after the collection of their second positive drug-test specimen or until the period of ineligibility for any prior positive drug tests has expired, whichever occurs later. If a student-athlete who previously tested positive for the use of a substance in the banned drug classes *cannabinoids* or narcotics tests positive for use of a substance in a banned drug class other than cannabinoids and narcotics, they shall be ineligible for one season of participation in all sports, in addition to the use of a season of participation, pursuant to Bylaw 14.2.4.1, during the same academic year. The student-athlete shall remain ineligible for all regular-season and postseason competition during the time period ending one calendar year (i.e., 365 days) after the collection of the student-athlete's positive drug test specimen and until they test negative (in accordance with the testing methods authorized by the Board of Governors). **If a student-athlete who previously tested positive for a substance in the banned drug class narcotics test positive for the use of a substance in the banned drug class cannabinoids, they will be subject to the penalties set forth in Bylaw 18.4.1.5.3.**

**18.4.1.5.3 Penalty -- Cannabinoids. A student-athlete who, as a result of a drug test administered by the NCAA, tests positive for use of a substance in the banned drug class cannabinoids (in accordance with the testing methods authorized by the Board of Governors) shall engage, along with the institution, in an education and management plan for substance misuse as developed or facilitated by the institution (e.g., engagement with campus counseling services, participation in identified programs to address the substance misuse, enrollment in evidence-based educational sessions).**

**18.4.1.5.3.1 Second Positive Test. If a student-athlete who previously tested positive for the use of a substance in the banned drug class cannabinoids tests positive a second time for the use of a substance in the banned drug class cannabinoids, the institution must attest that the student-athlete was compliant with the education and management plan required following the student-athlete's first positive test, as specified by the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports' policies and procedures, and has agreed to continue to engage in an education and management plan for substance misuse as developed or facilitated by their institution and designed to mitigate any identified at-risk behavior (e.g., engagement with campus counseling services, participation in identified programs to address substance misuse, enrollment in evidence-based educational sessions). A student-athlete who previously tested positive for the use of a banned drug class cannabinoids tests positive for the use of a substance in a banned drug class other than cannabinoids or narcotics, they shall be subject to penalties set forth in Bylaw 18.4.1.5.1.**

**18.4.1.5.3.1.1 Failure to Attest. If an institution cannot or does not attest, the student-athlete shall be considered ineligible for competition during 25-percent of a season in all sports (25-percent of the NCAA Bylaw 17 maximum regular-season contests or dates of competition).**

**18.4.1.5.3.2 Third Positive Test and Beyond. If a student-athlete who previously tested positive for the use of a substance in the banned drug class cannabinoids tests positive a third time (or beyond) for the use of a**

substance in the banned drug class cannabinoids, the institution must attest that the student-athlete was compliant with the education and management plan required following the student-athlete's first positive test, as specified by the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports' policies and procedures and has agreed to continue to engage in an education and management plan for substance misuse as developed or facilitated by their institution and designed to mitigate any identified at-risk behavior (e.g., engagement with campus counseling services, participation in identified programs to address substance misuse, enrollment in evidence-based educational sessions). A student-athlete who previously tested positive for the use of a banned drug class cannabinoids tests positive for the use of a substance in a banned drug class other than cannabinoids or narcotics, they shall be subject to penalties set forth in Bylaw 18.4.1.5.1

18.4.1.5.3.2.1 Failure to Attest. If the institution cannot or does not attest, the student-athlete shall be considered ineligible for competition during 50-percent of a season in all sports (50-percent of the NCAA Bylaw 17 maximum regular-season contests or dates of competition).

[18.4.1.5.3 through 18.4.1.5.7 renumbered as 18.4.1.5.4 through 18.4.1.5.8, unchanged.]

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

**Effective Date:** August 1, 2022; for penalties served August 1, 2022, or later.

**Budget Impact:** None.

**Additional Information:**

This proposal acknowledges the changing landscape surrounding cannabis use and the growing need to re-center student-athlete health and well-being as a primary focus within cannabinoid policy. The change prioritizes: (1) identification and deterrence of problematic cannabis use; (2) treatment and education over sanctions; and (3) consideration of the fragmented nature of state laws as well as changing social opinions about cannabis. In its discussions about the existing penalties, the CSMAS noted that the application of existing penalties may result in a student-athlete discontinuing enrollment rather than seeking help for problematic behavior. Importantly, this proposed change is intended to create a pathway for student-athletes to maintain eligibility and enrollment while participating in education and management plans specific to their needs, as developed or facilitated by their institution with the flexibility for member institutions to determine appropriate treatment parameters based on available resources, philosophy and student-athlete need. Lastly, through a survey administered in winter 2021, the membership indicated Association-wide support for reconsideration of existing cannabinoid policy.

NO. NC-2023-3

FINANCIAL AID -- RESTRUCTURING ARTICLE 15

**Intent:** To update relevant terms and simplify the structure of Bylaw 15 without altering its application.

**Bylaws:** Amend 15, as follows:

15 Financial Aid.

[15.01 unchanged.]

15.01.1 Institutional Financial Aid. A student-athlete may receive ~~scholarships or grants~~**financial aid** administered by (see Bylaw 15.02.1) ~~an educational~~ **Division III member** institution that ~~does~~ not conflict with the governing legislation of ~~this Association~~**Division III**.

~~15.01.1.1 Financial Aid to Attend Another Institution. An institution may not provide financial aid to a student-athlete to attend another institution, except as specifically authorized by NCAA legislation.~~

15.01.2 Improper Financial Aid. Any student-athlete who receives financial aid other than that permitted by ~~the Association~~**Division III** shall not be eligible for intercollegiate athletics.

15.01.3 **Criteria for** Institutional Financial Aid. A member institution shall not award financial aid to any student on the basis of athletics leadership, ability, participation or performance.

**15.01.4 Consistent Financial Aid Package. The composition of the financial aid package offered to a student-athlete shall be consistent with the established policy of the institution's financial aid office, regular institutional agency, office or committee for all students.**

15.01.~~75~~ Eligibility of Student-Athletes for Institutional Financial Aid. A student-athlete must meet institutional regulations applicable to the general student body to be eligible for institutional financial aid.

15.01.~~46~~ Contributions by Donor. It is not permissible for a donor to contribute funds to ~~finance a scholarship or gift aid~~**provide financial aid** for student-athletes.

15.01.~~57~~ Student-Athlete Financial Aid Endowments or Funds. No part of an institution's financial aid budget shall be set aside either for particular sports or for athletics in general, nor may an institution establish athletically related quotas of financial aid recipients.

15.01.~~68~~ Athletics Need Fund. A member may not establish ~~any fund~~ **"athletics need fund"** for student-athletes ~~and advertise its availability to prospective student-athletes who may qualify for need-based aid.~~

~~15.01.8 Maximum Institutional Financial Aid to Individual. An institution shall not award financial aid to a student-athlete that exceeds the cost of attendance that normally is incurred by students enrolled in a comparable program at that institution (see Bylaw 15.4).~~

15.02 Definitions and Applications.

[15.02.1 unchanged.]

15.02.2 Financial Aid. "Financial aid" is funds provided to student-athletes from various sources to pay or assist in paying their cost of education at the institution. As used in NCAA legislation, "financial aid" includes all institutional financial aid and other permissible financial aid as set forth below.

[15.02.2.1 through 15.02.2.2 unchanged.]

15.02.3 Cost of Attendance. The "cost of attendance" is ~~an amount calculated by an institutional financial aid office, regular college agency, office or committee, using federal regulations that includes the cost of~~**defined by federal regulations and may include** tuition and fees, room and board, required course-related books, transportation and other expenses incidental to attendance at the institution.

~~15.1 Maximum Limit on Financial Aid – Individual. A student-athlete shall not be eligible to participate in intercollegiate athletics if they receive financial aid that exceeds the value of cost of attendance as defined in Bylaw 15.02.3 (see Bylaw 15.01.7).~~

~~15.1.1 Types of Aid Included in Limit. In determining whether a student-athlete's financial aid exceeds the value of cost of attendance, all institutional financial aid (per Bylaw 15.02.2.1) and all funds received from the following and similar sources shall be included:~~

- ~~(a) Employment. Employment earnings from federal and state work-study program assistance;~~
- ~~(b) Government Grants. Government grants for educational purposes, except for those listed in Bylaw 15.2.2;~~
- ~~(c) Other Scholarships and Grants. Other institutional or outside scholarships or gift aid;~~
- ~~(d) Gifts. The value of gifts given to a student-athlete after completion of eligibility in appreciation for or recognition of the student-athlete's athletics accomplishments;~~
- ~~(e) Professional Sports Stipend. Any bonus or salary (no matter when received or contracted for) from a professional sports organization;~~
- ~~(f) Athletics Participation Compensation. Any other income (no matter when received or contracted for) from participation in an athletics event unless eligibility has been exhausted in that sport; and~~
- ~~(g) Loans. Loans, except legitimate loans that are based upon a regular repayment schedule, available to all students and administered on the same basis for all students.~~

~~15.1.2 Reduction When Excess Aid is Awarded. In the event that a student-athlete's financial aid from the sources listed in Bylaw 15.1.1, which includes institutional financial aid, will exceed cost of attendance for the balance of the academic year, the institution shall reduce institutional financial aid so as not to exceed cost of attendance. Payments credited to a student-athlete's account that are not refundable by the institution to the institution's financial aid office, regular college agency, office or committee shall not become the student's obligation.~~

## 15.21 Elements of Financial Aid.

~~15.2.1 Tuition and Fees. An institution may provide a student-athlete financial aid that includes the actual cost of tuition and required institutional fees.~~

~~15.21.21 Estimated Financial Assistance. Estimated financial assistance, **whether estimated or actual**, is all types of financial aid the student-athlete is expected to **can** receive that must be counted when determining whether that financial aid has exceeded the student-athlete's cost of attendance as defined in General Provisions for the Federal Perkins Loan Program, Federal Work-Study Program, and Federal Supplemental Educational Opportunity Grant Program, 34 C.F.R. § 673.5(c). (<https://www.ecfr.gov/>).~~

[15.2.3 renumbered as 15.1.2, unchanged.]

~~15.21.32.1 Report of Aid from Outside Sources. All financial assistance received by the student-athlete from sources outside the institution shall be reported to the institution's financial aid office. *When outside aid is received after the financial aid program of the institution has been offered to the student, the institution's financial aid office shall be notified and an adjustment of the aid*~~

~~already offered shall take place in order that the total aid available from all sources does not exceed the cost of attendance.~~

~~15.2.3.2 Aid from Outside Sources. Financial aid received from outside sources that meets the provisions of Bylaws 15.2.3.5 or 15.2.3.6 (or an award made through the NCAA postgraduate scholarship program or a conference postgraduate scholarship award [see Bylaw 16.1.4.3.1]) is permissible without consideration of the recipient's financial need.~~

~~15.2.3.3 Parents and Legal Guardians. A student-athlete may receive financial aid from anyone on whom the student-athlete is naturally or legally dependent.~~

~~15.2.3.4 No Relationship to Athletics Leadership, Ability, Participation or Performance. A student-athlete may receive financial aid awarded solely on bases having no relationship to athletics leadership, ability, participation or performance.~~

~~15.2.1.32.52 Athletics Leadership, Ability, Participation or Performance. A student-athlete may receive financial aid through an established and continuing program for the recognition of *outstanding* high school graduates, which may consider athletics leadership, ability, participation or performance, provided the following conditions are met:~~

~~[15.2.3.5-(a) through 15.2.3.5-(c) renumbered as 15.1.2.2-(a) through 15.1.2.2-(c) unchanged.]~~

~~[15.2.3.5.1 renumbered as 15.1.2.2.1, unchanged.]~~

~~15.2.1.32.63 Educational Expenses – U.S. Olympic and Paralympic Committee and National Governing Body. A student-athlete may receive educational expenses awarded by the U.S. Olympic and Paralympic Committee or a U.S. national governing body (or for international student-athletes, expenses awarded by the equivalent organization of a foreign country). The amount of the financial assistance shall be subject to the following limitations:~~

~~[15.2.3.6-(a) through 15.2.3.6-(b) renumbered as 15.1.2.3-(a) through 15.1.2.3-(b) unchanged.]~~

~~(e) The value of the award alone or in combination with other aid per Bylaw 15.1.1 shall not exceed the value of cost of attendance.~~

~~[15.2.4 renumbered as 15.1.3, unchanged.]~~

~~[15.3 renumbered as 15.2, unchanged.]~~

#### **15.43 Implementation of the Financial Aid Program.**

~~15.43.1 Consistent Financial Aid Package. The composition of the financial aid package offered to a student-athlete shall be consistent with the established policy of the institution's financial aid office, regular institutional agency, office or committee for all students (**see Bylaw 15.01.4**) and shall meet all of the following criteria:~~

~~[15.4.1-(a) through 15.4.1-(c) renumbered as 15.3.1-(a) through 15.3.1-(c) unchanged.]~~

~~(d) The percentage of the total dollar value of institutionally administered grants and scholarships (or gift aid) awarded to student-athletes shall be closely equivalent to the percentage of student-athletes within the student body. A differential is defensible if it can be demonstrated that the average need of the student-athletes at the institution is equivalently greater than the average need of other students.~~

~~[15.4.1.1 renumbered as 15.3.1.1, unchanged.]~~

[15.4.2 renumbered as 15.3.2, unchanged.]

**15.4.3** Written Offer of Aid. Financial assistance may be offered in writing or through secure electronic medium, only by the institution's financial aid office or comparable campus office *and not before the student has been admitted.*

*15.4.4 Need Analysis Method. Any need-based assistance provided to a student-athlete must be based on financial need as determined by need analysis methodologies that conform to federal, state and written institutional guidelines. The methodologies used to determine the need of a student-athlete shall be consistent with the methodologies used by the institution for all students.*

[15.4.5 through 15.4.7 renumbered as 15.3.4 through 15.3.6, unchanged.]

*15.4.8 Faculty/Staff Benefits. Tuition remission, assistance or similar remuneration granted as a benefit of employment to a faculty or staff member shall not be included as institutional financial aid in the case of that faculty or staff member's dependent. Tuition waivers that are granted for reasons other than a benefit of employment to the dependent of a faculty or staff member shall be included as financial aid.*

**15.4.97** Membership Reclassification. An institution petitioning to reclassify its membership to Division ~~I~~ **or** II in the next academic year may offer financial aid based on athletics to enrolled student-athletes and to prospective student-athletes who will enroll in the institution after the review of its request for reclassification of division membership, provided:

- (a) The financial aid based on athletics is not actually awarded until the institution has been accepted by the ~~NCAA Division II Membership Committee~~ **appropriate divisional body** to begin the reclassification process;

[15.4.9-(b) renumbered as 15.3.7-(b) unchanged.]

- (c) Any offer of athletically related financial aid of the recipient states in writing that the awarding of such aid is contingent upon the institution's acceptance by the ~~NCAA Division II Membership Committee~~ **appropriate divisional body** to begin the reclassification process;

[15.4.9-(d) through 15.4.9-(e) renumbered as 15.3.7-(d) through 15.3.7-(e) unchanged.]

**Source:** NCAA Division III Management Council (Financial Aid Committee).

**Effective Date:** Immediate

**Budget Impact:** None

**Additional Information:**

The Division III Financial Aid Committee reviewed Article 15 with the goal to identify and remove obsolete and redundant bylaws. This proposal will simplify the current legislation in a way that does not alter the intent of the legislation but creates clarity by eliminating items that are no longer needed or redundant with other bylaws within Article 15. The proposed amendments do not change the substantive application of the legislation, rather it streamlines the language and clarifies the application of the legislation.

NO. NC-2023-4 COMMITTEES – ASSOCIATION-WIDE COMMITTEES -- GENERAL COMMITTEES – COMMITTEE ON COMPETITIVE SAFEGUARDS AND MEDICAL ASPECTS OF SPORTS -- COMPOSITION -- INCREASING NUMBER OF MEMBERS

**Intent:** To revise the composition of the Committee on Competitive Safeguards and Medical Aspects of Sports, as specified.

**Bylaws:** Amend 21.2.2, as follows:

21.2.2 Committee on Competitive Safeguards and Medical Aspects of Sports.

21.2.2.1 Composition. The Committee on Competitive Safeguards and Medical Aspects of Sports shall consist of ~~2325~~ members, including ~~six~~ **seven** positions allocated for men, ~~six~~ **seven** allocated for women and ~~1011~~ unallocated. The membership of the committee shall be constituted as follows:

[21.2.2.1-(a) through 21.2.2.1-(c) unchanged.]

(d) ~~Three~~ **Five** members from the field of medicine, of whom at least ~~one~~ **two** shall be a ~~woman~~ **women**. One shall be a primary-care physician, who is board certified in family practice, internal medicine or emergency medicine, and shall have a current Certificate of Added Qualifications in Sports Medicine. One shall be a board certified orthopedic surgeon. **One shall be a physician with expertise in endocrinology. One shall be a physician with expertise in drug-testing.** ~~The third~~ **One** member shall be a physician who is a member of the general public;

[21.2.2.1-(e) through 21.2.2.1-(i) unchanged.]

*(j) One member with expertise in drug-testing;*

[21.2.2.1-(k) through 21.2.2.1-(l) relettered as 21.2.2.1-(j) through 21.2.2.1-(k), unchanged.]

*(m) One* **Two** licensed ~~clinical sports psychologist~~ **mental health practitioners, one man and one woman;**

[21.2.2.1-(n) through 21.2.2.1-(q) relettered as 21.2.2.1-(m) through 21.2.2.1-(p), unchanged.]

[21.2.2.2 through 21.2.2.3 unchanged.]

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

**Effective Date:** Immediate

**Budget Impact:** Cost associated with two additional committee members.

**Additional Information:**

In recent years the committee substructure and related committee operations have changed significantly to address evolving Association needs and expanding membership expectations for committee responsiveness. The recent adoption of a new NCAA constitution, which highlights the importance of student-athlete physical and mental health and specifically assigns some responsibility to CSMAS, reinforces the timeliness of these composition considerations in support of the operational well-being of the committee going forward. Formalizing a committee position for a physician with expertise in endocrinology is a logical extension of the specialized consulting from which the committee has historically benefited and is responsive to anticipated support related to, among other things, the Association's Transgender Student-Athlete Participation Policy.

Updating terminology and adding a second licensed mental health practitioner addresses the membership's rapidly expanding needs related to student-athlete mental health. Finally, requiring the designated drug-testing expert to be a physician formalizes historical practice (the last three drug-testing experts have been physicians) while securing physician expertise in certain areas that have been identified as likely benefiting from that specific type of input (e.g., medical exception review).

NO. NC-2023-5 COMMITTEES -- DIVISION III COMMITTEES -- GENERAL COMMITTEES -- STUDENT-ATHLETE ADVISORY COUNCIL AND PRESIDENTS COUNCIL - ADDING STUDENT-ATHLETE REPRESENTATION

**Intent:** To amend the composition of the Division III Presidents Council to include two student-athletes (one representing male sports and one representing female sports) who are serving on the Division III Student-Athlete Advisory Committee.

**Bylaws:** Amend 21, as follows:

21 Committees.

[21.02 through 21.9 unchanged.]

21.9.5.10 Student-Athlete Advisory Committee.

[21.9.5.10.1 unchanged.]

21.9.5.10.2 Term of Office. A student-athlete member shall not serve more than three years on the committee and may not be reappointed for another term. Student-athletes may serve on the committee and/or on an Association-wide committee up to one year after completion of their intercollegiate athletics eligibility. A member shall commence service on the first day following the member's election. When a student-athlete member leaves the committee, the student-athlete shall be replaced by a student-athlete from their partner conference, who may serve up to three years on the committee.

21.9.5.10.2.1 Exceptions -- **Presidents Council and Management Council Members**. The term of a student-athlete serving on *the Presidents Council and Management Council* (see Bylaws 21.9.5.10.3 and 21.9.5.10.4) may be extended through the adjournment of the annual NCAA Convention.

**21.9.5.10.3 Presidents Council Service. The committee shall submit nominations (at least one representing a male team and one representing a female team) to serve on the Presidents Council. The committee will submit its nominations, pursuant to the committee's policies, to the Presidents Council Nominations Subcommittee for final approval by the Presidents Council. To be eligible to serve on Presidents Council the committee member must have completed at least one year of service on the committee and be serving on a Division III or Association-wide committee. Current Management Council representatives are no not eligible. Committee members shall be eligible for a one-year term which may be renewed for one year.**

21.9.5.10.3~~4~~ Management Council Service. The committee annually shall elect two members (one male, one female) to serve on the Management Council. To be eligible for Management Council service, at least one committee member shall have completed at least one year of service on the committee. Committee members shall be eligible for not more than two

years of service on the Management Council. Committee members appointed to serve on the Management Council shall not be from the same member institution as another current member of the Management Council.

21.9.5.10.45 Duties. The committee shall receive information on and explanations of NCAA activities and legislation and shall review and react to topics referred to it by other Association committees and by ~~the~~ **Presidents and** Management Councils.

[21.9.6 unchanged.]

#### 21.10 Presidents Council.

21.10.1 Composition. The Presidents Council shall include ~~18~~ **20** members and shall be comprised of **18** Division III chancellors or presidents **and two student-athletes from the Student-Athlete Advisory Committee (see 29.9.5.10.3)**. ~~At least two members of the Council shall be included from each Division III geographical region (see Bylaw 21.13 for geographical regions) and seven members shall serve "at large." In addition, appropriate consideration shall be given to appointing Division III chancellors or presidents from historically black colleges and universities. The members of the council shall include:~~

- ~~(a) At least three institutional chancellors or presidents from colleges or universities with full-time undergraduate enrollment of 2,400 or more;~~
- ~~(b) At least three institutional chancellors or presidents from colleges or universities with full-time undergraduate enrollment between 1,400 and 2,400;~~
- ~~(c) At least three institutional chancellors or presidents from colleges or universities with full-time undergraduate enrollment of 1,400 or less;~~
- ~~(d) At least three institutional chancellors or presidents from public colleges or universities;~~
- ~~(e) At least three institutional chancellors or presidents from private colleges or universities;~~
- ~~(f) At least four institutional chancellors or presidents who are women;~~
- ~~(g) At least four institutional chancellors or presidents who are men;~~
- ~~(h) At least two institutional chancellors or presidents who are members of an ethnic minority; and~~
- ~~(i) At least two institutional chancellors or presidents who are not ethnic minorities.~~

**21.10.1.1 Members - Chancellors or Presidents. At least two members of the Council shall be included from each Division III geographical region (see Bylaw 21.13 for geographical regions) and ten members shall serve "at large." In addition, appropriate consideration shall be given to appointing Division III chancellors or presidents from historically black colleges and universities. The members of the council shall include:**

- (a) At least three institutional chancellors or presidents from colleges or universities with full-time undergraduate enrollment of 2,400 or more;**
- (b) At least three institutional chancellors or presidents from colleges or universities with full-time undergraduate enrollment between 1,400 and 2,400;**

- (c) At least three institutional chancellors or presidents from colleges or universities with full-time undergraduate enrollment of 1,400 or less;
- (d) At least three institutional chancellors or presidents from public colleges or universities;
- (e) At least three institutional chancellors or presidents from private colleges or universities;
- (f) At least four institutional chancellors or presidents who are women;
- (g) At least four institutional chancellors or presidents who are men;
- (h) At least two institutional chancellors or presidents who are members of an ethnic minority; and
- (i) At least two institutional chancellors or presidents who are not ethnic minorities.

21.10.2 Duties and Responsibilities. The Presidents Council shall:

[21.10.2-(a) through 21.10.2-(l) unchanged.]

21.10.3 Election/Term of Office.

**21.10.3.1 Members - Student-Athletes. The selection and term of office for the two Student-Athlete Advisory Council members are set forth in Bylaw 21.9.5.10.3.**

21.10.3.~~2~~ Selection **of Members - Chancellors or Presidents.** Members of the Presidents Council shall be selected by Division III chancellors or presidents. The council annually shall appoint a nominating committee, which shall present to the council (before the Convention) a slate of nominees to serve as members of the council. Additional candidates shall be placed on the appropriate slate of nominees if such candidates have the endorsement of at least 10 chancellors or presidents of Division III institutions. In all cases, an effort shall be made to develop a balanced slate that provides fair representation among the division's regions, conferences and institutions. At no time shall two individuals from the same institution serve on the Presidents Council and Management Council simultaneously.

21.10.3.~~2~~.1 Mail Vote. Members of the Presidents Council shall be elected by mail vote of the chancellors or presidents of Division III institutions. Voting by proxy shall not be allowed. The election shall not be subject to the requirement in Robert's Rules of Order, Newly Revised, that all candidates in an election remain in contention until one receives a majority.

21.10.3.~~2~~.2 Vacancies. The Presidents Council, by a majority vote, may fill a vacancy that occurs among the members for the unexpired term. Members appointed to fill vacancies shall be appointed only for the unexpired portion of that term.

21.10.3.~~2~~3 Term of Office - **Members Chancellors or Presidents.** Members of the Presidents Council shall serve four-year terms. The council may waive the four-year term limit if an extension is necessary and appropriate to enhance the council's continuity and effectiveness or otherwise allow the council to continue to fulfill its representational requirements. Members shall not be eligible for another term on the council until two years have elapsed. An individual may not serve on the council for more than two terms.

21.10.3.34 Staggered Terms. The terms of service of Presidents Council members shall expire on a staggered basis to provide for continuity. Members may be appointed for less than full terms in order to accomplish this purpose.

21.10.3.45 Determination of Full Term. Presidents Council members who serve more than one-half of a term shall be considered to have served a full term.

[21.11 through 21.13 unchanged.]

**Source:** NCAA Division III Presidents Council [Management Council (Student-Athlete Advisory Committee)].

**Effective Date:** August 1, 2022

**Budget Impact:** Minimal to include the two additional members.

**Additional Information:**

The new NCAA Constitution (Article 2, Subsection E) adopted during the 2022 Annual Convention (effective August 1, 2022), requires that student-athletes shall have voting representation on the Division III Presidents Council. Currently, the Management Council includes two student-athletes who are chosen by and serving on the Division III Student-Athlete Advisory Committee. The process for choosing the student-athletes and having two student-athletes on the Management Council has been successful in ensuring the student-athlete voice is part of the Management Council decision-making process. Such student-athlete representation will produce similar positive results for the Presidents Council.

NO. NC-2023-6 DIVISION MEMBERSHIP -- INSTITUTIONAL CONTROL --  
INSTITUTIONAL CONTROL AND RESPONSIBILITY

**Intent:** To add to the operating bylaws legislation regarding a Division III institution's responsibility to control its athletics program and comply with the regulations of the Association, division and applicable conference.

**Bylaws:** Amend 20.15, as follows:

**20.15 Institutional Control.**

**20.15.1 Responsibility for Control. It is the responsibility of each member institution to control its intercollegiate athletics program in compliance with the rules and regulations of the Association. The institution's chancellor or president is responsible for the administration of all aspects of the athletics program.**

**20.15.2 Responsibility to Monitor and Report. Each institution shall comply with all applicable rules and regulations of the Association, its division and conference in the conduct of its intercollegiate athletics programs. It shall monitor its programs to ensure compliance and to identify and report to its division and conference instances in which compliance has not been achieved. The institution shall cooperate fully with any enforcement efforts and shall take appropriate corrective actions as necessary. Members of an institution's staff, student-athletes, and other individuals and groups representing the institution's athletics interests shall comply with the applicable Association rules, including rules requiring cooperation with enforcement efforts, and the member institution shall be responsible for such compliance.**

**20.15.3 Institutional Control. The control and responsibility for the conduct of intercollegiate athletics shall be exercised by the institution itself and by the conference(s), if any, of which it is a member. Administrative control or faculty control, or a combination of the two, shall constitute institutional control.**

**Source:** NCAA Division III Management Council (Committee on Infractions).

**Effective Date:** August 1, 2022

**Budget Impact:** None.

**Additional Information:**

The Division III infractions process has historically considered and cited Constitution 2.1.1, 2.8.1 and 6.01.1 (institutional control) in cases involving an institution's failure to monitor and/or control its athletics programs. With the membership's adoption of the new Constitution and specifically new language regarding institutional control and rules, compliance and accountability, the legislated responsibilities for member institutions to monitor and control its athletics programs should be located in the division's operating bylaws.

NO. NC-2023-7 ELIGIBILITY: ACADEMIC AND GENERAL REQUIREMENTS -- SEASON OF PARTICIPATION: 10-SEMESTER/15-QUARTER RULE -- PARTICIPATION IN ORGANIZED COMPETITION BEFORE INITIAL COLLEGIATE ENROLLMENT -- JUNIOR LEVEL EQUIVALENTS

**Intent:** In all sports, to specify that the junior level equivalents of official Olympic Games, Pan American Games, World Championships, World Cup, World University Games (Universiade) and World University Championships competition; officially recognized competition from which participants may directly qualify for final tryouts; and final tryout competition from which participants are selected for such teams shall be exempt from the application of the delayed enrollment legislation.

**Bylaws:** Amend 14.2.4, as follows:

14.2.4.4 Participation in Organized Competition Before Initial Collegiate Enrollment. An individual who does not enroll in a collegiate institution as a full-time student in the regular academic year term that begins immediately after a one-year period (the next opportunity to enroll after the one calendar year period has elapsed) following their high school graduation date (or the international equivalent as specified in the NCAA Guide to International Academic Standards for Athletics Eligibility) shall use a season of intercollegiate participation for each consecutive 12-month period after the one-year time period and before the initial collegiate enrollment in which the individual participates in activities that meet the criteria set forth in Bylaw 14.2.4.4.2.

[14.2.4.4.1 through 14.2.4.4.2 unchanged.]

14.2.4.4.2.1 Competition Exceptions. A maximum one-time, one-year exception for participation in the following activities:

[14.2.4.4.2.1-(a) through 14.2.4.4.2.1-(b) unchanged.]

- (1) Official Pan American, Parapan American, World Championships, World Cup, World University Games (Universiade), World University Championships, Olympic and Paralympic training, tryouts and competition **or the junior level equivalents (e.g., Youth Olympic Games, U20 World Cup, junior national teams);**
- (2) Officially recognized training and competition directly qualifying participants for final Olympic and Paralympic tryouts **or the junior level equivalents (e.g., Youth Olympic Games, U20 World Cup, junior national teams);** or

- (3) Official tryouts and competition involving national teams sponsored by the appropriate national governing bodies of the U.S. Olympic and Paralympic Committee (or for student-athletes representing another nation, the equivalent organization of that nation, or for student-athletes competing in a non-Olympic or Paralympic sport, the equivalent organization of that sport) or junior level equivalents (e.g., Youth Olympic, U20 World Cup, junior national teams).

[14.2.4.4.2.2 unchanged.]

[14.2.4.4.3 through 14.2.4.4.4 unchanged.]

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

**Effective Date:** Immediate

**Budget Impact:** None

**Additional Information:**

Currently a prospective student-athlete may defer their full-time collegiate enrollment and participate in limited elite level events and competition without that activity triggering the use of a season. However, participation in junior level equivalent of those events/competition may result in the prospective student-athlete being charged with the use of a season of their eligibility. This proposed change would permit a prospective student-athlete to participate in elite junior level competition and activities for a limited period without those activities negatively impacting their collegiate eligibility. For prospective student-athletes, the opportunity to represent their countries in elite competition and events is a unique and limited opportunity and maybe more prevalent at the junior rather than the senior level. Further, in many countries, participation on a junior level team is a steppingstone or prerequisite for participation on an elite senior level team. The proposal is not intended to include all junior level participation, rather it is limited to participation in elite junior level competition and activities. The proposed change supports student-athlete success and well-being, as it would allow prospective student-athletes to participate in these prestigious and elite events without considering the negative impact their participation would have on their collegiate eligibility. Finally, this proposed change will ease the monitoring burden as institutions will no longer need to determine whether such elite competition was classified as junior level.

NO. NC-2023-8 COMMITTEES -- DIVISION III COMMITTEES -- GENERAL COMMITTEES -- INTERPRETATIONS AND LEGISLATION COMMITTEE -- AMEND DUTIES

**Intent:** To amend the duties of the Interpretations and Legislation Committee to include the responsibility to review and determine questions of facts related to the certification of an international prospective student-athlete's amateurism status.

**Bylaws:** Amend 21.9.5, as follows:

21.9.5.7 Interpretations and Legislation Committee.

[21.9.5.7.1 unchanged.]

21.9.5.7.2 Duties. The committee shall determine interpretations of all Division III legislation. The committee *also* shall review and refine legislative proposals, incorporate new legislation and interpretations, review deregulation issues and

approve the publication of supplementary compilations of interpretations. **The committee shall also review and determine the facts related to the certification of a prospective student-athlete's amateur status on request of an institution if the institution disagrees with the determination of facts rendered by the NCAA Eligibility Center.**

[21.9.5.7.3 unchanged.]

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

**Effective Date:** Immediate

**Budget Impact:**

**Additional Information:**

As part of the amateur review process, member institutions may review the documentation used by the NCAA Eligibility Center in determining the amateurism decision for an international prospective student-athlete. If an institution has conflicting documentation showing different facts, the institution may challenge the facts the Eligibility Center used to make its amateurism decision. Given current estimates regarding the potential volume of cases (which is likely to be very low), it is recommended that this work be added to an existing committee as opposed to creating another body/committee to execute this work. An immediate effective date would allow for the committee to begin working with the Eligibility Center to develop the policies and procedures of the fact-finding process.

NO. NC-2023-9 NCAA CONVENTION VOTING PRIVILEGES -- DELEGATE --  
APPOINTMENT FORM

**Intent:** To modify the conditions for the appointment of convention delegates to reflect a more inclusive process.

**Bylaws:** Amend 9.1.1.2.1, as follows:

[Division III]

9.1.1.2.1 With Voting Privileges. Each active member and each member conference with voting privileges, shall be entitled to one vote. Institutions and conferences designating both an **individual who identifies as male** and an **individual who identifies as female** as voting or alternate delegates on the Convention appointment form shall be allowed to appoint four official institutional delegates, **with no gender requirement for the remaining delegates**. In all other circumstances, institutions shall be limited to not more than three official delegates. **For this reason, each delegate must indicate their identity. Any of the aforementioned official delegates have privileges of the floor and right to active participation in the business proceedings of Convention.**

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

**Effective Date:** Immediate

**Budget Impact:**

**Additional Information:**

This update is made to be consistent with the Board of Governors policies regarding certification of delegates to promote greater inclusivity. The reflected change emphasized the importance of maintaining representation opportunities for women

administrators due to historic gender gaps and the need to balance this with inclusive language and representation overall.

## Appendix D

### **Modifications of Wording Adopted by the NCAA Division III Management Council**

Pursuant to NCAA Division III Bylaw 9.4.1.1.1, the NCAA Division III Management Council, by a two-thirds majority of its members present and voting, has determined that the following proposals are consistent with the intent of the membership in adopting the original legislation and that sufficient documentation and testimony exists to establish clearly that the original wording of the legislation was inconsistent with that intent. These actions will be referenced in the report of this Official Convention Notice during the 2023 Division III business session. Approval of this Official Notice will constitute ratification of these actions and incorporation in the 2023-24 NCAA Division III Manual. If a delegate objects to ratification of a particular amendment, that objection should be raised at the time of the report. (It is preferred that any delegate intending to raise an objection also inform a member of the NCAA academic and membership affairs staff of that intent before the Division III business session.) The Division III membership then will decide by majority vote of the eligible voters whether to ratify that amendment.

There are no modifications of wording submitted for approval during the 2023 NCAA Convention.

## Appendix E

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21.11.1.1	2023-7	11
21.11.1.1	2023-8	16
21.11.1.2	2023-8	16
21.11.2	2023-7	11
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## Appendix F

### Corresponding Legislative Proposal Numbers

This appendix lists proposals that were included in the Second Publication of Proposed Legislation and gives its corresponding number in the Official Notice.

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## Appendix G

# Convention Voting Procedures

The following terms and procedures involved in voting at NCAA Conventions have been reviewed by the Association's parliamentarian.

## Significant Terms

1. **Vote Announcement** - After a paddle, roll-call or secret ballot vote, the chair announces the vote and states whether the motion passed or failed.
2. **Retake a Vote** - A retake occurs when a paddle vote is taken again or when a paddle vote is counted. A retake may occur before the statement of the next question. After the statement of the next question, a motion to reconsider must be used to retake a vote. During a retake, voters may change their votes and new eligible voters may participate. A retake motion would be considered dilatory and, therefore, denied after a roll-call vote and out of order after a secret-ballot vote unless it is clear that the question was misunderstood or that fraud had occurred.
3. **Change a Vote** - In a paddle vote, a vote may be changed if a retake occurs or by rising for that purpose before the result is announced by the chair. After the announcement of the vote, but before the next question is stated, a change may be made only by permission of the assembly by a majority vote after a nondebatable motion. In a rollcall vote, a change may occur before closing the polls or the polls may be reopened to change a vote before the statement of the next question. In a secret-ballot vote, no change may be made once the ballot is cast. After the statement of the next question following a roll-call vote and after a vote is cast in a secret ballot, a vote change can occur only through a successful motion to reconsider.
4. **Recount a Vote** - This applies only to a secret-ballot vote. The ballots simply are counted again as cast and can be ordered only by a majority vote of the assembly.
5. **Closing the Polls** - For roll-call and secret-ballot votes, the polls are opened when the chair calls for the vote. When the chair has ascertained that all who so desire have voted or have changed their votes, the chair will state that the polls are closed. If there is disagreement on closing the polls, they may be closed by a two-thirds vote on a nondebatable motion to do so. Once the polls are closed, the polls may be reopened before the statement of the next question by majority vote on a nondebatable motion to do so. Once the polls are closed, however, the chair will move to the next item on the agenda.
6. **Statement of Next Question** - When a new motion is made and seconded, the chair will announce that "The motion before you is.... Is there any discussion?" This is the statement of the next question and ends the opportunity to retake a vote or reopen the polls in regard to the preceding question.

## Voting Procedures

1. **Paddle Voting**
  - a. The chair calls for a vote by paddles, and determines the result by sound or sight from the dais.

- b. The chair may retake the vote if there is doubt.
  - c. The chair must have the vote counted if requested by a voting delegate. The chair also may choose to retake a paddle vote and have it counted by hand or by the wireless voting system.
  - d. During a retake, new voters may participate or votes may be changed. Vote changes also may occur before the result is announced by the chair.
  - e. A retake will not be permitted after the next question has been stated. A request to retake a counted vote will be regarded as dilatory by the chair and will not be allowed.
2. **Roll-Call Voting (by Wireless or Online Voting System)**
- a. A roll-call vote may be designated by the NCAA Division III Presidents Council or ordered by a majority of the voters, following a nondebatable motion to vote in that manner. If both a secret-ballot and a roll-call vote are moved, the assembly votes first on whether or not to vote by roll call. A motion to conduct a secret ballot on an issue designated for roll call by the Presidents Councils will be considered out of order.
  - b. Once ordered, the chair shall call for a roll-call vote by use of wireless voting system.
  - c. The chair shall determine if everyone who wishes to, has voted, or if anyone wishes to change a vote. When it appears that all ballots have been cast, the chair shall state that polls are closed.
  - d. The chair will move to the next available item on the agenda while votes are being tallied. No new voters, changes or corrections to the prior question are permitted unless the polls are reopened, and such a motion will be out of order after the next question is stated by the chair. Once the new question is stated by the chair, the only way to return to any foregoing question is by reconsideration, and only one motion for reconsideration of a given item is permitted.
  - e. Abstentions will not be counted in the determination of a majority.
3. **Ordinary Voting (by Wireless or Online Voting System)**
- a. An electronic vote may be designated by the Presidents Council or ordered by a majority of the voters, after a nondebatable motion to vote in that manner.
  - b. Once ordered, the chair shall call for an electronic vote by use of the wireless voting system.
  - c. The chair shall determine if everyone who wishes to has voted, or if anyone wishes to change a vote. When it appears that all ballots have been cast, the chair shall state that the polls are closed.
  - d. The chair will move to the next available item on the agenda while votes are being tallied. No new voters, changes or corrections to the prior question are permitted unless the polls are reopened, and such a motion will be out of order after the next question is stated by the chair. Once the new question is stated by the chair, the only way to return to any foregoing question is by reconsideration, and only one motion for reconsideration of a given item is permitted.
  - e. Abstentions will not be counted in the total for determination of a majority.
4. **Ballot Voting (Secret Ballot)**
- a. A secret ballot may be ordered by the assembly before, during or after any ordinary vote (but before the next question is stated) by a majority vote on a nondebatable motion to do so.
  - b. Once ordered, the chair shall ask for the vote by wireless voting system. Votes will be tallied electronically, but only a summary printout of results will be reported.

- c. After the chair determines that all who wish to vote have voted, the polls shall be closed. A vote change shall not be permitted once the vote is cast.
- d. The chair will move to the next available item on the agenda while votes are being tallied. Once the next question is stated by the chair, the polls may not be reopened for a new vote on the prior issue.
- e. Abstentions will not be counted in the total for determination of a majority.

## Appendix H

# NCAA Governance Structure

### Board of Governors

Chair - Linda A. Livingstone

<b>Div.</b>	<b>Name, Institution</b>	<b>Conference</b>	<b>Term Exp.</b>
FBS	Linda A. Livingstone, Baylor University	Big-12	August 2024
FBS	Jere Morehead, University of Georgia	Southeastern Conference	August 2023
FCS	Elizabeth E. DeBauche, Ohio Valley Conference	Ohio Valley Conference	August 2024
DI	John DeGioia, Georgetown University	Big East	August 2023
DII	# Madeleine McKenna, Pennsylvania Western University California	Pennsylvania State Athletic Conference	August 2024
DII	Steven Shirley, Minot State University	Northern Sun Intercollegiate Conference	August 2023
DIII	Mary-Beth Cooper, Springfield College	New England Women's and Men's Athletic Conference	August 2024
Ex Officio	Javaune Adams-Gaston, Norfolk State University	Mid-Eastern Athletic Conference	August 2024
Ex Officio	# Bryce Choate, Oral Roberts University	The Summit League	August 2023
Ex Officio	Jim Johnson, Pittsburg State University	Mid-America Intercollegiate Athletics Association	January 2023
Ex Officio	Shane Lyons, West Virginia University	Big-12	June 2023
Ex Officio	Michelle Morgan, John Carroll University	Ohio Athletic Conference	January 2023
Ex Officio	# Isaiah Swann, University of Texas at Dallas	American Southwest Conference	August 2024
Independent	Grant Hill, CBS/Warner Media and Atlanta Hawks		August 2023
Independent	Nadja West, Retired Lt. General		August 2024

*# Former student-athlete*

*NCAA Staff Liaisons:*

Scott Bearby, Senior Vice President of Legal Affairs and General Council  
Cari Van Senus, Senior Vice President of Governance, Policy and Human Resources  
Stephanie Quigg, Managing Director of Law, Policy and Governance  
Kelly Dodds, Assistant Director Executive Affairs

**Division III Presidents Council**

Chair - James Schmidt

<b>Name, Institution</b>	<b>Term Exp.</b>
Jeff Abernathy, Alma College	January 2026
# Jessica Ader, SUNY Potsdam	January 2023
Joanne Berger-Sweeney, Trinity College	January 2026
Mary-Beth Cooper, Springfield College	August 2024
Sean Decatur, Kenyon College	January 2025
Richard Dunsworth, University of the Ozarks (Arkansas)	January 2023
Berenecea Johnson Eanes, York College (New York)	January 2026
Kate Foster, The College of New Jersey	January 2026
Eric Fulcomer, Rockford University	January 2023
Susan Hasseler, Muskingum University	January 2025
# Jack Langan, Cornell College	January 2024
Richard Lapidus, Fitchburg State University	January 2024
Doug Lee, Waynesburg University	January 2026
Robert Lindgren, Randolph-Macon College	January 2023
Richanne Mankey, Defiance College	January 2024
Troy D. Paino, University of Mary Washington	January 2024
James Schmidt, University of Wisconsin, Eau Claire	January 2024
Jim Troha, Juniata College	January 2026
Renee Wachter, University of Wisconsin Superior	January 2026

*# Student-Athlete Advisory Committee Representative*

*NCAA Staff Liaisons:*

Louise McCleary, Vice President of Division III Governance  
Bill Regan, Managing Director of Division III Governance  
Eric Hartung, Director of Division III Governance  
Alison Spungen, Associate Director of Division III Governance  
Katie Mucci, Assistant Director for Division III Governance Communications  
Lisa Rogers, Executive Assistant of Division III  
Jeff Myers, Director of Academic and Membership Affairs for Division III  
Justin Whitaker, Assistant Director of Communications

**Division III Management Council**

Chair - Michelle Morgan

<b>Name, Institution</b>	<b>Term Exp.</b>
Cheryl Aaron, Wentworth Institute of Technology	January 2024
Stephen Briggs, Berry College	January 2023
Charles A. Brown, Pennsylvania State Univ. Erie, the Behrend College	January 2023
Maria Buckel, Fontbonne University	January 2026
Catherine Corcoran, Cabrini University	January 2025
Thomas Di Camillo, State University of New York athletic Conference	January 2025
Sarah Feyerherm, Washington College (Maryland)	January 2023
Matt Hill, University of Northwestern-St. Paul	January 2024
#Daniele Iaboni, Anna Maria College	January 2024
Angela Marin, University of Texas at Dallas	January 2025
Scott McGuinness, Washington and Jefferson College	January 2023
Betsy Mitchell, California Institute of Technology	January 2025
Michelle Morgan, John Carroll University	January 2023
Lamont Repollet, Kean University	January 2026
Holly Sheilley, Transylvania University	January 2025
Bill Stiles, Alvernia University	January 2025
Jason Verdugo, Hamline University	January 2026
Michelle Walsh, Vassar College	January 2024
Lawrence P. Ward, Babson College	January 2025
Brian Wigley, Shenandoah University	January 2026
# Sabienea Winston, Geneva College	January 2024

*# Student-Athlete Advisory Committee Representative*

*NCAA Staff Liaisons:*

Louise McCleary, Vice President of Division III Governance  
Bill Regan, Managing Director of Division III Governance  
Eric Hartung, Director of Division III Governance  
Alison Spungen, Associate Director of Division III Governance  
Katie Mucci, Assistant Director for Division III Governance Communications  
Lisa Rogers, Executive Assistant of Division III  
Jeff Myers, Director of Academic and Membership Affairs for Division III  
Justin Whitaker, Assistant Director of Communications

## Appendix I

### **Request for Interpretations**

Member institutions and conferences are encouraged to request interpretations of the proposed legislation in this Official Notice not later than Friday, November 25, 2022. Interpretations related to the proposed legislation in this Official Notice may be requested via electronic mail from Jeff Myers at [jmyers@ncaa.org](mailto:jmyers@ncaa.org) or Sarah Turner at [sturner@ncaa.org](mailto:sturner@ncaa.org). 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 2023 NCAA Convention.