



**DIVISION III**  
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# **Division III October Webinar**

## **Review of Division III Noncontroversial Legislation Recent Approvals**

**Corey Berg**


# The Goals.

- Demystify “The Blue Pages” of the Division III Official Notice.
  - What’s in there?
  - What do you need to know?
- Review the 2025 Noncontroversial Legislation.
- Review the 2025 Emergency Legislation.



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# The Blue Pages.



2025 DIVISION III OFFICIAL NOTICE

119th Annual Convention

January 14-17, 2025

Nashville, Tennessee

DIVISION III

LEGISLATION

Appendix A

Emergency Legislation Adopted by the NCAA Division III Presidents Council

Pursuant to NCAA Bylaw 9.4.1.1.2, 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 government proceedings. This action will be referenced in the report of this Official Convention Notice during the 2024 NCAA Division III Business Session, and acceptance of the report will constitute approval of this action and incorporation amendment. That objection is delegate intending to raise at that time before the Division eligible voters whether to rescind.

There is no Emergency Legislation.

Appendix B

Interpretations to be Included in the 2024-25 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 2024 Division III Business Session. Approval of the 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 intends affairs staff of that intent request vote of the eligible voters whether to rescind.)

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 9.4.1.1.1, 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 select such legislation if it is necessary to restate the intent of the original legislation.

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 2024 Division III Business Session. Approval of this Official Notice will constitute ratification of these actions and incorporation in the 2024-25 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 is no modification of wording submitted for approval during the 2024 NCAA Convention.



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# What's In There?

- Incorporations of Interpretations
- Modifications of Wording
- Noncontroversial Legislation
- Emergency Legislation



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# What Do You Need to Know?

- It's all **currently effective**.
- The full DIII membership will have the opportunity to **ratify** it all at Convention in January.
- If something is pulled and ultimately **defeated**, DIII reverts to the previous legislation.



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# Noncontroversial Legislation



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# NC-2025-1: Permission to Contact.

To:

- Eliminate the requirement that an athletics staff member obtain permission to contact from an NAIA institution prior to having recruiting contact with a student-athlete from an NAIA institution.



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# NC-2025-1: Permission to Contact.

## Bylaw 13.1.1.2.

13.1.1.2 Four-Year College Prospective Student-Athletes. An athletics staff member or other representative of the institution's athletics interests shall not make contact in any manner (e.g., in-person contact, telephone calls, electronic communication, written correspondence) with the student-athlete of another ~~NCAA or NAIA~~ four-year collegiate institution, directly or indirectly, without first obtaining written permission to do so, regardless of who makes the initial contact. If permission is not granted, the second institution shall not encourage the transfer. If permission is granted, all applicable NCAA recruiting rules apply. If an institution receives a written request from a student-athlete to permit another institution to contact the student-athlete about transferring, the institution shall grant or deny the request within seven business days (see Bylaw 13.02.1) of receipt of the request. If the institution fails to respond to the student-athlete's written request within seven business days, permission shall be granted by default and the institution shall provide written permission to the student-athlete. Written permission may be granted by: [D]



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# NC-2025-2: Cannabinoids.

To:

- Remove cannabinoids from the list of NCAA banned drug classes.



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# NC-2025-2: Cannabinoids.

## Bylaw 18.4.1.5.1 & Bylaw 18.4.1.5.3 (removal) and Bylaw 31.2.3.1

18.4 Eligibility for Championships.

[18.4.1 unchanged.]

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 Penalty -- Banned Drug Classes Other Than ~~Cannabinoids and~~ Narcotics. 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 other than ~~cannabinoids and~~ narcotics (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 ~~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).

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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 (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 substance in a banned drug class ~~cannabinoids~~ and 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 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).

18.4.1.5.3.2 ~~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).

31.2.3.1 Banned Drugs. The following is the list of banned drug classes, which aligns with the World Anti-Doping Agency (WADA) list of prohibited classes, with the exception of **cannabinoids and** the glucocorticoid class. The Committee on Competitive Safeguards and Medical Aspects of Sports (or a designated subcommittee) has the authority to identify specific banned drugs and exceptions within each class. The institution and student-athletes shall be held accountable for all drugs within the banned-drug classes regardless of whether they have been specifically identified.

[31.2.3.1-(a) through 31.2.3.1-(d) unchanged.]

(e) ~~Cannabinoids (marijuana and THC)~~;

[31.2.3.1-(f) through 31.2.3.1-(i) relettered as 31.2.3.1-(e) through 31.2.3.1-(h), unchanged.]

[31.2.3.1.1 through 31.2.3.1.2 unchanged.]

# NC-2025-3: Name, Image & Likeness Activities.

To:

- Establish student-athlete protections – a professional service provider registry and education – associated with name, image and likeness activities.



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# NC-2025-3: Name, Image & Likeness Activities.

## Bylaw 22!

### 22 Name, Image and Likeness Activities.

#### 22.01 General Principles.

22.01.1 Name, Image and Likeness Compensation. An individual may receive compensation for the use of the individual's name, image and likeness, which may include compensation for the use of the individual's name, image and likeness in name, image and likeness activities may not include compensation for the use of the individual's name, image and likeness in name, image and likeness activities.

#### 22.1 Professional Service Providers.

22.01.2 Offers and Compensation. An individual may use professional services, including agent representation, for the purpose of name, image and likeness activities. Business arrangements related to representation for purposes of name, image and likeness activities (e.g., travel expenses associated with meeting) shall be consistent with arrangements between the professional service provider and other prospective or current clients and align with industry standards.

22.02 Definitions.

22.02.1 Name, Image and Likeness Compensation. The NCAA national office shall make available a centralized registry of professional service providers who provide or are seeking to provide services to student-athletes in a manner approved by the Board of Directors, or an entity designated by the Board.

#### 22.2 Education.

22.2.1 Name, Image and Likeness Education. The NCAA national office shall make available comprehensive education regarding name, image and likeness activities in a manner approved by the Board of Directors, or an entity designated by the Board. Such education shall include the provision of standardized contract terms for use in name, image and likeness agreements.

(a) Include quid pro quo (e.g., compensation for the use of the individual's name, image and likeness in name, image and likeness activities).

(b) Not be contingent upon initial or continuing participation in athletics.

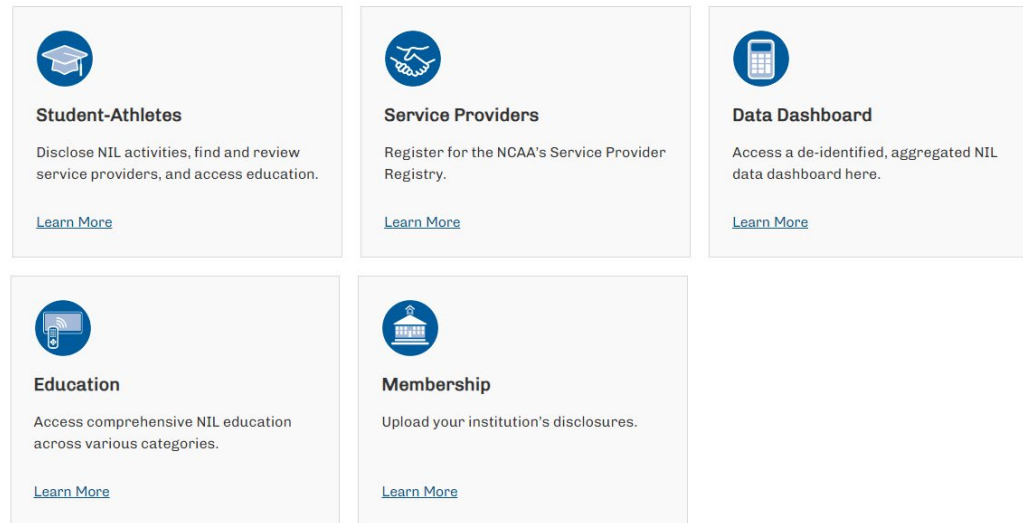
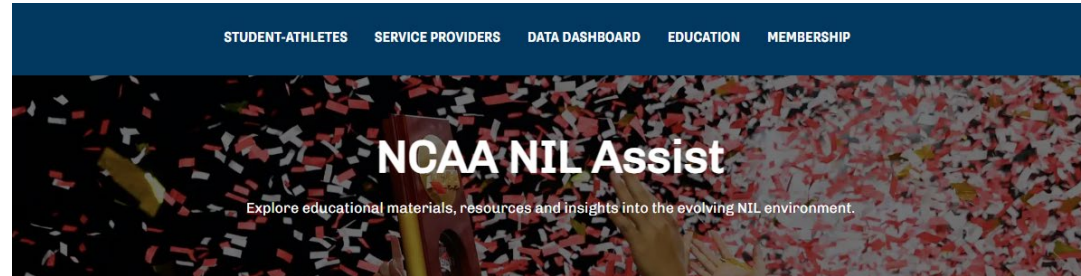
(c) Not be in return for athletics participation.



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# NC-2025-3: Name, Image & Likeness Activities.

Also – NIL Assist!



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# NC-2025-4: Graduates of a Non-DIII.

To:

- Incorporate the existing graduate/postbaccalaureate student participation waiver directive for non-Division III graduates into the legislation.



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# NC-2025-4: Graduates of a Non-DIII.

## Bylaw 14.1.8.1.

14.1.8 Graduate Student/Postbaccalaureate Participation. A student who has graduated from an NCAA Division III institution may participate as a graduate or postbaccalaureate student at the Division III institution they most recently attended as an undergraduate or another Division III institution, provided:

[14.1.8-(a) through 14.1.8-(c) unchanged.]

14.1.8.1 Graduates of a non-NCAA Division III Institution. A student who has graduated from a non-NCAA Division III institution may participate as a graduate or postbaccalaureate student provided they meet the criteria set forth in 14.1.8(a) through (c) and additionally meet the following:

- (a) The student-athlete graduated with an undergraduate degree within four academic years;
- (b) The student-athlete has seasons of participation remaining based on Bylaw 14.2.4.1 (minimum amount of participation), regardless of where (e.g., other NCAA division, NAIA) the participation occurred; and
- (c) The student-athlete maintained continuous full-time enrollment (e.g. no breaks in enrollment or part-time status).



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# NC-2025-5: Temporary Certification Period.

To:

- Establish an exception that permits international students in the temporary 45- day certification period to practice without using a season of participation.



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# NC-2025-5: Temporary Certification Period.

Bylaw 14.2.4.1, by way of Bylaw 12.1.1.4.1.

## 14.2.4 Criteria for Determining Season of Eligibility.

14.2.4.1 Minimum Amount of Participation. A season of intercollegiate participation shall be counted in the student-athlete's sport when a student-athlete participates (practices or competes) during or after the first contest in the traditional segment following the student-athlete's initial participation of that academic year at that institution or when the student-athlete engages in intercollegiate competition during the nontraditional segment in that sport. This provision is applicable to intercollegiate athletics participation (practice or competition) conducted by a Division III collegiate institution at the varsity, junior varsity or freshman team level. (See Bylaw 14.1.11, for student-athletes participating in a recognized foreign exchange/study abroad program).

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

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

(d) During the traditional segment when an international student (see Bylaw 12.1.1.1) practices during the temporary certification period per Bylaw 12.1.1.4.1, even if such practice occurs during or after the first contest in the traditional segment.



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# NC-2025-6: Honors Committee.

To:

- Specify that the Honors Committee shall receive nominations and select recipients for the Gerald R. Ford and Pat Summitt Awards.



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# NC-2025-6: Honors Committee.

Bylaw 21.2.3.3.

21.2.3.3 Duties. The committee shall receive nominations for the Theodore Roosevelt Award, the Silver Anniversary Awards, the Today's Top 10 Awards, the Award of Valor, the Gerald R. Ford Award, the Pat Summitt Award and the Inspiration Award and shall select the recipients of those awards.



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# NC-2025-7: Membership Application Due Date.

To:

- Amend the applications deadline for the exploratory year, provisional membership and reclassification of membership from January 15 to February 1.



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# NC-2025-7: Membership Application Due Date.

Bylaw 20.6.2, Bylaw 20.10.2 and Bylaw 20.10.2.2.

20.6.2.1.1 Application for Reclassification. When petitioning for change of division membership to Division III, a member shall submit a form approved by the Membership Committee available from the national office. The form shall be received in the national office not later than **February 1** ~~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, provided the applicant institution satisfies all of the standards required for provisional applicants in Bylaw 20.10.2, except that an exploratory year is not required.

## 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 **February 1** ~~January 15. Any form received after that date shall be postmarked not later than January 8.~~

[20.10.2.1.1 through 20.10.2.1.4 unchanged.]

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 **February 1** ~~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.



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# NC-2025-8: New Member Process.

To:

- Amend the new member application process by incorporating the current exploratory year waiver criteria into the legislated standards for the provisional membership application.



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# NC-2025-8: New Member Process.

## Bylaw 20.10.2.1.

### 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 the academic year that immediately follows registration. The institution shall not be eligible to apply for Division III membership until the first year of the exploratory year.*

*20.10.2.1.3 Fee. The institution shall pay a nonrefundable fee to the Membership Committee, shall submit an analysis of the expenses and benefits associated with the membership process, and shall also pay NC*

*20.10.2.1.4 Exploratory Year Waiver. The institution shall submit a statement of philosophy and evidence of the*

*(a) An application for Division III membership.*

*(b) A letter of recommendation from the institution's president or athletic director.*

*(c) Information demonstrating the institution's commitment to the Division III philosophy.*

*(d) A statement indicating the institution's commitment to the Division III philosophy.*

*(e) Information demonstrating the institution's commitment to the Division III philosophy.*

*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.*

*20.10.2.3 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.*

**20.10.2.1.1 Process. If the Membership Committee determines that the institution meets the Association's requirement of acceptable academic standards, then the Membership Committee will evaluate the application based on established Division III standards as set forth in 20.10.2.1.3. Acceptance into provisional membership will be effective the following September 1. If the institution enters into an exploratory year the institution would need to reapply for provisional membership during the exploratory year.**

**20.10.2.1.2 Fee. An institution entering into provisional status shall pay a nonrefundable fee due by September 1 of the first year of provisional membership. The fee will be of an amount determined annually by the Membership Committee based on an analysis of the expenses and benefits associated with the membership process. An institution entering an exploratory year shall pay a nonrefundable fee due by September 1 of the exploratory year, in an amount determined by the Membership Committee.**

**20.10.2.1.3 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, unless the institution:**

**(1) Meets the minimum sport-sponsorship requirements in the year preceding the first year of provisional membership; and**

**(2) The institution attests that in the first provisional year that it will 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.**



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# NC-2025-9: Standardized Dates.

To:

- Permit the NCAA Eligibility Center to use October 1 or March 1 (whichever occurs earlier) immediately after one calendar year has elapsed following a prospective student-athlete's high school graduation date as the standard end date of the prospective student-athlete's grace period.



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# NC-2025-9: Standardized Dates.

## Bylaw 14.2.4.4.

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

[14.2.1 through 14.2.3 unchanged.]

14.2.4 Criteria for Determining Season of Eligibility.

[14.2.4.1 through 14.2.4.3 unchanged.]

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)~~ **by October 1 or March 1 (whichever occurs earlier) immediately after one calendar year 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~~ **October 1 or March 1** 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.



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# **NC-2025-10: International Student Exception in Membership Process.**

To:

- Create an exception for provisional and reclassifying institutions that would require only international student-athletes that are initially enrolling at Division III provisional or reclassifying member institutions to have NCAA Eligibility Center certification accounts.



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# NC-2025-10: International Student Exception in Membership Process.

Bylaw 20.6.5.2 and Bylaw 20.10.5.2.

20.6.5 Compliance with Division III Rules. Unless specified otherwise in Bylaw 20.6.5.1, a reclassifying member shall administer its athletics program in accordance with the constitution, bylaws and other legislation of the Association.

[20.6.5.1 unchanged.]

20.6.5.2 International Students Exception. A reclassifying member shall require all international students initially enrolling at its institution to use the amateurism certification process. International students enrolled before the institution's acceptance to reclassifying membership may be certified by the institution.

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 unchanged.]

20.10.5.2 International Students Exception. A provisional member shall require all international students initially enrolling at its institution to use the amateurism certification process per Bylaw 12.1.1. International students enrolled before the institution's acceptance to provisional membership may be certified by the institution.



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# NC-2025-11: Eliminate Off-Ice Week.

To:

- Eliminate Bylaw 17.14.2.1 (off-ice training exception for ice hockey preseason practice).



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# NC-2025-11: Eliminate Off-Ice Week.

Bylaw 17.4.2.

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.~~



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# NC-2025-12: Nordic Skiing.

To:

- For the sport of Nordic skiing, establish a playing season start date of October 8 and an end date of March 29 or the end of the United States Nordic Super Tour Finals, whichever occurs later.



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# NC-2025-12: Nordic Skiing.

Bylaw 17.19.2, Bylaw 17.19.3 and Bylaw 17.19.4.

17.19.2 Preseason Practice. A member institution shall not commence practice sessions ~~in skiing~~ before October ~~15~~ 8 in Nordic skiing and October 15 in Alpine skiing.

17.19.3 First Date of Competition. A member institution shall not engage in its first date of competition ~~in skiing before October 15~~. before October 8 in Nordic skiing and October 15 in Alpine skiing.

17.19.4 End of Playing Season. A member institution shall conclude all practice and competition in Nordic skiing by March 29 or the end of the U.S. Nordic Super Tour Finals, whichever occurs later. A member institution shall conclude all practice and competition in Alpine skiing by April 5 or the end of U.S. Alpine National Championships, whichever occurs later.



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# Emergency Legislation



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# EM-2025-1: Transfers!

To:

- Eliminate the ~~year of residence~~ as the default condition of a transfer analysis.
- Now, student-athletes who would not have been academically eligible at their original institution...
  - Are still ineligible for competition upon transfer to your DIII institution; and
  - Your institution may certify them as eligible after **one regular term of full-time enrollment**, based on your academic standards for all student-athletes.



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# EM-2025-1: Transfers!

Bylaw 14.5.4 and Bylaw 14.5.5.1.

Does this apply to two-year AND four-year transfers? **Yes!**

Is it now just a term of residence? **No!**

Are SAs under disciplinary suspension off the hook? **No!**

Are legislative relief waivers still a thing? **Yes!**



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# Questions?



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