

**2018 NCAA Convention Division III Legislative Proposals
Question and Answer Guide**

**Approved November 30, 2017, by the
NCAA Division III Interpretations and Legislation Committee**

Please note this is the first edition of the 2018 NCAA Convention Division III Legislative Proposals Question and Answer Guide. Future editions may be developed as questions are presented to the NCAA staff or the NCAA Division III Interpretations and Legislation Committee. On release of subsequent editions of this guide, newly approved questions and answers will be shaded in gray.

DIVISION III LEGISLATIVE PROPOSALS

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Understanding How to Read the 2018 NCAA Convention Division III Official Notice.

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

2. What appears in the white pages of the NCAA Division III Official Notice?

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

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

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

The Presidents Council has identified 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 remaining proposals are included in the general grouping. All proposals have been identified by the Presidents Council for a roll-call vote.

4. What appears in the blue pages of the Official Notice?

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

package of proposals. (It is preferred that any delegate intending to raise an objection also inform a member of the NCAA academic and membership affairs staff of that intent before the Division III business session.) The Division III membership would then vote on the proposal in question via a separate action.

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

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

- (1) Interpretations to be incorporated in the 2018-19 NCAA Division III Manual. These interpretations have already been accepted by the membership and the only issue that is before the membership is whether they should be set forth in the Division III Manual.
- (2) Noncontroversial legislation adopted by the Management Council. These proposals constitute all of the noncontroversial legislative changes the Management Council has adopted during the past year. The Management Council is permitted to adopt such legislation, if it is necessary, to promote the normal and orderly administration of the Association's legislation.
- (3) Modifications of wording. These proposals are modifications to current legislation that have been shown to be consistent with the intent of the membership in adopting the current legislation. To approve such a change, the Management Council has determined that sufficient documentation and testimony exists to establish clearly that the original wording of the legislation requires modification to better reflect the original intent.

Questions and Answers
2018 NCAA Convention Division III Legislative Proposals

NCAA Division III Proposal Number 2018-1 (2-1).

Title: ELIGIBILITY -- ACADEMIC MISCONDUCT AND IMPERMISSIBLE ACADEMIC ASSISTANCE.

Effective Date: August 1, 2018.

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

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.

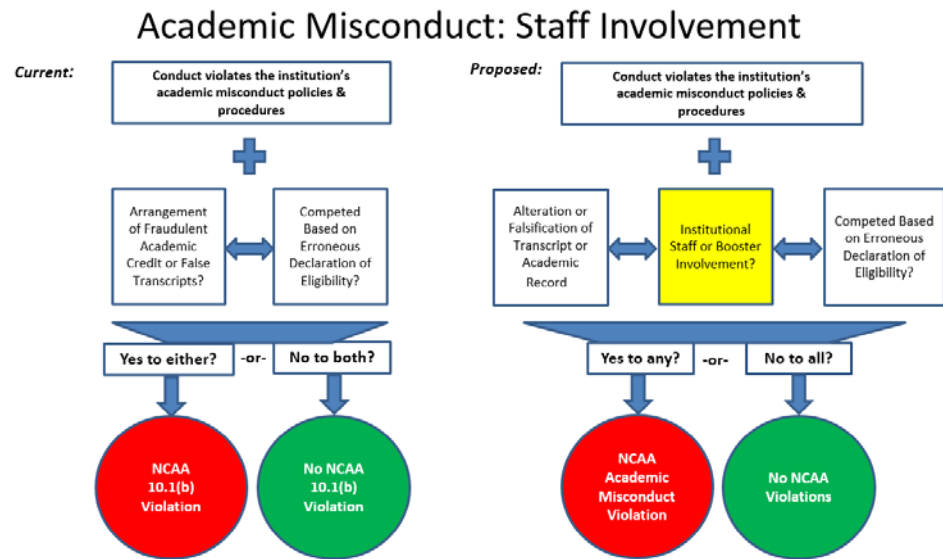
Question No. 1: How is the proposed legislation different from the current legislation?

Answer: This proposal identifies which institutional academic integrity issues must also be reported as NCAA violations. There are four primary areas where the proposed legislation is different than the current legislation. Those four are as follows:

1. The proposed legislation requires an institution to have policies and procedures that address issues of academic integrity for all students.

	Current Legislation	Proposed Legislation
Institutional Policies and Procedures	Not required.	Maintain and follow policies and procedures regarding academic misconduct that are: <ul style="list-style-type: none"> • written; • accessible; and • apply to general student body. Content and scope determined by institution.

2. The proposed legislation defines "institutional staff member" and expands a reportable academic misconduct to include when an institutional staff or booster is involved.



An "institutional staff member" is:

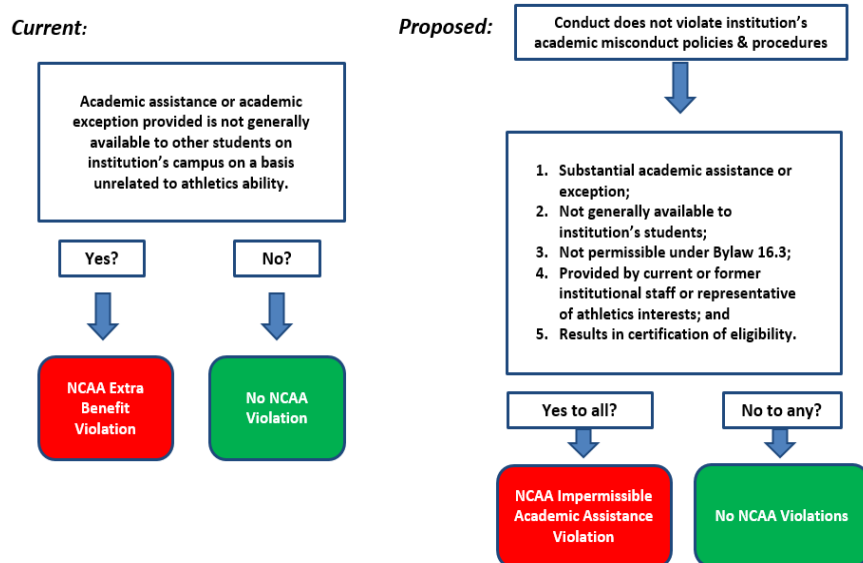
Any individual, excluding a student employee, who performs work for the institution or athletics department, regardless of whether the individual receives compensation for the work.

A student employee, however, is an institutional staff 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, a student employee who has institutional responsibilities to provide academic services to student-athletes or a representative of the institution's athletics interests.
3. The proposed legislation eliminates an academic integrity issue from being processed as an extra benefit and substitutes an impermissible academic assistance analysis.

Extra Benefit v. Impermissible Academic Assistance



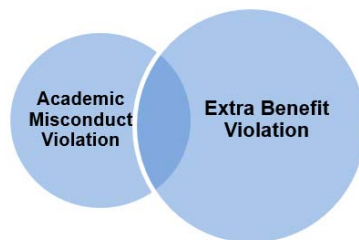
Impermissible academic assistance analysis:

Focuses on whether student-athletes have been treated consistently with students generally; whereas, the academic misconduct analysis primarily focuses on whether conduct violates an institution's academic integrity policies and procedures. An impermissible academic assistance violation occurs if **all** the following are present:

- a. A current or former institutional staff member or representative of an institution's athletics interest provides the impermissible academic assistance;

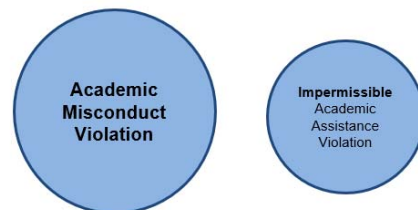
- b. The institution determines that academic misconduct has not occurred pursuant to its policies and procedures;
 - c. The academic assistance or academic exception provided is not generally available to the institution's student body or students involved in the course;
 - d. The assistance is substantial (Determining substantial is a fact specific determination looking at the amount of assistance provided to the student-athlete and whether that assistance was of significant value to the student-athlete.);
 - e. The assistance is not permitted in NCAA Division III Bylaw 16.3; and
 - f. The assistance leads to the certification of a student-athlete's eligibility to practice or compete.
4. Conduct that would constitute both academic misconduct and an extra benefit under the current legislation would, pursuant to the proposed legislation, be either academic misconduct or impermissible academic assistance but not both.

Current Legislation



- Potentially subject to two violations.
- Any extra assistance could be extra benefit.
- Extra benefit violation could involve assistance from anyone (e.g., general student).
- Institutional determination only informs academic misconduct finding.

Proposed Legislation



- May not be subject to two violations.
- Limited "student-on-student" application.
- Provides desired clarity and consistency.

The proposed impermissible academic assistance legislation differs from the current extra benefit legislation as follows:

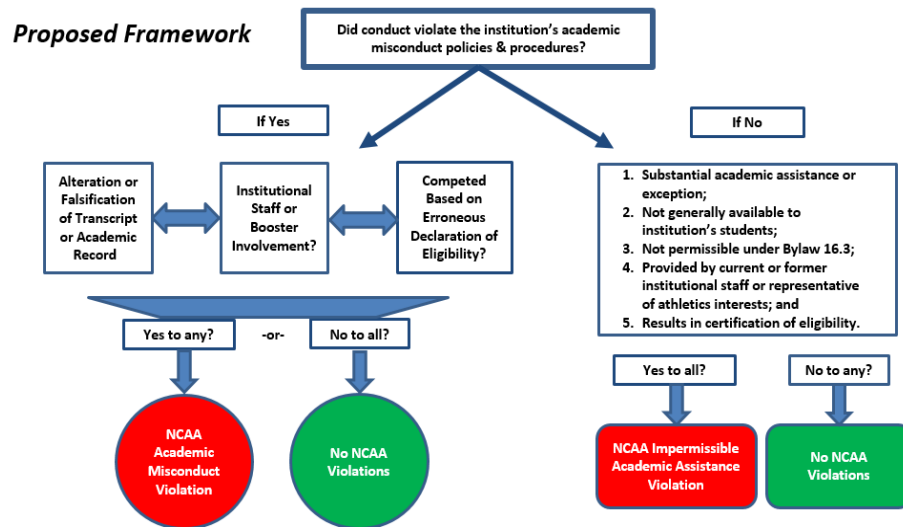
Currently, the extra benefit legislation applies when "academic benefits" are provided to student-athletes that are not generally available to the institution's students. Under the current legislation, institutions could be subject to both an academic misconduct violation and extra benefit violation. Additionally, an extra benefit violation could involve assistance between only students even when a student is not an institutional staff member, and the current legislation does not specify how much assistance could lead to an extra benefit violation. The impermissible academic assistance legislation replaces the application of the extra benefit analysis, providing necessary parameters and clarity to the treatment of academic benefits provided to student-athletes that are not generally available to an institution's student body.

Question No. 2: What are the different types of academic integrity-related offenses that are considered to be NCAA violations?

Answer: There are four types of academic integrity-related offenses that are considered to be a violation of the proposed legislation:

1. Academic misconduct (as defined and limited by the legislation);
2. The provision or arrangement of impermissible academic assistance by a current or former institutional staff member or representative of an institution's athletics interests to a student-athlete;
3. A departure from academic misconduct policies and procedures in the investigation and adjudication of alleged academic misconduct involving a student-athlete; and
4. Pre-enrollment academic misconduct.

The chart below is instructive in determining the analysis for an institution.



Question No. 3: Who determines whether certain conduct constitutes academic misconduct at a given institution?

Answer: The institution determines whether the conduct violated or breached its own policies and procedures regarding academic misconduct.

Question No. 4: What is alteration or falsification of a student-athlete's transcript or academic record?

Answer: Alteration or falsification of a student-athlete's transcript or academic record is changing or doctoring transcripts or arranging to receive credit for a course in which a student-athlete did not enroll or complete (i.e., fraudulent academic credit).

Question No. 5: If a student-athlete on my campus is suspected or accused of being involved in academic misconduct, must I immediately report the issue to the NCAA enforcement staff?

Answer: No. Before reporting, an institution has the responsibility and obligation to determine whether academic misconduct has occurred pursuant to institutional policies and procedures. However, it is not unusual for an institution to request assistance from the NCAA for interpretive or investigative issues.

Question No. 6: Once my institution has determined academic misconduct involving a student-athlete occurred, is my institution required to report each and every finding of academic misconduct to the NCAA?

Answer: No. Not every finding of institutional academic misconduct is a violation. An NCAA academic misconduct violation occurs when:

1. A student-athlete commits academic misconduct alone or in concert with another student(s) who is not an institutional staff member, and the academic misconduct results in:
 - a. The alteration or falsification of a student-athlete's transcript or academic record; or
 - b. An erroneous declaration of eligibility to participate in intercollegiate athletics and the student-athlete subsequently competes while ineligible.
2. A current or former institutional staff member or representative of athletics interests is involved in the academic misconduct involving a student-athlete, regardless of whether the misconduct involved alteration or falsification of a student-athlete's transcript or academic record or an erroneous declaration of eligibility.

Question No. 7: An institution's academic support services for student-athletes are provided by a unit that reports directly to the institution's provost, outside the athletics department. Would student tutors employed by this unit be considered "institutional staff members" for purposes of the academic misconduct and impermissible academic assistance legislation?

Answer: Yes. Those student employees whose responsibilities include providing academic services to student-athletes (e.g., tutors) would be considered "institutional staff members" for purposes of the academic misconduct and impermissible academic assistance legislation regardless of whether the academic support services for student-athletes are provided by a unit that reports to a department outside athletics.

Question No. 8: An institution's athletics department directs all of its student-athletes to use the tutoring services made available through its general nonathletics student support services center. Would student tutors employed by this nonathletics student support services center be considered "institutional staff members" for purposes of the academic misconduct and impermissible academic assistance legislation?

Answer: Yes. If the institution directs all of its student-athletes to seek tutoring services from the nonathletics student support services unit, the student tutors would be considered "institutional staff members" for purposes of the academic misconduct and impermissible academic assistance legislation.

Question No. 9: Would a student employee who offers general tutoring to all first-year students be considered an "institutional staff member" for purposes of the academic misconduct and impermissible academic assistance legislation?

Answer: No. Unless the student employee's responsibilities specifically include the provision of tutoring services for student-athletes, a student employee whose tutoring services are generally available to all students would not be considered an "institutional staff member" for purposes of the academic misconduct and impermissible academic assistance legislation.

Question No. 10: Can an institutional determination of academic misconduct between a student and student-athlete rise to the level of a violation under the academic misconduct legislation?

Answer: Yes, but only if the misconduct between the two students resulted in either of the following:

1. An erroneous declaration of eligibility to participate in intercollegiate athletics and the student-athlete subsequently competes while ineligible; or
2. The alteration or falsification of the student-athlete's transcript or academic record.

Question No. 11: What potential scenarios may result in an institution determining, pursuant to its policies and procedures, that academic misconduct has not occurred?

Answer: The following are examples of situations in which an institution is considered to have determined that academic misconduct did not occur:

1. There is no institutional policy addressing the particular conduct that occurred;
2. The institution is unable to make a determination that misconduct occurred;

3. The institution does not conduct or complete its review of the alleged academic integrity issue for any reason (e.g., because the student-athlete departed the institution); or
4. The institution makes a specific determination that the conduct was not academic misconduct.

Only a finding that academic misconduct has occurred pursuant to an institution's policies and procedures would preclude further analysis under the impermissible academic assistance legislation.

Question No. 12: Does the proposal change current pre-enrollment academic misconduct legislation?

Answer: No. The substance of pre-enrollment academic misconduct legislation remains the same. However, the proposal moves the pre-enrollment academic misconduct legislation from Bylaw 10 to Bylaw 14.

Proposal Number: 2018-2 (2-2).

Title: ETHICAL CONDUCT -- SPORTS WAGERING ACTIVITIES -- SANCTIONS --
ELIMINATION OF LEGISLATED SANCTIONS

Effective Date: Immediate.

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

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

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

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

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

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

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

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

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

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

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

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

withholding condition greater than the minimum legislated sanction when the circumstances warrant.

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

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

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

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

Application of Proposed Legislation.

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

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

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

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

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

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

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

Answer: No.

Question No. 11: Is the same proposal being presented in Divisions I and II?

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

Proposal Number 2018-3 (2-9).

Title: DIVISION III COMMITTEES -- ELIGIBILITY OF MEMBERSHIP -- STUDENT-ATHLETE ADVISORY COMMITTEE -- CHANGE IN COMPOSITION

Effective Date: August 1, 2018.

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

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

Question No. 1: What is the current composition of the NCAA Student-Athlete Advisory Committee?

Answer: The SAAC is comprised of 22 student-athletes. This is based on a partner conference system where the 43 conferences and the group of independent institutions are grouped into 22 pairings. There is a student-athlete on the committee from one of the conferences (or independent institutions) in each pairing. When a student-athlete cycles off the committee a student-athlete is chosen from the other partner conference.

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

Answer: This proposal would eliminate the partner conference structure and have a student-athlete from each conference and the group of independent institutions on the SAAC. Thus, this proposal will increase the composition of the committee from 22 student-athletes to 44 student-athletes.

Question No. 3: How will this proposal impact the national SAAC budget?

Answer: This proposal will have an approximate budget impact of \$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. These additional funds would come from Division III allocated funds.

Question No. 4: Currently, how are committee members selected to serve on SAAC?

Answer: Student-athletes submit their individual nomination and each Division III conference submits a list of recommended names to the NCAA Division III Nominating Committee. The Nominating Committee will then select the new SAAC members while considering the necessary composition requirements. Fifty percent of the positions shall be allocated for men and 50 percent allocated for women with at least 25 percent of all positions allocated for ethnic minorities.

Question No. 5: If this proposal is adopted, how will this change the SAAC selection process?

Answer: This proposal will not change the SAAC selection process. Members will continue to be selected through the Nominating Committee.

Proposal Number 2018-3-1.

Title: DIVISION III COMMITTEES -- ELIGIBILITY OF MEMBERSHIP -- STUDENT-ATHLETE ADVISORY COMMITTEE -- PARTNER CONFERENCE STUDENT-ATHLETE ADVISORY COMMITTEE LIAISON

Effective Date: August 1, 2018.

Source: NCAA Division III Presidents Council.

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

Question No. 1: If this amendment is adopted, how will the Partner Conference SAAC liaisons be selected?

Answer: The selection of the Partner Conference SAAC liaisons will be determined by the SAAC in consultation with the NCAA staff and conference

commissioners. The SAAC liaison role will be further defined in the SAAC policies and procedures document.

Question No. 2: If this amendment is adopted, how will it change the current SAAC meeting structure?

Answer: Currently, SAAC members meet in-person in January, April, July and November and by teleconference in October. If the proposed amendment is adopted, the Partner Conference SAAC liaisons may attend the in-person July meeting, the October teleconference, the January meeting held in conjunction with the NCAA Convention and meetings when the SAAC representative is unable to attend.

This proposal will require that SAAC establish a communication process with designated SAAC members following the April and November SAAC in-person meetings. Finally, policies would also require regular review of the conference partner program and the appropriateness of existing partnerships (this review would include consultation with conferences).

Question No. 3: How will this proposal impact the national SAAC budget?

Answer: This proposal will have an approximate budget impact of \$20,000 to account for the Partner Conference SAAC liaisons to attend the July SAAC meeting. These additional funds will come from the Division III budget. Conferences or institutions may pay for the liaison to attend the NCAA annual convention and are permitted to use conference grant dollars to do so.

Question No. 4: What is the process for voting on an amendment to a proposal?

Answer: The original proposal is moved and seconded and then the amendment is moved and seconded. The membership then votes on the amendment. If the membership approves the amendment, then the membership will vote on the original proposal as amended. If the membership defeats the amendment, then the membership votes on the proposal as originally submitted.

Proposal Number 2018-4 (2-4).

Title: ELIGIBILITY -- GRADUATE AND POSTBACCALAUREATE ELIGIBILITY -- STUDENTS GRADUATING FROM DIVISION III INSTITUTIONS

Effective Date: Immediate.

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

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.

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

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

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

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

Answer: A student who has completed a baccalaureate degree at a Division III institution would be permitted to participate in intercollegiate athletics at the Division III institution he or she most recently attended as an undergraduate or another NCAA Division III institution provided the student: (1) Is enrolled and seeking a second baccalaureate or graduate degree; (2) Has eligibility remaining; and (3) Participation occurs within the applicable 10-semester/15-quarter period. Thus, a legislative relief waiver would no longer be necessary for these students, but the waiver criteria

would remain for students that attend institutions in other divisions or associations.

Question No. 3: If this proposal is adopted, how would it impact the recruiting regulations?

Answer: A Division III student-athlete may not be contacted by an athletics staff member at another Division III institution without first obtaining written permission to do so (may be a self-release). However, if a student has officially withdrawn or graduated from the previous institution and is no longer in season, permission to contact is not required. The proposal would not change these requirements.

Question No. 4: How many Division III institutions have graduate programs?

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

Question No. 5: How many Division III student-athletes are participating in intercollegiate athletics while enrolled in graduate level programs?

Answer: Based on the 2015 NCAA Growth, Opportunities, Aspirations and Learning of Students Study, the NCAA staff estimates that currently less than one-half of one percent of Division III student-athletes are enrolled in a graduate level program.

Question No. 6: Would this proposal allow a student to participate if the student is enrolled in a certificate program?

Answer: No. This exception only applies for student-athletes enrolled in baccalaureate or graduate degree programs.

Question No. 7: Does this proposal apply to an institution who is reclassifying or a provisional member?

Answer: Yes. For purposes of this proposal, an institution in the reclassifying or provisional process is considered a Division III institution.

Question No. 8: How many credit hours must a student-athlete pursuing a second baccalaureate degree enroll in to be considered full time and eligible for intercollegiate athletics?

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

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

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

Question No. 10: Does this proposal require a student-athlete to have continuous enrollment or may a student-athlete take time off after graduation before enrolling in a second baccalaureate or graduate program?

Answer: A student-athlete may take time off after earning his or her baccalaureate degree. For example, if a student graduates in May 2018 it is permissible for the student to take several years off and then enroll in a Division III graduate program during the 2021 fall term provided the student has eligibility remaining, and participation occurs within the applicable 10-semester/15-quarter period set forth in Bylaw 14.2.

Proposal Number 2018-5 (2-7).

Title: PLAYING AND PRACTICE SEASONS -- FOOTBALL -- ESTABLISHING PRESEASON START DATE 25 DAYS FROM FIRST PERMISSIBLE SATURDAY CONTEST

Effective Date: August 1, 2018.

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

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.

Question No. 1: How is the current football first practice date determined?

Answer: The first permissible practice date in football is determined by a counting method based on the institution's first day of classes and the first contest. The counting method is described in terms of "practice opportunities." It is important to recognize that this is only a counting method to determine the first permissible practice date, and not intended to identify the minimum required "practice opportunities." The calculation consists of 25 "practice opportunities" as follows:

1. 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.
2. 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.
3. 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.
4. Count Sundays before the institution's opening day of classes and exclude Sundays after the institution's opening day of classes.

For example, if the first day of classes is August 20, 2018, and the first contest is September 1, 2018, then the first day of practice would be August 9, 2018. The counting method would include the following breakdown:

- a. Fri 08/31/2018 - 1 One opportunity per day starting with the first day of class.
- b. Thu 08/30/2018 - 1 One opportunity per day starting with the first day of class.

- c. Wed 08/29/2018 - 1 One opportunity per day starting with the first day of class.
- d. Tue 08/28/2018 - 1 One opportunity per day starting with the first day of class.
- e. Mon 08/27/2018 – (1) One opportunity per day starting with the first day of class.
- f. Sun 08/26/2018 – (0) Sunday while classes are in session.
- g. Sat 08/25/2018 – (1) One opportunity per day starting with the first day of class.
- h. Fri 08/24/2018 – (1) One opportunity per day starting with the first day of class.
- i. Thu 08/23/2018 – (1) One opportunity per day starting with the first day of class.
- j. Wed 08/22/2018 – (1) One opportunity per day starting with the first day of class.
- k. Tue 08/21/2018 – (1) One opportunity per day starting with the first day of class.
- l. Mon 08/20/2018 – (1) One opportunity per day starting with the first day of class.
- m. Sun 08/19/2018 – (2) Alternate opportunities 2-1-2-1 until 20.
- n. Sat 08/18/2018 – (1) Alternate opportunities 2-1-2-1 until 20.
- o. Fri 08/17/2018 – (2) Alternate opportunities 2-1-2-1 until 20.
- p. Thu 08/16/2018 – (1) Alternate opportunities 2-1-2-1 until 20.
- q. Wed 08/15/2018 – (2) Alternate opportunities 2-1-2-1 until 20.
- r. Tue 08/14/2018 – (1) Alternate opportunities 2-1-2-1 until 20.
- s. Mon 08/13/2018 – (1) One opportunity for each acclimatization day.

- t. Sun 08/12/2018 – (1) One opportunity for each acclimatization day.
- u. Sat 08/11/2018 – (1) One opportunity for each acclimatization day.
- v. Fri 08/10/2018 – (1) One opportunity for each acclimatization day.
- w. Thu 08/09/2018 – (1) One opportunity for each acclimatization day.
- x. Wed 08/08/2018 – Picture and equipment issue day. (No athletically related activity but can provide expenses.)
- y. Tues 08/07/2018 – Move-in day. (No athletically related activity but may pay expenses for an evening meal and lodging.)

Question No. 2: If this proposal is adopted, how will it impact the first practice date?

Answer: The first permissible practice date will be determined by counting back 25 days before the first permissible Saturday contest date (regardless of the institution's actual first contest date).

For example, if the first day of classes is August 20, 2018, and the first contest is August 30, 2018, but the first permissible Saturday contest date is September 1, 2018, then the first day of practice would be August 7, 2018. The counting method would include the following breakdown:

1. Saturday 9/1/2018 – first permissible Saturday contest.
2. Fri 8/31/2018 – day one.
3. Thu 08/30/2018 – day two.
4. Wed 08/29/2018 – day three.
5. Tue 08/28/2018 – day four.
6. Mon 08/27/2018 – day five.
7. Sun 08/26/2018 – day six.
8. Sat 08/25/2018 – day seven.
9. Fri 08/24/2018 – day eight.

10. Thu 08/23/2018 – day nine.
11. Wed 08/22/2018 – day 10.
12. Tue 08/21/2018 – day 11.
13. Mon 08/20/2018 – day 12.
14. Sun 08/19/2018 – day 13.
15. Sat 08/18/2018 – day 14.
16. Fri 08/17/2018 – day 15.
17. Thu 08/16/2018 – day 16.
18. Wed 08/15/2018 – day 17.
19. Tue 08/14/2018 – day 18.
20. Mon 08/13/2018 – day 19.
21. Sun 08/12/2018 – day 20.
22. Sat 08/11/2018 – day 21.
23. Fri 08/10/2018 – day 22.
24. Thu 08/09/2018 – day 23.
25. Wed 08/08/2018 – day 24.
26. Tues 08/07/2018 – day 25. (First allowable practice and first allowable expenses.)

Question No. 3: If an institution has a bye week how will it impact the first permissible practice date?

Answer: A bye week will not change the first permissible practice date. The first permissible practice date formula will be 25 days before the first permissible Saturday contest date (regardless of the institution's actual first contest date).

Question No. 4: Is a team limited to 22 on-field practices before the first permissible Saturday contest date?

Answer: No. The number of on-field practices will vary depending on a team's first contest date and when the institution chooses to start practice.

Question No. 5: Currently, is it permissible for a football team to use footballs during the walk-through sessions following the five-day acclimatization period?

Answer: Current legislation does not permit the use of footballs during the walk-through sessions following the five-day acclimatization period. The Subcommittee for Legislative Relief provided blanket relief for the 2017 preseason to permit footballs during the walk-through session following the five-day acclimatization period. If the membership does not pass Proposal No. 2018-5, the use of footballs during walk-through sessions following the five-day acclimatization period will not be permitted.

Question No. 6: If this proposal is adopted, how many hours of on-field activity (practice session and walk-through) may occur?

Answer: 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 in length.

Question No. 7: Is a day off currently legislatively required during the preseason football practice period?

Answer: No. NCAA bylaws do not require a day off when classes are not in session or during the institution's preseason practice that occurs before the first day of classes. (The Interassociation Consensus Recommendations on Year-Round Football Practice Contact for College Student-Athletes include a recommendation for a day off per week.)

Question No. 8: If this proposal is adopted, how will it impact the day off legislation?

Answer: A day off shall be provided during the first six days of preseason which includes the five-day acclimatization period. Additionally, a day off shall be provided during each remaining week of the preseason practice period (prior to the week of the first contest). No physical activity may take place during a day off.

For example, here is a breakdown demonstrating when a day off from physical activity must take place:

1. Preseason Week 1 - Acclimatization period: a day off from physical activity must be taken during the six days of acclimatization.
 - a. Tues 08/07/2018 – day one. (Day off)
 - b. Wed 08/08/2018 – day two. (Acclimatization Day 1)
 - c. Thu 08/09/2018 – day three. (Acclimatization Day 2)
 - d. Fri 08/10/2018 – day four. (Acclimatization Day 3)
 - e. Sat 08/11/2018 – day five. (Acclimatization Day 4)
 - f. Sun 08/12/2018 – day six. (Acclimatization Day 5)
 - g. Mon 08/13/2018 – day seven (Start of regular practice)

2. Preseason - Week 2: a day off from physical activity must be taken during one of these seven days.
 - a. Tue 08/14/2018 – day eight.
 - b. Wed 08/15/2018 – day nine.
 - c. Thu 08/16/2018 – day 10.
 - d. Fri 08/17/2018 – day 11.
 - e. Sat 08/18/2018 – day 12.
 - f. Sun 08/19/2018 – day 13.
 - g. Mon 08/20/2018 – day 14.

3. Preseason – Week 3: a full day off is required during one of these days since the academic year has begun. (Note: since redefining at the end of this week there are only 6 days in this week.)
 - a. Tue 08/21/2018 – day 15.
 - b. Wed 08/22/2018 – day 16 and first day of classes.
 - c. Thu 08/23/2018 – day 17.

- d. Fri 08/24/2018 – day 18.
 - e. Sat 08/25/2018 – day 19.
 - f. Sun 08/26/2018 – day 20.
4. Redefine the week.
5. Week of the first contest: a full day off is required during one of these days since the academic year has begun.
- a. Mon. 08/27/2018 – day 21.
 - b. Tue 08/28/2018 – day 22.
 - c. Wed 08/29/2018 – day 23.
 - d. Thu 08/30/2018 – day 24.
 - e. Fri 08/31/2018 – day 25.
 - f. Sat 09/01/2018 – Institution's first contest (and first permissible Saturday contest).
 - g. Sun 09/02/2018.

Question No. 9: What is considered physical athletically related activity?

Answer: Physical athletically related activities include (but are not limited to) weight training, strength and conditioning, and on-field activities. Film review, team meetings, and leadership programs are not considered physical athletically related activities.

Question No. 10: If this proposal is adopted, when is it permissible for a football team to report to campus for the first permissible practice date?

Answer: A team may not report prior to the first permissible practice date. Therefore, a team may not move into the residence halls, provide equipment or take a team picture until the first day of practice.

Question No. 11: If this proposal is adopted, is it permissible for a football team to begin their first acclimatization day on the first day of practice?

Answer: Yes.

Question No. 12: If this proposal is adopted, is it permissible for a football team to begin their preseason with a day off?

Answer: Yes. During the day off, the team may fill out compliance forms, participate in a medical exam and take a team picture.

Question No. 13: Under current NCAA legislation, what does it mean to redefine a week?

Answer: A week shall be defined by an institution as any consecutive seven-day period, regardless of the day on which the seven-day period begins. The playing season shall consist of consecutive weeks. Practice or competition during any part of a week shall be counted as a full week. An institution may not redefine its week except during a published vacation and holiday period during the academic year or during a final exam period and the team does not engage in practice or competition for at least seven consecutive days.

Question No 14: If this proposal is adopted, is it permissible for a football team to redefine a week in the playing season?

Answer: Yes, a football team may redefine its week after the acclimatization period or at the conclusion of the preseason practice period, but not both. Additionally, the team is not required to take an entire week off to redefine its week.

Question No 15: If this proposal is not adopted, how will institutions determine the first permissible practice date in football?

Answer: If the proposal is not adopted then the current football playing and practice season legislation would remain in place. (See Question No. 1 for the current method of determining the first permissible practice date). The governance structure would reconsider whether the waivers applicable to the 2017 season (i.e. use of footballs during walk throughs and allowing athletically related activities during the administrative days) should be implemented for the 2018 season.

Proposal Number 2018-6 (2-5).

Title: PLAYING AND PRACTICE SEASONS -- ANNUAL CONTEST EXEMPTIONS -- ALUMNI CONTEST

Effective Date: August 1, 2018.

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

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

Question No. 1: What is the current rule regarding annual exemptions?

Answer: During the playing season, a team may annually exempt a conference championship, a season-ending tournament and up to two exhibitions, scrimmages or joint practices.

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.

Question No. 2: What is a contest/date of competition exemption?

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

Question No. 3: If this proposal is adopted, how would this proposal amend the annual exemption legislation?

Answer: A team may annually exempt a conference championship, a season-ending tournament and up to two exhibitions, scrimmages or joint practices, and would be permitted to also exempt one alumni contest.

Question No. 4: If this proposal is adopted, when may an alumni contest be conducted?

Answer: The alumni contest may occur during any segment/period of a team's playing and practice season. If the alumni contest occurs during the nontraditional segment for baseball, field hockey, lacrosse, soccer, softball or volleyball it must count as one of the 16 permissible days of athletically related activity.

Question No. 5: If this proposal is adopted, are any sports precluded from using the alumni contest exemption?

Answer: Yes, this exemption does not apply to the sport of football. However, a football team may conduct an alumni contest and count the contest as one of its maximum contests or as one of the two exhibitions, scrimmages or joint practices during the playing and practice season.

Question No. 6: If this proposal is adopted, may an institution substitute the alumni contest exemption for another exhibition, scrimmage or joint practice?

Answer: No. This proposed exemption would only allow an alumni contest and may not be substituted for another type of contest.

Question No. 7: If this proposal is adopted, does the alumni contest exemption apply separately to varsity and subvarsity (i.e. one for each squad)?

Answer: The alumni contest exemption would apply separately to varsity and subvarsity squads if the alumni contest is conducted during the traditional segment and no student-athlete participates in more than one exempted alumni contest (i.e., if a student-athlete participated in both a varsity and junior varsity alumni contests, one of those contests would count against the student-athlete's maximum contests). If the institution conducts the alumni contest during the nontraditional segment, then there could only be one alumni contest for both varsity and junior varsity combined. Each student-athlete is still limited to a specific maximum number of contests and dates of competition. A student-athlete would only be permitted to participate in one alumni contest.

Proposal Number: 2018-7 (2-6).

Title: PLAYING AND PRACTICE SEASONS -- BASKETBALL -- FIRST PERMISSIBLE CONTEST -- NOVEMBER 8TH

Effective Date: August 1, 2018.

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

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.

Question No. 1: Currently, when may a men's or women's basketball team play its first contest?

Answer: A men's or women's basketball team may play its first contest on November 15. When November 15 falls on a Saturday, Sunday or Monday, a member institution may play its first basketball game on the Friday immediately preceding November 15.

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

Answer: If this proposal is adopted, the first contest date may be conducted on November 8. When November 8 falls on a Saturday, Sunday or Monday, a member institution may play its first basketball game on the Friday immediately preceding November 8. Thus, making the first contest occur one week earlier than what the current rule allows.

Question No. 3: How does this proposal impact the length of the playing and practice season?

Answer: This proposal does not impact the length of the playing and practice season. All practice and competition must still be included in the 19-week playing season.

Question No. 4: Will this proposal impact when an institution may play its two exempted exhibitions, scrimmages or joint practices?

Answer: No. A men's or women's basketball team will still be permitted to play up to two exempted exhibitions, scrimmages or joint practices which may take place at any time during the playing season, including before the first permissible contest date.

Proposal Number 2018-8 (2-8).

Title: PLAYING AND PRACTICE SEASONS -- ICE HOCKEY -- FIRST PERMISSIBLE ON-ICE PRACTICE DATE -- SECOND MONDAY IN OCTOBER

Effective Date: August 1, 2018.

Source: Middle Atlantic Conferences and Minnesota Intercollegiate Athletic Conference.

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

Question No. 1: Currently, when may a men's or women's ice hockey team conduct its first on-ice practice?

Answer: Currently, an ice hockey team shall not commence on-ice practice sessions before the third Monday in October.

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

Answer: The first on-ice practice may occur on the second Monday in October.

Question No. 3: How does this proposal impact the length of the playing and practice season?

Answer: This proposal does not impact the length of the playing and practice season. The off-ice practice must still be included in the 19-week playing season and may not occur before the first Monday in October.

Question No 4: Currently, when may a men's and women's ice hockey team conduct its first contest?

Answer: An institution shall not play its first contest against outside competition before the second Friday following the first permissible practice date. This provides an eleven-day period of on-ice practice before the first official contest.

Question No. 5: How does this proposal impact the first contest date?

Answer:

2018-19 Season	Current Legislation	Proposed Legislation
First permissible off-ice practice date	October 1	October 1
First permissible on-ice practice date	October 15	October 8
First permissible contest	October 26	October 26

Proposal Number: 2018-9 (2-3).

Title: AMATEURISM -- PROMOTIONAL ACTIVITIES -- INSTITUTIONAL, CHARITABLE, EDUCATIONAL OR NONPROFIT PROMOTIONS -- EDUCATIONAL REQUIREMENT

Effective Date: August 1, 2018.

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

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.

Question No. 1: What is a promotional activity?

Answer: A promotional activity is any event in which a student-athlete participates to support the charitable or educational activities of a member institution or recognized entity thereof (e.g., fraternity, sorority or student government organization), a member conference or noninstitutional, charitable, educational or nonprofit agency or to support activities considered incidental to participation in intercollegiate athletics.

Examples of promotional activities include:

1. Student-athletes conducting a fundraiser for their winter training trip.
2. The SAAC hosting a Special Olympics event.
3. Student-athletes participating in a direct appeal (e.g., letter writing).
4. An institution using a crowdfunding site to raise funds for student-athletes to participate on a foreign tour.
5. An institution using a student-athlete's photo in social media and/or on the institution's website.
6. An institution conducting a fundraising night at a local restaurant with student-athletes promoting the event.

Question No. 2: What must an institution determine before a student-athlete participates in a promotional activity?

Answer: The institution shall determine the following (please note this is not an exhaustive list, but a general summary of the requirements in Bylaw 12.5.1.1):

1. Is the activity considered a promotional activity;

2. Will student-athletes be involved in the promotion;
3. Information and details about the promotional activity;
4. If the student-athlete has received written approval to participate in the promotional activity;
5. That the specific activity or project does not involve cosponsorship, advertisement or promotion of a commercial agency, except as follows in Bylaw 12.5.1.1–(b) (1-3);
6. That the name or picture of the student-athlete does not appear on an institution's printed promotional item 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;
7. That the student-athlete does not miss class;
8. That all money derived from the activity or project goes directly to the member institution, member conference or the charitable, educational or nonprofit agency;
9. That the student-athlete does not accept more than actual and necessary expenses related to participation in the activity;
10. That the student-athlete's name, picture or appearance is not used to promote the commercial ventures of any nonprofit agency; and
11. That the student-athlete has signed a release statement authorizing the use of his or her name, image, or appearance.

Question No. 3: Who must provide written approval before a student-athlete participates in a promotional activity?

Answer: The student-athlete must receive written approval from the institution's president or chancellor (or his or her designee) to participate in a promotional activity.

Question No. 4: What must be included in the written approval?

Answer: The written approval must ensure that the requirements of Bylaw 12.5.1.1 will be met regarding the student-athlete's participation in the promotional activity.

Question No. 5: What is the current legislation pertaining to educational requirements for promotional activities?

Answer: Prior to a student-athlete's promotion of, or participation in, a promotional activity for a member institution, member conference or a noninstitutional charitable, educational, nonprofit or government agency (e.g., the armed services), an authorized representative of the entity must sign a release statement ensuring that the student-athlete's name, image or appearance is used in a manner consistent with NCAA legislation.

Question No. 6: If this proposal is adopted, how will it impact the current rule?

Answer: This proposal will eliminate the signature requirement for an authorized representative of the charitable, educational or nonprofit agency. In place of the signature, institutions must provide information regarding regulations on the proper use of a student-athlete's name, image or appearance before the promotional activity occurs.

Question No. 7: How frequently must an institution provide educational material on the use of a student-athlete's name, image or appearance to an outside entity?

Answer: An institution should provide educational material to an outside entity for each activity to ensure that a student-athlete's name, image and appearance will be used in a manner consistent with the permissible promotional activities legislation. If the outside entity is part of ongoing promotional activity, educational material is only required annually.

Question No. 8: What is the penalty if an institution fails to send educational material prior to a student-athlete's participation in a promotional activity?

Answer: The institution would have to report a secondary violation to the NCAA enforcement staff. The eligibility of the involved student-athlete(s) would not be impacted.

Question No. 9: Would this proposal permit an outside entity to use the name, image or appearance in a manner contrary to the promotional activities legislation?

Answer: No.