



OFFICIAL NOTICE

2019 DIVISION III OFFICIAL NOTICE

113th Annual
Convention

January 23-26, 2019
Orlando, Florida



THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

P.O. Box 6222
Indianapolis, Indiana 46206-6222
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www.ncaa.org
November 2018

Legislation Prepared By: Jeff Myers, Director of Academic and Membership Affairs and Bill Regan, 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

113th 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 113th Annual Convention scheduled January 23 through 26, 2019, in Orlando, Florida.

It is our pleasure to issue this Official Notice of the 2019 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 Association-wide and Division III business sessions 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 the Board of Governors sponsored legislation and 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 and the Association.

We hope you will arrive in time to join delegates from all divisions at the NCAA Plenary Session: State of College Sports (formerly known as the opening business session) and the Association-Wide Business Session Thursday afternoon. The NCAA delegates reception will be held Thursday evening immediately after the business session.

We hope that each member of the Association will be in attendance at the 2019 Convention. We look forward to seeing you in Orlando, Florida.

*G.P. 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, 2018

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[Note: The vote on this proposal will occur immediately after the Plenary Session at the 2019 NCAA Convention Thursday, January 24, 2019. The schedule calls for the Association-Wide Business Session to begin at 5:45 p.m. Eastern time in Grand Ballroom 7-8 at the Orlando World Center Marriott. Voting delegates from members of the Association shall vote on this proposal, by roll call vote, during the business session.]

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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 2018, 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 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 that the governance structure 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 teal color designation. Media will receive badges with a navy color designation. Individuals attending the Convention as a visitor will receive a badge with an orange 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 \$275 for all delegates who registered on or before Tuesday, October 9, and \$400 for all delegates who register by Thursday, November 29. Member registration fees on or after November 29 are \$550.

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 2019 Convention, please call upon us.

Please note that the Convention schedule of events is available on the NCAA website (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 24. Adjournment of the Convention has been scheduled for Saturday, January 26.

Proposed Amendments

The proposed amendments to be considered at the 113th 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 2019 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 or more 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 2019 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 via electronic mail to Jeff Myers, jmyers@ncaa.org and/or Bill Regan, bfregan@ncaa.org or the Association's Convention office before 1 p.m. on the day preceding the Division III business session of the Convention.

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 2018 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 2018 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 113th Annual Convention will begin at 4:30 p.m. Thursday, January 24. 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 xiii. 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) which begins at 4:30 p.m. Thursday, January 24. 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, November 30, 2018. 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 23. 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 26.

TOPICAL GROUPINGS OF PROPOSED AMENDMENTS 113th ANNUAL CONVENTION

<i>Proposal Number</i>	<i>General Topic</i>
1	Board of Governors Grouping
2 through 4	Presidents Council Grouping
5 through 7	General Grouping

113th 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 chancellors or presidents.

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

Board of Governors

The discussion and vote on 2019 NCAA Convention Proposal No. BOG-2019-1 will occur immediately after the Plenary Session at the 2019 NCAA Convention Thursday, January 24, 2019. The schedule calls for the Association-Wide Business Session to begin at 5:45 p.m. Eastern time in Grand Ballroom 7-8 at the Orlando World Center Marriott.

No. BOG-2019-1 (2-1) ORGANIZATION – BOARD OF GOVERNORS – INDEPENDENT MEMBERS

Intent: To amend legislation related to the NCAA Board of Governors, as follows: (1) Increase the number of members from 20 to 25 by adding five independent voting members; (2) Define an independent member; (3) Specify that an independent member shall be appointed to a three-year term that is renewable for an additional three-year term, and that an independent member who has served two terms shall not serve further; (4) Specify that the Board of Governors shall issue a call for nominations when a vacancy for an independent member occurs; and (5) Specify that the Board of Governors shall serve as the final authority for the selection of and additional duties assigned to independent members.

A. Constitution: Amend 4.02, as follows:

[Dominant provision, all divisions, common vote]

4.02 Definitions and Applications.

[4.02.1 through 4.02.3 unchanged.]

4.02.4 Independent Member of the Board of Governors. An independent member of the Board of Governors shall be an individual who is not salaried by an NCAA member institution, conference or affiliated member, and shall be verified as independent by the Board of Governors.

[4.02.4 through 4.02.5 renumbered as 4.02.5 through 4.02.6, unchanged.]

B. Constitution: Amend 4.1, as follows:

[Dominant provision, all divisions, common vote]

4.1 Board of Governors.

4.1.1 Composition. The Board of Governors shall consist of ~~20~~**25** members. The NCAA president and the chairs of the Division I Council and the Division II and Division III Management Councils shall be ex officio nonvoting members, except that the NCAA president is permitted to vote in the case of a tie among the voting members of the Board of Governors present and voting. The other ~~16~~**21** voting members of the Board of Governors shall include:

[4.1.1-(a) through 4.1.1-(c) unchanged.]

(d) Two Division II presidents or chancellors from the Division II Presidents Council;
and

(e) Two Division III presidents or chancellors from the Division III Presidents Council;
and

(f) Five independent members (see Constitution 4.02.4).

4.1.2 Duties and Responsibilities. The Board of Governors shall:

[4.1.2-(a) through 4.1.2-(k) unchanged.]

- (l) Review and coordinate the catastrophic-injury and professional career insurance (disability injury/illness) programs; ~~and~~
- (m) Compile the names of those individuals associated with intercollegiate athletics who died during the year immediately preceding the annual Convention;‡
- (n) Issue a call for nominations when a vacancy for an independent member occurs on the Board of Governors; and**
- (o) Serve as the final authority for the selection of and additional duties assigned to independent members of the Board of Governors.**

4.1.3 Election/Term of Office.

4.1.3.1 Election. Division I members of the Board of Governors shall be appointed by the Division I Board of Directors. Divisions II and III members of the Board of Governors shall be appointed by the Divisions II and III Presidents Councils, respectively.

4.1.3.2 ~~Terms~~**Term of Office.** ~~The terms of service of members of the Board of Governors shall coincide with their service on the applicable divisional presidential governing body, unless otherwise specified by that governing body.~~

(a) President or Chancellor Members. The terms of office of president or chancellor members of the Board of Governors shall coincide with their service on the applicable divisional presidential governing body, unless otherwise specified by that governing body.

(b) Independent Members. An independent member of the Board of Governors shall be appointed to a three-year term that is renewable for an additional three-year term. An independent member who has served two terms shall not serve further on the Board of Governors.

4.1.3.3 Committee Chair. The Board of Governors shall elect one of its members to serve for a two-year period as chair.

Source: NCAA Board of Governors (Commission on College Basketball Association-Wide Issues Topical Working Group)

Effective Date: August 1, 2019

Rationale: The Commission on College Basketball recommended that the NCAA restructure its highest governance body, the Board of Governors, to include at least five independent members with the experience, stature and objectivity to assist the NCAA in re-establishing itself as an effective, respected leader and regulator of college sports. One independent member will also serve on the Board of Governors Executive Committee. The current Board of Governors includes 16 institutional presidents or chancellors representing each division as voting members, the chairs of the Division I Council and the Division II and III Management Councils as ex-officio nonvoting members, and the NCAA president (who may vote in case of a tie). Like public companies, major nonprofit associations typically include outside board members to provide objectivity, relevant experience, perspective and wisdom. Board members with those qualities will provide valuable insight to the NCAA as it works towards the restoration of public confidence in college basketball and college sports in general. The Board of Governors will issue a formal call for nominations to fill

vacancies; appoint the Board of Governors Executive Committee as the nominating committee; and serve as the final authority for the selection of and additional duties assigned to independent members.

Budget Impact: \$25,000 each fiscal year [committee expenses (e.g., travel, hotel, per diem) for the five independent members to attend Board of Governors in-person meetings (four times per year)].

Additional Information:

Question No. 1: What entity will serve as the nominating committee to vet the nominated individuals and recommend a slate of independent members for full approval by the Board of Governors?

Answer: The Board of Governors Executive Committee.

Question No. 2: What is the composition of the Executive Committee?

Answer: The Executive Committee includes representation of all three divisions. Specifically, the committee includes the chair and vice chair of the Board of Governors (who must represent different divisions) and the members of the Governors who are the chairs of each divisional presidential body (Division I Board of Directors, Division II Presidents Council, Division III Presidents Council). When the chair or vice chair of the Board of Governors also serves as the divisional chair, then the vice chair from that division also serves on the Executive Committee. It is also the intent that the lead independent member will serve on the Executive Committee.

Question No. 3: What will be the duties and responsibilities of independent members?

Answer: Independent members will have the same duties and responsibilities of all governors. See Constitution 4.1.2 (duties and responsibilities). In addition, independent members will be responsible for meeting current Board of Governors policies and procedures regarding the duty of care, duty of loyalty, and duty of obedience.

Question No. 4: Will each independent member have full voting rights on the Board of Governors?

Answer: Yes.

Question No. 5: Will independent members receive an orientation regarding duties, responsibilities and expectations before their service on the Board of Governors?

Answer: Yes, and it will also include an orientation from the leadership in each division on the philosophical, governance, and financial priorities of the division.

Presidents Council Grouping

No. 2019-2 (2-7) PLAYING AND PRACTICE SEASONS – FOOTBALL -- ESTABLISHING PRESEASON START DATE 23 DAYS BEFORE THE INSTITUTION'S FIRST CONTEST

Intent: To amend the football preseason legislation as follows: (1) Establish the first permissible practice date as 23 days before the institution's first regular season contest; and (2) Prohibit physical athletically related activity one day each week of the preseason following the five-day acclimatization period.

Bylaws: Amend 17.10.2, as follows:

[Roll Call]

17.10.2 Preseason Practice.

17.10.2.1 First Practice Date. A member institution shall not commence official preseason football practice sessions for the varsity, junior varsity or freshman team **earlier than 23 days** before **its first scheduled contest** ~~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.~~

~~17.10.2.1.1 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.~~

~~17.10.2.1.1.1 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.~~

~~17.10.2.1.1.2 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.~~

~~17.10.2.1.1.3 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.~~

17.10.2.2 Five-Day Acclimatization Period. Preseason practice shall begin with a 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 a five-day acclimatization period. The five-day acclimatization period shall be conducted as follows:

[17.10.2.2-(a) through 17.10.2.2-(e) unchanged.]

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

[17.10.2.3-(a) unchanged.]

(b) Student-athletes shall not engage in more than one on-field practice and one walk-through session, which shall be limited to a combined total of four hours per day with the practice session not to exceed three hours; **and**

(c) All physical athletically related activity (e.g., on-field activity, weight lifting and conditioning) is prohibited during one calendar day per each defined week after the week including the acclimatization period (minimum of two days off prior to first contest) if classes are not in session during any portion of the defined week (See Bylaw 17.1.4.1 for day-off requirements when classes are in session).

[17.10.2.3.1 unchanged.]

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

Effective Date: August 1, 2019

Rationale: The Interassociation Consensus: Year-Round Football Practice Contact for College Student-Athletes Recommendations include the discontinuation of traditional two-a-day contact practices. Pursuant to those recommendations, the Division III Management Council adopted noncontroversial legislation in April 2017 to eliminate multiple on-field traditional contact practices on the same day. The noncontroversial legislation, however, did not change the calculation method for determining the first permissible preseason practice date, which assumes the permissibility of two-a-day practices. Consequently, the current calculation method could produce inequitable start dates and lost practice opportunities. This proposal seeks to rectify those potential inequities by providing consistent practice opportunities for all football sponsoring institutions. Institutions could start 23 days before their first contest, resulting in up to 21 practice days, while still providing student-athletes with two days off from physical athletically related activity during the preseason (During the off days, film review, team meetings, leadership and entertainment activities are permissible). This proposal maintains the health and safety provisions outlined in the Interassociation Recommendations and provides more equitable practice opportunities.

Budget Impact: The proposal provides a permissive first practice date and therefore institutions would not be obligated to incur additional expense by starting preseason before what is currently allowed. Regardless, by comparing the first permissible practice date under the proposed model with the current model, some institutions will have an earlier start date, others later and some the same. Therefore, the budget impact varies per institution.

No. 2019-2-1 PLAYING AND PRACTICE SEASONS – FOOTBALL -- ESTABLISHING PRESEASON START DATE 23 DAYS BEFORE THE INSTITUTION'S FIRST CONTEST- EXCEPTION THURSDAY CONTEST

Intent: To establish that the first-permissible practice date for an institution that conducts its first contest on the Thursday of the opening weekend is 23 days before the following Friday.

Bylaws: Amend 17.10.2, as follows:

[Roll Call]

17.10.2 Preseason Practice.

17.10.2.1 First Practice Date.

First Practice Date. A member institution shall not commence official preseason football practice sessions for the varsity, junior varsity or freshman team earlier than 23 days before its first scheduled contest **or before the Friday after the institution's first contest if the first contest is scheduled for Thursday of the opening weekend.**

[17.10.2.1.1 unchanged.]

[17.10.2.2 through 17.10.2.3 unchanged.]

Source: NCAA Division III Presidents Council (Management Council).

Effective Date: August 1, 2019

Rationale: This amendment-to-amendment will maintain the current requirement that if an institution conducts its first contest on the Thursday of opening weekend, it counts back from the following Friday. This is consistent with the rationale of the original proposal by ensuring an equitable start date without unnecessarily expanding the preseason.

Budget Impact: This amendment results in a possible cost savings associated with having one fewer preseason practice day for institutions that conduct their first contest on Thursday of the opening weekend.

No. 2019-3 (2-6) PLAYING AND PRACTICE SEASONS – FIELD HOCKEY AND SOCCER PRESEASON – ESTABLISHING A THREE-DAY ACCLIMATIZATION PERIOD

Intent: To amend preseason practice in the sports of field hockey and soccer as follows: (1) to add three additional days to the preseason practice period; (2) to require an acclimatization period during the first three days of the preseason practice period, during which a team would be limited to one single practice session no longer than three hours in duration, followed by a one-hour walk through, with a minimum of three hours of rest required in between the two activities; and (3) to mandate that on every preseason practice day following the three-day acclimatization period, a team would be limited to conducting no more than two on-field practices per day and a maximum of six hours of athletically related activity total during the two practices combined, with a minimum of three hours of rest required in between practice sessions.

A. Bylaws: Amend 17.02.12, as follows:

[Roll Call]

17.02.12 Fall Preseason Practice Formula – Sports Other Than Football, **Field Hockey, Soccer and Water Polo.** In cross country, ~~field hockey~~, golf, rowing, rugby, ~~soccer~~, tennis and women's volleyball, the first permissible date for preseason practice shall be determined by the application of 16 units in the preseason practice formula, as specified in this section.

17.02.12.1 Unit – Defined. A "unit" is a numerical value assigned to a particular calendar day within the application of the preseason practice formula that is used to determine the first permissible practice date for fall sports other than football. The number of units assigned to a particular day does not determine or limit the number of practices that may be conducted on that day.

17.02.12.2 ~~Determining the First Permissible Practice Date for Fall Sports Other Than Football~~ – Application of the 16 Units. To determine the first permissible practice date, an institution shall count back a total of 16 units on a calendar starting with the day before the first scheduled intercollegiate competition (see Bylaw 17.02.12.2.1), as follows:

- (a) Never assign any units to Sundays on the calendar; it is permissible to practice on Sundays;
- (b) Never assign any units to calendar days during the preseason when all institutional dormitories are closed, the institution's team must leave campus, and practice is not conducted;
- (c) The first six units: assign one unit to each of the six calendar days (not including Sunday) before the first scheduled intercollegiate competition (see Bylaw 17.02.12.2.1);
- (d) The remaining 10 units:
 - (1) Assign one unit to each calendar day (not including Sundays) that occurs on or after the opening day of classes for the fall term (see Bylaw 17.02.12.2.2), and
 - (2) Assign two units to each calendar day before the opening day of classes for the fall term (not including Sundays) until the sum of units on the calendar reaches 16;
- (e) The date on which the total count of units on the calendar reaches 16 is the first permissible date for preseason practice (see Bylaw 17.02.12.2.3).

[17.02.12.2.1 through 17.02.12.2.5 unchanged.]

17.02.12.2.6 Field Hockey and Soccer. In the sports of field hockey and soccer, the first permissible date for preseason practice shall be determined by the application of 19 units in the preseason practice formula as follows:

- (a) The first 16 units shall be applied in the same manner as set forth in Bylaw 17.02.12.2 (a)-(e); and**
- (b) The remaining three units shall be applied one unit per day for three days.**

B. Bylaws: Amend 17.1.1.3, as follows:

[Roll Call]

17.1.1.3 Length of Playing Season.

17.1.1.3.1 Sports with a Fall NCAA Championship. The length of an institution's playing season shall be limited to a maximum of 18 weeks.

17.1.1.3.1.1 Segment Limitations. Except for the sport of football (see Bylaw 17.10) and unless otherwise noted in the applicable sport section, the playing season shall be conducted according to the following:

(a) Traditional Segment.

- (1) First Permissible Practice. A member institution shall not commence practice before the date that permits a maximum of 16 units in the preseason practice formula (see Bylaw 17.02.12) before the first scheduled intercollegiate competition. This provision is not applicable to men's water polo [see Bylaw 17.26.2-(a)], **field hockey [see Bylaw 17.9.2] and soccer [see Bylaw 17.19.2].**

[17.1.1.3.1.1-(a)-(2) through 17.1.1.3.1.1-(a)-(3) unchanged.]

[17.1.1.3.1.1-(b) unchanged.]

[17.1.1.3.2 through 17.1.1.3.4 unchanged.]

C. **Bylaws:** Amend 17.9, as follows:

[Roll Call]

17.9 Field Hockey. Regulations for computing the field hockey playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (See Figure 17-1)

17.9.1 Length of Playing Season. (See Bylaw 17.1.1.3.1 for fall NCAA championship sports.)

17.9.2 Preseason Practice. ~~(See Bylaw 17.1.1.3.1.1)~~ **A member institution shall not commence practice sessions in field hockey before the date that permits a maximum of 19 permissible units in the preseason practice formula (see Bylaw 17.02.12.2.6) before the first scheduled intercollegiate competition.**

17.9.2.1 Three-Day Acclimatization Period. Preseason practice shall begin with a three-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 a three-day acclimatization period. The three-day acclimatization period shall be conducted as follows:

17.9.2.1.1 Institutions may not conduct conditioning, speed, strength or agility tests before the start of the three-day acclimatization period.

17.9.2.1.2 During the three-day acclimatization period, an institution may only conduct one on-field practice session per day not to exceed three hours followed by a one-hour walk-through session. Student-athletes must be provided with at least three hours of continuous recovery time between the sessions. 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.

17.9.2.1.3 Institutions are permitted to conduct weight training activities during the three-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 sessions.

17.9.2.2 Preseason Activities After the Three-Day Acclimatization Period. For each preseason practice day following the three-day acclimatization period, an institution may only conduct two on-field practices not to exceed six hours total combined. Student-athletes must be provided with at least three hours of continuous recovery time between the sessions. 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.

[17.9.3 through 17.9.6 unchanged.]

D. Bylaws: Amend 17.19, as follows:

[Roll Call]

17.19 Soccer. Regulations for computing the soccer playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (See Figure 17-1)

17.19.1 Length of Playing Season. (See Bylaw 17.1.1.3.1 for fall NCAA championship sports.)

17.19.2 Preseason Practice. *(See Bylaw 17.1.1.3.1.1)* **A member institution shall not commence practice sessions in soccer before the date that permits a maximum of 19 permissible units in the preseason practice formula (see Bylaw 17.02.12.2.6) before the first scheduled intercollegiate competition.**

17.19.2.1 Three-Day Acclimatization Period. Preseason practice shall begin with a three-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 a three-day acclimatization period. The three-day acclimatization period shall be conducted as follows:

17.19.2.1.1 Institutions may not conduct conditioning, speed, strength or agility tests before the start of the three-day acclimatization period.

17.19.2.1.2 During the three-day acclimatization period, an institution may only conduct one on-field practice session per day not to exceed three hours followed by a one-hour walk-through session. Student-athletes must be provided with at least three hours of continuous recovery time between the sessions. 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.

17.19.2.1.3 Institutions are permitted to conduct weight training activities during the three-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 sessions.

17.19.2.2 Preseason Activities After the Three-Day Acclimatization Period. For each preseason practice day following the three-day acclimatization period, an institution may only conduct two on-field practices not to exceed six hours total combined. Student-athletes must be provided with at least three hours of continuous recovery time between the sessions. 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.

[17.19.3 through 17.19.6 unchanged.]

Source: City University of New York Athletic Conference and New Jersey Athletic Conference

Effective Date: August 1, 2019

Rationale: Under current NCAA legislation, the preseason practice time that is allotted in the sports of field hockey and soccer is insufficient in regard to the time needed to properly prepare student-athletes for intercollegiate competition. Due to the time constraints that coaches are faced with in the preseason practice period, programs are forced to engage in strenuous practice activities, including multiple training sessions often in extreme conditions. The additional three practice opportunities will provide programs extra time to prepare for competition, resulting in a reduced workload during each practice day in the preseason. In addition, the implementation of an acclimatization period for health and safety reasons will allow student-athletes who are returning from summer break to adjust to a return to strenuous play in potentially extreme temperatures.

Budget Impact: Would vary based on costs that institutions would need to incur for preseason housing and meals.

No. 2019-4 (2-2) MEMBERSHIP – CONDITIONS AND OBLIGATIONS OF MEMBERSHIP – STUDENT-ATHLETE GRADUATION RATE REPORTING

Intent: To include as a condition and obligation of Division III active membership, that an institution submit on an annual basis student-athlete graduation rate reporting data for the academic success rate in a form prescribed by the Management Council; further to establish that annual championships eligibility is contingent upon submission of the student-athlete graduation rate data.

A. Constitution: Amend 3.2.4, as follows:

[Roll Call]

3.2.4 Conditions and Obligations of Membership.

[3.2.4.1 through 3.2.4.20 unchanged.]

3.2.4.21 Academic Success Rate. Active members shall annually submit student-athlete graduation rate data, by the applicable deadline, for the Academic Success Rate (ASR) in a form prescribed by the Management Council.

3.2.4.21.1 Failure to Submit Data. An active member institution that fails to submit student-athlete graduation rate data for the ASR by the applicable deadline shall not be eligible to enter a team or individual competitors in an NCAA championship (See Bylaw 31.2.1.9) and may be subject to additional membership penalties.

B. Administrative: Amend 31.2.1, as follows:

[Roll Call]

31.2.1 Institutional Eligibility. To be eligible to enter a team or an individual in NCAA championship competition, an institution shall recognize the sport involved as a varsity intercollegiate sport (see Bylaw 17.02.13) and shall:

[31.2.1-(a) through 31.2.1-(h) unchanged.]

[31.2.1 unchanged.]

31.2.1.9 Academic Success Rate. An institution shall not be eligible to enter a team or individual competitors in an NCAA championship unless it has submitted, by the applicable deadline, student-athlete graduation rate data for the Academic Success Rate (ASR), in a form prescribed by the Management Council.

[31.2.1.9 renumbered as 31.2.1.10, unchanged.]

Source: NCAA Division III Presidents Council [Management Council (Diversity and Inclusion Working Group)]

Effective Date: August 1, 2019 [First report is due June 1, 2020]

Rationale: Currently, institutions are required to annually submit student-body enrollment and graduation information to the NCAA. Voluntary reporting of Division III student-athlete graduation rates during the last eight years has annually reflected lower rates for male African-American student-athletes, and in particular football players, than their student-athlete peers, as well as rates lower than the student-body. This proposal allows for the private identification and communication of student-athlete graduation rates at each member school. A mandatory collection also provides the data to develop Division III evidence-based best practices to improve the retention and graduation of all student-athletes, including male African-Americans and football student-athletes. Institution-specific rates will not be publicized; rather, institutions will be able to view their student-athlete graduation rates privately in the NCAA Institutional Performance Program (IPP) for assessment and bench-marking. In addition, a mandated division-wide graduation-rate submission program also allows for the better promotion of Division III's overall positive academic success story.

Budget Impact: Minimal initial campus-based reporting expenses for schools currently not reporting student-athlete graduation rates. Currently, institutional financial aid directors submit annual data on student-athletes, and consequently are already coding the student-athlete cohort within institutional software on an annual basis. By sharing such information across institutional departments, this data collection and submission will not prove overly burdensome.

General Grouping

No. 2019-5 (2-3) AMATEURISM – PRE-ENROLLMENT EDUCATIONAL EXPENSES

Intent: To permit individuals to accept educational expenses (e.g. tuition, fees, room, board and books) prior to collegiate enrollment from any individual or entity other than an agent, professional sports team/organization or representative of an institution's athletics interests, provided such expenses are disbursed directly through the recipient's educational institution (e.g., preparatory school, high school).

A. Bylaws: Amend 12.1.3.1, as follows:

[Roll Call]

12.1.3.1 Permissible Activities – Before Initial, Full-Time Collegiate Enrollment. Before initial, full-time collegiate enrollment, an individual may engage in the following without jeopardizing his or her amateur status:

[12.1.3.1-(a) through 12.1.3.1-(q) unchanged.]

(r) Educational Expenses. May accept educational expenses (e.g. tuition, fees, room, board and books) from any individual or entity other than an agent, professional sports team/organization or a representative of an institution's athletics interests, provided such expenses are disbursed directly through the recipient's educational institution (e.g., high school, preparatory school).

B. Bylaws: Amend 12.1.7, as follows:

[Roll Call]

12.1.7 Prohibited Forms of Pay. "Pay" as used in the sections above includes, but is not limited to, the following:

[12.1.7.1 through 12.1.7.2 unchanged.]

12.1.7.3 Educational Expenses. Except as provided for in Bylaws **12.1.3.1-(r) and 12.1.6-(a)**, educational expenses not permitted by the governing legislation of this Association (see Bylaw 15 regarding permissible financial aid to enrolled student-athletes) that includes those provided to an individual by an outside sports team or organization that are based in any degree on the recipient's athletics ability (except as specified in Bylaw 15.2.3.5), even if the funds are given to the institution to administer to the recipient.

[12.1.7.4 unchanged.]

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

Effective Date: August 1, 2019

Rationale: Current legislation precludes prospective student-athletes from receiving educational expenses for secondary education when athletics participation is considered. This standard is more restrictive than the standard that is imposed on current student-athletes who are permitted to receive such assistance in recognition of high school athletics leadership, ability, participation or performance from an established and continuing program. It seems inconsistent that prospective student-athletes should be held to a higher standard than

current student-athletes as it relates to the receipt of educational expenses to attend a secondary institution. This proposal would allow for consistency in application between prospective student-athletes and current student-athletes.

Budget Impact: None

No. 2019-6 (2-5) ELIGIBILITY – FINAL TERM BEFORE EXPERIENTIAL LEARNING REQUIREMENT

Intent: To extend the existing final term exception to the full-time enrollment requirement to include student-athletes that are carrying (for credit) all courses necessary to complete degree requirements but have an outstanding experiential learning requirement.

Bylaws: Amend 14.1.8, as follows:

[Roll Call]

14.1.8 Full-Time Enrollment.

[14.1.8.1 unchanged.]

14.1.8.1.6 Exceptions.

14.1.8.1.6.1 Final Semester/Quarter – Practice or Competition. A student-athlete may practice or compete while enrolled in less than a minimum full-time program of studies, provided the student is enrolled in the final semester or quarter of the baccalaureate or graduate program and the institution certifies that the student is carrying (for credit) the courses necessary to complete degree requirements. For a student-athlete who competes while eligible pursuant to this exception, the student-athlete shall forfeit eligibility in all sports, unless the student completes all degree requirements during that semester or quarter and is eligible to receive the baccalaureate or graduate diploma on the institution's next degree-granting date.

14.1.8.1.6.1.1 Final Term Before Experiential Learning Requirement. A student-athlete may practice or compete while enrolled in less than a minimum full-time program of studies in the final semester or quarter of the student's baccalaureate degree program before participating in an experiential learning requirement (e.g., student teaching, internship, clinical, capstone project) in the following term, provided the student-athlete is carrying (for credit) all courses necessary to complete degree requirements as determined by the faculty of the institution, other than the experiential learning requirement. For a student-athlete who competes while eligible pursuant to this exception, the student-athlete shall forfeit eligibility in all sports, unless the student completes all other degree requirements during that semester or quarter and participates in the experiential learning requirement no later than the next regular academic term. A student-athlete who uses this exception is not permitted to use the final semester/quarter exception the following semester or quarter (see bylaw 14.1.8.1.6.4, for eligibility when enrolled in an experiential learning requirement).

[14.1.8.1.6.2 through 14.1.8.1.6.7 unchanged.]

[14.1.8.1.7 unchanged.]

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

Effective Date: August 1, 2019

Rationale: This proposal provides flexibility for student-athletes who are unable to satisfy an experiential learning requirement in the same term in which they complete the other credits necessary for graduation. The proposal would save student-athletes from incurring the additional expense of taking courses unnecessary for their degree solely for the purpose of playing their final season.

Budget Impact: None

No. 2019-7 (2-4) RECRUITING – SOCIAL MEDIA AND PUBLICITY -- EXCEPTIONS -- CONNECT WITH PROSPECTIVE STUDENT-ATHLETES

Intent: To establish an exception to the restrictions on electronic transmissions and publicity before commitment legislation to permit athletics department staff members to (1) connect with (e.g., "friend," "follow," etc.) prospective student-athletes on social media platforms, and (2) take actions (e.g., "like," "favorite," republish, etc.) on social media platforms that indicate approval of content generated by users of the platforms other than institutional staff members or representatives of an institution's athletics interests.

A. Bylaws: Amend 13.02.11, as follows:

[Roll Call]

13.02.11 Electronic Transmissions. Any electronically transmitted correspondence (e.g., electronic mail, Instant Messenger, private communication through *social networking site* **social media platforms**, text messages or facsimiles) may be sent to a prospective student-athlete (or his or her parents or legal guardians) provided the communication is private between only the sender and recipient (e.g., no use of public chat rooms, message boards, public communication through a *social networking site* **social media platforms**). An enrolled student-athlete may send private electronic correspondence (e.g., electronic mail, Instant Messenger, private communication through *social networking site* **social media platforms**, text messages or facsimiles) to a prospective student-athlete for recruitment purposes. [D]

[13.02.11.1 through 13.02.11.4 unchanged.]

13.02.11.5 Exception—Actions on Social Media Platforms. An athletics department staff member may connect with (e.g., "friend," "follow," etc.) a prospective student-athlete on social media platforms. Further, an athletics department staff member may take actions (e.g., "like," "favorite," republish, etc.) on social media platforms that indicate approval of social media content generated by users of the platforms other than institutional staff members or representatives of an institution's athletics interests.

B. Bylaws: Amend 13.10, as follows:

[Roll Call]

13.10.2 Comments Before Acceptance. An institution may comment publicly only to the extent of confirming its recruitment of the prospective student-athlete. [D]

[13.10.2.1 unchanged.]

13.10.2.2 Exception—Actions on Social Media Platforms. An athletics department staff member may connect with (e.g., "friend," "follow," etc.) a prospective student-athlete on social media platforms. Further, an athletics department staff member may take actions (e.g., "like," "favorite," republish, etc.) on social media platforms that indicate approval of social media content generated by users of the platforms other than institutional staff members or representatives of an institution's athletics interests.

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

Effective Date: Immediate

Rationale: This proposal provides continuity among the three divisions regarding public social media communication, thereby minimizing confusion for prospective student-athletes and ensuring equitable access for Division III coaches. First, the proposal allows prospective student-athletes to receive electronic notifications automatically generated by the social media platform (e.g., the platform notifies a prospective student-athlete that he or she has received a friend request); coaches may not include any additional language in either the request or the reply. Next, the proposal permits coaches to respond to content produced by prospective student-athletes. By limiting coaches' initial social media correspondence to a response, this proposal allows prospective student-athletes to control a level of privacy and the extent to which they would like to engage in the recruiting process on social media platforms. Under current legislation, it is difficult to monitor all coaches and their social media activities (e.g., "likes," "favorites," republishing, etc.). This proposal creates an exception to publicity related to recruiting on social media platforms and attempts to maintain pace with the frequent creation and/or enhancement of social media applications. The immediate effective date will provide relief from the current application of the legislation without detrimentally impacting prospective student-athlete well-being.

Budget Impact: None.

Appendix A

Interpretations to be Included in the 2019-20 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 2019-20 Division III Manual. This will be referenced in the report of this Official Convention Notice during the 2019 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 2019-20 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 2019-20 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 2019-20 Division III Manual also is not challenged, it will appear in the 2019-20 Division III Manual as noted.

NO. I-2019-1 ELIGIBILITY -- PARTICIPATION IN ORGANIZED COMPETITION BEFORE INITIAL COLLEGIATE ENROLLMENT -- ACTIVITIES CONSTITUTING USE OF SEASON -- PROFESSIONAL CONTRACT

Bylaws: Amend 14.2.4, as follows:

14.2.4 Criteria for Determining Season of Eligibility.

[14.2.4.1 through 14.2.4.3 unchanged.]

14.2.4.4 Participation in Organized Competition Before Initial Collegiate Enrollment. An individual who does not enroll in a collegiate institution as a full-time student in the regular academic year term that begins immediately after a one-year period (the next opportunity to enroll after the one calendar year period has elapsed) following his or her high school graduation date (or the international equivalent as specified in the NCAA Guide to International Academic Standards for Athletics Eligibility) shall use a season of intercollegiate participation for each consecutive 12-month period after the one-year time period and before the initial

collegiate enrollment in which the individual participates in activities that meet the criteria set forth in Bylaw 14.2.4.4.2.

[14.2.4.4.1 unchanged.]

14.2.4.4.2 Activities Constituting Use of Season. An individual shall use a season of participation per Bylaw 14.2.4.4 if the individual engages in activities that meet any of the following criteria:

[14.2.4.4.2-(a) through 14.2.4.4.2-(b) unchanged.]

(c) Any competition pursuant to the signing of a contract **with a professional team** for athletics participation or entering a professional draft; or

[14.2.4.4.2-(d) unchanged.]

[14.2.4.4.2.1 unchanged.]

[14.2.4.4.3 through 14.2.4.4.4 unchanged.]

[14.2.4.5 through 14.2.4.8 unchanged.]

Source: NCAA Division III Interpretations and Legislation Committee.

Effective Date: Immediate

Budget Impact: None.

Additional Information:

The incorporation of this official interpretation [Reference: 4/21/2017, Item Ref. 2] provides clarification that a prospective student-athlete should not be charged with a season of participation or be required to serve an academic year of residence if the individual signs a player agreement with an amateur team, where no payment to the prospective student-athlete is provided. This incorporation further serves to reduce confusion and clarify that a player agreement to compete with an amateur team, where no payment is provided, is not competition pursuant to the signing of a contract and would not constitute participation in organized competition before initial collegiate enrollment.

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 2019 NCAA Division III business session. Approval of the Official Notice will constitute ratification of these actions and incorporation in the 2019-20 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-2019-1 COMMITTEES -- DIVISION III COMMITTEES -- COMMITTEE
MEMBERSHIP -- WOMEN'S ICE HOCKEY COMMITTEE
COMPOSITION

Intent: To specify that the composition of the Women's Ice Hockey Committee shall include at least one coach from each region.

Bylaws: Amend Figure 21-1, as follows:

Figure 21-1 Committee Membership

FIGURE 21-1
Committee Membership

Committee	Number of Members
Baseball Committee	8, including one member from each region.
Basketball Committee, Men's	8, including one member from each region.
Basketball Committee, Women's	8, including one member from each region.
Field Hockey Committee	6, including one member from each region.
Football Committee	8, consisting of two representatives from each of the four Division III football regions.
Golf Committee, Men's	6, including one member from each region.
Golf Committee, Women's	5, including one member from each region.
Ice Hockey Committee, Men's	4, including two members from both the East and West Regions (one administrator and one coach).
Ice Hockey Committee, Women's (Revised: 1/15/14 effective 9/1/14)	5, consisting of including three members from the East Region and two members from the West Region/Independents (one coach from each region).
Lacrosse Committee, Men's	4, including two members from each of the North and South Regions (one administrator and one coach). Two representatives serving on the committee shall be athletics administrators, and two shall be coaching-staff members.
Lacrosse Committee, Women's	5, including one member from each region.
Rowing Committee, Women's	6, including one member from each region.
Soccer Committee, Men's	8, including one member from each region.
Soccer Committee, Women's	8, including one member from each region.
Softball Committee, Women's	8, including one member from each region.
Swimming and Diving Committee, Men's and Women's (Revised: 1/14/12 effective 8/1/12)	8, three members shall represent men's swimming and diving interests and four members shall represent women's swimming and diving interests with two positions allocated for a man and three allocated for a woman and two unallocated with one additional member representing diving interests.
Tennis Committee, Men's	4, including one member from each region.
Tennis Committee, Women's	4, including one member from each region.
Track and Field and Cross Country Committee, Men's and Women's (Revised: 1/14/12 effective 8/1/12)	8, four members shall represent men's track and field interests and four members shall represent women's track and field interests with four positions allocated for men and four allocated for women. There shall be one representative elected from each of the Division III track and field regions.*
Volleyball Committee, Men's	4, including two members from each region.
Volleyball Committee, Women's	8, including one member from each region.
Wrestling Committee (Revised: 1/14/12 effective 8/1/12)	6, including one member from each region.

* The Men's and Women's Track and Field and Cross Country Committee shall be responsible for the Division III cross country, indoor track and field, and outdoor track and field championships.

Source: NCAA Division III Management Council (Championships Committee).

Effective Date: August 1, 2019

Budget Impact: None.

Additional Information:

Bylaw 21.9.1.4.2 mandates that at least 50 percent of the positions on each team sport committee be filled by athletics administrators. The proposed change to the composition of the women's ice hockey committee maintains this requirement while recognizing the importance of the perspective of coaches. The delayed effective date will allow the current coaches on the committee, who represent the same region, to complete their two year terms.

NO. NC-2019-2 COMMITTEES – ASSOCIATION-WIDE COMMITTEES – GENERAL COMMITTEES – RESEARCH COMMITTEE – DUTIES

Intent: To amend the duties of the Research Committee to reflect the current scope of the committee's work.

Bylaws: Amend 21.2.7, as follows:

21.2.7.2 Duties. The committee shall:

- (a) ~~Evaluate, supervise and coordinate the Association's research activities~~ **Promote and encourage graduate student research on psychosocial aspects of intercollegiate athletics by administering the Association's Graduate Student Research Grant Program;**
- (b) ~~Make recommendations to the Board of Governors regarding expenditures of Association funds for research projects; and~~ **Assist staff in the evaluation of data-sharing requests submitted by the membership, as needed;**
- (c) ~~Make recommendations to the Presidents Council concerning research topics in intercollegiate athletics.~~ **Study and make recommendations to the NCAA research staff and governance committees concerning opportunities for Association or collaborative research at the nexus of higher education and athletics;**
- (d) **Confer with research staff on issues related to the research Review Board, its policies and standard operating procedures; and**
- (e) **Monitor progress of the most significant research endeavors undertaken by the NCAA research staff at the behest of the Association.**

Source: NCAA Division III Management Council (Research Committee)

Effective Date: Immediate

Budget Impact: None.

Additional Information:

The Research Committee duties were last updated in 1998. Since that time, the NCAA has begun to gather and analyze an enormous amount of student-athlete, institutional and financial data. The speed at which such data are collected has increased rapidly over the last two decades. As such, the role of the Research Committee has changed, and the revised duties more accurately reflect the current scope of the committee's work.

NO. NC-2019-3 NCAA MEMBERSHIP -- ACTIVE MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- CONCUSSION MANAGEMENT PLAN -- PROCESS PRESCRIBED BY NCAA BOARD OF GOVERNORS

Intent: To require, as a condition and obligation of NCAA membership, that an institution have a concussion management plan that adheres to the process and format (e.g., the concussion protocol checklist) prescribed by the NCAA Board of Governors or designee; further, to require annual review of the concussion management plan by the institution's athletics health care administrator.

Constitution: Amend 3.2.4.16, as follows:

3.2.4.16 Concussion Management Plan. An active member institution shall have a concussion management plan for its student-athletes. The plan shall **adhere to the process and format (e.g., the concussion protocol checklist) prescribed by the Board of Governors or designee and** include, but is not limited to, the following: [D]

- (a) An annual process that ensures student-athletes are educated about the signs and symptoms of concussions. Student-athletes must acknowledge that they have received information about the signs and symptoms of concussions and that they have a responsibility to report concussion-related injuries and illnesses to a medical staff member;
- (b) A process that ensures a student-athlete who exhibits signs, symptoms or behaviors consistent with a concussion shall be removed from athletics activities (e.g., competition, practice, conditioning sessions) and evaluated by a medical staff member (e.g., sports medicine staff, team physician) with experience in the evaluation and management of concussions;
- (c) A policy that precludes a student-athlete diagnosed with a concussion from returning to athletics activity (e.g., competition, practice, conditioning sessions) for at least the remainder of that calendar day; and
- (d) A policy that requires medical clearance for a student-athlete diagnosed with a concussion to return to athletics activity (e.g., competition, practice, conditioning sessions) as determined by a physician (e.g., team physician) or the physician's designee.

3.2.4.16.1 Annual Review and Retention Requirement. The concussion management plan shall be annually reviewed by and be kept on file in the office of the athletics health care administrator.

Source: NCAA Division III Management Council.

Effective Date: Immediate

Budget Impact: None

Additional Information:

In April 2017, the NCAA Board of Governors reviewed a recommendation from the Committee on Competitive Safeguards and Medical Aspects of Sports that identified concussion safety as an issue that should have uniform standards of care for institutions across the three divisions. This change will bring consistency to concussion management plans across the three divisions by having plans consistent with the concussion protocol checklist, which is an evolution of the concussion management plan legislation adopted by the three divisions in 2010. Further, with the establishment of the athletics health care administrator position in all three divisions via legislation, the review of the concussion management plan by the athletics health care administrator is consistent with current legislation that requires each active

member institution to establish an administrative structure that provides independent medical care and affirms the unchallengeable autonomous authority of primary athletics health care providers (team physicians and athletic trainers) to determine medical management and return-to-play decisions related to student-athletes. These changes further demonstrate the NCAA's continued commitment to the prevention, identification, evaluation and management of concussions, consistent with industry and medical norms.

NO. NC-2019-4 PLAYING AND PRACTICE SEASONS -- FOOTBALL -- FLEXIBILITY IN ON-FIELD PRACTICE TIME AND USE OF FOOTBALLS DURING WALK-THROUGH SESSIONS

Intent: To amend the football preseason legislation as follows: (1) Allow the use of footballs during walk through sessions that occur after the five-day acclimatization period; and (2) Limit on-field activity (i.e., a practice session and a walk-through session) to a combined total of four hours in length per day with a practice session not to exceed three hours.

A. Bylaws: Amend 17.10.2, as follows:

17.10.2.2 Five-Day Acclimatization Period. Preseason practice shall begin with a 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 a five-day acclimatization period. The five-day acclimatization period shall be conducted as follows:

[17.10.2.2-(a) through 17.10.2.2-(c) unchanged.]

(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 one walk-through session, which 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 and shoulder pads) may be worn, no equipment related to football (e.g., football and 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 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 and shoulder pads) may be worn, no equipment related to football (e.g., football and 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 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-day 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, **which 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 and shoulder pads) may be worn, no equipment related to football (e.g., football and 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 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.

[17.10.2.2-(e) unchanged.]

B. 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:

[17.10.2.3-(a) unchanged.]

(b) Student-athletes shall not engage in more than ~~three hours of on-field practice activities per day~~ **one on-field practice and one walk-through session, which shall be limited to a combined total of four hours per day with the practice session not to exceed three hours;**

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 and shoulder pads) is not worn, equipment related to football (e.g., ~~footballs~~; blocking sleds) is not used and conditioning activities do not occur. **Following the five-day acclimatization period, an institution may use footballs during the walk-through session.** ~~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.

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

Effective Date: Immediate

Budget Impact: None.

Additional Information:

The governance structure included the use of footballs during walk through sessions after the acclimatization period in the 2017 and 2018 football preseason blanket waivers as well as the 2018 convention proposal. Similarly, the Division III Administrative Committee included the flexible use of four hours of on-field sessions in the 2018 football preseason blanket waiver after it being a component of the 2018 Convention proposal as well. Neither of these provisions were a controversial component of the 2018 proposal. Rather, these provisions are consistent with the Interassociation Consensus Recommendations on Year-Round Football Practice Contact for College Student-Athletes. do not have an adverse budget impact and provide additional learning opportunities for football student-athletes.

NO. NC-2019-5 LEGISLATIVE AUTHORITY AND PROCESS -- ENFORCEMENT POLICIES AND PROCEDURES -- INFRACTIONS PROGRAM -- DUTIES OF COMMITTEE ON INFRACTIONS -- ESTABLISHMENT AND REVISION OF ENFORCEMENT POLICIES AND INTERNAL OPERATING PROCEDURES

Intent: To clarify that the NCAA Division III Committee on Infractions has the authority to adopt, formulate and revise its internal operating procedures and review and approve the enforcement staff's internal operating procedures, including amendments by the enforcement staff to its procedures, subject to Division III Management Council approval; further, to specify that amendments to the committee's and enforcement staff's internal operating procedures are immediately effective when approved by the committee and subject to review and approval by the Management Council.

A. Bylaws: Amend 19.1.3, as follows:

19.1.3 Duties of Committee. The duties of the committee shall be as follows:

[19.1.3(a) unchanged.]

(b) **Adopt, F**ormulate and revise, in accordance with the requirements of Bylaw 19.3, a statement of its established **internal operating procedures and enforcement** policies and procedures, including investigative guidelines (see Bylaw 32);

(c) **Review and approve the enforcement staff's internal operating procedures, including amendments by the enforcement staff to the procedures.**

[19.1.3(c) through 19.1.3(e) relettered as 19.1.3(d) through 19.1.3(f), unchanged.]

B. Bylaws: Amend 19.3.1, as follows:

19.3.1 Amendment by Committee and Approval by Management Council. The Committee on Infractions may ~~establish or amend~~ **formulate and revise its internal operating procedures and** the enforcement policies and procedures (**See Bylaw 32**) **and review and approve the enforcement staff's internal operating procedures, including amendments by the enforcement staff to the procedures,** in regard to issues other than those concerning institutional penalties, restitution, and committee duties and structure. **Amendments to the committee's and enforcement staff's internal operating procedures shall be immediately effective when approved by the committee, but are subject to review and approval by the Division III Management Council.** A member institution shall be provided notice of alleged NCAA rules violations for which it is charged before any penalty is prescribed, as well as the opportunity to appear before the committee and the opportunity to appeal the committee's conclusions of major violations or penalties (see Bylaws 19.4 and 19.5). The **committee's and enforcement staff internal operating procedures and** enforcement policies and procedures governing the administration of the Association's infractions program, as set forth in Bylaw 32, are subject to review and approval by the Management Council.

19.3.1.1 Notification to Membership. To the extent that the **committee's or the enforcement staff's internal operating procedures and the enforcement** policies and procedures are revised, any member institution involved in the processing of an infractions case shall be notified immediately of the change and the general membership shall be advised through the NCAA website.

19.3.1.2 Review by Management Council. Policies and procedures established by the Committee on Infractions, per Bylaw 19.3.1, are subject to review and approval in accordance with the legislative process.

Source: NCAA Division III Management Council (Committee on Infractions).

Effective Date: Immediate

Budget Impact: None.

Additional Information:

NCAA Division III legislation permits the Division III Committee on Infractions to formulate and revise internal operating procedures. The legislation, however, does not clarify or consistently reference this authority throughout the legislation. The legislation should be modified to clarify that the committee may adopt, formulate and revise its internal operating procedures and review and approve the enforcement staff's internal operating procedures, including amendments by the enforcement staff to the procedures, subject to the review and approval of the Division III Management Council. Clarification will allow for consistency in the legislation and facilitate membership understanding of the infractions process. In addition, because future amendments to the internal operating procedures may be time sensitive and the Management Council is scheduled to meet only quarterly, the legislation should specify that amendments to the committee's and enforcement staff's internal operating procedures are immediately effective when approved by the committee, but subject to review and approval by the Management Council. Finally, the duplicate, standalone reference to the Management Council's review and approval of the internal operating procedures and enforcement policies and procedures should be removed as it is no longer necessary with these modifications.

NO. NC-2019-6 PLAYING AND PRACTICE SEASONS -- OBSERVATION OF ENROLLED STUDENT-ATHLETES IN ORGANIZED ACTIVITIES -- OPEN TO ALL

Intent: To clarify that an institutional coach is only permitted to observe student-athletes in organized activities outside of the playing season if the opportunity to observe is open to all.

Bylaws: Amend 17.02.1.1.1, as follows:

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

[17.02.1.1.1.1 through 17.02.1.1.1.2 unchanged.]

17.02.1.1.1.3 Observation of the following:

[17.02.1.1.1.3-(a) unchanged.]

(b) Enrolled student-athletes in organized competition (e.g., summer league), provided institutional athletics personnel do not direct or supervise the organized activity **and the opportunity to observe the activity is open to all.**

[17.02.1.1.1.3-(c) unchanged.]

[17.02.1.1.1.4 unchanged.]

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

Effective Date: Immediate

Budget Impact: None

Additional Information:

The legislation permits an institutional coach to observe his or her student-athletes outside of the playing season if they are participating in organized activities. If the activity is not, however, open to all to observe, then that may provide a competitive advantage and questions whether the activity is voluntary. Therefore, this legislative change is necessary to clarify that an institutional staff member is only permitted to observe his or her student-athletes in organized activities outside the playing season if the activity is open to all to observe.

NO. NC-2019-7 INFRACCTIONS PROGRAM -- PENALTIES -- PENALTIES, DISCIPLINARY MEASURES AND CORRECTIVE ACTIONS FOR MAJOR VIOLATIONS -- REVIEW OF PENALTY -- NEW INFORMATION OR PREJUDICIAL ERROR -- INSTITUTION OR CONFERENCE DISCIPLINE AS NEW INFORMATION

Intent: To require that parties to an infractions case submit any new information directly related to the NCAA Division III Committee on Infractions' findings or conclusions in the case no later than one year following the issuance of the committee decision to the parties, or for a party that appeals a decision, the issuance of the Infractions Appeals Committee decision to the appealing party; further, to specify that disciplinary measures prescribed by the institution or its conference after an infractions decision may not be considered new information.

Bylaws: Amend 19.5.2.8, as follows:

19.5.2.8 Review of Penalty.

19.5.2.8.1 New Information or Prejudicial Error. When a penalty has been prescribed and publicly announced and the appeal opportunity has been exhausted, there shall be no review of the penalty except on a showing of new information (per Bylaw 19.02.3) that is directly related to the conclusions or findings in the case or that there was a prejudicial error in the procedure that was followed in the processing of the case by the committee. **Such new information may be submitted no later than one year following the conclusion of the case.**

[19.5.2.8.1.1 unchanged.]

19.5.2.8.1.2 Institution or Conference Discipline as New Information. Disciplinary measures imposed by the institution or its conference, after the NCAA's action, may **not** be considered ~~to be~~ "new information" for the purposes of this section.

[19.5.2.8.1.3 unchanged.]

[19.5.2.8.2 unchanged.]

Source: NCAA Division III Management Council (Committee on Infractions).

Effective Date: Immediate

Budget Impact: None.

Additional Information:

After the Committee on Infractions issues a decision and the opportunity to appeal has exhausted, parties may submit new information to request that the committee review a penalty. Disciplinary measures prescribed by the institution or conference after the decision release may be considered new information. There is no time limit on when parties may submit new information. The breadth of the legislation; however, could unnecessarily delay final case resolution. Requiring parties to submit new information within one year after a case concludes (i.e., issuance of committee

decision or, for an appealing party, issuance of Infractions Appeals Committee decision) will ensure that any necessary review of penalties occurs within a reasonable time. Otherwise, parties may request that penalties be reviewed based on new information years after a case concludes, including when the committee is comprised of entirely different members. A one-year limit is not prejudicial and provides sufficient time to obtain new information. Likewise, no longer defining penalties prescribed by the institution or conference as new information prevents institutions from manipulating the process by self-imposing preferable penalties after a case concludes to avoid what may be perceived as more severe penalties from the committee. The enhancements will prevent unnecessary delays in the case resolution.

NO. NC-2019-8 RECRUITING -- RECRUITING ADVERTISEMENTS -- LOCATION OF ADVERTISEMENT

Intent: To clarify that an institution is permitted to produce any athletically related recruiting advertisements, provided the advertisements are not placed at athletics events featuring prospective student-athletes.

Bylaws: Amend 13.4.2.1, as follows:

13.4.2.1 Recruiting Advertisements. ~~The publication of advertising or promotional material, by or on behalf of a member institution, designed to solicit the enrollment of a prospective student-athlete is not permitted. Accordingly, a member institution may not buy or arrange to have space in game programs or other printed materials published to provide information concerning the athletics participation or evaluation of prospective student-athletes (e.g., recruiting publications and multi-media such as list-serves, or other electronic media) for any purpose whatsoever, including advertisements, a listing of prospective or enrolled student-athletes who will attend the institution and informative materials related to the institution. A member institution is permitted to produce any athletically related recruiting advertisement or promotion, provided the advertisement or promotion is not placed or conducted at an athletics event featuring prospective student-athletes (or during broadcasts of such events).~~ [D]

13.4.2.1.1 Exception – Nonathletics Institutional Advertisements. An institution (or a third party acting on behalf of the institution) may **publish produce** a nonathletics institutional advertisements ~~in nonathletics high school or two-year college publications (e.g., yearbooks, newspapers, music programs, prom programs) and other nonathletics publications or produce nonathletics institutional promotional material (e.g., use of signs, kiosks, distribution of printed materials, television and radio advertisements, electronic advertisements) for use at high school or two-year college athletics events~~ **or promotion at an athletics event featuring prospective student-athletes** (or during broadcasts of such events), provided: [D]

[13.4.2.1.1-(a) through 13.4.2.1.1-(c) unchanged.]

13.4.2.1.2 Exception – College/High School Shared Home Facility. A member institution may advertise and upgrade its home facility even if that facility is also the home facility for prospective student-athletes (e.g., high school football stadium).

13.4.2.1.3 ~~Summer-Camp Advertisements. Advertisements of an institution's summer camp or clinic in such recruiting publications are permissible if placed in a periodical (other than a high school or two-year college game program) that includes a camp directory.~~ [D]

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

Effective Date: Immediate

Budget Impact: None.

Additional Information:

The recruiting advertisement legislation precludes an institution from creating publications and advertisements designed to solicit the enrollment of a prospective student-athlete. As currently written, it can be difficult for an institution to distinguish between an impermissible recruiting advertisement and a permissible institutional promotion. The legislative history of the bylaw indicates that the location of the advertisement is the distinguishing factor. As such, this noncontroversial legislation clarifies that athletics advertisements or promotions are only prohibited if placed at athletics events, including broadcasts featuring prospective student-athletes (e.g., two-year or high school contests).

NO. NC-2019-9 AWARDS AND BENEFITS -- HOUSING AND MEALS -- EXCEPTIONS
-- MEALS MISSED DUE TO PRACTICE

Intent: To specify that an institution may provide meals missed due to participation in institutional practice.

Bylaws: Amend 16.5, as follows:

16.5 Housing and Meals. An institution may finance housing and meal benefits incidental to a student-athlete's participation in intercollegiate athletics provided such housing and benefits are available to students in general. [R]

16.5.1 Exceptions.

[16.5.1-(a) through 16.5.1-(d) unchanged.]

(e) Meals Missed Due to Practice Activities. An institution may provide a student-athlete with a meal when one is missed due to practice activities. The meal must be one that a student-athlete has previously paid for through board allowance and an institution must certify that institutional dining facilities are unavailable.

[16.5.1.1 unchanged.]

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

Effective Date: Immediate

Budget Impact: Would vary among institutions.

Additional Information:

This proposal allows institutions greater flexibility to provide for the nutritional needs of its student-athletes. Under current legislation, if a student-athlete is on a meal plan and misses one of those meals due to practice, institutions cannot provide that student-athlete a meal. This proposal would allow the institution to provide the student-athlete a replacement meal under those circumstances.

NO. NC-2019-10 RECRUITING -- CONTACTS AND EVALUATIONS -- DE MINIMIS
VIOLATIONS

Intent: To specify that violations of Bylaw 13.1 and its subsections shall be considered "de minimis" and do not impact a prospective student-athlete's eligibility.

Bylaws: Amend 13.1, as follows:

13.1 Contacts and Evaluations. Recruiting contacts with a prospective student-athlete (or the prospective student-athlete's relatives or guardians) by institutional staff members and/or representatives of the institution's athletics interests are subject to the provisions set forth in this bylaw. **[D]**

13.1.1 Contactable Prospective Student-Athletes.

13.1.1.1 High School Prospective Student-Athletes. In-person, off-campus recruiting contacts shall not be made with a prospective student-athlete or the prospective student-athlete's relatives or guardian(s) until the prospective student-athlete has completed his or her sophomore year in high school. U.S. service academy exceptions to this provision are set forth in Bylaw 13.15.1. **[D]**

13.1.1.1.1 Contact by Coach Employed in Admissions Office. It is permissible for a coach who is employed in the admissions office of the institution to be involved in off-campus admissions programs directed at prospective students in general, provided contact made with a prospective student-athlete before the completion of his or her sophomore year in high school is not for the purpose of athletics recruitment (e.g., athletics recruiting presentation). **[D]**

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

[13.1.1.2-(a) through 13.1.1.2-(b) unchanged.]

13.1.1.2.1 Self-Release. Using a form made available by the NCAA national office, a student-athlete who attends a Division III institution may issue, on his or her own behalf, permission for another Division III institution to contact the student-athlete about a potential transfer. The student-athlete shall forward this form to the director of athletics at the institution of interest. Contact between the student-athlete and institution may occur during the 30-day period beginning with the date the permission to contact form is signed by the student-athlete. An additional form must be issued for contact to occur or continue beyond the initial 30-day period. **[D]**

13.1.1.2.1.1 Privacy and Disclosure Requirements. During the initial 30-day period, the institution in receipt of the form shall not notify the student-athlete's current institution of the contact. At the completion of the initial 30-day period, if the student-athlete decides to transfer to the institution in receipt of the form, the institution in receipt of the form shall notify the student-athlete's current institution within a seven-day period of the form's expiration date that the self-release was issued. At the completion of the initial 30-day period, if the

student-athlete decides not to pursue the transfer, the institution in receipt of the form shall not notify the student-athlete's current institution of the contact at any time. If the student-athlete is undecided at the end of the 30-day period, the initial contact must remain private unless and until the student-athlete issues a second permission to contact form. Upon receipt of the second permission to contact form, the institution in receipt of the form shall notify the student-athlete's current institution within seven days that a second release was issued. [D]

13.1.1.2.2 Hearing Opportunity. If the institution decides to deny a student-athlete's request to permit any other institution to contact the student-athlete about transferring, the institution shall inform the student-athlete in writing that he or she, on request, shall be provided a hearing conducted by an institutional entity or committee outside of the athletics department (e.g., the office of student affairs; office of the dean of students; or a committee composed of the faculty athletics representative, student-athletes and nonathletics faculty/staff members). The student-athlete shall be informed of this hearing opportunity within seven business days of the request for permission to contact. Within 15 business days (see Bylaw 13.02.1) of receipt of the student-athlete's written request for a hearing, the institution shall conduct and provide written results of the hearing to the student-athlete. The student-athlete shall be provided the opportunity to actively participate (e.g., in-person, via telephone) in the hearing. If the institution fails to conduct the hearing or provide the written results to the student-athlete within 15 business days, permission to contact the student-athlete shall be granted by default and the institution shall provide written permission to the student-athlete. [D]

13.1.1.2.3 Student-Athlete Withdrawn from Four-Year College. A member institution may contact a student-athlete who has withdrawn officially from a four-year collegiate institution without obtaining permission from the first institution. [D]

13.1.1.2.4 Transfer from Institution on Probation. It is not necessary for an institution to obtain permission in writing to recruit a student-athlete at an institution that has been placed on probation with sanctions that preclude it from competing in postseason competition during the remaining seasons of the student-athlete's eligibility. However, the student-athlete's institution must be notified of the recruitment and may establish reasonable restrictions related to the contact (e.g., no visits during class time), provided such restrictions do not preclude the opportunity for the student-athlete to discuss transfer possibilities with the other institution [see Bylaw 14.13.1.2-(c)]. [D]

13.1.1.2.5 Transfer While Ineligible Due to Positive Drug Test. If a student-athlete who is declared ineligible due to a positive drug test administered by the NCAA transfers to another NCAA institution, the institution from which the student-athlete transferred must notify the new institution of the student-athlete's ineligibility (see Bylaw 18.4.1.5.4). [D]

13.1.2 Permissible Recruiters.

13.1.2.1 Talent Scout. An institution may not pay any costs incurred by an athletics talent scout or a representative of its athletics interests in studying or recruiting prospective student-athletes. An institution may not provide any such

person a fee or honorarium and thereby claim the person as a staff member entitled to expense money. [D]

13.1.2.1.1 Employment Prohibition. An institution may not employ an individual for the primary purpose of recruiting or evaluating prospective student-athletes and designate the individual as a coach if he or she does not reside in the institution's general locale. Such an individual would be considered an athletics talent scout rather than a regular institutional staff member. [D]

13.1.2.1.2 Expense Prohibition. An institution may not pay expenses (other than meals provided in the institution's home community) for representatives of its athletics interests to visit its campus for the purpose of becoming familiar with the institution's academic and athletics programs and campus facilities in order to represent the institution better when recruiting prospective student-athletes. The provision of such expenses would be considered payment of costs incurred by athletics talent scouts. [D]

13.1.3 Telephone Calls to Prospective Student-Athletes. An institution may permit a student-athlete, a staff member, or a representative of athletics interests to telephone a prospective student-athlete at the institution's expense at any time, provided the call is only for the purpose of recruitment and is with full knowledge of the athletics department (see Bylaw 13.02.5.1). [D]

13.1.4 Contact Restrictions at Specified Sites.

13.1.4.1 Prospective Student-Athlete's Educational Institution. Any staff member and any representative of the institution's athletics interests desiring to contact a prospective student-athlete at the prospective student-athlete's high school, college preparatory school or two-year college first shall obtain permission for such contact from that institution's executive officer (or designee). Contact may be made only when such permission is granted. Permission for such contact is not required if the contact with the prospective student-athlete is made after official school hours. Member institutions also are bound by this provision when recruiting international athletes. [D]

13.1.4.2 Practice or Competition Site. Recruiting contact may not be made with a prospective student-athlete before any athletics competition in which the prospective student-athlete is a participant on that day of competition until the prospective student-athlete is released for that day by the appropriate institutional authority (e.g., prospective student-athlete's coach or comparable authority). Further, telephone calls or electronic communications may not be made with a prospective student-athlete at the site of organized competition involving the prospective student-athlete by athletics personnel who are attending the competition or who are aware of the competition. [D]

13.1.4.2.1 Exception -- Official/Unofficial Visit -- Contact on Institution's Campus on Day of Competition Prior to Competition. Athletics staff members are permitted to have on campus contact prior to competition with a prospective student-athlete, provided the prospective student-athlete is not scheduled to compete on that day on the institution's campus. [D]

13.1.4.2.2 Contact with Prospective Student-Athlete's Relatives or Guardians at Practice or Competition Site. Recruiting contact may be made with the relatives, guardian(s) or individual of a comparable relationship of a contactable prospective student-athlete (see Bylaw 13.1.1) at the site of

the prospective student-athlete's practice or competition, including during the conduct of a competition. [D]

13.1.5 Evaluations. There are no restrictions on the number or timing of evaluations (see Bylaw 13.02.4). [D]

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

Effective Date: Immediate

Budget Impact: None.

Additional Information:

This proposal would eliminate any impact on a prospective student-athlete's eligibility when an institutional staff member and/or representative of the institution's athletics interests is involved in the impermissible recruiting contacts or telephone calls with the prospective student-athlete (or his/her relatives or guardians). The NCAA Division III Committee on Student-Athlete Reinstatement believes prospective student-athletes lack involvement in and culpability for these violations. Additionally, given the prospective student-athlete's eligibility is typically reinstated without conditions, eliminating the need for institutions to request reinstatement would permit institutional personnel and the student-athlete reinstatement committee and staff to focus on recruiting violations the Division III membership believes are significant enough to impact a prospective student-athlete's eligibility. Impermissible contacts and evaluations would remain institutional violations, which must be reported to the NCAA enforcement staff.

NO. NC-2019-11 RECRUITING -- ENTERTAINMENT, REIMBURSEMENT AND EMPLOYMENT OF HIGH SCHOOL/COLLEGE-PREPARATORY SCHOOL/TWO-YEAR COLLEGE COACHES -- DE MINIMIS VIOLATIONS

Intent: To specify that violations of Bylaws 13.8.1 and 13.8.2 shall be considered "de minimis" and do not impact a prospective student-athlete's eligibility.

Bylaws: Amend 13.8, as follows:

13.8 Entertainment, Reimbursement and Employment of High School/College-Preparatory School/Two-Year College Coaches.

13.8.1 Entertainment Restrictions. Entertainment of a high school, college-preparatory school or two-year college coach or any other individual responsible for teaching or directing an activity in which a prospective student-athlete is involved shall be limited to providing a maximum of two complimentary admissions to a home athletics event at any facility in which the institution's intercollegiate team regularly practices or competes, not to exceed full-season passes or tickets. Such entertainment shall not include food and refreshments, room expenses, or the cost of transportation to and from the campus. [R] [D]

13.8.1.1 Transportation Reimbursement. An institution shall not reimburse a high school, preparatory school or two-year college coach for transportation expenses of any kind. [R] [D]

13.8.1.2 Purchase of Game Tickets. Tickets in addition to the permissible complimentary admissions may be purchased only in the same manner as any other member of the general public. [R] [D]

13.8.1.3 Noncoaching-Related Organization. If a high school, preparatory school or two-year college coach is a member of a noncoaching-related organization (e.g., state high school principals association, college fraternity alumni organization, institution's alumni association), an institution may entertain the group, provided there is no direct involvement by the institution's athletics department. [R] [D]

13.8.2 Material Benefits. Arrangements by an institution that involve a material benefit for a high school, preparatory school or two-year college coach, or for any other individual responsible for teaching or directing an activity in which a prospective student-athlete is involved (e.g., the provision of a gift such as a tangible item bearing the institution's insignia, the offer to pay a portion of the coach's or other individual's personal expenses or an arrangement to provide transportation for the coach or other individual) are prohibited. [R] [D]

13.8.2.1 Alumni Exception. An institution may provide a high school, preparatory school or two-year college coach who is an alumna or alumnus of that institution with a material benefit (e.g., meal, plaque, certificate) comparable to a benefit provided to non-coaches for recognition of a special achievement. [D]

[13.8.3 unchanged.]

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

Effective Date: Immediate

Budget Impact: None.

Additional Information:

Violations of Bylaws 13.8.1 and 13.8.2 are currently designated as restitution [R] violations in the NCAA Manual. As a result, if an institutional coaching staff member provides a prospective student-athlete's high school, college-preparatory school or two-year college coach with an impermissible benefit, the prospective student-athlete's coach must donate the value of the benefit to a charity of his or her choice. In many cases, the prospective student-athlete's coach is unwilling to donate the value of the benefit and, therefore, the institution must request reinstatement for the involved prospective student-athlete(s). In addition, if the value of the benefit is greater than \$200, the involved prospective student-athlete's eligibility is impacted, and the institution must request reinstatement. This proposal would eliminate any impact on a prospective student-athlete's eligibility when an institutional coaching staff member provides an impermissible benefit to a prospective student-athlete's coach on or off campus. The committee believes prospective student-athletes lack involvement in and culpability for these violations. Provision of impermissible benefits to a high school/college-preparatory school/two-year college coach would remain institutional violations, which must be reported to the NCAA enforcement staff.

NO. NC-2019-12 EXECUTIVE REGULATIONS -- ELIGIBILITY FOR CHAMPIONSHIPS
-- INELIGIBILITY FOR USE OF BANNED DRUGS -- BANNED DRUGS
-- ALIGNMENT OF NCAA BANNED DRUG CLASSES WITH WORLD
ANTI-DOPING AGENCY'S LIST OF PROHIBITED DRUG CLASSES

Intent: To amend all legislated references of NCAA banned drug classes to align with the World Anti-Doping Agency (WADA) list of prohibited classes with the exception of the glucocorticoid class, as specified.

A. Bylaws: Amend 18.4.1.5, as follows:

18.4.1.5 Ineligibility for Use of Banned Drugs. A student-athlete who, as a result of a drug test administered by the NCAA, tests positive for use of a substance in a banned drug class, as set forth in Bylaw 31.2.3.1, shall be declared ineligible for further participation in postseason and regular-season competition in accordance with the ineligibility provisions in this bylaw.

18.4.1.5.1 Penalty -- Banned Drug Classes Other Than ~~"*Illicit Drugs.*"~~ **Cannabinoids and Narcotics**. A student-athlete who, as a result of a drug test administered by the NCAA, tests positive for use of a substance in a banned drug class other than ~~"*illicit drugs.*"~~ **cannabinoids and narcotics** (in accordance with the testing methods authorized by the Board of Governors), shall be charged with the loss of one season of participation in all sports, in addition to the use of a season of participation, pursuant to Bylaw 14.2.4.1, during the same academic year. The student-athlete shall remain ineligible for all regular-season and postseason competition during the time period ending one calendar year (i.e., 365 days) after the collection of the student-athlete's positive drug-test specimen and until he or she tests negative (in accordance with the testing methods authorized by the Board of Governors).

18.4.1.5.1.1 Second Positive Test. If a student-athlete who previously tested positive for the use of a substance in a banned drug class other than ~~"*illicit drugs.*"~~ **cannabinoids and narcotics** tests positive a second time for the use of a substance in a banned drug class other than ~~"*illicit drugs.*"~~ **cannabinoids and narcotics**, he or she shall lose all remaining regular-season and postseason eligibility in all sports. If a student-athlete who previously tested positive for the use of a substance in a banned drug class other than ~~"*illicit drugs.*"~~ **cannabinoids and narcotics** tests positive for the use of a substance in the banned drug ~~*class.*~~ ~~"*illicit drugs.*"~~ **classes cannabinoids or narcotics**, he or she shall be ineligible for competition for 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 Penalty -- ~~"*Illicit Drugs.*"~~ **Cannabinoids or Narcotics**. 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.*"~~ **classes cannabinoids or narcotics** (in accordance with the testing methods authorized by the Board of Governors) shall be 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 Second Positive Test. If a student-athlete who previously tested positive for the use of a substance in the banned drug ~~*class.*~~ ~~"*illicit drugs.*"~~ **classes cannabinoids or narcotics** tests positive a second time for the use of a substance in the banned drug ~~*class.*~~ ~~"*illicit drugs.*"~~ **classes cannabinoids or narcotics**, he or she shall be charged with the loss of one additional season of participation in all sports, in addition to the use of a season of participation, pursuant to Bylaw 14.2.4.1, during the same academic year. The student-athlete shall remain ineligible for all regular-season and postseason competition during the time period ending one calendar year (i.e., 365 days) after the collection of his or her second positive drug-test specimen or until the period of ineligibility for any prior

positive drug tests has expired, whichever occurs later. If a student-athlete who previously tested positive for the use of a substance in the banned drug class—*"illicit drugs"* **classes cannabinoids or narcotics** tests positive for use of a substance in a banned drug class other than *"illicit drugs,"* **cannabinoids and narcotics**, he or she shall be ~~charged with the loss of~~ **ineligible for** one season of participation in all sports, in addition to the use of a season of participation, pursuant to Bylaw 14.2.4.1, during the same academic year. The student-athlete shall remain ineligible for all regular-season and postseason competition during the time period ending one calendar year (i.e., 365 days) after the collection of the student-athlete's positive drug test specimen and until he or she tests negative (in accordance with the testing methods authorized by the Board of Governors).

18.4.1.5.3 Breach of NCAA Drug-Testing Program Protocol. A student-athlete who is in breach of the NCAA drug-testing program protocol (e.g., no show) shall be considered to have tested positive for the use of ~~a substance in a banned~~ **any** drug class other than *"illicit drugs,"* **a cannabinoid or narcotic**.

[18.4.1.5.3.1 unchanged.]

[18.4.1.5.4 through 18.4.1.5.7 unchanged.]

B. Administrative: Amend 31.2.3.1, as follows:

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

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

(e) ~~Illicit drugs;~~ **Cannabinoids (marijuana and THC);**

[31.2.3.1-(f) unchanged.]

(g) ~~Anti-estrogens~~ **Hormone and metabolic modulators;** *and*

(h) Beta-2 agonists.; **and**

(i) Narcotics.

[31.2.3.1.1 through 31.2.3.1.2 unchanged.]

C. Administrative: Amend 31.2.3.2, as follows:

31.2.3.2 Medical Exceptions. Exceptions to the prohibition on the use of any substance in the banned-drug classes of stimulants, anabolic agents, alcohol and beta blockers (for rifle only), diuretics and other masking agents, peptide hormones and analogues, *anti-estrogens*, **hormone and metabolic modulators**, and beta-2 agonists may be made by the Board of Governors for those student-athletes with a documented medical history demonstrating the need for regular use of such a drug.

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

Effective Date: August 1, 2019

Budget Impact: None.

Additional Information:

The recommendation to align NCAA banned drug classes with WADA's prohibited classes, with the exception of the glucocorticoid class, allows the NCAA to defer updates to this list to WADA experts and helps avoid confusion for student-athletes competing in both NCAA and international competition. The committee determined that glucocorticoids are anti-inflammatory agents, used commonly in sports medicine, and have very low risk as performance enhancing drugs.

NO. NC-2019-13 NCAA MEMBERSHIP AND CHAMPIONSHIPS AND POSTSEASON FOOTBALL – CONDITIONS AND OBLIGATIONS OF MEMBERSHIP – ELIGIBILITY FOR CHAMPIONSHIPS – ATTESTATION OF COMPLIANCE OBLIGATIONS

Intent: To specify that an institution's president or chancellor and all athletics department staff members (full time, clerical, volunteer) shall attest that the obligations of Constitution 2.1 and Constitution 2.8 have been met; further, to specify that an institution that fails to complete the annual institutional attestation by September 15 shall be subject to removal from and/or ineligibility of individuals to serve on an NCAA board, council or committee and its teams and individual student-athletes shall continue to be ineligible to participate in NCAA championships.

A. Constitution: Amend 3.2, as follows:

3.2 Active Membership.

[3.2.1 through 3.2.3 unchanged.]

3.2.4 Conditions and Obligations of Membership.

3.2.4.1 General. The active members of this Association agree to administer their athletics programs in accordance with the constitution, bylaws and other legislation of the Association.

[3.2.4.2 through 3.2.4.12 unchanged.]

3.2.4.13 Compliance-Related *Forms Certification*. A member institution shall not be eligible to enter a team or individual competitors in an NCAA championship **and shall be subject to removal from and/or ineligibility of individuals to serve on an NCAA board, council or committee** unless its president or chancellor makes an annual institutional eligibility certification [see Bylaw 31.2.1-(d)] attesting that the conditions specified have been satisfied.

[3.2.4.14 through 3.2.4.20 unchanged.]

[3.2.5 through 3.2.6 unchanged.]

B. Administrative: Amend 31.2, as follows:

31.2 Eligibility for Championships.

31.2.1 Institutional Eligibility. To be eligible to enter a team or an individual in NCAA championship competition, an institution shall recognize the sport involved as a varsity intercollegiate sport (see Bylaw 17.02.13) and shall:

[31.2.1-(a) through 31.2.1-(c) unchanged.]

- (d) Certify through its president or chancellor on a form approved by the Management Council, the institution's compliance with NCAA legislation. The certification of compliance shall be completed not later than September 15, **shall be kept on file at the institution**, and shall adhere to the requirements set forth in Bylaw 31.2.1.7;

[31.2.1-(e) through 31.2.1-(h) unchanged.]

[31.2.1.1 through 31.2.1.6 unchanged.]

31.2.1.7 Certification of Compliance -- Requirements. The following conditions shall be satisfied.

31.2.1.7.1 NCAA Rules Review. The president or chancellor, or a designated representative, has reviewed with all athletics department staff members the rules and regulations of the NCAA as they apply to the administration and conduct of intercollegiate athletics.

31.2.1.7.2 Attestation of Compliance Obligations. The president or chancellor and all athletics department staff members (full time, part time, clerical, volunteer) shall attest that the obligations in Constitution 2.1 (Principle of Institutional Control and Responsibility) and Constitution 2.8 (Principle of Rules Compliance) have been met. (See Constitution 3.2.4.13.)

31.2.1.7.2~~3~~ Coaching Staff Disciplinary Actions. At the time of such certification, and as a result of involvement in a violation of the Association's legislation as determined by the Committee on Infractions or the Management Council, no current member of the institution's coaching staff:

- (a) Shall have been temporarily or permanently suspended from coaching duties by another member institution within the last two years; or
- (b) Shall have been prohibited within the last two years, as a result of violations occurring while employed by another member institution, from participating in identified coaching-related activities, unless the prohibition has been equally applied by the certifying institution with respect to the individual's coaching-related activities on behalf of it; or
- (c) Shall have been permitted within the last two years to perform any coaching-related activities for the certifying institution that were prohibited after determination by the Committee on Infractions of an "appropriate disciplinary action" for the individual in accordance with the show-cause provision of Bylaw 19.5.2 of the NCAA enforcement procedures.

31.2.1.7.2~~3~~.1 Period of Suspension or Prohibition. The period of suspension or prohibition established by the Committee on Infractions or the Management Council must be in effect for the provisions set forth in Bylaw 31.2.1.7.2 to apply.

31.2.1.7.2~~3~~.2 Due-Process Requirement. The affected coaching staff member must be given through the appropriate institution notice of an opportunity to be heard at both the NCAA hearing resulting in the finding of involvement in the violation and the institutional hearing resulting in suspension or prohibition.

31.2.1.7.34 Certification of Policies, Procedures and Practices. The policies, procedures and practices of the institution, its staff members and representatives of its athletics interests are in compliance at the present time with the Association's legislation insofar as the president or chancellor can determine.

31.2.1.7.45 Maintenance of Compliance. It is the intention of the institution to maintain such compliance.

31.2.1.7.56 Report of NCAA Violation Involving Institution. A current statement has been filed with the president or chancellor, as a part of the institution's annual certification, which is signed by each athletics department staff member and by the institutional financial aid officer or comparable campus official, attesting that the individual has reported any knowledge of an involvement in any violations of NCAA legislation involving the institution.

[31.2.1.8 through 31.2.1.9 unchanged.]

[31.2.2 through 31.2.3 unchanged.]

Source: NCAA Division III Presidents Council.

Effective Date: August 1, 2019

Budget Impact: None.

Additional Information:

Current legislation requires that active members of the Association administer their athletics programs in accordance with the constitution, bylaws and other legislation of the Association, and certify, through its president or chancellor, the institution's compliance with NCAA legislation to be eligible to enter a team or individual competitors in an NCAA championship. As part of the certification requirement, an institution's president or chancellor and all athletics department staff members should also attest that they have met the fundamental obligations of the principle of institutional control and responsibility, and the principle of rules compliance. Specifically, this proposal will require attestation that the institution has control of its intercollegiate athletics program in compliance with the rules and regulations of the Association, that its programs are monitored to assure compliance, and that instances in which compliance has not been achieved are identified and reported to the Association. In addition, the president or chancellor and athletics staff must attest that in instances of noncompliance, the institution will cooperate fully with the Association and take appropriate corrective actions. Moreover, while institutions will continue to be ineligible to participate in NCAA championships for failure to complete the annual certification, an enhanced penalty eliminating the opportunity for individuals to serve in the governance structure highlights the importance of the annual certification.

NO. NC-2019-14 COMMITTEES -- ASSOCIATION-WIDE COMMITTEES -- GENERAL COMMITTEES -- WALTER BYERS SCHOLARSHIP COMMITTEE -- COMPOSITION -- STUDENT-ATHLETE REPRESENTATION

Intent: To increase the size of the Walter Byers Scholarship Committee from six to seven members; further, to specify one position shall be allocated for a former student-athlete.

Bylaws: Amend 21.2.9 , as follows:

[Common provision, all divisions, divided vote]

21.2.9 Walter Byers Scholarship Committee.

21.2.9.1 Composition. The Walter Byers Scholarship Committee shall consist of ~~six~~**seven** members, including one position allocated for a man, one allocated for a woman, **one allocated for a former student-athlete** and four unallocated.

[21.2.9.2 unchanged.]

Source: NCAA Division III Management Council (Walter Byers Scholarship Committee)

Effective Date: Immediate

Budget Impact: One additional committee member's travel and lodging cost for one in-person meeting per year from the Association-wide budget.

Additional Information:

This recommendation supports the NCAA's continued efforts to increase student-athlete engagement and the student-athlete voice within the governance structure. Adding a former student-athlete to the committee will provide a valuable perspective in the selection of scholarship recipients.

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 2019 Division III business session. Approval of this Official Notice will constitute ratification of these actions and incorporation in the 2019-20 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-2019-1 RECRUITING -- SPORTS CAMPS AND CLINICS AND OTHER ATHLETICS EVENTS -- HOSTING AN EVENT INVOLVING PROSPECTIVE STUDENT-ATHLETES WITHOUT INSTITUTIONAL INVOLVEMENT

Intent: To clarify that an institution may rent its facilities for an event involving prospective student-athletes even if the event does not satisfy the provisions of the sports camps and clinics and other athletics events legislation, provided institutional personnel are not involved with working, directing or administering the camp and the institution is not involved with promoting the event.

Bylaws: Amend 13.11.3.2, as follows:

13.11.3.2 Sports Camps and Clinics and Other Athletics Events. An institution or an athletics department staff member may host, conduct or be employed by an event involving prospective student-athletes, provided:

[13.11.3.2-(a) through 13.11.3.2-(d) unchanged.]

13.11.3.2.1 Institutional Camps/Clinics and Other Athletics Events. Institutional camps and clinics may provide results of an evaluation only to the specific prospective student-athlete to which that evaluation pertains.

13.11.3.2.2 Service or Religious Organization Camps and Conferences. Events conducted by service or religious organizations are exempt from NCAA restrictions on events involving prospective student-athletes.

13.11.3.2.3 Exception -- Hosting Events Involving Prospective Student-Athletes Without Institutional Involvement. A member institution's facilities may be made available for a camp, clinic or other athletic event involving prospective student-athletes that does not meet the criteria outline in Bylaw 13.11.3.2, provided institutional staff members are not involved in any manner with the event and the institution does not promote the event.

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

Effective Date: Immediate

Budget Impact: None.

Additional Information:

The modification of wording is necessary based on confusion surrounding the application of the sports camps and clinics and other athletics events legislation in instances in which an outside group rents an institution's facility without the involvement of institutional personnel. While NCAA Division III Proposal No. 2017-7 served to deregulate the camps and clinics legislation, an unintended consequence of the proposal was that it imposed greater restrictions on events occurring at institutions when institutional personnel are not involved. The rationale statement tied to Proposal No. 2017-7 indicates that the intent of the proposal was to broaden institutional opportunities. Further, the 2017 Convention Question and Answer document (Education Column 1/23/17) sets forth the specific changes of the proposal and does not include a greater restriction on renting institutional facilities. As such, this modification of wording aligns the legislation with the intent of the proposal and clarifies that renting one's facility does not constitute hosting and therefore does not need to meet the requirements of Bylaw 13.11.3.2.

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 roll-call 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 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 total for 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:

Divisions I, II and III voting delegates.	Red lanyard
Divisions I, II and III alternate delegates.	Blue lanyard
All other Divisions I, II and III delegates with speaking rights.	Green lanyard
All other Divisions I, II and III delegates 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	Navy designation on name badge
Chancellor/President	Purple designation on name badge
NCAA Staff	Blue designation on name badge
Vendor	Teal designation on name badge
Autonomy Conference Members	Yellow designation on name badge
Visitor	Orange designation on name badge

The following is a listing of the different voting paddle colors in use at the 2019 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	Blake James, University of Miami (Florida)	Atlantic Coast	April 2019
FBS	Philip DiStefano, University of Colorado, Boulder	Pac-12	August 2020
FBS	Burns Hargis, Oklahoma State University	Big 12	August 2021
FBS	Denise Trauth, Texas State University	Sun Belt	August 2021
FBS	Eli Capilouto, University of Kentucky	Southeastern	August 2020
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	Satish K. Tripathi, University at Buffalo, the State University of New York	Mid-American	August 2021
FBS	Susan Herbst, University of Connecticut	American Athletic	August 2021
FCS	Nayef Samhat, Wofford College	Southern	August 2019
FCS	Ronald K. Machtley, Bryant University	Northeast	August 2020
DI	James J. Maher C.M., Niagara University	Metro Atlantic Athletic	August 2020
DI	John DeGioia, Georgetown University	Big East	August 2022
II	Pennie Parker, Rollins College	Sunshine State	January 2019
II	Glen Jones, Henderson State University	Great American	January 2019
II	Gary Olson, Daemen University	East Coast	January 2019
III	Shantey Hill-Hanna, St. Joseph's College (Long Island)	Skyline	January 2019
III	Jeffrey Docking, Adrian College	Michigan Intercollegiate	January 2019
III	Sue Henderson, New Jersey City University	New Jersey Athletic	January 2020

NCAA Staff Liaisons:

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

Jackie Campbell, Managing Director of Law, Policy and Governance

Division III Presidents Council Chair - Jeffrey Docking

Name, Institution	Term Exp.
Teresa L. Amott , Knox College	January 2022
F. Javier Cevallos , Framingham State University	January 2021
Mary Beth Cooper , Springfield College	January 2019
Katherine Conway-Turner , Buffalo State, State University of New York	January 2021
Jeffrey Docking , Adrian College	January 2019
Stuart Dorsey , Texas Luthern University	January 2022
Margaret L. Drugovich , Hartwick College	January 2020
Tiffany Franks , Averett University	January 2022
William J. Fritz , College of Staten Island	January 2020
Sue Henderson , New Jersey City University	January 2020
Sharon Latchaw Hirsh , Rosemont College	January 2019
Robert Huntington , Heidelberg University	January 2019
Robert R. Lindgren , Randolph-Macon College	January 2019
Fayneese Miller , Hamline University	January 2022
Tori Murden-McClure , Spalding University	January 2021
Kathleen Murray , Whitman College	January 2019
Elsa Nunez , Eastern Connecticut State University	January 2020
Kent Trachte , Lycoming College	January 2022

NCAA Staff Liaisons:

Daniel T. Dutcher, Vice President of Division III
Louise McCleary, Managing Director of Division III
Jay Jones, Associate Director of Division III
Jeff Myers, Director of Academic and Membership Affairs for Division III
Bill Regan, Associate Director of Academic and Membership Affairs for Division III
Brian Burnsed, Associate Director of Strategic 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 - Shantey Hill-Hanna

Name, Institution	Term Exp.
Jason Fein , Bates College	January 2022
Lori Mazza , Western Connecticut State University	January 2022
Laura Mooney , Massachusetts College of Liberal Arts	January 2021
Joseph T. Walsh , Great Northeast Athletic Conference	January 2021
Kate Roy , North Atlantic Conference	January 2020
Gail Cummings-Danson , Skidmore College	January 2019
Shantey Hill , St. Joseph's College (Long Island)	January 2019
Robert Davis, Jr. , University of Scranton	January 2019
Gerard W. Bryant , John Jay College of Criminal Justice	January 2022
Stevie Baker-Watson , DePauw University	January 2020
Michael Vienna , Emory University	January 2021
Kandis Schram , Maryville College (Tennessee)	January 2021
Richard B. Bankston , Old Dominion Athletic Conference	January 2020
#Madison Burns , Randolph-Macon College	January 2020
#Sean Michael Cain , Adrian College	January 2019
Denise A. Udelhofen , Loras College	January 2021
Dennis J. Shields , University of Wisconsin-Platteville	January 2022
Heather Benning , Midwest Conference	January 2021
Karen Tompson-Wolfe , Westminster College (Missouri)	January 2019
Christopher Kimball , California Lutheran University	January 2019
Timothy P. Millerick , Austin College	January 2022

Student-Athlete Advisory Committee Representative

NCAA Staff Liaisons:

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Jeff Myers, Director of Academic and Membership Affairs for Division III
Bill Regan, Associate Director of Academic and Membership Affairs for Division III
Brian Burnsed, Associate Director of Strategic 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, November 30, 2018. Interpretations related to the proposed legislation in this Official Notice may be requested via electronic mail from Jeff Myers at jmyers@ncaa.org or Bill Regan at bfregan@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 2019 NCAA Convention.