

**REPORT OF THE  
NCAA DIVISION II LEGISLATION COMMITTEE  
JUNE 17-19 2014, IN-PERSON MEETING**

**ACTION ITEMS.**

**1. Legislative Items.**

**a. 2015 NCAA Convention Legislation -- NCAA Bylaw 11.1 -- Athletics Personnel -- Conduct of Athletics Personnel -- Strength and Conditioning Coaches -- Nationally Recognized Certification.**

- (1) Recommendation. Sponsor legislation for the 2015 NCAA Convention to amend Bylaw 11.1 to specify that any individual a member institution designates as a strength and conditioning coach shall be certified and to maintain current certification through a nationally accredited strength and conditioning certification program.
- (2) Effective Date. August 1, 2015.
- (3) Rationale. The NCAA Principle of Student-Athlete Well-Being states it is the responsibility of each member institution to protect the health of, and provide a safe environment for, each of its student-athletes. Given the current number of sudden deaths occurring during conditioning sessions, this certification requirement would establish a minimum standard for individuals designated by an institution as a strength and conditioning coach. In March 2012, the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports released an article on the components institutions should consider in identifying a nationally recognized certification program. This proposal promotes student-athlete safety and well-being by providing the foundation for appropriate healthcare oversight, critical prevention and response to catastrophic health and safety issues and sudden death related to athletics participation.
- (4) Estimated Budget Impact. Will vary.
- (5) Estimated Student-Athlete Impact. Will ensure designated strength and conditioning coaches have a national certification prior to working with student-athletes.

**b. 2015 NCAA Convention Legislation -- Bylaws 13.1.1.2.1 and 14.5.5.3.9 -- Recruiting and Eligibility -- Permission to Contact and One-Time Transfer Exception -- Hearing Requirement.**

- (1) Recommendation. Sponsor legislation for the 2015 NCAA Convention to amend Bylaws 13.1.1.2.1 and 14.5.5.3.9 to specify that if a member

institution denies a student-athlete's written request to permit another institution to contact the student-athlete about transferring or denies a written request for a release in conjunction with the application of the one-time transfer exception, the institution shall provide the student-athlete the opportunity to actively participate (e.g., appear in person or via telephone) in the hearing; further, to specify that if the institution fails to respond to the student-athlete's written request or fails to conduct the hearing or provide written results within the specified time period, permission to contact or the transfer release shall be granted by default and the institution shall provide the written permission or release to the student-athlete.

- (2) Effective Date. August 1, 2015.
- (3) Rationale. The legislation governing the appeals processes for denial of permission to contact requests or transfer releases is designed to allow the student-athlete the opportunity to appeal to an institutional body outside the athletics department if he or she feels that further review of the request is warranted. In some instances institutions may not place the best interests of the student-athlete at the forefront of the process. Specifically, institutions may purposefully delay their appeal processes (as much as possible within their established procedures) for an extended period of time. In these circumstances, the opportunity to enroll at another institution is reduced as time passes due to admissions and enrollment deadlines. In addition, the possibility of receiving a scholarship offer from another institution is reduced proportionately with the delay in the hearing processes. Establishing consistent standards related to notifying student-athletes of their opportunity for an appeal opportunity, as well as establishing standards related to how institutions conduct the appeal will reduce opportunities for abuse of the process and promote student-athlete well-being.
- (4) Estimated Budget Impact. None.
- (5) Estimated Student-Athlete Impact. Will ensure student-athletes are provided an opportunity to actively participate in hearings and protect student-athletes from delays in the hearing process.

**c. 2015 NCAA Convention Legislation -- Bylaw 13.10.7 -- Recruiting -- Publicity -- Publicity After Commitment.**

- (1) Recommendation. Sponsor legislation for the 2015 NCAA Convention to amend Bylaw 13.10.7 to eliminate the restrictions on publicity related to a prospective student-athlete after he or she has signed a National Letter of Intent or the institution's written offer of admission and/or financial aid.
- (2) Effective Date. Immediate.
- (3) Rationale. Current legislation permits an institution to hold one press conference, on campus, for the purpose of announcing the names of prospective student-athletes who have signed a National Letter of Intent, written offer of admission and/or athletically related financial aid. In addition, receptions or dinners to announce signings are expressly prohibited. Division II institutions often face challenges in securing press coverage, and the signing of prospective student-athletes provides a valuable opportunity to shine a spotlight on Division II institutions. Any regulations on publicity after a prospective student-athlete has committed to an institution are unnecessary and inconsequential and decisions regarding publicity in such situations should be left to the discretion of the institution and/or conference. The immediate effective date will permit institutions to conduct press conferences or host other celebratory events in conjunction with the National Letter of Intent spring signing periods.
- (4) Estimated Budget Impact. Will vary.
- (5) Estimated Student-Athlete Impact. Will provide prospective student-athletes additional opportunities to be recognized for signing a written commitment with an institution.

**d. 2015 NCAA Convention Legislation -- Bylaw 13.11.2.1 -- Recruiting -- Permissible Activities -- Tryouts -- Post-High School Tryouts.**

- (1) Recommendation. Sponsor legislation for the 2015 NCAA Convention to amend Bylaw 13.11.2.1 to specify that the one-tryout limitation applies separately to the period in which the prospective student-athlete is in high school and to the period beginning September 1 after the prospective student-athlete's completion of high school.
- (2) Effective Date. Immediate.
- (3) Rationale. Prospective student-athletes are currently limited to one tryout per institution per sport. This change is consistent with the application of post-high school official visits legislation and would permit a prospective

student-athlete who participated in a tryout while in high school to participate in a post-high school tryout. This flexibility will allow a second opportunity to try out when a prospective student-athlete is interested in a potential transfer or there has been a coaching change. Additionally, this proposal reduces the monitoring burden for administrators and would only require administrators to track whether or not the prospective student-athlete has participated in a post-high school tryout. The immediate effective date will provide the opportunity for prospective student-athletes to engage in post-high school tryouts during spring 2015.

- (4) Estimated Budget Impact. None.
- (5) Estimated Student-Athlete Impact. Will provide prospective student-athletes the opportunity to have one post-high school tryout at an institution.

**e. 2015 NCAA Convention Legislation -- Bylaws 13.11.2.4.1 and 13.14.4 -- Recruiting -- Institutional Sponsorship of Local Sports Club -- Slush Funds -- Exception to Receive Expenses.**

- (1) Recommendation. Sponsor legislation for the 2015 NCAA Convention to amend Bylaws 13.11.2.4.1 and 13.14.4 to specify that a coaching staff member may receive expenses from an institution for engaging in recruiting activities on behalf of the institution while serving in his or her capacity as a local sports club coach; further, to specify that a coaching staff member may recruit on behalf of the institution while receiving expenses from a local sports club.
- (2) Effective Date. Immediate.
- (3) Rationale. This proposal will permit a coaching staff member to engage in recruiting activities while performing duties (e.g., operations, instruction, coaching) incidental to employment with a local sports club while receiving expenses from the institution and/or a local sports club. Many Division II coaches seek employment with a local sports club in order to supplement income. In addition, many Division II institutions have limited recruiting budgets and can benefit from offsetting recruiting costs by receiving travel expenses from a local sports club. Amending the legislation will permit coaching staff members to fulfill the necessary obligations of both employment arrangements while reducing the monitoring burden on institutions. The immediate effective date will

provide greater flexibility for coaches working with a local sports club during spring and summer 2015.

(4) Estimated Budget Impact. Will vary.

(5) Estimated Student-Athlete Impact. None.

**f. 2015 NCAA Convention Legislation -- Bylaws 15.2.2.1.7 and 16.5.2 -- Financial Aid and Awards, Benefits and Expenses -- Meals and Snacks Incidental to Participation.**

(1) Recommendation. Sponsor legislation for the 2015 NCAA Convention to amend Bylaws 15.2.2.1.7 and 16.5.2 to specify that an institution may provide meals and snacks to student-athletes as a benefit incidental to participation in intercollegiate athletics.

(2) Effective Date. August 1, 2015.

(3) Rationale. This proposal will permit an institution to provide meals and snacks to all student-athletes (scholarship and nonscholarship) at its discretion as a benefit to participation in intercollegiate athletics. Such measures will help ensure that all student-athletes' nutritional needs are met incidental to practice and other activities. It is not permissible to provide cash in lieu of the incidental meals and discretionary snacks. Meals and snacks provided as benefits incidental to participation in intercollegiate athletics are not intended to replace meals that would normally be provided through a dining plan or an off-campus board stipend. These additional meals and snacks are intended to provide flexibility to meet the student-athletes' nutritional needs and to alleviate administrative burdens related to accounting for such benefits.

(4) Estimated Budget Impact. Will vary.

(5) Estimated Student-Athlete Impact. Will provide student-athletes with access to necessary nutrition and meals.

**g. 2015 NCAA Convention Legislation -- Bylaws 16.8 and 16.9 -- Awards, Benefits and Expenses -- Expenses Provided by the Institution for Practice, Competition and Noncompetitive Events.**

(1) Recommendation. Sponsor legislation for the 2015 NCAA Convention to amend Bylaws 16.8 and 16.9 to specify that an institution, conference or

the NCAA may provide actual and necessary expenses to a student-athlete to represent the institution in practice and competition (including expenses for activities/travel that are incidental to practice or competition) and for a student-athlete to represent the institution in noncompetitive events (e.g., goodwill tours, media appearances, student-athlete advisory committee meetings).

- (2) Effective Date. August 1, 2015.
- (3) Rationale. The current legislation may be simplified by deregulating many prescriptive bylaws. Specifically, a general rule that permits an institution to provide actual and necessary expenses for a student-athlete to represent the institution and in practice and competition provides enough framework for an institution to determine how to apply the legislation. Simplifying the legislation surrounding the provision of expenses for travel will allow an institution to use discretion to provide expenses, including incidental expenses, in accordance with institutional policies, whether for competition or for noncompetitive events.
- (4) Estimated Budget Impact. Will vary.
- (5) Estimated Student-Athlete Impact. None.

**h. 2015 NCAA Convention Legislation -- Bylaws 17.29.1.4 and 17.29.1.5 -- Playing and Practice Seasons -- Foreign Tours -- Time Lapse Between Tours and Eligibility of Student-Athletes.**

- (1) Recommendation. Sponsor legislation for the 2015 NCAA Convention to amend Bylaws 17.29.1.4 and 17.29.1.5 to modify the foreign tour legislation, as follows: (1) To specify that a student-athlete shall not participate in more than one foreign tour for a particular institution; (2) To specify that in order to be eligible for a foreign tour that takes place between terms (e.g., winter break, summer), a student-athlete must be certified as academically and athletically eligible for the following academic term; (3) To specify that a student-athlete who has exhausted eligibility in a term immediately preceding the foreign tour may participate, provided the student-athlete would have been otherwise eligible for competition (e.g., would have met progress-toward-degree requirements), or has graduated; and (4) To specify that an incoming student-athlete may represent the institution on a foreign tour in the summer prior to initial full-time enrollment provided the prospective student-athlete has signed a National Letter of Intent or written offer of

admission and/or financial aid and has received a final academic and amateurism certification by the NCAA Eligibility Center.

- (2) Effective Date. Immediate.
- (3) Rationale. This change will require all student-athletes to be certified as academically and athletically eligible in order to participate in a foreign tour. Current legislation does not specify eligibility requirements for student-athletes who have exhausted eligibility or graduated in the term prior to a foreign tour taking place between terms. Since institutions are limited to participating in a foreign tour once in every four years, allowing incoming student-athletes to participate in a foreign tour provides equitable opportunity for all eligible student-athletes to participate in a unique educational and athletic opportunity while limiting student-athletes to participating in one foreign tour for a particular institution. The immediate effective date will permit incoming student-athletes to participate in foreign tours occurring in summer 2015.
- (4) Estimated Budget Impact. Will vary.
- (5) Estimated Student-Athlete Impact. Will require all student-athletes to meet applicable progress-toward-degree requirements in the term prior to the foreign tour and permit eligible incoming student-athletes to participate in a foreign tour.

**i. Noncontroversial Legislation -- Bylaw 13.2 -- Recruiting -- Offers and Inducements -- Fundraisers for Prospective Student-Athletes.**

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 13.2 to permit an institution to donate up to \$500 in cash or goods to a prospective student-athlete who is impacted by extreme circumstances (e.g., natural disaster, life threatening emergency) beyond the control of the prospective student-athlete, provided the prospective student-athlete has signed a National Letter of Intent or written offer of admission and/or financial aid, as specified.
- (2) Effective Date. Immediate.
- (3) Rationale. Current legislation permits institutions to fundraise for student-athletes who are impacted by extreme circumstances beyond the control of the student-athlete (e.g., fire, hurricane, tornado). This change will permit institutions to provide a similar benefit to a committed prospective

student-athlete without the need for a legislative relief waiver while maintaining safeguards to limit potential abuse (i.e., proceeds must be designated for a specific purpose and proceeds may be given directly to the beneficiary with receipt kept on file by the institution).

- (4) Estimated Budget Impact. Will vary.
- (5) Estimated Student-Athlete Impact. Will permit a prospective student-athlete impacted by extreme circumstances to receive a reasonable benefit from the institution with which the prospective student-athlete has signed a written commitment.

**j. Noncontroversial Legislation -- Bylaw 13.2.7 -- Recruiting -- Offers and Inducements -- Use of Training-Room Facilities.**

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 13.2.7 to specify that a prospective student-athlete may use an institution's training-room facilities in the summer before the student's initial, full-time collegiate enrollment at the certifying institution, regardless of whether the prospective student-athlete is enrolled in the institution's summer term, provided the prospective student-athlete has signed a National Letter of Intent or a written offer of admission and/or financial aid.
- (2) Effective Date. Immediate.
- (3) Rationale. Current legislation permits prospective student-athletes to use an institution's academic support services and training room in the summer prior to initial full-time enrollment provided the individual is enrolled in summer school. Prospective student-athletes who are not enrolled in summer school are often in the locale of the institution during the summer prior to initial enrollment participating in voluntary athletically related activities and/or working at institutional camps and clinics. This change will allow a committed prospective student-athlete to have access to the training room regardless of whether the individual is enrolled in summer school.
- (4) Estimated Budget Impact. Will vary.
- (5) Estimated Student-Athlete Impact. Will permit prospective student-athletes access to the training room for any necessary medical care in the summer prior to initial full-time enrollment.



**k. Noncontroversial Legislation -- Bylaw 13.11.3 -- Recruiting -- Tryouts -- Tryout Exceptions -- Activities Not Involving Institution's Staff and Additional Permissible Facility Usage.**

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 13.11 to eliminate the tryout exception in Bylaw 13.11.3 pertaining to activities not involving institution's staff.
- (2) Effective Date. Immediate.
- (3) Rationale. This change will reduce confusion regarding the application of the tryout legislation. All permissible events involving prospective student-athletes covered by the activities not involving institution's staff legislation can be permissibly hosted using the additional permissible facility usage legislation. Eliminating "additional" in the title of the bylaw will assist institutions in effectively determining which events involving prospective student-athletes may be held at an institutional facility, while maintaining the existing restrictions to prevent potential abuse.
- (4) Estimated Budget Impact. None.
- (5) Estimated Student-Athlete Impact. None.

**l. Noncontroversial Legislation -- Bylaw 15.02.4.3 -- Financial Aid -- Definitions and Applications -- Exempted Institutional Aid -- Out-of-State Tuition Waivers and Grants.**

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 15.02.4.3 to specify that an out-of-state tuition waiver and/or grant awarded solely on the basis of having no relationship to athletics ability may be exempted institutional financial aid.
- (2) Effective Date. Immediate.
- (3) Rationale. This change will ensure consistency in application of the legislation as institutions use the terms "waiver" and "grant" interchangeably when awarding institutional financial aid to all students. Allowing an out-of-state tuition grant to be exempted, provided the grant was award solely on the basis of having no relationship to athletics ability, will permit student-athletes to receive this type of financial aid without an impact to the individual or team limits regardless of how the institution chooses to refer to the award.

- (4) Estimated Budget Impact. None.
- (5) Estimated Student-Athlete Impact. Will permit student-athletes to receive out-of-state tuition grants without counting toward the student-athlete's full grant-in-aid or cost of attendance, or in the institution's financial aid limitations.

**m. Noncontroversial Legislation -- Bylaw 15.3.2.4 -- Financial Aid -- Terms and Conditions of Awarding Institutional Financial Aid -- Terms of Institutional Financial Aid Award -- Hearing Opportunity.**

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 15.3.2.4 to specify that a financial aid hearing must be conducted by an institutional entity outside of the athletics department [e.g., financial aid review committee; office of student affairs; office of the dean of students; or a committee composed of the faculty athletics representative, student-athlete(s) and nonathletics faculty/staff member(s)].
- (2) Effective Date. Immediate.
- (3) Rationale. This change will ensure consistency in hearings for denied requests of permission to contact, use of the one-time transfer exception and nonrenewals of financial aid.
- (4) Estimated Budget Impact. None.
- (5) Estimated Student-Athlete Impact. None.

**n. Noncontroversial Legislation -- Bylaws 17.3.7 and 17.9.8 -- Playing and Practice Seasons -- Summer Practice -- Facility Fees for Basketball and Football Student-Athletes.**

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaws 17.3.7 and 17.9.8 to specify that an institution may pay fees associated with the use of institutional practice and competition facilities by student-athletes engaged in voluntary athletically related activities in the sports of basketball and football during the summer.
- (2) Effective Date. Immediate.

- (3) Rationale. This proposal will permit an institution to pay fees for the use of institutional practice and competition facilities by student-athletes for voluntary activities in the sport of basketball and football during the summer. Currently, it is permissible for an institution to pay fees required to use practice or competition facilities to allow student-athletes to voluntarily use the facilities during the summer for free or at a reduced rate in all sports except for basketball and football. This change would provide equitable opportunity for all student-athletes, regardless of sport, to participate in voluntary athletically related activities during the summer.
- (4) Estimated Budget Impact. Will vary.
- (5) Estimated Student-Athlete Impact. Will provide equitable opportunities for all student-athletes to participate in voluntary athletically related activities during the summer.

**o. Modification of Wording -- Bylaw 13.6.6.1 -- Recruiting -- Official (Paid) Visit -- Entertainment/Tickets on Official Visit -- General Restrictions.**

- (1) Recommendation. Adopt a modification of wording to amend Bylaw 13.6.6.1 to clarify that an institution is limited to \$30 per day in student host funds for the purposes of covering all costs of entertaining a prospective student-athlete and the prospective student-athlete's relatives or legal guardians during an official visit.
- (2) Effective Date. Immediate.
- (3) Rationale. This modification clarifies that an institution is limited to a maximum of \$30 for each day of an official visit for purposes of covering all costs associated with entertaining a prospective student-athlete (and the prospective student-athlete's parents or legal guardians) on an official visit. This is consistent with the original intent of the legislation.
- (4) Estimated Budget Impact. None.
- (5) Estimated Student-Athlete Impact. None.

**p. Incorporation of Interpretation into the NCAA Division II Manual.**

- (1) Recommendation. To incorporate the following official interpretation into the NCAA Division II Manual:

Official Visit for Two-Year or Four-Year College Prospect: (II). The membership services staff confirmed that two-year or four-year college prospects who wish to take an official visit are not required to present the academic credentials set forth in NCAA Bylaw 13.7.1.2.3.1 prior to the visit, but such prospects are required to present an academic transcript prior to an official visit. A qualifier in his or her first semester or quarter at a two-year or four-year institution would be required to present a high-school transcript, inasmuch as a college transcript is unavailable.

[References: Bylaws 13.7.1.2.3.1 (PSAT, SAT, PLAN (or PACT Plus) or ACT score) and 13.7.1.2.3.2 (academic transcript - Division I)] [Note: This minute replaces staff minutes 08/06/93, item 1-b, and 09/23/94, item a, which have been archived.]

- (2) Effective Date. Immediate.
- (3) Rationale. Incorporating the official interpretation into the Manual will clarify the application of the legislation and eliminate confusion surrounding the academic requirements for official visits for two-year and four-year college transfer student-athletes.
- (4) Estimated Budget Impact. None
- (5) Estimated Student-Athlete Impact. None

## 2. **Nonlegislative Items.**

- **None.**

## **INFORMATIONAL ITEMS.**

1. **Referral from NCAA Division II Management Council Regarding Voluntary Individual Workouts in Team Sports During the Summer.** The committee reviewed a referral from the Management Council meeting in January 2014 regarding the committee's November 2013 legislative recommendation to sponsor Convention legislation to permit student-athletes in team sports to participate in voluntary individual workouts with coaching staff members during the summer. The committee noted that the membership is expected to sponsor multiple proposals for the 2015 NCAA Convention regarding permissible athletics activities outside the playing season. The committee agreed to delay further discussion regarding this issue until the membership has the opportunity to vote on the anticipated membership sponsored proposals.

**2. Financial Aid Review.** The committee continued its review of the current financial aid legislation, including:

- a. Approval of an updated timeline for the financial aid review [Attachment];
- b. Review of research data pertaining to financial aid, including financial aid budgets and equivalencies awarded by Division II institutions;
- c. Review of reorganization of Bylaw 15 for ease of reference. The committee directed staff to prepare a draft of the reorganized structure of Bylaw 15 for its review during the November 2014 in-person meeting;
- d. Review of financial aid proposals adopted since 2006; and
- e. Review of 32 financial aid interpretations. The committee will continue to review 25 to 30 financial aid interpretations at each meeting to determine whether they should be archived, rewritten or incorporated into the NCAA Manual.

In addition, the committee reviewed the exemption of out-of-state tuition waivers and agreed to recommend noncontroversial legislation to specify that out-of-state tuition waivers and/or grants awarded solely on the bases of having no relationship to athletics ability may be exempted institutional financial aid. [See Legislative Action Item No. 1-1]

**3. Discussion Regarding Bylaw 17 Start Dates.** The committee reviewed three issues regarding permissible start dates for practice and competition:

- a. **Fall Sports.** The committee reviewed the first permissible date of practice and competition for fall sports in those years the first permissible date of competition falls after Labor Day. Noting that the next occurrence will not be until 2019, the committee requested staff to gather feedback from coaches associations as well as administrators to assess the potential budget impact.
- b. **Men's and Women's Basketball.** The committee reviewed the first permissible date of practice and competition for men's and women's basketball. The committee agreed to take no action on the issue and noted that, if a change was necessary, it should be recommended by the respective sport committee(s).
- c. **Spring Sports.** The committee reviewed the first permissible date of practice and competition for spring sports. The committee discussed a potential membership-

sponsored proposal for the 2015 Convention which, if adopted, would establish an exception to permit the first contest to be played on the Friday prior to February 1 in years in which February 1 falls on a Saturday, Sunday or Monday. The committee noted its lack of support for a potential legislative relief waiver since the Division II membership has not yet reviewed and voted on the issue.

4. **Application of Conference Challenge Event Legislation.** The committee reviewed the application of the conference challenge event exemption for four types of institutions: independent institutions; institutions in contiguous states; out-of-region institutions; and institutions in the Division II membership process. The committee agreed with the application as outlined, noting the intent of the two membership-sponsored proposals regarding conference challenge events (NCAA Division II Proposal Nos. 2009-13 and 2014-12) was for competition to occur between opponents of two or more conferences within the same region.
5. **Review of Organized Competition Legislation.** The committee reviewed data regarding organized competition penalties from the NCAA Eligibility Center as well as NCAA Division II Committee for Legislative Relief waivers filed since the adoption of Division II Proposal No. 2010-11. The committee noted that the number of organized competition penalties has declined since 2010 and agreed the legislation remains appropriate for Division II. Finally, the committee reviewed the application of the legislation for an individual who graduates early from high school and agreed that the application of the legislation for those individuals should not be changed.
6. **Discussion Regarding Four-Year College Transfer Legislation.** The committee began a comprehensive review of four-year college transfer legislation by discussing the issues and challenges presented by the current legislation. The committee also agreed that the involvement of the NCAA Division II Student-Athlete Advisory Committee, as well as the NCAA Division II Academic Requirements Committee, will be imperative. The committee will continue the review at its November 2014 in-person meeting.
7. **Review of a Nontraditional Academic Calendar for Graduate Students.** The committee reviewed a request from a member institution regarding a new academic calendar for graduate students, effective June 2014. The academic year will be conducted on a 56-week schedule and the committee was asked to review the application of the financial aid and playing and practice season legislation. The committee determined that the institution must calculate equivalencies using the actual method for the three terms used for purposes of Bylaw 14.2 (seasons of competition: 10-semester/15-

quarter rule). Additionally, the committee agreed that the institution could use the published off-campus room and board rate for undergraduate students when calculating the full grant-in-aid. Finally, the committee determined that any graduate students participating in athletics should follow the same playing and practice season that the institution declares for undergraduate students.

8. **Discussion Regarding the Timing of Winter Break.** The committee reviewed the application of the seven consecutive calendar-day winter break period and considered whether institutions and/or conferences should be permitted to establish the dates of their own seven consecutive calendar-day break within a specified window of time. The committee agreed that the seven consecutive calendar-day break should be consistent for all Division II institutions and that no change to the legislation is necessary at this time.
9. **Update on Educational Initiatives.** The committee received an update on active member education and engagement related to the educational strategic plan, including a timeframe of activities related to assessment of needs by institutions, design of needs-based action plans, implementation of plans and project evaluation. The committee provided feedback on current educational tools that need to be continued and/or improved moving forward. The committee also received an update on the Path to Graduation educational initiatives as well as the regional compliance seminar pilot program that took place May 14-15, 2014, in the East Region.
10. **Educational Materials for Tryout and Camps and Clinics Legislation.** The committee discussed the development of educational materials for tryout and camps and clinics legislation. The committee noted that a number of Division II educational materials and compliance resources are being developed by the National Association of Athletics Compliance (NAAC), but directed staff to update currently available NCAA resources for administering tryouts and publish the document on the Division II Resources page on the NCAA website. The committee agreed that educational material on camps and clinics legislation was not necessary at this time.
11. **Discussion of Division II Strategic Plan, Membership Census and 2014-15 Strategic Priorities.** The committee reviewed information related to the development of the Division II strategic plan. Staff advised the committee that the strategic plan will be unveiled to the membership at the 2015 NCAA Convention. The committee also reviewed the 2014-15 Division II strategic priorities.

- 12. Update on the Academic and Membership Affairs Federated Staffing Structure.** The committee was provided an update regarding their academic and membership affairs staffing structure. Effective June 16, 2014, Division II interpretation requests and legislative relief waivers will be handled by members of the Division II team. Additionally, conference offices will have a Division II team member as a conference contact. The committee provided feedback regarding the structure and indicated that an emergency phone line should address the potential customer service concerns.

- 13. Elevation of Staff Interpretation.** The committee directed staff to elevate the following staff interpretation to an official interpretation and recommended the interpretation be incorporated in to the Division II Manual [See Legislative Action Item No. 1-p]:

Official Visit for Two-Year or Four-Year College Prospect: (II). The membership services staff confirmed that two-year or four-year college prospects who wish to take an official visit are not required to present the academic credentials set forth in NCAA Bylaw 13.7.1.2.3.1 prior to the visit, but such prospects are required to present an academic transcript prior to an official visit. A qualifier in his or her first semester or quarter at a two-year or four-year institution would be required to present a high-school transcript, inasmuch as a college transcript is unavailable.

[References: Bylaws 13.7.1.2.3.1 (PSAT, SAT, PLAN (or PACT Plus) or ACT score) and 13.7.1.2.3.2 (academic transcript - Division I)] [Note: This minute replaces staff minutes 08/06/93, item 1-b, and 09/23/94, item a, which have been archived.]

- 14. Issuance of Official Interpretation.** The committee issued the following official interpretation:

Academic Misconduct – Reporting an Academic Misconduct Violation (II). The Division II Legislation Committee determined that an institution has the authority to determine whether any academic misconduct has occurred, consistent with policies applicable to all students and prospective students. Academic misconduct refers to violations of an institution's policies related to academic honesty and integrity. Such violations may include, but are not limited to, academic fraud, academic offenses, violations of an institution's academic honor code, plagiarism and/or cheating. If an institution determines academic misconduct has not occurred, the institution is not required to report an academic misconduct violation. However, the committee determined that the extra benefit legislation continues to apply regardless of whether an academic misconduct violation has occurred. If an institution determines academic misconduct has occurred, the following standards apply:



- a. Institutional Staff Member Involvement. An institution is required to report a violation of Bylaw 10-1-(b) any time an institutional staff member (e.g., coach, professor, tutor, teaching assistant) is involved in arranging fraudulent academic credit or false transcripts for a prospective or enrolled student-athlete, regardless of whether the institutional staff member acted alone or in concert with the prospective or enrolled student-athlete.
- b. Student-Athlete or Prospective Student-Athlete. An institution is required to report a violation of Bylaw 10-1-(b) any time a student-athlete or prospective student-athlete, acting alone or in concert with others, is involved in arranging fraudulent academic credit or false transcripts, regardless of whether such conduct results in an erroneous declaration of eligibility.
- c. Competition While Ineligible. An institution is required to report a violation of Bylaw 10-1-(b) any time academic misconduct results in an erroneous declaration of eligibility, and the student-athlete subsequently competes for the institution.
- d. Other Academic Offense. If a student-athlete commits any other academic offense (e.g., cheating on a test, plagiarism on a term paper), the institution is not required to report a violation of Bylaw 10-1-(b), provided the student-athlete does not subsequently compete after an erroneous declaration of eligibility.

In all cases in which a student-athlete engages in academic misconduct in violation of institutional policies, the institution is required to handle the misconduct in accordance with its established academic policies applicable to all students, regardless of whether the misconduct is reportable under Bylaw 10-1-(b) or whether the student-athlete was acting alone or in concert with others.

[Reference: Bylaw 10.1-(b) (unethical conduct)]

- 15. Issuance of Official Interpretation.** The committee issued the following official interpretation:

Application of Two-Year Nonparticipation Exception for a Student-Athlete Who Participated on a Club Team at a Collegiate Institution (II). The Division II Legislation Committee determined that participation on a previous institution's club team triggers intercollegiate competition or noncollegiate amateur competition and participation must be counted when determining whether the student-athlete may use the two-year nonparticipation exception.

[References: Division II Bylaws 14.02.6 (intercollegiate competition), 14.5.5.3.7 (two-year nonparticipation exception), and a 3/19/1987 official interpretation, item ref. 4.].

- 16. Issuance of Official Interpretation.** The committee issued the following official interpretation:

Determination of a Scholastic Team (II). The Division II Legislation Committee determined that a scholastic team is one comprised of prospective student-athletes who are enrolled full time at the secondary institution with which the team is affiliated. A team that does not meet the above criteria may be considered a scholastic team only if the team is organized or administered within the parameters of a scholastic governing body (e.g., a state high school athletics association), and is eligible for events that are conducted by that governing body, including championship events.

[References: NCAA Division II Bylaws 13.11.1.4 (nonscholastic-based basketball), 13.11.3.5 (high school, college-preparatory school and two-year college contests) and 13.14.3.2 (video services)]

- 17. Issuance of Official Interpretation.** The committee issued the following official interpretation:

Participation of Ineligible Student-Athletes in Activities Related to Away-From-Home Contests (II). The Division II Legislation Committee determined that a student-athlete who is not eligible for competition (e.g., transfer serving an academic year in residence, student-athlete not meeting progress-toward-degree requirements, partial qualifier) may not receive expenses for or participate in practice sessions associated with an away-from-home competition even if the student-athlete pays his or her own expenses to travel to the site of the away-from-home competition.

[References: NCAA Division II Bylaws 14.3.2.1.1 (eligibility for aid, practice and competition), 14.5.4.2.3 (qualifiers and partial qualifiers), 14.5.5.1.1 (attendance for one academic year), 14.5.5.1.2 (attendance for less than one academic year), 16.8.1.1 (practice), 16.7.1.2 (competition while representing institution)]

- 18. 2014-15 NCAA Division II Compliance Forms.** The committee reviewed and approved the 2014-15 Division II compliance forms.

19. **Update on NCAA Division II Manual Publication.** The committee was provided an update regarding the upcoming revisions to Legislative Services Database for the Internet (LSDBi). With the anticipated capabilities of the new LSDBi, the committee discussed the discontinuation of the hard-copy Manual. The committee noted the 2016-17 academic year would be an appropriate timeframe for discontinuation of the hard-copy Manual and that institutions would retain the option of purchasing a hard-copy Manual, if desired. The committee directed staff to ensure appropriate education and notice is provided to the Division II membership in advance of the discontinuation of the hard-copy Manual.
20. **Review and Approval of the March 2014 NCAA Division II Legislation Committee Teleconference Report.** The committee reviewed and approved the report from the March 2014 teleconference.
21. **Review and Approval of the NCAA Interpretations Subcommittee of the Division II Legislation Committee Electronic Communication and Teleconference Reports.** The committee reviewed and approved the Interpretations Subcommittee teleconference reports from April 7 and May 19, 2014.
22. **Legislation Committee Appointments.** The committee took the following actions regarding committee appointments:
  - a. **Election of Legislative Review Subcommittee Chair.** The committee elected Marty Gilbert, Mars Hill College, as chair of the Legislative Review Subcommittee.
  - b. **Subcommittee Appointments.** The committee appointed Linda Van Drie-Andrzjewski, Wilmington University (Delaware), to the Legislative Review Subcommittee, effective immediately.
23. **Future Meeting Dates.**
  - a. November 11-12, 2014; Indianapolis, Indiana;
  - b. March 10-11, 2015; Indianapolis, Indiana; and
  - c. June 23-24, 2015; Indianapolis, Indiana.

*Committee Chair: Ann Traphagen, Augustana College (South Dakota), Northern Sun Intercollegiate Conference*

*Staff Liaisons: Amanda Conklin, Academic and Membership Affairs  
Courtney Lovely, Academic and Membership Affairs  
Stephanie Quigg Smith, Academic and Membership Affairs  
Karen Wolf, Academic and Membership Affairs*

June 17-19, 2014, In-Person Meeting	
Attendees	Absentees
Curtis Campbell, Stillman College	
Marty Gilbert, Mars Hill College	
Spencer Dodd, St. Martin's University	
Barbara Hannum, Hawaii Pacific University	
Kathy Heitzman, Bloomsburg University of Pennsylvania	
Dean Johnson, Caldwell College	
Jill McCartney, Washburn University of Topeka	
Kelly McLaughlin, Regis University (Colorado)	
Kim Pate, University of Illinois at Springfield	
Charles Pinckney, Livingstone College	
Steve Poston, Wingate University	
Ann Traphagen, Augustana College (South Dakota)	
Other Participants: Andrew Cardamone Amanda Conklin Nicole Hollomon Kurt Hunsaker Maritza Jones Josh Looney Courtney Lovely Stephanie Quigg Smith Rachel Stark Terri Steeb-Gronau Kelley Sullivan Gregg Summers Jill Waddell Karen Wolf	

**Proposed Timeline for Review of NCAA Bylaw 15 Financial Aid Regulations**

**June 2014**

**Legislation Committee In-Person Meeting**

- Review feedback from the NCAA Division II East Region Compliance Seminar.
- Review research regarding financial aid.
- Review of financial aid proposals adopted by the Division II membership since 2006.
- Review proposed reorganization of Bylaw 15. [See Supplement No. 11-c.]
- Begin review of financial aid interpretations and determine whether any interpretations should be archived, rewritten and/or incorporated into the NCAA Division II Manual (maximum of 25 interpretations for review).
- Discussion regarding whether tuition waivers should be exempted financial aid.
- Review of NCAA Proposal No. 2014-22, which was referred to the NCAA Division II Management Council during the business session of the 2014 NCAA Convention.

**November 2014**

**Legislation Committee In-Person Meeting**

- Review feedback from the membership.
- Review legislative draft of proposed reorganization of Bylaw 15 with possible action for a noncontroversial proposal, effective August 1, 2016.
- Continue review of financial aid interpretations and determine whether any interpretations should be archived, rewritten and/or incorporated into the Manual (maximum of 25 interpretations for review).
- Begin developing package of legislative recommendations for 2016 or 2017 Convention.

**March 2015**

**Legislation Committee In-Person Meeting**

- Review feedback from the membership.
- Continue review of financial aid interpretations and determine whether any interpretations should be archived, rewritten and/or incorporated into the Manual (maximum of 25 interpretations for review).
- Continue developing package of legislative recommendations for 2016 or 2017 Convention.

**June 2015**

**Legislation Committee In-Person Meeting**

- Review feedback from the membership.
- Continue review of financial aid interpretations and determine whether any interpretations should be archived, rewritten and/or incorporated into the Manual (maximum of 25 interpretations for review).
- Determine whether package of legislative recommendations should be forwarded to the Management Council for the 2016 Convention.