

## Educational Column - 1 Educational Column

### Title:

Proposal No. 2010-7 (No. 2-9) -- Playing and Practice Seasons -- Winter Break (II)

### Item Ref: 7

**Date Published:** January 13, 2010

### Educational Column:

**Question No. 1:** May a student-athlete travel to or from campus December 20 through 26?

**Answer:** Yes. A student-athlete is permitted to travel December 20 through 26, provided he or she pays for the travel expenses.

**Question No. 2:** May a team or student-athlete travel to or from competition December 20 through 26?\_

**Answer:** No. However, the NCAA Division II Legislation Committee issued the following official interpretation to clarify when travel December 20 may be permissible:

Transportation From an Away-From-Home Competition During the Winter Break. (II) The Legislation Committee determined that an institution may return to campus on December 20 following the completion of an away-from-home competition, provided the team departs the competition location at the earliest practical opportunity, but not later than 11:59 p.m. (local time) December 19, and all contact between institutional staff members (e.g., coaches) and student-athletes ceases on arrival to campus.

[Reference: Proposal No. 2010-7 (playing and practice seasons -- winter break)]

If the official interpretation does not address an institution's travel issues during the winter break, the institution may seek relief through the Committee for Legislative Relief waiver process if it can demonstrate that there is mitigation warranting relief of the legislation. Waiver requests will be reviewed on a case-by-case basis.

**Question No. 3:** An institution's weight room is closed during the institution's winter break. May student-athletes workout in the weight room December 20 through December 26 if a coach opens the facility for them?

**Answer:** No. Student-athletes may workout at an on-campus facility December 20 through 26 only if that facility is open to the general student-body.

**Question No. 4:** Is it permissible for a student-athlete to use institutional equipment while participating in voluntary athletically related activities at an on-campus facility from December 20 through December 26?

**Answer:** Yes. Provided the equipment is available for use by the general student-body or it has already been issued for the sport season by the institution's athletics department and does not have to be checked out through an issuance and retrieval process (e.g., golf clubs, tennis racket).

**Question No. 5:** Is it permissible for an athletic trainer to treat student-athletes during the winter break?

**Answer:** Yes. Provided the athletic trainer is available and on campus.

**Question No. 6:** Would it be permissible for a team to participate in a foreign tour during the winter break period?

**Answer:** No. Participation on a foreign tour constitutes countable athletically related activities and would not be permissible from December 20 through December 26.

**Question No. 7:** What is the definition of voluntary athletically related activities?

**Answer:** Bylaw 17.02.1.2 defines voluntary athletically related activities.

### **Bylaw 17.02.1.2 Voluntary Athletically Related Activities.**

In order for any athletically related activity to be considered "voluntary," all of the following conditions must be met:

(a) The student-athlete must not be required to report back to a coach or other athletics department staff member (e.g., strength coach, trainer, manager) any information related to the activity. In addition, no athletics department staff member who observes the activity (e.g., strength coach, trainer, manager) may report back to the student-athlete's coach any information related to the activity;

(b) The activity must be initiated and requested solely by the student-athlete. Neither the institution nor any athletics department staff member may require the student-athlete to participate in the activity at any time. However, it is permissible for an athletics department staff member to provide information to student-athletes related to available opportunities for participating in voluntary activities (e.g., times when the strength and conditioning coach will be on duty in the weight room or on the track). In addition, for students who have initiated a request to engage in voluntary activities, the institution or an athletics department staff member may assign specific times for student-athletes to use institutional facilities for such purposes and inform the student-athletes of the time in advance;

(c) The student-athlete's attendance and participation in the activity (or lack thereof) may not be recorded for the purposes of reporting such information to coaching staff members or other student-athletes; and

(d) The student-athlete may not be subjected to penalty if he or she elects not to participate in the activity. In addition, neither the institution nor any athletics department staff member may provide recognition or incentives (e.g., awards) to a student-athlete based on his or her attendance or performance in the activity.

[Note: Coaching staff members may be present during permissible skill-related instruction pursuant to Bylaw 17.1.6.2.1.]

**Question No. 8:** How does Proposal No. 2010-7 apply to a Division II institution that sponsors a Division I sport?

**Answer:** Proposal No. 2010-7 only applies to sports for which Division II sponsors a championship. Therefore, the winter break will not apply to a Division I sport that is sponsored by a Division II institution or a Division II sport for which a National Collegiate Championship is the only NCAA championship opportunity.

**Question No. 9:** Is it permissible to operate a camp or clinic on campus during the winter break?\_

**Answer:** Yes. During the winter break of December 20 through 26 an institution would be permitted to operate a camp or clinic. Student-athletes may work or volunteer at the camp or clinic, provided the conditions in Bylaw 13.12.2.1.1 (general requirements) are satisfied.

**Question No. 10:** Is it permissible for an institution to provide housing and meals expenses to student-athletes who remain on campus from December 20 through December 26?\_

**Answer:** Per Bylaw 16.5 (housing and meals), institutions may provide room and board expenses to student-athletes who return to campus from competition during an institution's official vacation period for up to 48 hours following the student-athlete's return to campus. If an institution wants to provide such expenses beyond the 48 hours following the return to campus after competition during the official vacation period, the institution must seek relief through the Committee for Legislative Relief waiver process. Waiver requests will be reviewed on a case-by-case basis.

**Question No. 11:** Is it permissible for a student-athlete who remains on campus during the winter break to receive an occasional meal from institutional staff members or a representative of the institution's athletics interests?

**Answer:** Yes, provided the conditions set forth in Bylaw 16.11.1.4 (occasional meal) are satisfied.

**Notice about Educational Columns and Hot Topics:** Educational columns and hot topics are not official or staff interpretations. They are intended to assist the membership by providing examples, scenarios and reminders related to legislation and interpretations at the time of publication. Member institutions are reminded to review the referenced bylaws and interpretations to ensure correct application of current rules and regulations.

## References

Legislative References			Other
Div.	Number	Title	
II	17.1.6	Time Limits for Athletically Related Activities.	References Educational Columns: 0
II	17.3	BASKETBALL	Educational Columns: 0
II	17.1.6.6	Additional Restrictions.	Proposals: 1
II	17.22	SWIMMING AND DIVING	
II	17.24	TRACK AND FIELD, INDOOR/OUTDOOR	
II	17.27	WRESTLING	