



# OFFICIAL NOTICE

## 2018 DIVISION III OFFICIAL NOTICE

112th Annual  
Convention January  
17-20, 2018  
Indianapolis, Indiana



THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

P.O. Box 6222  
Indianapolis, Indiana 46206-6222  
317/917-6222  
[www.ncaa.org](http://www.ncaa.org)  
November 2017

**Legislation Prepared By:** Jeff Myers, Director of Academic and Membership Affairs and Chris Brown, Associate Director of Academic and Membership Affairs.

Distributed to directors of athletics, faculty athletics representatives, senior woman administrators, compliance coordinators, chancellors and presidents and conference commissioners.

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## Official Notice 112th Annual Convention

On behalf of the NCAA Board of Governors, the Division I Board of Directors, the Divisions II and III Presidents Councils, the Division I Council and the Divisions II and III Management Councils, we extend a cordial invitation to each NCAA member to be represented at the Association's 112th Annual Convention scheduled January 17 through 20, 2018, in Indianapolis, Indiana.

It is our pleasure to issue this Official Notice of the 2018 NCAA Convention. This publication is sent to the chancellor or president, director of athletics, faculty athletics representative and senior woman administrator at each active NCAA Division III member institution, as well as to the officers of member conferences and provisional member institutions.

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

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

We hope you will arrive in time to join delegates from all divisions at the opening business session Thursday afternoon. The NCAA delegates reception will be held Thursday evening immediately after the opening business session.

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

*G.P. (Bud) Peterson  
President, Georgia Institute of  
Technology  
Chair, NCAA Board of Governors*

*Glen Jones  
President, Henderson State University  
Chair, Division II Presidents Council*

*Eric W. Kaler  
President, University of Minnesota, Twin  
Cities  
Chair, Division I Board of Directors*

*Jeffrey Docking  
President, Adrian College  
Chair, Division III Presidents Council*

November 15, 2017

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## Accrediting of Delegates

Association policy provides that the appointment of accredited and visiting delegates is the responsibility of the chancellor or president of each member institution or organization. **In November 2017, a link to the appointment of delegate website was emailed to the chancellor or president of all member institutions and organizations. The link was also made available on the NCAA website at [www.ncaaconvention.com](http://www.ncaaconvention.com) under the Appointment of Delegate section.**

*It is important that the voting delegate be properly accredited, and this is to urge appointing officers to submit the required information to the NCAA national office at their earliest convenience.*

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

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

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

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

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

At the Convention, each individual representing a member institution or conference who registers will receive a red Convention badge designating the individual as a delegate, except each chancellor and president will receive a badge with a purple color designation signifying his or her professional title. Speakers and presenters for menu sessions will receive badges with a green color designation. Convention vendors will receive badges with a brown color designation. Media will receive badges with a teal color designation. Individuals attending the Convention as a visitor will receive a badge with a grey color designation. [See Appendix G].

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

The Convention registration fee for NCAA members was \$225 for all delegates who registered on or before Wednesday, October 11, and \$350 for all delegates who register by Thursday, November 30. Member registration fees on or after December 1 are \$500.

The registration fee includes one ticket to the Delegates Reception and Delegates Breakfast. In addition, attendees will have the opportunity to receive one complimentary ticket to the Association Luncheon on a first-come, first-served basis and to purchase one ticket to the Honors Celebration for \$20 on a first-come, first-served basis. Available tickets can be reserved during the Convention registration process.

## Meetings and Reservations

A listing of Convention meetings of the NCAA and its affiliated organizations was made available to the membership in mid-September. An online registration process was also made available for event registration and hotel reservations. If there is anything further the NCAA can do to facilitate your attendance at the Association's 2018 Convention, please call upon us.

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

The Convention officially begins when the NCAA Plenary Session: State of College Sports (formerly opening business session) convenes at 4:30 p.m. Thursday, January 18. Adjournment of the Convention has been scheduled for Saturday, January 20.

## Proposed Amendments

The proposed amendments to be considered at the 112th Annual Convention begin on Page No. 1. All amendments, if adopted, become effective as indicated in each proposal.

**It is important that each Division III delegate bring a copy of the Official Notice to the Convention, inasmuch as the Official Notice will be the only publication containing all Convention legislation for the 2018 Convention.**

In accordance with the provisions of NCAA Constitution 5.3, an amendment to the Association's legislation may be proposed by the Division III Presidents Council, the Division III Management Council, 20 active Division III member institutions eligible to vote on the matter or two member conferences. The source is indicated in each proposal. When the Presidents Council or Management Council proposes an amendment originally recommended by a committee, the committee is indicated as well.

Please note that the Presidents Council is authorized to distribute during division or general business sessions information detailing positions on key legislative proposals.

## Amendments-to-Amendments

In Division III, all amendments submitted by the membership in accordance with the July 15 deadline were printed in the Initial Publication of Proposed Legislation, which was provided to the membership via the NCAA website August 15. Sponsors of those proposals were permitted to revise them in any manner until September 15. In the interim, the Division III Presidents Council and Management Council had until September 1 to submit its legislative proposals. All properly sponsored proposals were provided to the membership September 23 in the Second Publication of Proposed Legislation.

The Division III Presidents Council and Management Council, any 20 active Division III member institutions eligible to vote on a given issue or two member conferences had until November 1 to submit amendments to the original proposals, provided the amendment to the amendment did not increase the modification proposed by the original amendment. As a result of that deadline, all amendments-to-amendments are included in this Official Notice with the proposals they are intended to amend. Resolutions also were handled in accordance with those same deadlines and are included in this publication. No additional amendments-to-amendments or resolutions are permitted for the 2018 Convention unless they are sponsored by the Presidents or Management Council and distributed before or during the business session.

### **Withdrawal of Proposal**

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

### **Review of Interpretations**

The Interpretations and Legislation Committee issues interpretations as to the scope, meaning or effect of the constitution and bylaws applicable to Division III. These rulings are subject to review by the Division III membership upon the request of any member in accordance with Constitution 5.4.1.4. Any Division III member to which an interpretation applies may request a review of the interpretation by making such a request in writing to the academic and membership affairs staff or the Association's Convention office before 1 p.m. on the day preceding the Division III business session of the Convention (Friday, January 19).

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

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

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

The Management Council is authorized to adopt, in the interim between annual Conventions, noncontroversial legislative amendments that are necessary to promote the normal and orderly administration of the Association's legislation, per Constitution 4.8.3-(d) and 5.3.1.1.1. That authorization requires a three-fourths majority vote of the Management Council. The Management Council then submits to the next annual Division III business session the amendments that have been adopted under its authorization. The noncontroversial amendments adopted by the Management Council in 2017 appear in Appendix B. Approval of the Official Convention Notice during the Division III business session constitutes ratification of these amendments.



## **Modifications of Wording Adopted by the Presidents and Management Councils**

The Management Council is authorized to adopt, in the interim between annual Conventions, proposals that are consistent with the intent of the membership in adopting the original legislation when sufficient documentation and testimony exist to establish clearly that the original wording of the legislation was inconsistent with that intent, per Constitution 5.4.1.1.1. That authorization requires a two-thirds majority vote of the Management Council. The Management Council then submits to the next annual Division III business session the amendments that have been adopted under this authorization. The modifications adopted by the Management Council in 2017 appear in Appendix C. Approval of the Official Convention Notice during the Division III business session constitutes ratification of these actions.

## **Order of Business**

The NCAA Plenary Session: State of College Sports (formerly Opening Business Session) of the 112th Annual Convention will begin at 4:30 p.m. Thursday, January 18. The "State of the Association" address by the NCAA president will be presented orally during that general session.

At the Division III business session the various proposals will be taken up in their numerical order, unless that order is changed at the Convention. All proposals are designated for a roll-call vote. The provisions of Constitution 5.1.4.3.3 specify that federated legislation pertaining to a single division or more than a single division of the Association may be acted upon by the appropriate divisions during the separate division business sessions.

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

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

## **Voting Procedures**

Methods of voting shall be in accordance with Constitution 5.1.4.4. Each voting delegate, when registering, receives a "voting paddle" for use in indicating the institution's vote when the chair calls for a "paddle" vote. Voting delegates receive paddles of different colors to indicate their division status. Voting paddles for those with special voting circumstances are marked as set forth in Appendix G.

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

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

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

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

*Delegates are urged to register and receive their voting materials before the NCAA Plenary Session: State of College Sports (formerly opening business session) begins at 4:30 p.m. Thursday, January 18. In addition, all voting in the division business sessions shall be by show of paddles or by electronic roll-call votes, rather than by voice or hand.*

## **Memorial Resolutions**

At the time of the annual Convention, members of the Association honor by memorial resolution those persons closely associated with intercollegiate athletics who passed away during the year. It is requested that the names of persons to be honored in this manner be submitted to the NCAA, P.O. Box 6222, Indianapolis, Indiana 46206-6222.

## **Administrative Structure**

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

## **Request for Interpretations**

Division III member institutions and conferences are encouraged to request interpretations of the proposed legislation in this Official Notice in advance of the Convention. Information about requesting an interpretation appears in Appendix I.

All such requests must be received in the national office not later than Friday, December 1, 2017. Requests will be considered by the Interpretations and Legislation Committee and the decisions will be reviewed by the Division III Management Council in its pre-Convention meeting Wednesday, January 17. The resulting interpretations will be duplicated and distributed to the conferences for their pre-Convention meetings before the beginning of the business session Saturday, January 20.

**TOPICAL GROUPINGS OF PROPOSED  
AMENDMENTS 112th ANNUAL CONVENTION**

*Proposal Number    General Topic*

1 through 9	Division III Legislative Proposals
1 through 5	Presidents Council Grouping
6 through 9	General Grouping

# 112th Annual Convention

## LEGISLATIVE PROPOSALS SUBMITTED BY THE MEMBERSHIP

[Note: In the following proposals:

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

### DIVISION III LEGISLATIVE PROPOSALS

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

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

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

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## Presidents Council Grouping

### No. 2018-1 (2-1) ELIGIBILITY -- ACADEMIC MISCONDUCT AND IMPERMISSIBLE ACADEMIC ASSISTANCE

**Intent:** To define pre-enrollment and post-enrollment academic misconduct; clarify the individuals and activities to which the legislation applies; and clarify when an institution must report an academic misconduct violation. Specifically, academic misconduct as an NCAA violation is primarily conditioned first on a finding by the institution that its own policies have been violated, and then if the institutional violation involved any of the following: (1) an institutional staff member or athletics representative along with a student athlete; (2) an erroneous declaration of eligibility; or (3) an alteration of a transcript or academic record (alteration by an institutional staff member would constitute academic misconduct regardless if it violated the institution's policies). Further, if an institution's policies were not violated and academic misconduct was not found, then establish an impermissible academic assistance analysis in lieu of an extra benefit analysis.

**A. Bylaws:** Amend 10.1, as follows:

[Roll Call]

10.1 Unethical Conduct. Unethical conduct by a prospective or enrolled student-athlete or a current or former institutional staff member, which includes any individual who performs work for the institution or the athletics department even if he or she does not receive compensation for such work, may include, but is not limited to, the following:

[10.1-(a) unchanged.]

~~(b) Knowing involvement in arranging for fraudulent academic credit or false transcripts for a prospective or an enrolled student athlete;~~

[10.1-(c) through 10.1-(f) relettered as 10.1-(b) through 10.1-(e), unchanged.]

~~(g) Failure to provide complete and accurate information to the NCAA, the NCAA Eligibility Center or an institution's admissions office regarding an individual's academic record (e.g., schools attended, completion of coursework, grades and test scores);~~

~~(h) Fraudulence or misconduct in connection with entrance or placement examinations;~~

[10.1-(i) through 10.1-(j) relettered as 10.1-(f) through 10.1-(g), unchanged.]

**B. Bylaws:** Amend 14.1.2, as follows:

[Roll Call]

14.1.2 Validity of Academic Credentials. As a condition and obligation of membership, **an institution is responsible for determining the validity of a student-athlete's academic record** ~~it is the responsibility of a member institution to determine the validity of the information on which the eligibility of a student athlete is based. Therefore, it is the responsibility of a member institution to determine whether a transcript is valid for purposes of applying appropriate NCAA legislation to the eligibility of a student athlete when the institution receives notification, or otherwise has cause to believe, that a student athlete's high school, preparatory school or two-year college transcript is not valid.~~

14.1.2.1 Academic Misconduct - Pre-Enrollment A prospective student-athlete, student-athlete, a current or former institutional sta member (see bylaw 14.9.1), or a representative of an institution's athletics interest, shall not:

- (a) Arrange for a false or inaccurate academic record (e.g., courses, grades, credits, transcripts, test scores) for a prospective student-athlete; or
- (b) Provide false, inaccurate or incomplete information to the NCAA or institution regarding a prospective student-athlete's academic record.

C. Bylaws: Amend 14.9, as follows:

[Roll Call]

14.9 Post-Enrollment Academic Misconduct and Impermissible Academic Assistance. All institutional sta members and student-athletes are expected to act with honesty and integrity in all academic matters.

14.9.1 Institutional Staff Member - Defined For purposes of Bylaw 14.9, an institutional sta member is any individual, excluding a student employee, who performs work for the institution or the athletics department, regardless of whether he or she receives compensation for such work.

14.9.1.1 Student Employee. For purposes of Bylaw 14.9, a student employee is an institutional sta member if:

- (a) He or she has institutional responsibilities to provide academic services to student-athletes; or
- (b) He or she engages in academic misconduct or provides impermissible academic assistance at the direction of a nonstudent employee, an institutional sta member per Bylaw 14.9.1.1-(a) or a representative of the institution's athletics interests.

14.9.2 Academic Misconduct – Post Enrollment.

(a) Conduct Violating Institutional Policy. A student-athlete, a current or former institutional sta member, or a representative of an institution's athletics interest shall not engage in any conduct constituting a violation or breach (as determined by the institution) of an institutional policy regarding academic honesty or integrity (e.g., academic oense, academic honor code violation, plagiarism, academic fraud) under any of the following circumstances:

- (1) The conduct involves a student-athlete and either a current or former institutional sta member or representative of an institution's athletics interests;
- (2) The conduct results in an erroneous declaration of eligibility to participate in intercollegiate athletics and the student-athlete subsequently competes for the institution while ineligible; or
- (3) The conduct involves the alteration or falsification of a student-athlete's transcript or academic record.

**(b) Other Conduct. A current or former institutional sta member, or a representative of an institution's athletics interest shall not alter or falsify a student-athlete's transcript or academic record regardless if the alteration or falsification constitutes a breach of an institutional policy regarding academic integrity (e.g., academic oense, academic honor code violation, plagiarism, academic fraud).**

**14.9.3 Impermissible Academic Assistance. A current or former institutional sta member or a representative of an institution's athletics interests shall not provide the following:**

**(a) Substantial assistance that is not generally available to an institution's students and is not otherwise expressly authorized in Bylaw 16.3, which results in the certification of a student-athlete's eligibility to participate in intercollegiate athletics; or**

**(b) An academic exception that results in a grade change, academic credit or fulfillment of a graduation requirement when such an exception is not generally available to the institution's students and the exception results in the certification of a student-athlete's eligibility to participate in intercollegiate athletics.**

**14.9.3.1 Application. If an institution determines, pursuant to its policies and procedures, that academic misconduct has occurred, a violation of Bylaw 14.9.3 shall not be cited by the institution or through an enforcement investigation. If an institution determines, pursuant to its policies and procedures, that academic misconduct has not occurred, the conduct in question may still constitute a violation of Bylaw 14.9.3.**

**14.9.4 Policies and Procedures. An institution shall:**

**(a) Have written institutional policies and procedures regarding academic misconduct applicable to the general student-body, including student-athletes. The policies and procedures must be approved through the institution's normal process for approving such policies and must be kept on file or be accessible on the institution's website.**

**(b) Investigate and adjudicate alleged academic misconduct in accordance with established policies regardless of whether the misconduct is reported to the NCAA or whether the student-athlete acted alone or in concert with others.**

**14.9.4.1 Exception. An institution may establish a policy that permits an expedited investigation and adjudication of academic misconduct by a student-athlete, provided other applicable policies and procedures are observed and the policy for expedited review is approved through the institution's normal process for approving such policies and is approved by the institution's president or chancellor (or his or her designee). Further, the policy that permits an expedited review must be kept on file or must be accessible on the institution's website.**

[14.9 through 14.12 renumbered as 14.10 through 14.13, unchanged.]

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

**Effective Date:** August 1, 2018



**Rationale:** The current regulatory structure regarding academic misconduct is confusing, unclear and imprecise and appropriate revisions to the academic misconduct legislation will serve to benefit individual institutions and the Association as a whole. Despite changes in the academic landscape, academic misconduct legislation has not been revised since 1983 when the legislation was added to the Manual. Under the current regulatory structure, it can be unclear when academic misconduct involving student-athletes falls within the purview of the NCAA and when academic misconduct should be an institutional matter. Current terms, definitions and gaps in the academic misconduct legislation result in confusion and lack of clarity. The regulatory structure for academic misconduct is currently located in bylaws, interpretations and educational columns and should be consolidated in a single article (Bylaw 14). This proposal will expand the application of academic misconduct legislation to any situation in which an institutional staff member is involved and replaces the current academic extra benefit analysis with a specific and limited definition of impermissible academic assistance. In addition, the proposal will require institutional policies and procedures regarding academic misconduct for the general student body.

**Budget Impact:** None

No. 2018-2 (2-2) ETHICAL CONDUCT -- SPORTS WAGERING ACTIVITIES -- SANCTIONS -- ELIMINATION OF LEGISLATED SANCTIONS

**Intent:** To eliminate the legislated penalty for sports wagering activities.

**Bylaws:** Amend 10.3, as follows:

[Roll Call]

[Common provision, all divisions, divided vote]

10.3 Sports Wagering Activities. The following individuals shall not knowingly participate in sports wagering activities or provide information to individuals involved in or associated with any type of sports wagering activities concerning intercollegiate, amateur or professional athletics competition:

[10.3-(a) through 10.3-(d) unchanged.]

[10.3.1 unchanged.]

~~10.3.2 Sanctions. The following sanctions for violations of Bylaw 10.3 shall apply:~~

~~(a) A student athlete who engages in activities designed to influence the outcome of an intercollegiate contest or in an effort to affect win-loss margins ("point shaving") or who participates in any sports wagering activity involving the student athlete's institution shall permanently lose all remaining regular season and postseason eligibility in all sports.~~

~~(b) A student athlete who participates in any sports wagering activity, through the Internet, a bookmaker or a parlay card, shall be ineligible for all regular season and postseason competition for a minimum period of one year from the date of the institution's determination that a violation has occurred and shall be charged with a loss of a minimum of one season of eligibility. If the student athlete is later determined to have been involved in a later violation of any portion of Bylaw 10.3, the student athlete shall permanently lose all remaining regular season and postseason eligibility in all sports.~~

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

**Effective Date:** Immediate

**Rationale:** The student-athlete reinstatement process offers the opportunity for the NCAA Division III Committee on Student-Athlete Reinstatement and NCAA student-athlete reinstatement staff to review cases on an individual basis and consider the totality of the circumstances. For violations that trigger the legislated sports-wagering sanctions, the minimum penalty is automatic and cannot be appealed. To promote increased fairness, it is important to conduct a case-by-case review of these sports-wagering violations and also provide for an appellate opportunity. Further, if the proposal is adopted, the legislated sanctions will be incorporated into the Division III Committee on Student-Athlete Reinstatement guidelines, which would recognize the Association's continued emphasis on the severity of sports-wagering violations. Note: Bylaw 10.3.2 is a common provision across NCAA Divisions I, II and III.

**Budget Impact:** None.

No. 2018-3 (2-9) DIVISION III COMMITTEES -- ELIGIBILITY OF MEMBERSHIP -- STUDENT-ATHLETE ADVISORY COMMITTEE -- CHANGE IN COMPOSITION

**Intent:** Allow for each conference and the group of independents to have a representative on National SAAC.

**Bylaws:** Amend 21.9.5.10.1, as follows:

[Roll Call]

21.9.5.10 Student-Athlete Advisory Committee.

21.9.5.10.1 Composition. The Student-Athlete Advisory Committee shall consist of:

- (a) One student-athlete from **the group of independent institutions and one student-athlete from each of the Division III multisport voting conferences** ~~*unit represented in the Division III Student Athlete Advisory Committee partnership program. A unit shall consist of two partnered conferences. Independent institutions shall collectively be represented as one additional unit. If there is an odd number of Division III conferences, the unpaired conference and all independent institutions shall collectively be represented as one additional unit;*~~ and

[21.9.5.10.1-(b) unchanged.]

[21.9.5.10.2 through 21.9.5.10.4 unchanged.]

**Source:** Allegheny Mountain Collegiate Conference, Great Northeast Athletic Conference and State University of New York Athletic Conference.

**Effective Date:** August 1, 2018

**Rationale:** Currently, conferences share the National SAAC representative on an alternating basis; however, with the growth and emphasis on student athlete input, it is imperative that the interests of student athletes within a conference are represented at the national level. By sharing the National SAAC representative with another conference, the interests of the student athletes are not always served. For example, the SUNYAC currently shares its National SAAC Representative with the Empire 8. The conferences are completely different with

the SUNYAC comprised of state universities and the Empire 8 comprised of private institutions.

**Budget Impact:** Approximately \$115,000 to account for the increase of approximately 20-23 student-athletes for attendance at three in-person meetings and attendance at the NCAA convention.

**Position Statement(s):** *Presidents Council, Management Council, Nominating Committee:* The Division III Presidents Council, Management Council and Nominating Committee oppose this proposal. A 44-person committee is inherently unmanageable and inefficient, and will create a significantly different experience among committee members regarding opportunities to represent SAAC on other NCAA committees. Further, SAAC representatives, like members of all committees, should focus on the best interests of Division III, as opposed to the best interests of their specific conferences. Changing this dynamic by requiring a member from each conference could have negative implications for the concept of representative governance in our committee structure. Finally, the potential benefits of the proposal do not justify its significant financial impact.

No. 2018-3-1 DIVISION III COMMITTEES -- ELIGIBILITY OF MEMBERSHIP -- STUDENT-ATHLETE ADVISORY COMMITTEE -- PARTNER CONFERENCE STUDENT-ATHLETE ADVISORY COMMITTEE LIAISON

**Intent:** To create a Partner Conference Student-Athlete Advisory Committee Liaison structure, as opposed to increasing the size of the Student-Athlete Advisory Committee.

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

[Roll Call]

21.9.5.10 Student-Athlete Advisory Committee.

21.9.5.10.1 Composition. The Student-Athlete Advisory Committee shall consist of:

- (a) One student-athlete from ~~the group of independent institutions and one student athlete from each of the Division III multisport voting conferences~~ **unit represented in the Division III Student-Athlete Advisory Committee partnership program. A unit shall consist of two partnered conferences. Independent institutions shall collectively be represented as one additional unit. If there is an odd number of Division III conferences, the unpaired conference and all independent institutions shall collectively be represented as one additional unit;** and

[21.9.5.10.1-(b) unchanged.]

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

[21.9.5.10.2 through 21.9.5.10.4 unchanged.]

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

**Effective Date:** August 1, 2018

**Rationale:** A committee with over 40 members will be inefficient. This amendment will retain the efficiency and effectiveness of the current SAAC while addressing the relevant communication and representation concerns set forth by the sponsors of the related proposal. It also avoids the excessive cost (\$115,000) associated with that proposal.

**Budget Impact:** \$20,000 which represents the cost for all Partner Conference Student-Athlete Advisory Committee Liaisons to attend the July Student-Athlete Advisory Committee meeting. Conferences or institutions may pay for the liaison to attend the NCAA annual convention and are permitted to utilize conference grant dollars to do so.

No. 2018-4 (2-4) ELIGIBILITY -- GRADUATE AND POSTBACCALAUREATE ELIGIBILITY -- STUDENTS GRADUATING FROM DIVISION III INSTITUTIONS

**Intent:** To permit a student that has graduated from an NCAA Division III institution to participate in intercollegiate athletics at the Division III institution of his or her choice provided: (1) The student is enrolled and seeking a second baccalaureate or graduate degree; (2) The student has eligibility remaining (i.e., seasons of participation); and (3) The participation occurs within the applicable 10-semester/15-quarter period set for in Bylaw 14.2.

**Bylaws:** Amend 14.1.9, as follows:

[Roll Call]

14.1.9 Graduate Student/Postbaccalaureate Participation. ~~A student-athlete who is enrolled in a graduate or professional school of the institution he or she most recently attended as an undergraduate (regardless of whether the individual has received a U.S. baccalaureate degree or its equivalent), a student-athlete who is enrolled and seeking a second baccalaureate or equivalent degree at the same institution, or a student-athlete who has graduated and is continuing as a full-time student at the same institution while taking course work that would lead to the equivalent of another major or degree as defined and documented by the institution, may participate in intercollegiate athletics, provided the student has eligibility remaining and such participation occurs within the applicable 10-semester/15-quarter period set forth in Bylaw 14.2 (see Bylaw 14.1.8.1.6.2).~~ **who has graduated from an NCAA Division III institution may participate as a graduate or postbaccalaureate student at the Division III institution he or she most recently attended as an undergraduate or another Division III institution, provided:**

**(a) The student is enrolled and seeking a second baccalaureate or graduate degree;**

**(b) The student has eligibility remaining; and**

**(c) The student's participation occurs within the applicable 10-semester/15-quarter period set forth in Bylaw 14.2.**

[14.1.9.1 unchanged.]

**Source:** NCAA Division III Presidents Council [Management Council, (Subcommittee for Legislative Relief)].

**Effective Date:** Immediate

**Rationale:** Current legislation permits a graduate or postbaccalaureate student to participate only at the institution from which the student-athlete received his or her undergraduate degree. Allowing Division III students with eligibility remaining to continue participation at a Division III institution following completion of a baccalaureate degree allows those students to make academic and athletic choices that are in their best interests. Because these are Division III students, there is not the concern of student-athletes taking advantage of a redshirt year to participate at Division III institutions and thereby diluting the philosophical tenet that promotes athletic participation as primarily a four-year, undergraduate experience. This proposal is also consistent with the Division III membership's feedback from the 2017 NCAA Convention regarding NCAA Division III Proposal 2017-2. Finally, the current waiver conditions for graduate participation would continue to apply for all students that did not attend a Division III institution.

**Budget Impact:** None

No. 2018-5 (2-7) PLAYING AND PRACTICE SEASONS -- FOOTBALL --  
ESTABLISHING PRESEASON START DATE 25 DAYS FROM  
FIRST PERMISSIBLE SATURDAY CONTEST

**Intent:** To amend the football preseason legislation as follows: (1) The first permissible practice date shall be 25 days before the first permissible Saturday contest date (regardless of the institution's actual first contest date). Expenses may not be provided before this date; (2) A day off shall be provided during the first six days of preseason which includes the five-day acclimatization period; (3) A day off shall be provided during each remaining week of the preseason practice period (prior to the week of the first contest); (4) On-field activity (a practice session and a walk-through session) shall be limited to a combined total of four hours in length per day with a practice session not to exceed three hours; and (5) Footballs may be used during walk-through sessions following the five-day acclimatization period.

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

[Roll Call]

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

(a) Week. A week shall be defined by the institution as any consecutive seven-day period, regardless of the day on which the seven-day period begins. The playing season, or its segments (or periods in golf, rowing and tennis), shall consist of consecutive weeks. Practice or competition during any part of a week shall be counted as a full week (e.g., practice or competition during nine weeks and one day shall be counted as 10 weeks). An institution may not redefine its week except in the following circumstances:

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

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

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

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

(d) Final-Examination Periods.

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

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

**(e) Preseason Football In football, the institution may redefine its week after the acclimatization period or at the conclusion of the preseason practice period but not both.**

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

**(f g)** Equipment Issue, Team Pictures.

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

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

**B. Bylaws:** Amend 17.10, as follows:

[Roll Call]

17.10.2 Preseason Practice. **Preseason practice shall start with the acclimatization period and conclude with the start of the week of the first intercollegiate contest as follows:**

- (a) Acclimatization Period (See Bylaw 17.10.2.4). Six days consisting of five days of acclimatization activity and a day off from physical athletically related activity.
- (b) Preseason Activities After Acclimatization Period. The days between the acclimatization period and the week of the first intercollegiate contest (See Bylaw 17.10.2.5). All physical athletically related activity shall be prohibited during one calendar day per defined week when classes are not in session for any portion of the week (See Bylaw 17.1.4.1 for day off requirements when classes are in session).
- (c) End of Preseason. Preseason concludes with the start of the week of the first intercollegiate contest (Bylaw 17.10.2.2).

17.10.2.1 Physical Athletically Related Activity. Any on-field activity, weight training or conditioning. Community service, film review, leadership training, team building, team meetings and other similar activities shall not be considered physical athletically related activities.

17.10.2.2 Week of the First Intercollegiate Contest. The institution's defined week that includes the first regular season contest (excluding scrimmages, exhibitions or joint practices). The institution may redefine its week at the conclusion of the preseason practice period or the acclimatization period, but not both.

17.10.2.3 First Practice Date. A member institution shall not commence official preseason football practice sessions nor provide any expenses for the varsity, junior varsity or freshmen team prior to 25 days before the first permissible Saturday contest date (see Bylaw 17.10.3) regardless of the institution's actual first contest date.

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

- (a) Institutions may not conduct conditioning, speed, strength or agility tests before the start of the ~~five-day~~ acclimatization period.
- (b) Institutions are permitted to conduct weight training activities during the ~~five-day~~ acclimatization period without counting those activities toward the maximum hour limitations for on-field practices; however, weight training activities may not be conducted during the required three hours of continuous recovery time between any sessions nor during the day off of physical athletically related activity.
- (c) During the first day of ~~the five-day~~ acclimatization ~~period~~ activity, an institution may conduct either:
  - (1) ~~One on-field practice, not to exceed three hours in length. The institution may also conduct a one-hour walk-through session. One on-field practice and a walk-through session. These activities shall be limited to a combined total of four hours per day with~~

**the practice session not to exceed three hours.** No protective equipment (e.g., helmet, shoulder pads) may be worn, no equipment related to football (e.g., football, blocking sled) may be used and conditioning activities may not occur during the walk-through session. Student-athletes must be provided with at least three hours of continuous recovery time between any sessions (e.g., on-field practice, **weight training** or walk-through). During the recovery time, student-athletes may not attend any meetings or engage in other athletically related activities (~~e.g., weight lifting~~); however, time spent receiving medical treatment and eating meals may be included as part of the recovery time; or

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

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



- (a) Following the ~~five-day~~ **acclimatization** period, student-athletes may practice in full pads. ~~However, an institution may not conduct multiple on-field practice sessions on the same day,~~
- (b) Student-athletes shall not engage in more than ~~three hours of on-field practice activities per day~~ **one on-field practice and a walk-through session per day. These activities shall be limited to a combined total of four hours per day with the practice session not to exceed three hours. No protective equipment (e.g., helmets, shoulder pads) may be worn, no equipment related to football (e.g., blocking sleds) may be used and conditioning activities may not occur during the walk-through session. Following the acclimatization period, an institution may use a football during the walk-through session. Student-athletes must be provided with at least three hours of continuous recovery time between any session (e.g., on-field practice, weight training or walk-through). During this time, student-athletes may not attend any meetings or engage in other athletically related activities; however time spent receiving medical treatment and eating meals may be included as part of the recovery time;**
- (c) All physical athletically related activity (See Bylaw 17.10.2.1) shall be prohibited during one calendar day per defined week when classes are not in session for any portion of the week (See Bylaw 17.1.4.1 for day off requirements when classes are in session).**

~~17.10.2.35.1 Exception—Walk-Through Sessions: During the preseason practice period only, on-field walk-through sessions are not considered an on-field activity under Bylaw 17.10.2.3, provided protective equipment (e.g., helmets, shoulder pads) is not worn, equipment related to football (e.g., footballs, blocking sleds) is not used and conditioning activities do not occur. Walk-through sessions shall be limited to one hour in length. Student athletes must be provided with at least three hours of continuous recovery time between an on-field practice session and a walk-through. During this time, student athletes may not attend any meetings or engage in other athletically related activities (e.g. weightlifting); however time spent receiving medical treatment and eating meals may be included as part of the recovery time.~~

~~17.10.23.4 First Practice Date. A member institution shall not commence official preseason football practice sessions for the varsity, junior varsity or freshman team before the date that will permit a maximum of 25 practice opportunities (see Bylaw 17.10.2.1.1) before its first scheduled intercollegiate game or before the Friday after the institution's first contest (game) if the first contest is scheduled for a Thursday.~~

~~17.10.23.1.4 Practice Opportunities—Football. In football only, to establish the starting date for preseason practice, the institution shall count one practice opportunity for each day beginning with the opening day of classes and one practice opportunity for each day classes are not in session in the week of the first scheduled intercollegiate contest (see Bylaw 17.10.3). Next, the institution shall count practice opportunities on an alternating basis in a two-one-two-one format (i.e., the first of the remaining days is counted as two, the next day is counted as one, the next as two, etc.) up to and including the 20th opportunity. Finally, the institution shall count one practice opportunity for each of the five days before the day of the 20th opportunity. The institution shall not count any days during the preseason~~

~~when all institutional dormitories are closed, the institution's team must leave campus and practice is not conducted.~~

~~17.10.23.1.1.4 Sunday. Sundays before the institution's opening day of classes are included in the counting. Sundays after the institution's opening day of classes are excluded from the counting.~~

~~17.10.23.1.12.2 Week. The "week" of the first scheduled intercollegiate contest is defined as the six days, including or excluding Sunday pursuant to Bylaw 17.10.2.1.1.1, before the first contest (or before Friday if the first contest is on a Thursday, see Bylaw 17.10.3) even if one or more of the days fall into different traditional calendar weeks.~~

~~17.10.23.1.43.3 Opening Day of Classes. The "opening day of classes" is defined as the first day of classes as listed in the institution's official catalog. Required freshman orientation is not considered to be the opening day of classes for the academic year.~~

[17.10.3 renumbered as 17.10.4, unchanged.]

**Source:** NCAA Division III Presidents Council [Management Council (Playing and Practice Seasons Subcommittee)].

**Effective Date:** August 1, 2018

**Rationale:** The Interassociation Consensus Recommendations on Year-Round Football Practice Contact for College Student-Athletes "recommendations" included the discontinuation of two-a-day practices. The Division III Management Council adopted noncontroversial legislation to eliminate multiple on-field contact practices on the same day. The noncontroversial legislation, resulted in an inequitable start date formula and lost practice opportunities. This proposal seeks to provide equitable and sufficient practice opportunities for all football sponsoring institutions. Institutions would count back 25 days from the first contest date to determine the first permissible practice date. These 25 days would include any administrative days. The framework allows institutions to participate in up to 22 practice days while still providing student-athletes with a day off each week. Further, the proposal would allow up to four hours of on-field sessions which includes practices and walk through sessions. Currently, walk through sessions are limited to one hour but could be increased if the practice session is less than three hours. Finally, the proposal allows the use of footballs during the preseason, following the five-day acclimatization period. This proposal provides flexibility for institutions to implement the recommendations while providing a framework to ensure their student-athletes are adequately prepared for competition.

**Budget Impact:** Will vary based on squad size and housing/board costs.

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## General Grouping

### No. 2018-6 (2-5) PLAYING AND PRACTICE SEASONS -- ANNUAL CONTEST EXEMPTIONS -- ALUMNI CONTEST

**Intent:** To permit the stand-alone annual exemption of one alumni contest per sport during any segment/period, with the exception of football.

**Bylaws:** Amend 17.1.4.5, as follows:

[Roll Call]

#### 17.1.4.5 Standard Contest or Date of Competition Exemptions.

17.1.4.5.1 Annual Exemptions. The maximum number of contests or dates of competition during the traditional segment shall exclude the following (see Figure 17-1):

- (a) Conference Championship. Competition in one conference championship tournament (or the tournament used to determine the conference's automatic entry in the NCAA championship);
- (b) Season-Ending Tournament. Competition in one season-ending tournament (e.g., NCAA championship, NAIA championship, NCCAA championship). A season-ending tournament is one that involves competition after the end of the regular season between teams that are not identified until the close of that regular season; and
- (c) Exhibitions, Scrimmages or Joint Practices. Competition in up to two exhibitions, scrimmages or joint practices against any opponent (see Bylaw 13.11.2.2 for competition against prospective student-athletes).

**(d) Alumni Contest. An institution may exempt one contest or date of competition each year with an alumni team of the institution during any segment/period in all sports with the exception of football.**

~~17.1.4.5.1.1 Exception—Alumni Contest. An institution may exempt one contest or date of competition each year with an alumni team of the institution during any segment/period provided it is counted as one of the two exempted exhibitions, scrimmages or joint practices [see Bylaw 17.1.4.5.1.1 (e)].~~

[17.1.4.5.2 through 17.1.4.5.3 unchanged.]

**Source:** Allegheny Mountain Collegiate Conference, Great Northeast Athletic Conference, Little East Conference, Michigan Intercol. Ath. Assn., Middle Atlantic Conferences, and Ohio Athletic Conference.

**Effective Date:** August 1, 2018

**Rationale:** Proposal 2017-4 served to standardize the annual contest and date of competition exemptions. However, we believe the legislation went too far by eliminating the alumni contest as a stand-alone exemption. This proposal restores the alumni contest exemption as it existed in all sports that had them prior to the passage of Proposal 2017-4. Alumni contests are events that serve a distinctly different purpose than preseason scrimmages and exhibition games against organized teams (e.g., Division III member squads, foreign club teams), which are intended to prepare a team for regular season competition. Alumni contests are friendly competitions that are intended to build or maintain good will among

former players and current student-athletes and to keep them connected with the institution through a friendly athletic activity. Often times these will occur in the non-traditional season or vacation periods. By standardizing an alumni game exemption separate and distinct from the preseason scrimmage/exhibition/joint practice exemptions, this legislation will more logically reflect the inherent difference between these two types of athletic activities and allow them to more properly meet their intended purposes.

**Budget Impact:** None

**Position Statement(s):** *Management Council:* The Division III Management Council took no position on the proposal.

No. 2018-7 (2-6) PLAYING AND PRACTICE SEASONS -- BASKETBALL -- FIRST PERMISSIBLE CONTEST -- NOVEMBER 8TH

**Intent:** In basketball, to establish the first permissible contest date as November 8. When November 8 falls on a Saturday, Sunday or Monday, a member institution may play its first contest on the Friday immediately preceding November 8.

**Bylaws:** Amend 17.3.3, as follows:

[Roll Call]

17.3.3 First Contest. A member institution shall not play its first contest (games, scrimmages and exhibitions) against outside competition in basketball before November ~~45~~ **8**, except as provided under Bylaw 17.3.3.1. When November ~~45~~ **8** falls on a Saturday, Sunday or Monday, a member institution may play its first contest on the Friday immediately preceding November ~~45~~ **8**.

[17.3.3.1 unchanged.]

**Source:** Minnesota Intercollegiate Athletic Conference and State University of New York Athletic Conference.

**Effective Date:** August 1, 2018

**Rationale:** This proposal establishes an earlier first contest date in basketball, which would allow for more balance in institutions' schedules. More game dates would be allowed in the first semester, which could create fewer contests in the second semester and a better balance between semesters. This proposal would establish a set first contest date that shortens the month-long preseason by one week. The proposal does not extend the 19 week playing and practice season, but allows for programs to better distribute weeks for practice and/or contests.

**Budget Impact:** None

**Position Statement(s):** *Management Council and Playing and Practice Seasons Subcommittee:* The Division III Management Council and Playing and Practice Seasons Subcommittee support this proposal. The proposed change offers flexibility in scheduling, the potential to provide student-athletes with additional time off during winter break and possibly a more balanced schedule between semesters.

No. 2018-8 (2-8) PLAYING AND PRACTICE SEASONS -- ICE HOCKEY -- FIRST PERMISSIBLE ON-ICE PRACTICE DATE -- SECOND MONDAY IN OCTOBER

**Intent:** In ice hockey, to establish the first permissible on ice practice date as the second Monday in October.

**A. Bylaws:** Amend 17.13.2, as follows:

[Roll Call]

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

[17.13.2.1 unchanged.]

**B. Bylaws:** Amend 17.13.3, as follows:

[Roll Call]

17.13.3 First Contest. A member institution shall not play its first contest (game, exhibition or scrimmage) against outside competition in ice hockey before the ~~second~~ third Friday following the first permissible practice date, except as provided under Bylaw 17.13.3.2.

[17.13.3.1 through 17.13.3.2 unchanged.]

**Source:** Middle Atlantic Conferences and Minnesota Intercollegiate Athletic Conference.

**Effective Date:** August 1, 2018

**Rationale:** This proposal establishes an earlier first on-ice practice date in ice hockey. The additional on-ice practices will allow student-athletes and teams to properly prepare for contests from a health and safety standpoint. Currently, teams have 10 on-ice days to prepare for a season during the academic year. This proposal will help ensure the safety of the student-athletes during pre-season training sessions. This proposal does not change the 19-week allowance, but allows for teams to better use their weeks to prepare student-athletes.

**Budget Impact:** None

**Position Statement(s):** *Management Council and Playing and Practice Seasons Subcommittee:* The Division III Management Council and Playing and Practice Seasons Subcommittee support this proposal, as it provides additional on-ice practice opportunities without lengthening the playing season.

No. 2018-9 (2-3) AMATEURISM -- PROMOTIONAL ACTIVITIES -- INSTITUTIONAL, CHARITABLE, EDUCATIONAL OR NONPROFIT PROMOTIONS -- EDUCATIONAL REQUIREMENT

**Intent:** To amend the promotional activities legislation by requiring institutions to provide educational material in lieu of obtaining a release statement from the authorized representative of the charitable, educational, nonprofit or government agency confirming the student-athlete's name, image or appearance will be used in a manner consistent with Bylaw 12 regulations.

**Bylaws:** Amend 12.5.1.1, as follows:

[Roll Call]

12.5.1.1 Institutional, Charitable, Educational or Nonprofit Promotions. A member institution or recognized entity thereof (e.g., fraternity, sorority or student government organization), a member conference or a noninstitutional charitable, educational or nonprofit agency may use a student-athlete's name, picture or appearance to support its charitable or educational activities or to support activities considered incidental to

the student-athlete's participation in intercollegiate athletics, provided the following conditions are met:

- (a) The student-athlete receives written approval to participate from the institution's president or chancellor (or designee), subject to the limitations on participants in such activities as set forth in Bylaw 17;
- (b) The specific activity or project in which the student-athlete participates does not involve cosponsorship, advertisement or promotion by a commercial agency, except as follows:
  - (1) Identification (e.g., graphics, voice over, on-screen text) of the commercial entity must explain the commercial entity's affiliation with the permissible entity (e.g., entity is the official sponsor of the institution/event);
  - (2) The appearance or description of the commercial product(s)/service(s) and/or the commercial entity's logo(s) may be included but may not exceed 25 percent of the total promotional activity. Further, language or action included in the promotion may not directly encourage the use or purchase of the commercial product or service (e.g., drink this product) with which the commercial entity is associated;
  - (3) The promotion shall not feature alcoholic beverages, tobacco products or performance-enhancing drugs. Further, the commercial entity shall not be any organization that promotes gambling.
- (c) The name or picture of a student-athlete with remaining eligibility may not appear on an institution's printed promotional item (e.g., poster, calendar) that includes a reproduction of a product with which a commercial entity is associated if the commercial entity's officially registered regular trademark or logo also appears on the item;
- (d) The student-athlete does not miss class;
- (e) All money derived from the activity or project goes directly to the member institution, member conference or the charitable, educational or nonprofit agency. Further, an institution may designate money earned through participation in institutional fundraisers for a student-athlete in accordance with Bylaw 12.1.1.1.2;
- (f) The student-athlete may accept actual and necessary expenses from the member institution, member conference or the charitable, educational or nonprofit agency related to participation in such activity;
- (g) The student-athlete's name, picture or appearance is not used to promote the commercial ventures of any nonprofit agency;
- (h) Any commercial items with names or pictures of student-athletes (other than items specified per Bylaws 12.5.1.8 and 12.5.1.9) may be sold only by the member institution, member conference or NCAA, through outlets controlled by the member institution, member conference or NCAA or outlets controlled by the charitable or educational organization (e.g., location of the charitable or educational organization, site of charitable event during the event); ~~and~~
- (i) The student-athlete ~~and an authorized representative of the charitable, educational or nonprofit agency~~ signs a release statement ~~ensuring that the student-athlete's~~ **authorizing the use of his or her** name, image or appearance ~~is used~~ in a manner consistent with the requirements of this section-; **and**

**(j) The institution provides educational material(s) to a representative of the charitable, educational, nonprofit or government agency regarding restrictions on the use of a student-athlete's name, image or appearance.**

[12.5.1.1.1 through 12.5.1.1.7 unchanged.]

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

**Effective Date:** August 1, 2018

**Rationale:** The current legislation requires an institution to have an authorized representative of the charitable, educational or nonprofit agency sign a release statement insuring the student-athlete's name, image or appearance is used in a manner consistent with the requirements of the promotional activities legislation. By eliminating the signature requirement for an authorized representative of the charitable, educational or nonprofit agency, while still requiring education on the requirements of the promotional activities legislation, will maintain the intent of the legislation and reduce the administrative burden.

**Budget Impact:** None.

# Appendix A

## Interpretations to be Included in the 2018-19 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 2018-19 Division III Manual. This will be referenced in the report of this Official Convention Notice during the 2018 Division III business session. Approval of this Official Notice will constitute the incorporation of these interpretations. If a delegate objects to incorporation of a particular interpretation, that objection should be raised at the time of the report of the Official Notice. (It is preferred that any delegate intending to raise an objection also inform a member of the NCAA academic and membership affairs staff of that intent before the Division III business session.) The Division III membership then will decide by majority vote of the eligible voters whether to incorporate the interpretation.

It should be noted that these interpretations already have been accepted by the membership, and the only issue concerning these interpretations that is before the membership is whether they should be set forth in the 2018-19 Division III Manual and subsequent Division III Manuals. If the membership votes not to incorporate a particular interpretation into the Manual, the interpretation will still be binding on the membership; it simply will not be included in the 2018-19 Division III Manual.

For each of these interpretations approved by the Management Council, the provisions of Constitution 5.4.1.4 also would apply (i.e., any Division III member to which the interpretation applies may request a review of that interpretation at the Division III business session by making such a request in writing to the NCAA academic and membership affairs staff or the Association's Convention office prior to 1 p.m. on the day preceding the Division III business session of the Convention). If an interpretation is not challenged per Constitution 5.4.1.4 and the incorporation of the interpretation into the 2018-19 Division III Manual also is not challenged, it will appear in the 2018-19 Division III Manual as noted.

NO. I-2018-1 PLAYING AND PRACTICE SEASONS -- ATHLETICALLY RELATED ACTIVITIES -- STRENGTH AND CONDITIONING -- RESERVATION OF FACILITIES AND STUDENT-ATHLETE ONLY FACILITIES

**Bylaws:** Amend 17.02.1.1.1, as follows:

17.02.1.1.1 Exceptions. The following activities shall not be considered athletically related:

[17.02.1.1.1-(a) through 17.02.1.1.1-(h) unchanged.]

- (i) Voluntary workouts by students-athletes in a strength and conditioning facility designated exclusively for use by student-athletes, **whether during the academic year or during a vacation period**, provided the activity is not held at the direction of, or supervised by, any member of an institution's coaching staff;
- (j) Voluntary individual strength and conditioning activities conducted by strength and conditioning personnel who have received strength and conditioning certification from a nationally recognized certification program only during the institution's



regular academic year (see Bylaw 11.1.6 for additional certification requirements), even if an institutional facility is reserved for such activities, **Certified strength and conditioning personnel may only reserve an athletic facility for voluntary workouts that he or she will conduct**; and

[17.02.1.1.1-(k) unchanged.]

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

**Effective Date:** Immediate

**Budget Impact:** None

**Additional Information:**

During its September 2016 in-person meeting, the Interpretations and Legislation Committee agreed that incorporating this official interpretation [March 23, 2016, Item No. 2a] would clarify the application of Proposal No. 2016-5. This incorporation not only clarifies that a certified strength and conditioning coach may only reserve an institutional facility to conduct voluntary workouts for student-athletes during the academic year, but also specifies that a student-athlete may use a student-athlete only facility year-round, including the summer vacation period.

NO. I-2018-2 ELIGIBILITY -- SEASONS OF PARTICIPATION: 10-SEMESTER/15-QUARTER RULE -- CRITERIA FOR DETERMINING SEASON OF ELIGIBILITY -- MINIMUM AMOUNT OF PARTICIPATION -- TRANSFER FROM NON-DIVISION III INSTITUTION

**Bylaws:** Amend 14.2.4, as follows:

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 14.1.12, for student-athletes participating in a recognized foreign exchange/study abroad program).

[14.2.4.1.1 through 14.2.4.1.3 unchanged.]

**14.2.4.1.4 Transfer from a Non-Division III Institution.**

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

[14.2.4.2 through 14.2.4.8 unchanged.]

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

**Effective Date:** Immediate

**Budget Impact:** None

**Additional Information:**

The incorporation of this official interpretation [Reference: 9/28/16, Item No. 2b] provides clarification that a student-athlete is subject to the season of participation legislation at the institution the student-athlete attended during the term(s) of participation. This incorporation further serves to reduce confusion and clarify that a transfer student-athlete who practiced, but did not compete at a Division I or II institution would not be retroactively charged with a season of participation upon transfer to a Division III institution.

NO. I-2018-3 AMATEURISM -- PROMOTIONAL ACTIVITIES -- PROMOTIONS INVOLVING COMMERCIAL LOCATIONS/SPONSORS -- DISTRIBUTION OF INFORMATION

**Bylaws:** Amend 12.5.1.1.1, as follows:

12.5.1.1.1 Promotions Involving Commercial Locations/Sponsors. A member institution or a charitable, educational or nonprofit organization may use the appearance, name or picture of an enrolled student-athlete to promote generally its fundraising activities at the location of a commercial establishment, provided the commercial establishment is not a co-sponsor of the event and the student-athlete does not promote the sale of a commercial product in conjunction with the fundraising activity. A commercial establishment would become a co-sponsor if the commercial establishment either advertises the presence of the student-athlete at the commercial location or is involved directly or indirectly in promoting the activity. **Student-athletes are permitted to distribute information about institutional fundraising activities, even if those activities involve a commercial location or sponsor, as information distribution does not constitute promotion of a commercial product or service.**

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

**Effective Date:** Immediate

**Budget Impact:** None

**Additional Information:**

Incorporation of this official interpretation [Reference: 10/20/2016, Item No. 2b] serves to reduce confusion and clarifies that distributing information regarding an institutional fundraiser, even if it occurs at a commercial business does not constitute promotion of that business, product, or service.

NO. I-2018-4 PERSONNEL -- COMPENSATION AND REMUNERATION -- EMPLOYMENT AND ENDORSEMENT OF RECRUITING OR SCOUTING SERVICE

**Bylaws:** Amend 11.3, as follows:

11.3 Compensation and Remuneration. See Bylaw 11.01 for additional regulations regarding coaches' compensation and remuneration.

[11.3.1 through 11.3.2 unchanged.]

**11.3.3 Employment and Endorsement of a Recruiting or Scouting Service. An athletics department staff member may not directly promote or endorse a**

**recruiting or scouting service or be employed (either on a salaried or volunteer basis) in any capacity by a recruiting or scouting service (see Bylaw 13.11.3.2).**

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

**Effective Date:** Immediate

**Budget Impact:** None

**Additional Information:**

Current legislation does not permit an athletics staff member to be employed by a camp or clinic conducted by a recruiting or scouting service. The incorporation of this official interpretation [Reference: 11/17/2016, Item No. 2a] serves to reduce confusion and clarifies that an athletics department staff member may not be employed (either on a salaried or voluntary basis) in any capacity by a recruiting or scouting service. Further, the coach may not promote or endorse a recruiting or scouting service.

NO. I-2018-5 ELIGIBILITY -- GENERAL ELIGIBILITY REQUIREMENTS -- FULL-TIME ENROLLMENT -- EXCEPTIONS -- ELIGIBILITY AFTER COMPLETION OF DEGREE REQUIREMENTS -- USE OF A SEASON

**Bylaws:** Amend 14.1.8.1.6.7, as follows:

14.1.8.1.6.7 Eligibility After Completion of Degree Requirements. A student-athlete who was eligible during the term in which degree work was completed may continue to practice and compete (through the conclusion of the season) after the final day of that term, only if:

[14.1.8.1.6.7-(a) unchanged.]

(b) The student-athlete completed his or her degree requirements in fewer than four consecutive years from his or her initial collegiate enrollment **and has been charged with a season of participation for that year prior to the completion of degree requirements;** or

[14.1.8.1.6.7-(c) unchanged.]

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

**Effective Date:** Immediate

**Budget Impact:** None

**Additional Information:**

The incorporation of this official interpretation [Reference: 12/1/2016, Item No. 2b] serves to reduce confusion and clarifies that a student-athlete who has completed his or her degree requirements in fewer than four consecutive years from his or her initial collegiate enrollment must have triggered the use of a season to continue to practice and compete (through the conclusion of the season) while not enrolled.

## Appendix B

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

Pursuant to NCAA Constitution 4.8.3-(d) and 5.3.1.1.1, the NCAA Division III Management Council has adopted the following noncontroversial legislative amendments 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. These actions will be referenced in the report of this Official Convention Notice during the 2018 NCAA Division III business session. Approval of the Official Notice will constitute ratification of these actions and incorporation in the 2018-19 NCAA Division III Manual. If a delegate objects to ratification of a particular amendment, that objection should be raised at the time of the report of the Official Notice. (It is preferred that any delegate intending to raise an objection also inform a member of the NCAA academic and membership affairs staff of that intent before the Division III business session.) The NCAA Division III membership then will decide by majority vote of the eligible voters whether to ratify that amendment.

NO. NC-2018-1 AMATEURISM, RECRUITING AND AWARDS, BENEFITS AND EXPENSES -- ELIGIBILITY RAMIFICATIONS -- RESTITUTION FOR RECEIPT OF IMPROPER BENEFITS

**Intent:** To increase the value of improper benefits for which restitution is required from \$100 to \$200.

**Bylaws:** Amend 16, as follows:

16.01.3 Eligibility Ramifications -- Restitution for Receipt of Improper Benefits. Unless otherwise noted, for violations of all Bylaw 16 provisions in which the value of the benefit is ~~\$400~~ 200 or less, the eligibility of the student-athlete shall not be affected conditioned on the student-athlete repaying the value of the benefit to a charity of his or her choice. The student-athlete, however, shall remain ineligible from the time the institution has knowledge of the receipt of the impermissible benefit until the individual repays the benefit. Violations of these bylaws remain institutional violations per Constitution 2.8.1, and documentation of the individual's repayment shall be forwarded to the enforcement staff. For violations of Bylaw 16 in which there is no monetary value to the benefit, violations shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the student-athlete's eligibility.

**Source:** NCAA Division III Management Council (Committee on Student-Athlete Reinstatement).

**Effective Date:** Immediate

**Budget Impact:** None

**Additional Information:**

Currently, the restitution for receipt of improper benefits is \$100 or less and has not been reviewed by the membership for approximately 10 years. Review of case data indicates that an increase to \$200 will decrease bureaucracy and increase efficiency for the benefit of the Division III membership. This proposal will not eliminate the need to report an institutional violation to the NCAA enforcement staff or to request reinstatement if relief from repayment or an alternative reinstatement condition to repayment is requested (e.g., community service).

NO. NC-2018-2 PLAYING AND PRACTICE SEASONS -- FOOTBALL --  
PRESEASON ACTIVITIES AFTER THE FIVE-DAY  
ACCLIMATIZATION PERIOD -- ELIMINATION OF MULTIPLE  
PRACTICE SESSIONS ON THE SAME DAY

**Intent:** In football, to specify that an institution may not conduct multiple on-field practice sessions on the same day, while maintaining the opportunity to conduct a walk-through session in addition to the one on-field practice.

**Bylaws:** Amend 17.10.2.3, as follows:

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

- (a) Following the five-day period, student-athletes may practice in full pads. However, an institution may not conduct multiple on-field practice sessions ~~(e.g., two a-days or three a-days) on consecutive days~~ **on the same day;**
- (b) Student-athletes shall not engage in more than three hours of on-field practice activities ~~on those days during which one practice is permitted~~ **per day;**
- ~~(c) Student athletes shall not engage in more than five hours of on field practice activities on those days during which more than one practice is permitted; and~~
- ~~(d) On days that institutions conduct multiple practice sessions, student athletes must be provided with at least three continuous hours of recovery time between the end of the first practice and the start of the last practice that day. During this time, student athletes may not attend any meetings or engage in other athletically related activities (e.g., weight lifting); however, time spent receiving medical treatment and eating meals may be included as part of the recovery time.~~

17.10.2.3.1 Exception -- Walk-Through Sessions. During the preseason practice period only, on-field walk-through sessions are not considered an on-field activity under Bylaw 17.10.2.3, provided protective equipment (e.g., helmets, shoulder pads) is not worn, equipment related to football (e.g., footballs, blocking sleds) is not used and conditioning activities do not occur. Walk-through sessions ~~may occur only on days during which a single on-field practice session is permitted and~~ shall be limited to one hour in length. Student-athletes must be provided with at least three hours of continuous recovery time between ~~any sessions (e.g., testing, on field practice or walk through)~~ **an on-field practice session and a walk-through. During this time, student-athletes may not attend any meetings or engage in other athletically related activities (e.g. weightlifting); however time spent receiving medical treatment and eating meals may be included as part of the recovery time.**

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

**Effective Date:** Immediate

**Budget Impact:** None

**Additional Information:**

Recovery is multidimensional, and proper recovery not only decreases the risk of exertional heat illness and overuse injuries, but also plays an important role in decreasing the risk of exertion after repetitive head impact exposure or possible concussion. In this regard, football is different from other sports in which an initial practice does not involve potential repetitive head impact or concussion. Thus, the benefit of improved conditioning and technique mastery from two-a-day practices must be mitigated by the increased risk of catastrophic injury and concussion. Importantly, walk-throughs or meetings do not include any conditioning activities. This change is necessary in light of the document, "Interassociation Consensus: Year-Round Football Practice Contact for College Student-Athletes Recommendations." Current legislation that allows for more than one on-field practice session per day during the preseason practice period should be removed because it is contradictory to the practice contact recommendations.

NO. NC-2018-3 COMMITTEES -- ASSOCIATION-WIDE COMMITTEES --  
STUDENT-ATHLETE REPRESENTATION -- VOTING MEMBERS

**Intent:** To specify that one student-athlete from each division shall serve as a voting member on the NCAA Olympics Sports Liaison Committee, NCAA Committee on Competitive Safeguards and Medical Aspects of Sports, NCAA Minority Opportunities and Interests Committee, NCAA Committee on Women's Athletics and NCAA Committee on Sportsmanship and Ethical Conduct.

**A. Bylaws:** Amend 21.2.2.1, as follows:

[Common provision, all divisions, divided vote]

21.2.2.1 Composition. The Committee on Competitive Safeguards and Medical Aspects of Sports shall consist of 22 members, including six positions allocated for men, six allocated for women and 10 unallocated. The membership of the committee shall be constituted as follows:

[21.2.2.1-(a) through 21.2.2.1-(k) unchanged.]

(l) One student-athlete from each division (who shall have one ~~combined~~ vote **each**) shall serve as a member of the committee. Each student-athlete may serve on the committee up to one year after completion of his or her intercollegiate athletics eligibility;

[21.2.2.1-(m) through 21.2.2.1-(p) unchanged.]

[21.2.2.1 unchanged.]

**B. Bylaws:** Amend 21.2.4.1, as follows:

[Common provision, all divisions, divided vote]

21.2.4.1 Composition. The Minority Opportunities and Interests Committee shall consist of 18 members, including one current chancellor or president from each division. There shall be six members from Division I, six members from Division II and six members from Division III. One student-athlete from each division (who shall have one ~~combined~~ vote **each**) shall serve as a member of the committee. Each student-

athlete may serve on the committee up to one year after completion of his or her intercollegiate athletics eligibility. Committee membership shall include a minimum of eight ethnic minorities, including at least four males and four females.

**C. Bylaws:** Amend 21.2.5.1, as follows:

[Common provision, all divisions, divided vote]

21.2.5.1 Composition. The Olympic Sports Liaison Committee shall consist of 14 members, including at least one from each division. One student-athlete from each division (who shall have one ~~combined~~ vote **each**) shall serve as a member of the committee. Each student-athlete may serve on the committee up to one year after completion of his or her intercollegiate athletics eligibility.

**D. Bylaws:** Amend 21.2.8.1, as follows:

[Common provision, all divisions, divided vote]

21.2.8.1 Composition. The Committee on Sportsmanship and Ethical Conduct shall consist of 11 members. One student-athlete from each division (who shall have one ~~combined~~ vote **each**) shall serve as a member of the committee. Each student-athlete may serve on the committee up to one year after completion of his or her intercollegiate athletics eligibility.

**E. Bylaws:** Amend 21.2.10.1, as follows:

[Common provision, all divisions, divided vote]

21.2.10.1 Composition. The Committee on Women's Athletics shall consist of 18 members, including one current chancellor or president from each division. There shall be six members from Division I, six members from Division II and six members from Division III. Six positions shall be allocated for men, six allocated for women and six unallocated. One student-athlete from each division (who shall have one ~~combined~~ vote **each**) shall serve as a member of the committee. Each student-athlete may serve on the committee up to one year after completion of his or her intercollegiate athletics eligibility.

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

**Effective Date:** Immediate

**Budget Impact:** None

**Additional Information:**

The proposal supports the Association's desire to increase student-athlete engagement and voice within the governance structure and supports the NCAA principle of student-athlete involvement. This proposal will also provide an opportunity for the student-athlete representing his or her division's student-athlete advisory committee to vote independently of other divisional SAAC representatives. It will increase the total votes on these five committee for student-athletes from as little as five percent up to 27 percent, thus strengthening the influence of student-athletes in matters of student-athlete health and safety and strengthen the influence of student-athletes in facilitating communication and understanding between the NCAA, U.S. Olympic Committee and the national governing bodies. This proposal is being recommended as noncontroversial legislation, inasmuch as broader consultation and debate are unlikely to improve the proposal in any substantial way, significant disagreement or alternative points of view will not be generated and there does not appear to be a significant impact on existing or proposed legislation.

NO. NC-2018-4 AMATEURISM -- PROMOTIONAL ACTIVITIES -- PERMISSIBLE -- INSTITUTIONAL, CHARITABLE, EDUCATIONAL OR NONPROFIT PROMOTIONS -- EFFECT OF VIOLATIONS -- STUDENT-ATHLETE ELIGIBILITY

**Intent:** To clarify that circumstances where a student-athlete participates in an impermissible institutional promotional activity and does not receive above actual and necessary expenses should be institutional violations and not affect the student-athlete's eligibility.

**Bylaws:** Amend 12.5.1.1, as follows:

12.5.1.1.7 Effect of Violations. The following violations of Bylaw 12.5.1.1 shall be considered institutional violations per Constitution 2.8.1; however, the student-athlete's eligibility shall not be affected:

[12.5.1.1.7-(a) unchanged.]

(b) A student-athlete ~~unknowingly~~ participates in an impermissible institutional promotional activity and receives not more than actual and necessary expenses;

[12.5.1.1.7-(c) through 12.5.1.1.7-(d) unchanged.]

**Source:** NCAA Division III Management Council (Committee on Student-Athlete Reinstatement).

**Effective Date:** Immediate

**Budget Impact:** None

**Additional Information:**

The current legislation is confusing to the membership and should be amended to clarify that a student-athlete's eligibility is not affected if he or she participates in an impermissible institutional promotional activity. In these instances, the institution is the primary bearer of responsibility and culpability for the violation rather than the student-athlete.



NO. NC-2018-5 ASSOCIATION-WIDE COMMITTEES -- COMMITTEE ON COMPETITIVE SAFEGUARDS AND MEDICAL ASPECTS OF SPORTS -- DIVISION I COUNCIL REPRESENTATION -- VOTING MEMBERS

**Intent:** To increase the size of the Committee on Competitive Safeguards and Medical Aspects of Sports from 22 to 23 members; further, to specify that the additional member shall be a member of the Division I Council.

**Bylaws:** Amend 21.2.2, as follows:

[Common provision, all divisions, divided vote]

21.2.2 Committee on Competitive Safeguards and Medical Aspects of Sports.

21.2.2.1 Composition. The Committee on Competitive Safeguards and Medical Aspects of Sports shall consist of ~~22~~ **23** members, including six positions allocated for men, six allocated for women and 10 unallocated. The membership of the committee shall be constituted as follows:

[21.2.2.1-(a) through 21.2.2.1-(n) unchanged.]

**(o) One representative from the Division I Council;**

[21.2.2.1-(o) through 21.2.2.1-(p) relettered as 21.2.2.1-(p) through 21.2.2.1-(q), unchanged.]

[21.2.2.2 through 21.2.2.3 unchanged.]

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

**Effective Date:** Immediate

**Budget Impact:** Approximately \$2,000 from the association wide committee budget for attendance at two in-person meetings.

**Additional Information:**

The recommendation provides more uniformity in the committee composition by designating committee positions for a representative from the governance bodies in each of the three divisions. This recommendation involves a common provision and must be adopted in all three divisions to become effective.

# Appendix C

## Modifications of Wording Adopted by the NCAA Division III Management Council

Pursuant to NCAA Constitution 5.4.1.1.1, 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 2018 Division III business session. Approval of this Official Notice will constitute ratification of these actions and incorporation in the 2018-19 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.

### NO. M-2018-1 CHAMPIONSHIPS -- INELIGIBILITY FOR USE OF BANNED DRUGS -- PENALTY -- "ILLICIT DRUGS"

**Intent:** To specify that a student-athlete who, as a result of a drug test administered by the NCAA, tests positive for use of a substance in the banned drug class illicit drugs shall be ineligible for competition during 50 percent of a season in all sports.

**Bylaws:** Amend 18.4.1.5.2 , as follows:

18.4.1.5.2 Penalty -- " Illicit Drugs." 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 " illicit drugs" (in accordance with the testing methods authorized by the Board of Governors) shall be ~~charged with the loss of~~ **ineligible for** competition during 50 percent of a season in all sports (i.e., 50 percent of the Bylaw 17 maximum regular-season contests or dates of competition). The student-athlete shall remain ineligible from the time the institution is notified of the test result until the prescribed penalty is fulfilled and he or she tests negative (in accordance with the testing methods authorized by the Board of Governors).

[18.4.1.5.2.1 unchanged.]

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

**Effective Date:** August 1, 2017

**Budget Impact:** None

**Additional Information:**

The language modification is intended to clarify the phrase "charged with the loss competition during 50 percent of the season." The original recommendation from CSMAS was that for a positive test of street drugs, the student-athlete be withheld from 50 percent of competition in all sports in which they participate. The adjusted phrase would affirm the intent of the recommendation and allow for correct applications of the legislation.

# Appendix D

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# Appendix E

## Corresponding Legislative Proposal Numbers

This appendix lists proposals that were included in the Second Publication of Proposed Legislation and gives its corresponding number in the Official Notice.

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# Appendix F

## Convention Voting Procedures

The following terms and procedures involved in voting at NCAA Conventions have been reviewed by the Association's parliamentarian.

### Significant Terms

1. **Vote Announcement**--After a paddle, roll-call or secret ballot vote, the chair announces the vote and states whether the motion passed or failed.
2. **Retake a Vote**--A retake occurs when a paddle vote is taken again or when a paddle vote is counted. A retake may occur before the statement of the next question. After the statement of the next question, a motion to reconsider must be used to retake a vote. During a retake, voters may change their votes and new eligible voters may participate. A retake motion would be considered dilatory and, therefore, denied after a roll-call vote and out of order after a secret-ballot vote unless it is clear that the question was misunderstood or that fraud had occurred.
3. **Change a Vote**--In a paddle vote, a vote may be changed if a retake occurs or by rising for that purpose before the result is announced by the chair. After the announcement of the vote, but before the next question is stated, a change may be made only by permission of the assembly by a majority vote after a nondebatable motion. In a rollcall vote, a change may occur before closing the polls or the polls may be reopened to change a vote before the statement of the next question. In a secret-ballot vote, no change may be made once the ballot is cast. After the statement of the next question following a roll-call vote and after a vote is cast in a secret ballot, a vote change can occur only through a successful motion to reconsider.
4. **Recount a Vote**--This applies only to a secret-ballot vote. The ballots simply are counted again as cast and can be ordered only by a majority vote of the assembly.
5. **Closing the Polls**--For roll-call and secret-ballot votes, the polls are opened when the chair calls for the vote. When the chair has ascertained that all who so desire have voted or have changed their votes, the chair will state that the polls are closed. If there is disagreement on closing the polls, they may be closed by a two-thirds vote on a nondebatable motion to do so. Once the polls are closed, the polls may be reopened before the statement of the next question by majority vote on a nondebatable motion to do so. Once the polls are closed, however, the chair will move to the next item on the agenda.
6. **Statement of Next Question**--When a new motion is made and seconded, the chair will announce that "The motion before you is.... Is there any discussion?" This is the statement of the next question and ends the opportunity to retake a vote or reopen the polls in regard to the preceding question.

### Voting Procedures

1. **Paddle Voting**
  - a. The chair calls for a vote by paddles, and determines the result by sound or sight from the dais.
  - b. The chair may retake the vote if there is doubt.
  - c. The chair must have the vote counted if requested by a voting delegate. The chair also may choose to retake a paddle vote and have it counted by hand or by the wireless voting system.
  - d. During a retake, new voters may participate, or votes may be changed. Vote changes also may occur before the result is announced by the chair.

- e. A retake will not be permitted after the next question has been stated. A request to retake a counted vote will be regarded as dilatory by the chair and will not be allowed.

2. **Roll-Call Voting (by Wireless Voting System)**

- a. A roll-call vote may be designated by the NCAA Division III Presidents Council or ordered by a majority of the voters, following a nondebatable motion to vote in that manner. If both a secret-ballot and a rollcall vote are moved, the assembly votes first on whether or not to vote by roll call. A motion to conduct a secret ballot on an issue designated for roll call by the Presidents Councils will be considered out of order.
- b. Once ordered, the chair shall call for a roll-call vote by use of wireless voting system.
- c. The chair shall determine if everyone who wishes to has voted, or if anyone wishes to change a vote. When it appears that all ballots have been cast, the chair shall state that polls are closed.
- d. The chair will move to the next available item on the agenda while votes are being tallied. No new voters, changes or corrections to the prior question are permitted unless the polls are reopened, and such a motion will be out of order after the next question is stated by the chair. Once the new question is stated by the chair, the only way to return to any foregoing question is by reconsideration, and only one motion for reconsideration of a given item is permitted.
- e. Abstentions will not be counted in the determination of a majority.

3. **Ordinary Voting (by Wireless Voting System)**

- a. An electronic vote may be designated by the Presidents Council or ordered by a majority of the voters, after a nondebatable motion to vote in that manner.
- b. Once ordered, the chair shall call for an electronic vote by use of the wireless voting system.
- c. The chair shall determine if everyone who wishes to has voted, or if anyone wishes to change a vote. When it appears that all ballots have been cast, the chair shall state that the polls are closed.
- d. The chair will move to the next available item on the agenda while votes are being tallied. No new voters, changes or corrections to the prior question are permitted unless the polls are reopened, and such a motion will be out of order after the next question is stated by the chair. Once the new question is stated by the chair, the only way to return to any foregoing question is by reconsideration, and only one motion for reconsideration of a given item is permitted.
- e. Abstentions will not be counted in the determination of a majority.

4. **Ballot Voting (Secret Ballot)**

- a. A secret ballot may be ordered by the assembly before, during or after any ordinary vote (but before the next question is stated) by a majority vote on a nondebatable motion to do so.
- b. Once ordered, the chair shall ask for the vote by wireless voting system. Votes will be tallied electronically, but only a summary printout of results will be reported.
- c. After the chair determines that all who wish to vote have voted, the polls shall be closed. A vote change shall not be permitted once the vote is cast.
- d. The chair will move to the next available item on the agenda while votes are being tallied. Once the next question is stated by the chair, the polls may not be reopened for a new vote on the prior issue.
- e. Abstentions will not be counted in the total for determination of a majority.



# Appendix G

## Convention Lanyards, Badges and Voting Paddles

The Convention lanyards are of various colors to designate the individual's delegate status. The designations are as follows:

Division I (Autonomy), Divisions II and III voting delegate	Red lanyard
Division I (Autonomy), Divisions II and III alternate delegate	Blue lanyard
All other Division I	Green lanyard
Divisions II and III delegate with speaking rights	Green lanyard
Divisions II and III delegate without speaking rights and other observers	White lanyard

Only those persons with red, blue or green lanyards are permitted to speak in a business session.

In addition, the Convention badges are of different colors to designate the individual's status. The designations are as follows:

Delegate	Red designation on name badge
Speaker/Presenter	Green designation on name badge
Media	Teal designation on name badge
Chancellor/President	Purple designation on name badge
NCAA Staff	Blue designation on name badge
Vendor	Brown designation on name badge
Autonomy Conference Members	Orange designation on name badge
Visitor	Grey designation on name badge

The following is a listing of the different voting paddle colors in use at the 2018 NCAA Convention:

Aqua	Division I
Orange	Division II
Yellow	Division III

# Appendix H

## NCAA Governance Structure

### Board of Governors

Chair - G.P. (Bud) Peterson

Div.	Name, Institution	Conference	Term Exp.
FBS	Eli Capilouto, University of Kentucky	Southeastern	August 2020
FBS	Philip DiStefano, University of Colorado, Boulder	Pac-12	August 2020
FBS	Burns Hargis, Oklahoma State University	Big 12	August 2021
FBS	Blake James, University of Miami (Florida)	Atlantic Coast	April 2019
FBS	Eric W. Kaler, University of Minnesota, Twin Cities	Big Ten	August 2019
FBS	G.P. (Bud) Peterson, Georgia Institute of Technology	Atlantic Coast	August 2019
FBS	Denise Trauth, Texas State University	Sun Belt	August 2021
FBS	Satish K. Tripathi, University at Buffalo, the State University of New York	Mid-American	August 2021
FCS	Robert Caslen, U.S. Military Academy	Patriot	August 2019
FCS	Susan Herbst, University of Connecticut	American Athletic	August 2019
FCS	Ronald K. Machtley, Bryant University	Northeast	August 2020
DI	Dianne F. Harrison, California State University, Northridge	Big West	August 2018
DI	Samuel Stanley, Stony Brook University	America East	August 2018
II	Gary R. Gray, University of Alaska Fairbanks	Great Northwest	January 2018
II	Glen Jones, Henderson State University	Great American	January 2019
II	Gary Olson, Daemen University	East Coast	January 2018
III	Alan S. Cureton, University of Northwestern-St. Paul	Upper Midwest	January 2018
III	Jeffery Docking, Adrian College	Michigan Intercollegiate	January 2019
III	R. Brit Katz, Millsaps College	Southern Athletic	January 2018

#### NCAA Staff Liaisons:

Donald Remy, Executive Vice President of Law, Policy and Governance/Chief Legal Officer

Jackie Campbell, Director of Law, Policy and Governance

## Division III Presidents Council

Chair - Jeffrey Docking

<b>Name, Institution</b>	<b>Term Exp.</b>
<b>Teresa L. Amott</b> , Knox College	January 2018
<b>F. Javier Ceballos</b> , Framingham State University	January 2021
<b>Mary Beth Cooper</b> , Springfield College	January 2019
<b>Alan S. Cureton</b> , University of Northwestern-St. Paul	January 2018
<b>Jeffrey Docking</b> , Adrian College	January 2019
<b>Stuart Dorsey</b> , Texas Lutheran University	January 2018
<b>Margaret L. Drugovich</b> , Hartwick College	January 2020
<b>Thomas Foley, J.D.</b> , Mount Aloysius College	January 2018
<b>William J. Fritz</b> , College of Staten Island	January 2020
<b>Sue Henderson</b> , New Jersey City University	June 2019
<b>Sharon Latchaw Hirsh</b> , Rosemont College	June 2019
<b>Robert Huntington</b> , Heidelberg University	June 2019
<b>Robert R. Lindgren</b> , Randolph-Macon College	January 2019
<b>Tori Murden-McClure</b> , Spalding University	January 2021
<b>Kathleen Murray</b> , Whitman College	January 2019
<b>Elsa Nunez</b> , Eastern Connecticut State University	January 2020
<b>Zorica Pantic</b> , Wentworth Institute of Technology	January 2018
<b>Matthew Shank</b> , Marymount University (Virginia)	January 2021

### *NCAA Staff Liaisons:*

**Daniel T. Dutcher**, Vice President of Division III

**Louise McCleary**, Director of Division III

**Jay Jones**, Associate Director of Division III

**Jeff Myers**, Director of Academic and Membership Affairs for Division III

**Chris Brown**, Associate Director of Academic and Membership Affairs for Division III

**Brian Burnsed**, Assistant Director of Communications

**Eric Hartung**, Associate Director of Research for Division III

**Debbie Kresge**, Executive Assistant of Division III

**Debbie Brown**, Administrative Assistant of Division III

## Division III Management Council

Chair - R. Brit Katz

<b>Name, Institution</b>	<b>Term Exp.</b>
<b>Nnenna O. Akotaobi</b> , Swarthmore College	January 2018
<b>Stevie Baker-Watson</b> , DePauw University	January 2020
<b>Richard B. Bankston</b> , Old Dominion Athletic Conf.	January 2020
<b>Heather Benning</b> , Midwest Conference	January 2021
<b>#Sean Michael Cain</b> , Michigan Intercol. Ath. Assn	January 2019
<b>Gail Cummings-Danson</b> , Skidmore College	January 2019
<b>Robert Davis, Jr.</b> , University of Scranton	January 2019
<b>Shantey Hill</b> , St. Joseph's College (Long Island)	January 2019
<b>R. Brit Katz</b> , Millsaps College	January 2018
<b>Christopher Kimball</b> , California Lutheran University	January 2019
<b>Dennis Leighton</b> , University of New England	January 2018
<b>Laura Mooney</b> , Massachusetts College of Liberal Arts	January 2021
<b>Kate Roy</b> , Lyndon State College	January 2020
<b>Kandis Schram</b> , Maryville College	January 2021
<b>Karen Tompson-Wolfe</b> , Westminster College	January 2019
<b>Denise A. Udelhofen</b> , Loras College	January 2021
<b>Troy VanAken</b> , Elmhurst College	January 2018
<b>Michael Vienna</b> , Emory University	January 2021
<b>Joseph T. Walsh</b> , Great Northeast Athletic Conference	January 2021
<b>#Megan Warren</b> , Defiance College	January 2018
<b>Gerald Young</b> , Carleton College	January 2018

*# Student-Athlete Advisory Committee Representative*

*NCAA Staff Liaisons:*

**Daniel T. Dutcher**, Vice President of Division III

**Louise McCleary**, Director of Division III

**Jay Jones**, Associate Director of Division III

**Jeff Myers**, Director of Academic and Membership Affairs for Division III

**Chris Brown**, Associate Director of Academic and Membership Affairs for Division III

**Brian Burnsed**, Assistant Director of Communications

**Eric Hartung**, Associate Director of Research for Division III

**Debbie Kresge**, Executive Assistant of Division III

**Debbie Brown**, Administrative Assistant of Division III

# Appendix I

## **Request for Interpretations**

Member institutions and conferences are encouraged to request interpretations of the proposed legislation in this Official Notice not later than Friday, December 1, 2017. Interpretations related to the proposed legislation in this Official Notice may be requested via electronic mail from [jmyers@ncaa.org](mailto:jmyers@ncaa.org) or [cbrown@ncaa.org](mailto:cbrown@ncaa.org). When submitting such a request, please include the proposal number in question, your institution's name and your title. All resulting interpretations will be distributed to the delegates in time for the conference meetings held in conjunction with the 2018 NCAA Convention.