



2018 NCAA Convention Division II Legislative Proposals Question and Answer Guide

(Last Updated: November 29, 2017)

Please note this is the final edition of the 2018 NCAA Convention Division II Legislative Proposals Question and Answer Guide. A hard-copy version of the guide will not be distributed at the Convention in Indianapolis. The delegates should plan accordingly.

DIVISION II LEGISLATIVE PROPOSALS

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Proposal No. 2018-1 (No. 2-1) NCAA Membership – Eligibility for Membership – General – Membership for International Institutions – Institutions Located in Mexico

Question No. 1: What is the current policy regarding international membership in Division II?

Answer: In April 2017, the NCAA Board of Governors established a formal policy regarding international membership in the NCAA, which provides each division the authority and autonomy to determine whether to open its membership to Canadian or Mexican institutions. Currently, Division II permits membership from institutions located in Canada.

Question No. 2: How does this proposal change the legislation regarding international membership?

Answer: This proposal would permit institutions located in Mexico to apply for Division II membership.

Question No. 3: Will institutions located in Mexico follow the same membership process as a domestic institution?

Answer: Yes. Institutions located in Mexico will be required to complete the membership process outlined in NCAA Bylaw 20.2 (Division II membership process), which would include receiving a bona fide invitation for membership from an active Division II conference before applying for membership (see Bylaw 20.2.2.2).

Question No. 4: May any institution located in Mexico apply for Division II membership?

Answer: Any four-year institution located in Mexico may apply for membership. If the proposal is adopted, the NCAA Division II Membership Committee will review each institution's application at its summer in-person meeting and determine if the institution will be invited to enter the membership process and ultimately advance to active Division II status.

Question No. 5: What is the effective date for this proposal?

Answer: The proposal has an immediate effective date to permit institutions located in Mexico to apply to enter the membership process by February 1, 2018.

Question No. 6: Are Divisions I or III considering membership for institutions located in Mexico?

Answer: No.

Question No. 7: Is there an opportunity for an institution located in Mexico to reclassify to Divisions I or III once it has been accepted into the Division II membership process?

Answer: No.

Question No. 8: Will institutions located in Mexico be subject to Title IX regulations?

Answer: No. Title IX is a federal regulation applicable to institutions that are located only in the United States; however, all institutions will be required to complete the NCAA Gender Equity Report.

Question No. 9: Will institutions located in Mexico be extended the same flexibility with accreditation as the Canadian institutions have been given?

Answer: Yes. See NCAA Constitution 3.2.1.1.1 (accreditation standard for international institutions).

Question No. 10: Will institutions be required to travel to and/or compete in Mexico?

Answer: No. However, a conference may have more stringent policies for conference competition.

Question No. 11: Will an institution located in Mexico be permitted to host championship events in Mexico?

Answer: Per current championships policy, institutions outside of the United States or its territories must host championship events in the United States.

Proposal No. 2018-2 (No. 2-2) Ethical Conduct – Sports Wagering Activities – Sanctions – Elimination of Legislated Sanctions

Question No. 1: What is the current rule regarding student-athlete participation in sports wagering activities?

Answer: Student-athletes are prohibited from participating in sports wagering activities or from providing information to individuals involved in or associated with any type of sports wagering activities for sports in which the NCAA conducts championship competition, bowl subdivision football or emerging sports for women.

All sports wagering activity in violation of the rule outlined above constitutes an NCAA violation. Certain types of sports wagering activity result in a minimum penalty mandated by NCAA legislation.

Question No. 2: What types of sports wagering activities trigger the minimum legislated sanctions and what are those current legislated sanctions?

Answer: The current legislated minimum sanctions are set forth in Bylaw 10.3.2 (sanctions). Under Bylaw 10.3.2-(a), a student-athlete who engages in activities designed to influence the outcome of an intercollegiate contest in an effort to affect win-loss margins (i.e., "point shaving"), or who participates in any sport wagering activity involving the student-athlete's institution, permanently loses all remaining regular-season and postseason eligibility in all sports.

Bylaw 10.3.2-(b) states that a student-athlete who participates in any sports wagering activity through the Internet, a bookmaker or a parlay card is ineligible for all regular-season and postseason competition for a minimum period of one year from the date the institution determines that a violation has occurred and shall be charged with the loss of a minimum of one season of competition. Additionally, violations of Bylaw 10.3.2-(b) must be reviewed individually by the NCAA Division II Committee on Student-Athlete Reinstatement to determine if a withholding penalty beyond one year is warranted.

Question No. 3: Does this proposal eliminate the prohibition on sports wagering?

Answer: No. This proposal eliminates the current, legislated minimum sanctions for sports wagering. Sports wagering will remain impermissible under NCAA legislation, but the adoption of this proposal will allow the Committee on Student-Athlete Reinstatement authority to develop appropriate guidelines for review of cases on an individual basis and consider the totality of the circumstances. Further, the existing legislated sanctions will be incorporated into the Committee on Student-Athlete Reinstatement guidelines.

Application of Current Legislation.

Question No. 4: Currently, if a student-athlete participates in sports wagering activity through the Internet, a bookmaker or a parlay card, is the legislated minimum sanction automatically applied?

Answer: Yes. The legislated minimum sanction (i.e., ineligibility for one season and charge one season) is automatically applied. As governed by the Committee on Student-Athlete Reinstatement, a student-athlete may receive a withholding condition greater than the minimum legislated sanction when the circumstances warrant.

Question No. 5: Does an institution currently have an opportunity to appeal a sports wagering sanction on behalf of a student-athlete who has triggered a legislated penalty?

Answer: No appellate opportunity exists for the minimum legislated penalty. An institution can appeal a withholding condition greater than the legislated minimum penalty, but the appellate body (Committee on Student-Athlete Reinstatement) may not issue a withholding condition less than the minimum legislated penalty.

Question No. 6: Does the Committee on Student-Athlete Reinstatement currently have discretion to reduce or waive the legislated sanction for sports wagering violations?

Answer: No. The legislated minimum sanction must be applied to all cases involving sports wagering activity through the Internet, a bookmaker or a parlay card, regardless of the amount wagered (e.g., \$5 or \$500).

Application of Proposed Legislation.

Question No. 7: If this proposal is adopted, will an institution be able to appeal a sports wagering sanction on behalf of a student-athlete?

Answer: Yes. If the proposal is adopted, an institution could appeal a sports wagering sanction to the Committee on Student-Athlete Reinstatement.

Question No. 8: If this proposal is adopted, will each sports wagering violation be evaluated on a case-by-case basis to determine appropriate sanctions?

Answer: Yes. This proposal would eliminate the automatic application of the legislated sanctions, and each case would be evaluated on an individual basis using the guidelines developed by the Committee on Student-Athlete Reinstatement.

Question No. 9: What will happen to the current, legislated sanctions set forth in Bylaw 10.3.2?

Answer: The legislated sanctions will be removed from the legislation and incorporated into the Committee on Student-Athlete Reinstatement guidelines.

Question No. 10: Will this proposal be applied retroactively to violations of the sports wagering legislation?

Answer: No.

Question No. 11: Is the same proposal being considered in Divisions I and III?

Answer: Yes. Bylaw 10.3.2 is a common provision across all three divisions and requires a majority vote of each of the three divisions, voting separately, for adoption or amendment.

Proposal No. 2018-3 (No. 2-3) Awards and Benefits – Awards – Application of Awards Legislation and Types of Awards, Awarding Agencies, Maximum Value and Numbers of Awards – Awards Received For Participation While Not Representing the Institution and Increase In Maximum Values

Proposed Change No. 1: Application of Awards Legislation.

Question No. 1: How does this proposal change the application of awards legislation?

Answer: This proposal would amend the awards legislation by specifying that the limits on awards received by a student-athlete are governed by NCAA legislation if the student-athlete is representing the institution, and by the rules of the amateur organization that governs the competition if the student-athlete is not representing the institution.

Question No. 2: May an amateur organization provide a monetary award in excess of actual and necessary expenses?

Answer: No [see Bylaw 12.1.3-(c)].

Proposed Change No. 2: Increase to Participation Award Limits.

Question No. 1: What are the current award limits for participation awards?

Answer: See Figure 16-1.

Question No. 2: How does this proposal impact the current award limits for participation awards?

Answer: Other than the senior scholar-athlete postgraduate scholarship limit, which would increase by \$100, all other participation award limits would increase by \$50.

Question No. 3: When were the participation award limits last increased in Division II?

Answer: 2006.

Question No. 4: How do the participation award limits in this proposal compare to Divisions I and III?

Answer: The participation award limits would align with the limits in Divisions I and III.

Proposed Change No. 3: Awards for Specialized Performance.

Question No. 1: Would this proposal increase the award limit for a specialized performance in a single contest or during a limited time period (e.g., player of the game, player of the week)?

Answer: No, the limit will remain \$80. However, an award given for a specialized performance will no longer be limited to a certificate, medal or plaque. For example, it would be permissible to award a t-shirt or sweatshirt for a specialized performance.

Question No. 2: Does this proposal change the permissible awarding agencies (e.g., conference or outside organization) for a specialized performance?

Answer: No.

Proposal No. 2018-4 (No. 2-4) Playing and Practice Seasons – Football – Preseason Practice – First Practice Date – Championship Segment

Question No. 1: Under current legislation, when is the first permissible preseason practice date in the championship segment?

Answer: The first permissible preseason practice date is 21 days before the first permissible contest or seven days before the institution's first day of classes, whichever is earlier.

After the adoption of Proposal No. EM-2018-1 (playing and practice seasons -- football -- preseason activities after the five-day acclimatization period -- elimination of multiple on-field practice sessions on the same day),

the NCAA Division II Committee for Legislative Relief provided relief to allow institutions to begin preseason practice for the 2017 football season three days earlier.

Question No. 2: How would this proposal change the preseason practice legislation?

Answer: This proposal would permit institutions to begin preseason practice 24 days before the first permissible contest date or 10 days before the institution's first day of classes, whichever is earlier.

Question No. 3: Would institutions be required to begin preseason practice 24 days before the first permissible contest date or 10 days before the institution's first day of classes?

Answer: No.

Question No. 4: Would this proposal change or eliminate the five-day acclimatization period?

Answer: No.

Question No. 5: Would this proposal change what activities may occur after the five-day acclimatization period?

Answer: No.

Question No. 6: Would this proposal change what activities may occur during the preseason practice period?

Answer: No.

Proposal No. 2018-5 (No. 2-5) Playing and Practice Seasons – Volleyball – First Date of Competition – Championship Segment – Women – Exception – Division II National Championships Fall Festival

Question No. 1: In women's volleyball, when is the current first permissible date of competition in the championship segment?

Answer: The Thursday preceding September 6 (see Bylaw 17.25.2.3).

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

Answer: This proposal would provide an exception in years in which the Division II National Championships Festival occurs in the fall, moving up the first permissible date of competition in the championship segment to the Thursday preceding August 30.

Question No. 3: How does this proposal affect the first permissible practice date for women's volleyball?

Answer: In years in which the Festival occurs in the fall, institutions would be permitted to begin practice one week earlier.

Question No. 4: Will institutions be required to start the playing season one week earlier in Festival years?

Answer: No.

Question No. 5: Would this proposal change the maximum number of dates of competition?

Answer: No.

Question No. 6: When is the next fall Festival?

Answer: November 25 through December 1, 2018.