

**2017 NCAA Convention Division III Legislative Proposals  
Question and Answer Guide**

**Approved November 17, 2016, by the  
NCAA Division III Interpretations and Legislation Committee**

*Please note this is the first edition of the 2017 NCAA Convention Division III Legislative Proposals Question and Answer Guide. Future editions may be developed as questions are presented to the NCAA staff or the NCAA Division III Interpretations and Legislation Committee. On release of subsequent editions of this guide, newly approved questions and answers will be shaded in gray.*

## **DIVISION III LEGISLATIVE PROPOSALS**

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## Understanding How to Read the 2017 NCAA Convention Division III Official Notice.

1. How to read the NCAA Division III legislative proposals. When reviewing legislative proposals, it is important to note that:
  - a. The letters and words that appear in ~~italics and strikethrough~~ are letters and words in the current NCAA Division III rule that would be deleted with the adoption of the proposal;
  - b. The letters and words that appear in **bold face and underlined** are letters and words that would be added with the adoption of the proposal; and
  - c. The letters and words that appear in normal text are letters and words in the current Division III rule that would remain unchanged with the adoption of the proposal.
2. What appears in the white pages of the NCAA Division III Official Notice?

The white pages of the NCAA Division III Official Notice contain the legislative proposals that will be voted on individually at the NCAA Division III business session. Anticipated questions and answers related to each of the proposals appearing in the white pages are contained in this question and answer guide.

3. What is the difference between the Presidents Council grouping and the general grouping of proposals?

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

The Presidents Council has identified three proposals that it believes are of particular interest to Division III chancellors or presidents and has included them in the Presidents Council grouping. The remaining proposals are included in the general grouping. All proposals have been identified by the Presidents Council for a roll-call vote.

4. What appears in the blue pages of the Official Notice?
  - The blue pages of the Official Notice contain three types of legislative proposals. The proposals appearing in the blue pages have already been adopted by the authority of the NCAA Division III Management Council. These proposals have an immediate effective date from the time of adoption. These groups of proposals will be ratified by the NCAA Division III membership during the Division III business session. If a delegate objects to the incorporation of any one of these

legislative proposals, that objection should be raised prior to the ratification of the package of proposals. (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 would then vote on the proposal in question via a separate action.

The question and answer document does not address proposals that are included in the blue pages. The blue pages, however, include an "additional information" section with each proposal that provides additional clarification regarding the proposal.

The three types of legislation contained within the blue pages are listed below.

- (1) Interpretations to be incorporated in the 2017-18 NCAA Division III Manual. These interpretations have already been accepted by the membership and the only issue that is before the membership is whether they should be set forth in the Division III Manual.
- (2) Noncontroversial legislation adopted by the Management Council. These proposals constitute all of the noncontroversial legislative changes the Management Council has adopted during the past year. The Management Council is permitted to adopt such legislation, if it is necessary, to promote the normal and orderly administration of the Association's legislation.
- (3) Modifications of wording. These proposals are modifications to current legislation that have been shown to be consistent with the intent of the membership in adopting the current legislation. To approve such a change, the Management Council has determined that sufficient documentation and testimony exists to establish clearly that the original wording of the legislation requires modification to better reflect the original intent.

**Questions and Answers**  
**2017 NCAA Convention Division III Legislative Proposals**

**NCAA Division III Proposal Number 2017-1 (2-1).**

**Title:** NCAA MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- INDEPENDENT MEDICAL CARE.

**Effective Date:** August 1, 2017.

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

**Intent:** To specify that an active member institution shall: (1) 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; and (2) designate an athletics healthcare administrator to oversee the institution's athletics health care administration and delivery.

**Question No. 1:** If adopted, how will this proposal impact institutions?

**Answer:** This proposal would require institutions to do two things: (1) an institution must establish an administrative structure that permits primary athletics health care providers to determine medical management and return-to-play decisions related to student-athletes. The decisions made may not be challenged. Within this structure, a coach may not serve as the sole supervisor nor have sole hiring/firing authority over primary athletics health care providers; and (2) an institution will need to designate an athletics healthcare administrator. This administrator will oversee the institution's athletics health care administration and delivery.

**Question No. 2:** What if the director of athletics is also a coach of a sports team?

**Answer:** A director of athletics who is also a coach may not serve as the sole supervisor nor have sole hiring/firing authority over primary athletics health care providers. Effective solutions to this situation may focus on the development of shared supervisory relationships for athletics health care providers, or on the creation of appeal or oversight mechanisms, external to the athletics department, for the evaluation of the merits of negative employment decisions against athletics health care providers. Another example may be an administrative 'firewall' so that decision-making by

primary athletics health care providers is always autonomous and unchallengeable.

**Question No. 3:** What is a "primary athletics health care provider"?

**Answer:** A primary athletics health care provider is defined as an institution's team physician and/or athletic trainer. This designation reflects the central role the physician and athletic trainer play, by virtue of their training, qualifications, and credentials, in the day-to-day management of student-athlete health and safety. This designation is also consistent with guidelines and recommendations established by sports medicine and athletic training professional organizations.

**Question No. 4:** How is "administrative structure" defined?

**Answer:** In the context of this proposal, the administrative structure is the organizational makeup, policy and process through which the institutional medical line of authority operates. Within the administrative structure, primary athletics health care providers should have authority and reporting lines that ensure their complete autonomy to determine medical management and return-to-play decisions for student-athletes.

**Question No. 5:** Who may be designated as an athletics health care administrator and what functions should the individual perform?

**Answer:** An institution should designate an individual who has administrative and clinical knowledge, but there is otherwise no specific credentialing required. The athletics health care administrator is not required to supervise or oversee the primary athletics health care providers and other members of the medical team, but rather should be focused on compliance with the broad structure and administrative environment in which student-athlete medical care is delivered. The proposal does not require that the individual have specific qualifications [e.g., doctor of medicine (MD), doctor of osteopathic medicine (DO)]. An athletics health care administrator is not required to be an institutional employee.

The position is administrative in nature and does not necessarily reflect the normal medical-legal hierarchy that would be required for the delivery of athletics health care. For example, athletic trainers deliver health care under the direction of a licensed physician. However, an athletic trainer could serve as the athletics health care administrator. While primary athletics health care providers will retain unchallengeable autonomous authority to

determine medical management and return-to-play decisions, the athletics health care administrator will play an administrative role in the delivery of athletics health care. This administrative role may include assuring that schools are compliant with all pertinent NCAA health and safety legislation and with interassociation consensus statements that impact student-athlete health and safety.

**Question No. 6:** Is there specific training required (e.g., certification, license) of the athletics health care administrator?

**Answer:** No, but the individual should assure institutional compliance with existing, pertinent legislation and interassociation recommendations.

**Question No. 7:** Must the independent medical care be provided separate from and independent of the institution?

**Answer:** No. The phrase "independent medical care" refers to an environment in which primary athletics health care providers may make medical decisions for student-athletes free of pressure or influence from non-medical factors. It depends on establishing an institutional medical line of authority independent of coaches and sport-specific staff members in an effort to afford sports medicine providers unchallengeable, autonomous authority to determine medical management and return-to-play decisions of student-athletes without outside influence.

**Question No. 8:** How does an athletics health care administrator differ from having a team physician?

**Answer:** The athletics health care administrator position lies outside of the normal medical hierarchy required for the lawful delivery of medical care. Physicians sit atop of that hierarchy, and a team physician/medical director is ultimately responsible for the care being delivered at all member institutions. Existing legislation in all three divisions requires the designation of a team physician who "shall be authorized to oversee the medical services for injuries and illnesses incidental to a student-athlete's participation in intercollegiate athletics" (NCAA Division I Constitution 3.2.4.16, Division II Constitution 3.3.4.17, Division III Constitution 3.2.4.18). Team physician authority is the linchpin for independent medical care of student-athletes.

An analogy for an athletics health care administrator is that of a medical office manager who works in a physician's office. The typical medical

office manager has administrative and clinical knowledge, skills in business and administration and clinical management. The medical office manager is also responsible for the operations of the medical practice. Importantly, medical office managers are not dictating the care delivered by the physician. Instead, they are ensuring that the care is being delivered in an organizational environment that reflects relevant laws, rules and regulations.

**Question No. 9:** Will institutions be required to report to the NCAA the name of the individual appointed as the athletics health care administrator?

**Answer:** The membership database will be updated to allow designation of the institution's athletics health care administrator, but the proposal does not require reporting to the national office.

**Question No. 10:** Does this proposal require institutions to have medical staff present at all practices and competitions?

**Answer:** No.

**Question No. 11:** What if a coach is the only individual present from the institution at a practice or competition when an injury occurs?

**Answer:** The coach must follow protocols established by the primary athletics health care provider(s). The protocols should be consistent with existing health and safety legislation and relevant interassociation recommendations.

**Question No. 12:** Does the "unchallengeable autonomous authority" requirement preclude a student-athlete from getting a second opinion from a medical practitioner outside of the institution?

**Answer:** No. A student-athlete is permitted to seek an outside medical opinion. However, an outside medical opinion cannot override the decision of the primary athletics health care provider(s) regarding return-to-play. Such an opinion becomes part of the data that must be analyzed by the primary athletics health care provider(s) in making unchallengeable, autonomous medical decisions.



**NCAA Division III Proposal Number: 2017-2 (2-4).**

**Title:** ELIGIBILITY -- GRADUATE AND POSTBACCALAUREATE TRANSFERS

**Effective Date:** August 1, 2017.

**Source:** Wisconsin Intercollegiate Athletic Conference and Little East Conference.

**Intent:** To permit a graduate student to participate in intercollegiate athletics at the institution of his or her choice.

**Question No. 1:** Under the current rule, how may a graduate or postbaccalaureate student participate in intercollegiate athletics?

**Answer:** Currently, a Division III student-athlete who has completed a baccalaureate degree may only participate in Division III intercollegiate athletics at the institution he or she most recently attended as an undergraduate and may only do so if he or she has eligibility remaining and all participation occurs within the applicable 10-semester/15-quarter period.

An institution may submit a legislative relief waiver on behalf of a student-athlete pursuing a graduate or postbaccalaureate degree at an institution other than the one he or she most recently attended as an undergraduate. To qualify for this waiver a student-athlete must have received his/her undergraduate degree in less than four academic years with no breaks in full-time enrollment and a minimum cumulative grade-point average of 3.000. For student-athletes who do not meet these criteria, an institution may submit a waiver for students who demonstrate extenuating or extraordinary circumstances.

**Question No. 2:** If this proposal is adopted, how will it impact the current rule?

**Answer:** A student-athlete who has completed a baccalaureate degree would be permitted to continue to participate in intercollegiate athletics at an institution he or she did not attend as an undergraduate provided the student: (1) is enrolled and seeking a second baccalaureate or graduate degree; (2) has eligibility remaining; and (3) participation occurs within the applicable 10-semester/15-quarter period. Thus, a legislative relief waiver would no longer be necessary.

**Question No. 3:** Does Division I legislation allow a graduate transfer student-athlete to participate in intercollegiate athletics?

**Answer:** Yes. A graduate transfer student-athlete from any division may participate at a Division I institution provided the student meets the Division I one-time transfer exception and has eligibility remaining.

If a graduate transfer student does not meet the Division I one-time transfer exception because of participation in Division I baseball, basketball, bowl subdivision football or men's ice hockey the student shall still qualify and be eligible if: (1) the student fulfills the remaining conditions of the Division I one time transfer exception; (2) the student has at least one season of competition remaining; and (3) the student's previous institution did not renew his or her athletically related financial aid for the following academic year.

**Question No. 4:** Does Division II legislation allow a graduate transfer student-athlete to participate in intercollegiate athletics?

**Answer:** Yes. A graduate transfer student-athlete from any division may participate at a Division II institution provided the student has eligibility remaining.

**Question No. 5:** If this proposal is adopted, how would it impact the requirement that a Division III institution receive permission to contact?

**Answer:** An athletics staff member may not make contact in any manner with a student-athlete of another NCAA or NAIA four-year collegiate institution, without first obtaining written permission to do so, regardless of who makes the initial contact. If a student-athlete is still enrolled at another institution permission to contact or a self-release for a Division III transfer is required. However, if a student has officially withdrawn from the previous institution permission to contact is not required.

**Question No. 6:** How many Division III institutions have graduate programs?

**Answer:** Based on U.S. Department of Education classifications of institutions, the NCAA staff estimates approximately half of Division III institutions offer at least one graduate level academic program (e.g. M.A., M.S., Ph.D.). There is significant diversity in these offerings across institutions in terms of the number and type of programs. For example, an institution may offer one Masters level program in nursing while another offers 20 graduate programs in areas including business, education and the sciences.

**Question No. 7:** How many Division III student-athletes are participating in intercollegiate athletics while enrolled in a graduate level program?

**Answer:** Based on the 2016 NCAA Growth, Opportunities, Aspirations and Learning of Students Study, the NCAA staff estimates that currently less than one percent of Division III student-athletes are enrolled in a graduate level program.

**Question No. 8:** Would this proposal allow a student to participate if the student is enrolled in a certificate program?

**Answer:** No. This exception is intended to only apply for student-athletes enrolled in official baccalaureate or graduate degree programs.

**Question No. 9:** How many credit hours must a student-athlete pursuing a second baccalaureate degree enroll in to be considered full-time and eligible for intercollegiate athletics?

**Answer:** A student-athlete enrolled in a second baccalaureate degree must be enrolled in 12 semester or quarter hours to be eligible for intercollegiate athletics and considered full-time by the institution.

**Question No. 10:** How many credit hours must a graduate student-athlete enroll in to be considered full-time and eligible for intercollegiate athletics?

**Answer:** The number of credit hours for full-time enrollment is determined by each institution for graduate programs.

**Question No. 11:** How many student-athletes who completed their undergraduate degree from a Division III institution go on to compete as graduate student-athletes at Division I or II institutions?

**Answer:** The NCAA does not currently track this information.

**NCAA Division III Proposal Number 2017-3 (2-5).**

**Title:** FINANCIAL AID FROM OUTSIDE SOURCES THAT CONSIDER ATHLETICS LEADERSHIP, ABILITY, PARTICIPATION OR PERFORMANCE -- RESTRICTION ON RECIPIENT'S CHOICE OF INSTITUTIONS

**Effective Date:** August 1, 2017.

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

**Intent:** To amend the limitations of outside financial aid awards to preclude the donor of an outside aid award that considers athletics leadership, ability, participation or performance from restricting the recipient to attend a specific institution.

**Question No. 1:** Under current legislation, may a student-athlete receive a financial aid award that considers athletics?

**Answer:** Yes, provided the award comes from a source outside the institution and satisfies all the following conditions: (1) the award is part of an established and continuing program for the recognition of outstanding high school graduates (i.e. the award is for a student initially enrolling in a collegiate institution as opposed to a continuing student); (2) the award is made on only one occasion but may be disbursed over multiple years; (3) the recipient's choice of institutions is not restricted by the donor of the aid; and (4) there is no direct connection between the donor and the student-athlete's institution.

**Question No. 2:** How does this proposal change the current legislation?

**Answer:** This proposal would change the requirement that the recipient's choice of institutions may not be restricted by the donor of the aid. Rather, restrictions would be allowed, provided those restrictions don't result in effectively limiting the recipient's choice of institutions to one institution. For example, under current legislation the award is not permissible if the recipient must use the aid within a specific state because that is restricting the recipient's choice of institutions. The proposal, however, would allow that limitation provided there is more than one institution within that state.

**Question No. 3:** Pursuant to this proposal would an award be permissible if it may only be used at institutions within a particular conference?

**Answer:** No. An award that is limited to the institutions within a particular conference (which is an NCAA defined legislative and competitive body) effectively becomes an award of that conference. A conference is not permitted to award financial aid based on athletics to an incoming student-athlete.

**Question No. 4:** Could the recipient's choice of institutions be restricted to the institutions within an athletics consortium?

**Answer:** No.

**Question No. 5:** Pursuant to this proposal, would an award be permissible if the choice of institutions included only one four-year institution among multiple other collegiate institutions (e.g. two-year institutions)?

**Answer:** Yes, provided all other conditions are satisfied and more than one of the institutions offers an intercollegiate athletics program.

Due to potential confusion regarding the existing legislation, the following questions and answers address the remaining conditions of the existing legislation that would not be changed by the proposal.

**Question No. 6:** Who is permitted to receive a financial aid award from an outside source that considers athletics leadership, ability, participation or performance?

**Answer:** This award is intended for an outstanding high school graduate. Thus, only student-athletes initially enrolling in a collegiate institution may receive an award from an outside source that considers athletics leadership, ability, participation or performance. Student-athletes may continue to receive this type of award each year provided the award was only made once, but disbursed over multiple years.

**Question No. 7:** What does the condition "There shall be no direct connection between the donor and the student-athlete's institution" mean?

**Answer:** The recipient may not use the outside award if the donor of the award is an athletics representative of the institution that the recipient plans on attending.

**Question No. 8:** If an individual has previously donated money to a member conference, does that individual have a "direct connection" with all institutions within that conference?

**Answer:** No. Donating to a conference does not render that individual a representative of the institution's athletics for all the institutions in that conference.

**Question No. 9:** If the outside award comes from an organization where its members are representatives of the athletics interests of many member institutions, is the recipient precluded from using the award at all of those institutions?

**Answer:** No. The donating organization does not become a representative of the athletics interests of all of the institutions of its members. An organization, independent of its individual members, must be reviewed on a case by case basis to determine if the organization is a representative of any particular institution's athletics interest.

**Example:** John is a representative of the athletics interest of Institution A. John is also a member of his local Kiwanis club. That local Kiwanis club provides a scholarship every year to a deserving high-school graduate in which athletics is considered. May the recipient use the scholarship at Institution A?

Yes, provided the Kiwanis club, separate from John, has not done anything to become a representative of Institution A's athletics interest.

**NCAA Division III Proposal Number 2017-4 (2-6).**

**Title:** PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING SEASON REGULATIONS -- STANDARDIZATION OF ANNUAL CONTEST AND DATE OF COMPETITION EXEMPTIONS

**Effective Date:** August 1, 2017.

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

**Intent:** To standardize annual contest and date of competition exemptions. Specifically, to allow each sport to exempt participation in the following: (1) conference championship; (2) season-ending tournament; and (3) two scrimmages, exhibitions or joint practices. Additionally, to allow the two scrimmages, exhibitions or joint practices to occur prior to the first permissible contest date in all sports other than wrestling.

**Question No. 1:** What is a contest/date of competition exemption?

**Answer:** A contest or date of competition that does not count towards a team's maximum allowable number of contests or dates of competition.

**Question No. 2:** How would this proposal standardized contest/date of competition exemptions?

**Answer:** Currently there are standard exemptions that apply to all sports, exemptions that only apply to a few sports and exemptions that only apply to a specific sport. This proposal would eliminate the exemptions that only apply to a sport or a few sports and redefine the standard exemptions. Specifically, the standard exemptions would include: (1) conference championship tournament; (2) season ending tournament; and (3) two exhibitions, scrimmages or joint practices (discretionary exemptions).

**Question No. 3** Which contests may be exempted as exhibitions, scrimmages or joint practices and when may they occur?

**Answer:** A team may exempt any contest that occurs within the traditional segment and is not used for championship selection purposes. For sports that have a first permissible contest date different than the first permissible practice date, these contests may occur before the first permissible contest date (exception, wrestling, see Question No. 10). An institution could only use an exemption for a contest during the nontraditional segment if the contest is an alumni contest.

**Question No. 4:** If this proposal is adopted, what existing annual exemptions would no longer exist?

**Answer:** The following annual exemptions will no longer exist: (1) fundraising activity; (2) foreign team in the United States; (3) alumni game; and (4) sport specific exemptions.

An institution may, however, continue to conduct the contests referenced above. The institution would simply have to count those contests against their maximums or count those contests as one of their two exempted scrimmages, exhibitions or joint practices.

**Question No. 5:** If this proposal is adopted, what existing annual exemptions would remain?

**Answer:** Exemptions for the conference championship and a season-ending tournament would remain.

**Question No. 6:** If this proposal is adopted, does it impact non-annual exemptions?

**Answer:** No. The once-in-three-years foreign tour and one-in-four-years contests or dates of competition in Hawaii, Alaska or Puerto Rico are not impacted by this proposal. Institutions may still exempt these contests or dates of competition.

**Question No. 7:** If this proposal is adopted, which sport-specific exemptions would be impacted?

**Answer:** The following sports currently have a sport-specific exemption that would no longer exist. Participation in these contests would have to count towards the institutions maximum contests and dates of competition or be used as one of the discretionary exemptions.

- Basketball – Up to two exhibitions, scrimmages or joint practices against any opponent.
- Cross Country – an unlimited number of exhibitions or scrimmages on one date during the preseason period.
- Fencing – U.S. National Team, Hawaii, Alaska or Puerto Rico.
- Field Hockey – an unlimited number of exhibitions or scrimmages on one date during the preseason practice period.
- Football – 12-member conference championship and one preseason, joint practice or exhibition.
- Golf – College All-American Golf Classic and College-Am Event.
- Gymnastics – U.S. National Team, Hawaii, Alaska or Puerto Rico, USA Gymnastics and NCGA Championships.
- Women’s Ice Hockey – two contests against the U.S. national women’s ice hockey team during the season leading up to the Winter Olympics.
- Ice Hockey – one scrimmage, exhibition game or joint practice before the first permissible contest date, foreign team in U.S. and U.S. National Development Team.
- Rifle – U.S. National Team and contests against a member institution in Hawaii, Alaska or Puerto Rico.
- Rowing – U.S. Rowing Association Championship and Hawaii, Alaska or Puerto Rico.
- Women’s Rugby – National Governing Body Championship and contests against a member institution in Hawaii, Alaska, or Puerto Rico and an unlimited number of exhibitions or scrimmages on one date during the preseason practice period.
- Skiing – U.S. National Team and contests against a member institution in Hawaii, Alaska or Puerto Rico.



- Soccer – One preseason joint practice, scrimmage or exhibition and an unlimited number of exhibitions or scrimmages on one date during the preseason practice period that counts as only one contest.
- Women’s Volleyball – An unlimited number of preseason joint practices, scrimmages or exhibitions conducted on one date during the preseason practice period.
- Water Polo – U.S. National Team.

**Question No. 8:** If this proposal is adopted, do the two discretionary exemptions apply separately to varsity and sub-varsity (i.e. two for each squad)?

**Answer:** During the traditional segment, varsity and sub-varsity (e.g., junior varsity) teams are considered separate teams and may schedule separate contests and dates of competition. Thus, the varsity and sub-varsity teams would each be permitted two discretionary exemptions during the traditional segment.

**Question No. 9:** If this proposal is adopted, may a student-athlete participate in two exempted scrimmages for the varsity team and two exempted scrimmages, for the junior varsity team?

**Answer:** No. Each student-athlete is still limited to a specific maximum number of contests and dates of competition. A student-athlete would only be permitted to participate in two exempted exhibitions scrimmages or joint practices.

**Question No. 10:** If this proposal is adopted, are any sports precluded from using the two discretionary exempted scrimmages, exhibitions or joint practices prior to its first regular-season contest or date of competition?

**Answer:** Yes, the sport of wrestling. NCAA Proposal No. 2011-12 was adopted for the sport of wrestling to specify that an institution shall not commence practice sessions prior to October 10 and shall not engage in its first date of competition with outside competition prior to November 1. If this proposal is adopted, it does not change this legislation. Therefore, the sport of wrestling may not use its two exempted scrimmages, exhibitions or joint practices prior to November 1 during the playing and practice season. The team may use the two exemptions after the first permissible date of competition.

**Question No. 11:** If this proposal is adopted, would the exempted exhibition, scrimmage or joint practice have to be classified as the same type of contest by each opponent?

**Answer:** The contest must be classified the same by all participating Division III institutions. However, if an institution uses a discretionary exemption against a non-Division III opponent, the contest may be classified differently. (See official interpretation 2/25/16, Item Ref: 2-a)

**Question No. 12:** How would this proposal impact the sports of soccer and field hockey which currently may; (1) conduct up to three exhibitions/scrimmages before the first permissible contest date, which must be counted towards the maximum contest limits (but soccer could exempt one of these contests); and (2) conduct an unlimited number of contests on one date prior to the first permissible contest date that only counts as one contest?

**Answer:** Field hockey and soccer would still be permitted to play up to three scrimmages or exhibitions before the first permissible contest date. The proposal would allow two of these contests to be exempted from the maximum contest limits. Further, these sports would no longer be allowed to play an unlimited number of contests on one date and have it only count as one.

**NCAA Division III Proposal Number 2017-5 (2-8).**

**Title:** PLAYING AND PRACTICE SEASONS -- FIELD HOCKEY AND LACROSSE -- PRESEASON JOINT PRACTICE, SCRIMMAGE OR EXHIBITION -- EXEMPTION FROM MAXIMUM CONTEST AND DATE OF COMPETITION LIMITATIONS

**Effective Date:** August 1, 2017.

**Source:** Middle Atlantic Conferences, Empire 8 and Great Northeast Athletic Conference.

**Intent:** To allow field hockey and lacrosse teams to conduct an exempted scrimmage, exhibition or joint practice with outside competition prior to the first permissible contest or date of competition.

**Question No. 1:** Will this proposal be impacted if Proposal No. 2017-4 (Playing and Practice Season Regulations – Standardization of Annual Contest and Date of Competition Exemptions) is adopted?

**Answer:** Yes. If Proposal No. 2017-4 is adopted, this proposal will be rendered moot and will not be voted on.

**Question No. 2:** Under the current rule, what type of competition may occur for field hockey prior to the first permissible contest?

**Answer:** Field hockey teams may play up to three scrimmages or exhibition games before the first regular scheduled contest, provided the scrimmages or exhibition games are conducted during the institution's declared playing season and are counted against the maximum number of contests.

**Question No. 3:** Under the current rule, what type of competition may occur for lacrosse prior to the first permissible date of competition?

**Answer:** Lacrosse is not permitted to play scrimmages, exhibitions or any competitions prior to the first date of competition.

**Question No. 4:** If this proposal is adopted, how would this proposal amend the field hockey preseason restrictions?

**Answer:** This proposal would permit field hockey teams to exempt one preseason joint practice, scrimmage or exhibition conducted during the preseason practice period (Please note that field hockey is a contest sport as opposed to a date of competition sport).

**Question No. 5:** If this proposal is adopted, how would this proposal amend the lacrosse preseason restrictions?

**Answer:** This proposal would permit lacrosse teams to hold an unlimited number of preseason joint practices, scrimmages or exhibitions on one date prior to the institution's first regular season contest. (Please note that lacrosse is a date of competition sport as opposed to a contest sport).

**Question No. 6:** In the sport of field hockey, could an institution exempt the one date on which an institution may conduct an unlimited number of exhibitions or scrimmages prior to the first permissible contest date?

**Answer:** This proposal allows an institution to exempt one joint practice, scrimmage or exhibition. As such, if an institution's field hockey team chooses to conduct an unlimited number of exhibitions or scrimmages on a single date prior to the first permissible contest date, the institution may only exempt one of those scrimmages from the maximum contest limitations.

**NCAA Division III Proposal Number 2017-6 (2-7).**

**Title:** PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING SEASON REGULATIONS -- REQUIRED DAY OFF FOR TRACK AND FIELD INDOOR/OUTDOOR AND SWIMMING AND DIVING

**Effective Date:** Immediate.

**Source:** Minnesota Intercollegiate Athletic Conference and Heartland Collegiate Athletic Conference.

**Intent:** To eliminate the requirement that the mandatory day off for track and field and swimming and diving programs be the same day for every student-athlete.

**Question No. 1:** What is the current rule regarding the required day off?

**Answer:** During the playing season, all athletically related activities shall be prohibited one calendar day per defined week for all sports. The required day off per week must apply to the team as a whole (as opposed to allowing each student-athlete to take a different day off per week). A blanket waiver exists to allow an exception to this rule through the close of the 2017 NCAA Convention (see the 3/3/2016 blanket waiver identified in Question No. 2).

**Question No. 2:** What does the blanket waiver approved by the Management Council Subcommittee for Legislative Relief on March 3, 2016 allow?

**Answer:** The Subcommittee for Legislative Relief provided blanket relief for indoor and outdoor track and field teams from the application of Bylaw 17.1.4.1 and staff interpretation dated November 11, 2015 (Item No. a) through the conclusion of the 2017 NCAA Convention. Specifically, the blanket waiver allows indoor and outdoor track and field student-athletes to take different calendar days off during the playing and practice season until the close of the 2017 NCAA Convention Business Session. If the membership does not pass Proposal No. 2017-6, indoor and outdoor track and field student-athletes would no longer be permitted to take different calendar days off during the playing and practice season.

**Question No. 3:** If this proposal is adopted, are indoor and/or outdoor track and field and swimming and diving teams still permitted to have the mandatory day off be the same for all members of the team?

**Answer:** Yes.

**Question No. 4:** If this proposal is adopted, how does this proposal affect multisport student-athletes?

**Answer:** Multisport student-athletes would still be required to take one calendar day off per week regardless of the number of sports in which the student-athlete participates.

**Example:** A field hockey and lacrosse multisport student-athlete. The field hockey team is in its nontraditional segment and the team's days off include Tuesday, Thursday and Sunday and the lacrosse team is in its traditional segment and the team's day off is Monday.

1. On Sunday, the student-athlete does not participate in any athletically related activity for either team. On Monday, the student-athlete practices with the field hockey team, but not the lacrosse team; or
2. On Sunday, the student-athlete practices with the lacrosse team, but not the field hockey team. On Monday, the student-athlete does not participate in any athletically related activity with either team.

**NCAA Division III Proposal Number: 2017-7 (2-3).**

**Title:** RECRUITING -- TRYOUTS AND CAMPS AND CLINICS -- DEREGULATING CAMPS AND CLINICS

**Effective Date:** Immediate.

**Source:** North Coast Athletic Conference, Landmark Conference and Middle Atlantic Conferences.

**Intent:** To deregulate the tryout events and camps and clinics legislation to allow institutions to host or conduct events involving prospective student-athletes, provided those events are: (1) open to the general public; and (2) do not offer free or reduced admission to prospective student-athletes.

**Question No. 1:** If this proposal is adopted, how would this proposal amend the tryouts and camps and clinic legislation?

**Answer:** Institutions would still be prohibited from conducting a traditional tryout (See Bylaw 13.11.2.1). The proposal would, however permit greater flexibility to conduct events that include activities devoted to agility,

flexibility, and speed and strength tests. Currently, both the tryout legislation in 13.11 and the camps and clinics legislation in 13.12 requires an analysis of the specific activities of the event to determine if it is or is not permissible. This proposal would change that analysis to primarily focus on the access to participate in the event. Specifically, if the event is open to any and all entrants and prospective student-athletes do not receive free or reduced admissions, then it would be permissible for the institution to host the event and for institutional coaches to work the event. Additionally, the proposal would allow coaches to recruit at the events.

**Question No. 2:** Would institutions still be permitted to host competition-only events wherein they invite specific teams to participate?

**Answer:** Yes. Institutions would still be permitted to host team competition-only events that are not open to any and all participants.

**Question No. 3:** If this proposal is adopted, would institutions be permitted to host combines?

**Answer:** Yes. This proposal would allow an institution to host any type of event involving prospective student-athletes as long as participation in the event is open to all and prospective student-athletes do not receive free or reduced admission.

**Questions No. 4:** Is an institution permitted to offer free admission to all participants, even if some or all of the participants are prospective student-athletes?

**Answer:** Yes. An institution may offer an event and provide free admission to prospective student-athletes provided the event is free to all participants.

**Question No. 5:** If this proposal is adopted, can an event still be limited by objective criteria?

**Answer:** Yes. An event must be open to any and all entrants; however, it may be limited by age, number, gender and grade level.

**Question No. 6:** If this proposal is adopted, what type of recruiting contact with prospective student-athletes may occur during a camp, clinic, competition only event or other events?

**Answer:** While this proposal would remove the prohibition on recruiting activities during a camp and clinic, recruiting contact may not be made with a prospective student-athlete before any event that is strictly competition until

the prospective student-athlete has been released for that day by the appropriate authority. However, athletics staff members are permitted to have on-campus contact with a prospective student-athlete prior to a competition-only event, provided the prospective student-athlete is not scheduled to compete on that day on the institution's campus.

**Question No. 7:** If this proposal is adopted, may an athletics staff member have recruiting contact with a prospective student-athlete during an event that has a combination of competition and camp, clinic or combine type activities?

**Answer:** Yes. An athletics department staff member may contact a prospective student-athlete during any event that has additional components and is not primarily competition.

**Question No. 8:** If this proposal is adopted, would student-athletes still be permitted to be paid to work events involving prospective student-athletes (e.g., an institutional camp or clinic)?

**Answer:** Yes. This proposal does not change the current regulations regarding student-athlete employment. As currently required, compensation for student-athletes shall be commensurate with the going rate for work performed but a student-athlete who only lectures or demonstrates may not receive compensation for his or her appearance.

**Question No. 9:** How are administrative duties defined for a student-athlete who is employed at an institutional or non-institutional athletics event?

**Answer:** The emphasis on requiring administrative duties is meant to ensure that a student-athlete is not paid solely to lecture or demonstrate. Any supervisory, clerical or site maintenance-type duties would be considered administrative.

**Question No. 10:** If this proposal is adopted, would student-athletes be permitted to assist with recruiting prospective student-athletes during these events?

**Answer:** Student-athletes may assist with recruiting activities if the event takes place on an institution's campus. Student-athletes are prohibited from participating in recruiting activities off campus.

**Question No. 11:** If an institutional coach, who has a contract for a period of less than a full year, required to abide by NCAA regulations during the months they are not on contract?

**Answer:** Yes. All NCAA legislation applies to a coach who is employed by a member institution on a regular and continuing basis, even if the individual's contract is for a period of less than a full year or the individual is absent from the institution for a temporary period.

**Question No. 12:** If this proposal is adopted, is a coach permitted to work for an event that is owned or operated by a recruiting or scouting service?

**Answer:** No. (A recruiting or scouting service includes any individual, organization, entity or segment of an entity that is primarily involved in providing information about prospective student-athletes.)

**Question No. 13:** If this proposal is adopted, can the institution still provide admissions discounts based on objective criteria unrelated to athletics ability?

**Answer:** Yes, provided such discounts are published and available on an equal basis to all who qualify (See staff interpretation dated 8/27/2009, Item Ref: 1).

**Proposal Number 2017-8 (2-9).**

**Title:** MEMBERSHIP -- PROVISIONAL OR RECLASSIFYING MEMBERSHIP -- CLASS SIZE AND ASSIGNMENT -- PROVISIONAL PROGRAM SIZE LIMIT

**Effective Date:** August 1, 2017.

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

**Intent:** To limit the total number of participants in the provisional or reclassifying membership program to not more than 12 institutions.

**Question No. 1:** What is the NCAA Division III membership program process?

**Answer:** The NCAA Division III membership program is an interactive multi-year progression that prepares candidate institutions for membership as successful Division III athletics programs. The program is comprised of one exploratory year and four years of provisional or reclassifying membership.

**Question No. 2:** What is an exploratory year?

**Answer:** The exploratory year represents an opportunity for an institution to: (1) learn about the NCAA and Division III; (2) determine if Division III membership



is appropriate for the institution; and (3) determine if the institution is prepared to begin the provisional or reclassifying membership program.

**Question No. 3:** What is a Division III provisional member institution?

**Answer:** A provisional member institution 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 been accepted for NCAA Division III active membership.

**Question No. 4:** What is a Division III reclassifying member institution?

**Answer:** A reclassifying member institution is an active NCAA Division I or Division II member institution that has been accepted for active membership in Division III.

**Question No. 5:** What is the current size limit for the Division III provisional or reclassifying membership program?

**Answer:** Currently, a maximum of four institutions may be admitted to the provisional or reclassifying membership program in any one year.

**Question No. 6:** How would this proposal change the current size limit for Division III provisional or reclassifying membership program?

**Answer:** This proposal does not change the current annual maximum of four institutions that may be admitted to the membership program; instead, the proposal limits the overall number of institutions that may participate in the four-year provisional or reclassifying program at any one time.

**Question No. 7:** If this proposal is adopted, is there a maximum number of reclassifying versus provisional institutions that may be included in the total of 12 institutions in the Division III membership program?

**Answer:** No. The program may include any combination of reclassifying and provisional institutions, not to exceed a total of 12 institutions.

**Question No. 8:** If a provisional or reclassifying institution is required to repeat a year in the Division III membership program, is there an impact on the maximum of 12 institutions?

**Answer:** All provisional or reclassifying institutions are included in the maximum of 12 institutions, regardless of whether the institution is required to repeat a year in the membership program. Thus, an institution that is required to repeat a year of the membership program would count towards the overall maximum of 12 institutions, and may impact the number of institutions admitted to the membership programs in a particular year.

**Question No. 9:** Does an institution in the exploratory year count towards the class size limit?

**Answer:** No. Institutions in the exploratory year would not be included in the calculations of the limit of 12.

**Question No. 10:** How many institutions have been in the Division III provisional or reclassifying membership program over the past five academic years?

**Answer:** 2016-17: 8  
2015-16: 11  
2014-15: 12  
2013-14: 9  
2012-13: 8

**Question No. 11:** How many members are on the Division III Membership Committee?

**Answer:** The membership committee has 10 members, including one president. As a general practice, the president on the committee does not serve as a mentor to a provisional or reclassifying institution.

**NCAA Division III Proposal Number: 2017-9 (2-2).**

**Title:** LEGISLATIVE AUTHORITY AND PROCESS -- AMENDMENT PROCESS -- RECONSIDERATION -- ELIMINATE WINDOW OF RECONSIDERATION AND PROHIBIT ADDITIONAL RECONSIDERATION

**Effective Date:** August 1, 2017.

**Source:** Minnesota Intercollegiate Athletic Conference and Southern California Intercollegiate Athletic Conference.

**Intent:** To eliminate the opportunity to reconsider an amendment following confirmation of an affirmative or negative vote on that amendment by the presiding officer.

**Question No. 1:** What is the current process for reconsidering a proposal?

**Answer:** NCAA legislation says that NCAA business will be conducted according to Robert's Rules of Order unless a specific NCAA bylaw establishes an alternative practice. Robert's Rules of Order indicates that any action item may be reconsidered until the close of the meeting. There is, however, a specific NCAA bylaw that narrows the opportunity to reconsider an issue to a finite time known as the window of reconsideration. Currently, during the established window of reconsideration, a vote on amendment legislative proposal may be subjected to a motion for reconsideration by any member that voted on the prevailing side in the original consideration.

**Question No. 2:** How would this proposal change the current process?

**Answer:** This proposal would eliminate any reconsideration of a vote once it has been confirmed by the presiding officer.

**Question No. 3:** Is a proposal considered to have been adopted if it has an equal number of affirmative and negative votes?

**Answer:** No. A proposal must receive a majority of the votes cast to be adopted. Abstentions are not considered "votes cast" and do not impact the count. A tie vote is not a majority of the votes cast and would, therefore, be considered a "negative" vote.