

LEGISLATION



2010 NCAA CONVENTION

DIVISION III SECOND
PUBLICATION OF
PROPOSED
LEGISLATION

104th Annual Convention
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THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
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Second Publication of Proposed Legislation 104th Annual Convention

This publication presents all proposed amendments to NCAA Division III legislation that were properly submitted in accordance with the July 15 and September 1 deadlines in the NCAA legislative calendar. The proposals herein appear in the order in which they would appear, if adopted, in the NCAA Manual. No attempt has been made to place them in topical groupings or in the order in which they eventually might appear in the Convention agenda. **The order of the six proposals contained in the Initial Publication of Proposed Legislation has changed in the Second Publication of Proposed Legislation (SPOPL). Additionally, Initial Publication of Proposed Legislation Proposal Nos. 1, 3, 4 and 6 did not receive proper sponsorship and will not appear in the Second Publication of Proposed Legislation. Likewise, the order of the nine proposals in the Second Publication of Proposed Legislation will change in the Official Notice. The numeral 2 has been placed in front of each proposal number to help identify its position in the Second Publication of Proposed Legislation. In addition, for each proposal that appeared in the Initial Publication of Proposed Legislation, a parenthetical follows the proposal number, which identifies the proposal's number as it appeared in the Initial Publication of Proposed Legislation.**

Each proposal is accompanied not only by the traditional statement of intent and proposed effective date, but also by a statement of rationale.

Between the posting of the Initial Publication of Proposed Legislation August 15 and September 15, sponsors of the membership-sponsored proposals were permitted to refine and change the amendments in any manner that was germane to the proposal. Such changes could either increase or decrease the modification set forth in the original proposal. All of these changes have been incorporated in this Second Publication of Proposed Legislation, which also includes all proposals submitted by September 1 by the NCAA Division III Presidents Council.

No new proposals may be submitted for the 2010 Convention inasmuch as the July 15 and September 1 deadlines have passed. Member institutions and conferences, as well as the Presidents Council, now have until November 1 by 5 p.m. Eastern time to submit amendments to these proposals. Such amendments-to-amendments may not increase the modification set forth in the printed proposal. Amendments-to-amendments submitted by the membership must have 20 or more active member institutions for proper sponsorship in Division III. In addition, amendments-to-amendments may be sponsored by two or more member conferences in Division III. It should be noted that proposals that are withdrawn after the September 15 sponsor-modification deadline appear in the Second Publication of Proposed Legislation; however, information will be included in the Official Notice to indicate the sponsor's intent to withdraw the proposal at the Convention.

Member institutions and conferences are encouraged to request interpretations of the proposed legislation in this Second Publication of Proposed Legislation. Refer to Appendix B for the Request for Interpretation form.

This publication represents the second in a series of three publications dealing with Convention legislation, as dictated by the provisions of NCAA Constitution 5. The third publication will be as follows:

November 15 — Official Notice of the 2010 Convention. This publication will contain all Division III legislation for the Convention, including all amendments-to-amendments and resolutions submitted by the November 1 deadline.

2009-10 Legislative Calendar

The legislative calendar, as set forth in Constitution 5, is summarized here for convenience of reference.

July 15: Deadline for submission of amendments by the Division III membership. Each amendment must include a statement of intent and a separate statement of rationale (200 words or less), as well as identification of the designated primary contact person, and must be sponsored by at least one conference or at least 10 of the 20 individual institution sponsors.

July 22: Legislative Committee Review. Divisional legislative committees review proposals by the membership and work with the primary contact person for each amendment to ensure that the proposal meets the intent of the sponsor, to ensure that the placement of the amendment is consistent with the organizational integrity of the relevant divisional Manual, and to edit the intent and rationale statements of the sponsors for clarity and brevity.

August 6: Presidents Council Consideration. The NCAA Division III Presidents Council considers legislative proposals that it may wish to sponsor. It also reviews the proposals submitted by the membership in accordance with the July 15 deadline.

Not Later Than August 15: Posting of Initial Publication of Proposed Legislation.

Date Initial Publication of Proposed Legislation is Posted through September 15: Sponsor-Modification Period. Sponsors are permitted to refine and change their proposals in any manner germane to the original proposal. Member institutions and conferences are invited to offer any suggested revisions of a proposal to the primary contact person listed with the proposal. Also, members that believe an amendment should not be modified should so inform the primary contact person.

September 1: Deadline for submission of amendments sponsored by the Division III Presidents Council.

September 1: Deadline for proper co-sponsorship of membership proposals. The proposal must receive proper co-sponsorship from the additional conference or 10 additional individual institutions or it will be withdrawn.

September 15: Deadline for submission by all sponsors (with submission by the primary contact person) of any modification to their original amendments. These modifications may represent either greater or lesser changes; they need only be germane to the original amendment.

Not Later Than September 23: Posting of Second Publication of Proposed Legislation. This publication includes all Division III membership-sponsored proposals as modified and includes all proposals sponsored by the Division III Presidents Council.

Date Second Publication of Proposed Legislation is Posted through November 1: Amendment-to-Amendment Period. The Presidents Council as well as the membership (see Constitution 5.3.5.3) may submit amendments to the proposals in the Second Publication of Proposed Legislation. These amendments-to-amendments may not increase the modification of the provisions to be amended; they must fall between the provisions of the amendment and the current provisions.

November 1: Deadline for all amendments-to-amendments to be received in the NCAA national office. No amendments-to-amendments sponsored by the membership may be submitted after this date. The Councils are authorized to submit further amendments-to-amendments at the Convention if they deem such action necessary.

November 15: Mailing of the Official Notice of the Convention. This publication includes all Division III proposed legislation and the properly submitted amendments-to-amendments and resolutions.

January 13-16, 2010: NCAA Convention. All delegates receive the Convention Program when they register at the Convention. The Convention Program contains the most up-to-date meeting schedule and other helpful Convention information.

Division III Interpretations and Legislation Committee

Chair - Terry Rupert, Wilmington College (Ohio)

Mark Dienhart, University of St. Thomas (Minnesota)

Dan Fulks, Transylvania University

Portia Lowe, Lake Forest College

Julie Muller, North Atlantic Conference

Kent Reeves, East Texas Baptist University

Lori Runksmeier, New England College

Phil Tonucci, Bowdoin College

104th Annual Convention
LEGISLATIVE PROPOSALS SUBMITTED BY THE MEMBERSHIP

[Note: Pursuant to Constitution 5.3.12, all amendments shall become effective not earlier than the first day of August following adoption by the Convention; however, if a voting delegate wishes to propose an immediate effective date, or an effective date other than the first day of August following the Convention, the rationale statement shall contain reasons why the amendment has an alternative effective date. Those proposals that are given an immediate effective date and that are adopted, become effective on adjournment of the Convention.]

Note: In the following proposals:

- Those letters and words that appears in *italics* and ~~strikethrough~~ are to be deleted.

- Those letters and words that appear in **bold** and underlined are to be added; and

- Those letters and words that appear in normal text are unchanged from the current Division III legislation.]

Intent: To deregulate and reformat the tryout legislation to specify that a tryout in which prospective student-athletes demonstrate their athletics abilities at a coach's direction, tryout events and varsity competition against high school or preparatory school teams are impermissible; further, to specify that other physical related activities involving prospects that are not specifically prohibited shall be permissible.

A. Bylaws: Amend 11.3, as follows:

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

[11.3.1 unchanged.]

11.3.2 Private Lessons. An institution's coach may teach private lessons to a prospective student-athlete, provided the following criteria are satisfied:

(a) The coach makes lessons available to the general public;

(b) Fees charged to the prospective student-athlete are at a rate commensurate with fees charges to all individuals;

(c) Prior written approval is provided annually by the institution's athletics director and the institution's athletics department keeps on file documentation of the fee charged for the private lessons; and

(d) Fees charged to the prospective student-athlete are not paid by individuals or entities other than the prospective student-athlete or prospective student-athlete's parents or guardian(s).

B. Bylaws: Amend 13.11, as follows:

13.11 Tryouts.

~~13.11.1 A member institution, on its campus or elsewhere, shall not conduct (or have conducted on its behalf) any physical activity (e.g., practice session and/or test/tryout) at which one or more prospective student athletes (as defined in Bylaw 13.11.1.1) reveal, demonstrate or display their athletics ability in any sport.~~

~~13.11.1.1 Definition of "Prospective Student Athlete" for Tryout Rule Purposes. For purposes of the tryout rule, the phrase "prospective student athlete" shall include any individual who has started classes for the ninth grade and is not enrolled in the member institution at the time of the practice or test therein described.~~

~~13.11.2 Additional Prohibited Tryout Activities. The following activities are also considered prohibited tryout activities.~~

~~13.11.2.1 Competition Against Prospective Student Athletes. An institution's varsity intercollegiate team may compete against a two-year college team but may not compete against a high school or preparatory school team. Subvarsity teams are not bound by this prohibition. The varsity team may participate in a contest against an established outside team~~

~~that includes prospective student athletes, provided the outside team is ongoing and was not established for the specific purpose of competing against the collegiate team.~~

~~13.11.2.2 Competition in Conjunction with a High School, Preparatory School or Two-Year College. A member institution may host competition between or among high schools, preparatory schools or two-year colleges to be conducted in conjunction with an intercollegiate athletics event, provided all such competition occurs on the member institution's campus. Further, the intercollegiate athletics event may be conducted during a continuous session on the same day as the high school, preparatory school or two-year college contest under a single admission.~~

~~13.11.2.3 Nonscholastic-Based Basketball. A member of an institution's coaching staff may not participate in coaching activities involving AAU basketball teams, regardless of the age or gender of the participants involved in such teams.~~

~~13.11.2.4 Tryout Events. A member institution or conference may not host, sponsor or conduct a tryout camp, clinic, group workout or combine (e.g., combination of athletics skills test or activities) devoted to agility, flexibility, speed and strength tests for prospective student athletes at any location. A member institution's staff members may only attend such an event sponsored by an outside organization if the events occurs off the institution's campus and is open to all institutions.~~

~~13.11.2.5 Effect of Violation. Violations of Bylaw 13.11 and its subsections shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the prospective student athlete's eligibility.~~

~~13.11.3 Tryout Exceptions. Each of the following activities are permissible activities and exceptions to the tryout prohibition.~~

~~13.11.3.1 Preseason Practice and Competition. A student athlete who is not enrolled, but who has been accepted for admission to the institution in a regular full-time program of studies, shall be permitted to engage in preseason practice and competition in fall sports or practice occurring in midyear between terms on the academic calendar.~~

~~13.11.3.2 Recreational Activities. A prospective student athlete visiting a member institution may participate in physical workouts or other recreational activities during a visit to an institution's campus, provided such activities:~~

- ~~(a) Are not organized or observed by members of the athletics department coaching staff; and~~
- ~~(b) Are not designed to test the athletics abilities of the prospective student athlete.~~

~~13.11.3.3 Local Sports Clubs. An institution's coach may be involved in any capacity (e.g., as a participant, administrator or in instructional or coaching activities) in the same sport for a local sports club or organization located in the institution's home community, provided all prospective student athletes participating in said activities are legal residents of the area (within a 50-mile radius of the institution). The 50-mile radius restriction shall not apply to prospective student athletes who reside beyond the 50-mile radius of the institution if the local sports club is the nearest club team to the prospective student athlete's home. Further, in club teams involving multiple teams or multiple sports, the 50-mile radius is applicable only to the team with which the institution's coach is involved; however, it is not permissible for the coach~~

~~to assign a prospective student athlete who lives outside the 50-mile area to another coach of the club. A coach also may be involved in activities with individuals who are not of prospective student-athlete age (i.e., before the ninth grade), regardless of where such individuals reside.~~

~~13.11.3.3.1 Institutional Sponsorship of Local Sports Club. Neither an institution's athletics department nor an institution's athletics booster group may sponsor a local sports club that includes prospective student-athletes. It is permissible for a department of the institution that operates independent of the athletics department (e.g., physical education department, recreation department) to sponsor a local sports club that includes prospective student-athletes, provided no athletics department staff member is involved with the club team.~~

~~13.11.3.4 Sports Camps and Clinics. An institution's coach may be employed in sports camps, coaching schools and clinics per Bylaw 13.12.2.3 without violating the tryout rule.~~

~~13.11.3.5 Medical Examinations After Acceptance for Enrollment. It shall be permissible to administer medical examinations at any time to prospective student-athletes who have been accepted for enrollment in a regular full-time program of studies at that institution, provided the examinations occur during an official paid visit or the prospective student-athletes visit the institution at their own expense for this purpose.~~

~~13.11.3.6 "Open" Events. Participation by a prospective student-athlete in "open" events conducted by or held on the campus of a member institution shall not be considered tryouts. Competition shall be considered "open" if the competitive event itself is not classified by age group or level of educational institution represented, and the selection of participants is not limited except by number, by geographical area or on the basis of some objective standard of performance.~~

~~13.11.3.7 Use of Facilities for Activities Related to a Nonsponsored Sport. The use of member institution's facilities for physical activities by a group that includes prospective student-athletes shall not be considered a tryout, provided the physical activities are related to a sport that is not sponsored by the institution at the varsity intercollegiate level.~~

~~13.11.3.8 State, Regional, National or International Training Programs. Participation by an institution's athletics department staff member in recognized state, regional, national or international training programs or competition organized and administered by the applicable governing body or athletics authority shall not be considered tryouts.~~

~~13.11.3.8.1 Coach/Prospective Student-Athlete Competition. It is permissible for an institution's coach to participate with or against prospective student-athletes in recognized regional, national or international training programs or competition, provided the competition is regularly scheduled under the authority of an outside sports organization and both the coach and the prospective student-athlete are eligible to enter the competition.~~

~~13.11.3.8.2 Administration of "State Games." A member institution serving as the site of "state games" is permitted to involve its staff members in the administration of the event but may not be involved in the selection or assignment of participants and coaches participating in the event.~~

~~13.11.3.9 High School, Preparatory School and Two-Year College Contests Conducted by Institution or Sponsored Jointly with an Outside Organization. Regularly scheduled high~~

~~school, preparatory school and two-year college athletics contests or matches, conducted by a member institution or sponsored jointly with an outside organization and held on the campus of a member institution, shall not be considered tryouts, provided the following conditions are met [see Bylaw 13.2.3 for restrictions related to the provision of awards at such contests]:~~

~~(a) The opportunity to participate in the event is not limited to specific prospective student-athletes or educational institutions and all individual prospective student-athletes or educational institutions in a specific geographical area are eligible to compete (limited only by number, by institutional classification or on the basis of some objective standard of performance);~~

~~(b) The event appears on the schedules of the prospective student-athletes' educational institutions; and~~

~~(c) The event is conducted by a national sports federation of which the NCAA is a member or it has been approved before the season by the appropriate state or national authority.~~

~~13.11.3.10 Use of an Institution's Facilities by a High School, Preparatory School or Two-Year College for Practice and Competition. The regular or emergency use of a member institution's facilities by a high school, preparatory school or two-year college athletics team for its normal practice activities (conducted solely by its coaches) or for regularly scheduled high school, preparatory school or two-year college contests (conducted solely by those participating institutions) shall not be considered tryouts, provided the following conditions are met:~~

~~(a) The competition is approved by the appropriate state or national authority; and~~

~~(b) The member institution and representatives of its athletics interests are not involved in any way in the invitation or selection of participating schools or individuals.~~

~~13.11.3.11 Officiating. An institution's coach may officiate competition that involves prospective student-athletes, provided the competition is regularly scheduled under the authority of an outside sports organization.~~

~~13.11.3.12 Private Lessons. An institution's coach may teach private lessons to a prospective student athlete, provided the following criteria are satisfied:~~

~~(a) The coach makes lessons available to the general public;~~

~~(b) Fees charged to the prospective student athlete are at a rate commensurate with fees charges to all individuals;~~

~~(c) Prior written approval is provided annually by the institution's athletics director and the institution's athletics department keeps on file documentation of the fee charged for the private lessons; and~~

~~(d) Fees charged to the prospective student athlete are not paid by individuals or entities other than the prospective student athlete or prospective student athlete's parents or guardian(s).~~

~~13.11.3.13 Other Permissible Facility Usage. The use of institutional facilities for physical activities by a group that includes prospective student-athletes, not otherwise permitted in these bylaws, may still be permissible and not considered a tryout provided that:~~

~~(a) Institution's athletics department staff or representatives of the institution's athletics interests are not involved in the promotion of the activity;~~

~~(b) Institution's athletics department staff or representatives of the institution's athletics interests are not involved in solicitation of any individual prospective student-athlete's participation in the activity;~~

~~(c) Institution's athletics department staff or representatives of the institution's athletics interests are not involved in solicitation for any particular group's participation in the activity, unless the group is affiliated with an outside organization and the solicitation is consistent with institutional policies of hosting outside organizations;~~

~~(d) The activity may not be a tryout event, as defined in Bylaw 13.11.2.4;~~

~~(e) Involvement by the institution's athletics department staff and representatives of its athletics interests shall be consistent with institutional policies for hosting outside organizations; and~~

~~(f) Athletics department staff members and representatives of its athletics interests remain subject to all applicable NCAA recruiting legislation during the event.~~

13.11.1 "Prospective Student-Athlete" Defined for Tryout-Rule Purposes. For purposes of this section, the phrase "prospective student-athlete" shall include any individual who has started classes for the ninth grade and is not enrolled in the member institution at the time of the activity described. For an incoming student, the limitations of this section do not apply to preseason participation if the student has been accepted by the institution for enrollment in a regular, full-time program of studies and is no longer enrolled in the previous educational institution.

13.11.2 Prohibited Physical Activities Involving Prospective Student-Athletes.

13.11.2.1 Traditional Tryout. It is impermissible for an athletics department coaching staff member to observe or conduct physical workouts or other recreational activities designed to test the athletics abilities of a prospective student-athlete.

13.11.2.2 Tryout Events. It is impermissible for a member institution or conference to host, sponsor or conduct a tryout camp, clinic, group workout or combine (e.g., combination of athletics skills test or activities) devoted to agility, flexibility, speed and strength tests for prospective student-athletes. An institution's staff member may only attend such an event sponsored by an outside organization if the events occurs off the institution's campus and is open to all institutions.

13.11.2.3 Competition Against Prospective Student-Athletes. It is impermissible for an institution's varsity intercollegiate team to compete against a high school or preparatory school team.

13.11.3 Permissible Physical Activities Involving Prospective Student-Athletes. Any activity not specifically prohibited in Bylaw 13.11.2 and its subsections is permissible. Permissible activities include, but are not limited to the following:

13.11.3.1 Athletics Events or Activities Involving Prospective Student-Athletes. It is permissible for a member institution to host, sponsor, promote or conduct any type of

athletics event or activity involving prospective student-athletes that is not specifically prohibited within Bylaw 13.11.2.

13.11.3.2 Sports Camps and Clinics. See Bylaw 13.12.

13.11.3.3 Private Lessons. An institution's coach may teach private lessons to a prospective student-athlete, provided the criteria detailed in Bylaw 11.3.2 are satisfied.

13.11.3.4 Sports Club Teams. It is permissible for an institution's coach or administrator to be involved in any capacity (e.g., as a participant, administrator or in instructional or coaching activities) in an organized sports club or organization involving team's of prospective student-athletes; however, neither an institution's athletics department nor an institution's athletics booster group may sponsor a local sports club that includes prospective student-athletes. It is permissible for a department of the institution that operates independent of the athletics department (e.g., physical education department, recreation department) to sponsor a local sports club that includes prospective student-athletes, provided no athletics department staff member is involved with the club team.

13.11.4 Effect of Violation. Violations of Bylaw 13.11 and its subsections shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the prospective student-athlete's eligibility.

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

Effective Date: Immediate

Rationale: The adoption of NCAA Division III Proposal Nos. 2009-10 and 2009-11 further defined the Division III tryout legislation by establishing two additional tryout exceptions. Despite the adoption of these proposals, it remains the case that the majority of the tryout exceptions are largely a product of prefederation legislation that may or may not speak to the current needs of Division III institutions creating challenges for institutions to apply the tryout legislation. This deregulation and reformatting effort would clarify the application of the tryout legislation by simplifying the list of tryout exceptions and, emphasizing on the three types of tryout activities that are not permissible. Specifically, the proposal emphasizes the continued prohibition on traditional tryouts in which prospective student-athletes demonstrate their athletics abilities at a coach's direction, on "combine" events and on varsity competition against high school or preparatory school teams. The other types of events under the list of exceptions that currently must meet prescriptive guidelines would also be deregulated to allow more institutional autonomy within the operation of the events. The proposal would also modify the local sports club exception such that the 50-mile radius limitation would be eliminated from that exception. The effective date would allow institutions to begin applying the simplified legislation immediately.

No. 2-2 RECRUITING AND PLAYING AND PRACTICE SEASONS — TRYOUT
EXCEPTION — RECREATIONAL ACTIVITY — EXCEPTION FOR FACILITY
MONITORING AS PART OF NORMAL EMPLOYMENT ARRANGEMENT

Intent: To permit an institution's coaching staff member to observe recreational activities of prospective student-athletes and nonorganized sport-specific activities of currently enrolled student-athletes, provided the coach observes these activities while monitoring an institutional facility for purposes of safety and facility security as part of normal employment duties and the facility is not restricted to specific users at the time.

A. Bylaws: Amend 13.11.3, as follows:

13.11.3 Tryout Exceptions. Each of the following activities are permissible activities and exceptions to the tryout prohibition.

[13.11.3.1 unchanged.]

13.11.3.2 Recreational Activities. A prospective student-athlete visiting a member institution may participate in physical workouts or other recreational activities during a visit to an institution's campus, provided such activities:

(a) Are not organized or observed by members of the athletics department coaching staff **(except as set forth in Bylaw 13.11.3.2.1)**; and

(b) Are not designed to test the athletics abilities of the prospective student-athlete.

13.11.3.2.1 Permissible Observation of Recreational Activities. A coaching staff member who observes a prospective student-athlete engaging in recreational activities is not considered a tryout, provided:

(a) The documented job responsibilities for the coaching staff member include monitoring of an institutional facility for purposes of safety and facility security;

(b) The observation occurs while the coaching staff member performs this monitoring responsibility; and

(c) The observation occurs while the facility is open to the general public.

This exception does not permit a coaching staff member to direct, supervise or provide instruction to prospective student-athletes, but permits a coaching staff member to stop any activity that is dangerous to a prospective student-athlete or other students.

[13.11.3.3 through 13.11.3.13 unchanged.]

B. Bylaws: Amend 17.02.1.1, as follows:

17.02.1.1 Athletically Related Activities. The following are considered athletically related activities:

[17.02.1.1-(a) through 17.02.1.1-(j) unchanged.]

(k) Observation by an institution's coaching staff member of enrolled student-athletes in nonorganized sport-specific activities (e.g., "pick-up games"), **except as permitted in Bylaw 17.02.1.1.1-(f)**.

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

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

(d) Observation of enrolled student-athletes in organized competition (e.g., summer league), provided institutional athletics personnel do not direct or supervise the organized activity; ~~and~~

(e) Voluntary individual workouts monitored for safety purposes by strength and conditioning personnel. If the strength and conditioning coach is also a coaching staff member for one of the institution's intercollegiate teams, the monitoring may occur only if that staff member performs monitoring duties for all student-athletes using the facility at the time; and

(f) Observation of enrolled student-athletes in nonorganized sport-specific activities, provided:

(1) The documented job responsibilities for the coaching staff member include monitoring of an institutional facility for purposes of safety and facility security;

(2) The observation occurs while the coaching staff member performs this monitoring responsibility; and

(3) The observation occurs while the facility is open to all students.

This exception does not permit a coaching staff member to direct, supervise or provide instruction to student-athletes, but permits a coaching staff member to stop any activity that is dangerous to a student-athlete or other students.

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

Effective Date: Immediate

Rationale: Currently, observing enrolled student-athletes in nonorganized sport-specific activities (e.g., "pick-up games") is considered an athletically related activity. An April 17, 2006, educational column stated that coaches can observe these activities if they are monitoring facilities in conjunction with their usual employment duties and the facilities are open to all students. The educational column was derived from language that appeared in the 2004 Convention Question and Answer guide convention floor discussion related to the elimination of the safety exception. This legislation is necessary to resolve the apparent conflict between current legislation and these previously issued documents. Similarly, observing prospective student-athletes engaged in sport-specific activities on campus does not currently meet any of the tryout exceptions. This proposal would allow for the observation of prospective student-athletes when the coach is monitoring an institutional facility for purposes of safety and facility security as part of normal employment duties. These exceptions are appropriate and necessary to ensure proper facility monitoring and because campus personnel considerations currently put institutions in the difficult position of having to choose between not providing proper oversight of facilities or violating NCAA legislation.

No. 2-3

ELIGIBILITY — CRITERIA FOR DETERMINING SEASON OF ELIGIBILITY — MINIMUM AMOUNT OF PARTICIPATION — COMPETITION DURING THE NONTRADITIONAL SEGMENT — BASEBALL, FIELD HOCKEY, LACROSSE, SOCCER, SOFTBALL AND WOMEN'S VOLLEYBALL — ALUMNI CONTEST

Intent: In baseball, field hockey, lacrosse, soccer, softball and women's volleyball, to permit a student-athlete to participate in one date of competition and an alumni contest during the nontraditional segment without using a season of participation.

Bylaws: Amend 14.2.4.1, as follows:

14.2.4.1 Minimum Amount of Participation. A season of intercollegiate participation shall be counted in the student-athlete's sport when a student-athlete participates (practices or competes) during or after the first contest in the traditional segment following the student-athlete's initial participation of that academic year at that institution or when the student-athlete engages in intercollegiate competition during the nontraditional segment in that sport. This provision is applicable to intercollegiate athletics participation (practice or competition) conducted by a Division III collegiate institution at the varsity, junior varsity or freshman team level.

14.2.4.1.1 Exceptions. A season of participation shall not be counted:

[14.2.4.1.1-(a) unchanged.]

(b) In baseball, field hockey, lacrosse, soccer, softball and women's volleyball, when a student-athlete participates ~~in the one date of competition~~ (**practices or competes**) during the nontraditional segment.

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

Effective Date: August 1, 2010

Rationale: Under current legislation, a student-athlete may participate in the one permissible date of competition during the nontraditional segment (in baseball, field hockey, lacrosse, soccer, softball, and women's volleyball) without using a season of participation. If an institution conducts an alumni contest in addition to the one date of competition, a student-athlete would use a season of participation if he or she competes in the alumni contest. This proposal would allow the student-athlete to participate in both the alumni contest and the one date of competition in the nontraditional segment without using a season of participation. This proposal would provide simplicity to the application of the legislation, because the adoption of the proposal would clarify that competition within the nontraditional segment would never trigger the use of a season of participation. The alumni contest would continue to count as one of the 16 permissible days of athletically related activities. Alumni contests are conducted primarily for positive public relations and should not adversely affect a student-athlete's eligibility. Since the alumni contest counts as one of the 16 permissible days of athletically related activity, this proposal would not increase the length of the playing season.

No. 2-4 ELIGIBILITY — SEASONS OF PARTICIPATION — HARDSHIP WAIVER — PERCENT CALCULATION

Intent: To specify that a student-athlete's eligibility for a hardship waiver should be determined by a percent calculation using the maximum permissible number of contests or dates of competition for the applicable sport, plus one contest or date of competition.

Bylaws: Amend 14.2.5, as follows:

14.2.5 Hardship Waiver. A student-athlete may be granted an additional year of participation (per Bylaw 14.2.4) by the conference or the Committee on Student-Athlete Reinstatement for reasons of "hardship." Hardship is defined as an incapacity resulting from a season-ending injury or illness that has occurred under all of the following conditions:

(a) The season-ending injury or illness occurs before the completion of the first half of the traditional playing season in that sport for the season being waived [measured by the number of completed or scheduled (not exceeding the maximum limitations in each sport as set forth in Bylaw 17 as set prior to the first scheduled contest or date of competition) contests or dates of competition and results in incapacity to compete for the remainder of the traditional playing season]; and

(b) The season-ending injury or illness occurs when the student-athlete has not competed in more than ~~three contests or dates of competition (whichever is applicable to that sport) or one-third (whichever number is greater) of the institution's completed or scheduled (not exceeding the maximum~~ **contest or date of competition (whichever is applicable to that sport)** limitations in each sport (as set forth in Bylaw 17) **plus one contest or date of competition. For the sport of cross country, see Bylaw 14.2.5.2.5.4.** ~~as set prior to the first scheduled contest or date of competition) contests or dates of competition in his or her sport. Only competition (excluding preseason scrimmages and exhibition contests but including scrimmages and exhibitions after the first regularly scheduled contest) against outside participants during the traditional playing season, or, if so designated, during the official NCAA championship playing season in that sport (e.g., spring baseball, fall soccer), shall be countable under this limitation in calculating both the number of contests or dates of competition in which the student athlete has competed and the number of completed or scheduled contests or dates of competition during that season in the sport.~~

[14.2.5.1 through 14.2.5.2.4 unchanged]

14.2.5.2.5 Percent Calculation. The following requirements are to be met in determining the percent calculation under this waiver provision: (Note: The percent calculation requirements set forth in Bylaws 14.2.5 and 14.2.5.2.3 apply only to the waiver provisions of this section and do not apply to the maximum- and minimum-contests requirements in Bylaw 20.

14.2.5.2.5.1 Denominator in Percent Computation. The denominator in the institution's percent calculation shall be based on the ~~institution's number of completed or scheduled varsity contests or dates of competition [see Bylaw 14.2.5 (b)] as computed for playing and practice season purposes in Bylaw 17 for the applicable sport. (Note: Exempted events in Bylaw 17 are included in the percent calculation)~~ **maximum contest or date of competition (whichever is applicable to that sport) limitation in each sport (as set forth in Bylaw 17) plus one contest or date of competition. For the sport of cross country, see Bylaw 14.2.5.2.5.4.**

14.2.5.2.5.2 Fraction in Percent Computation. Any computation of the percent limitation that results in a fractional portion of a contest or date of competition shall be rounded to the next whole number (e.g., 33 percent of a 25-game basketball schedule — 8.3 games — shall be considered nine games).

~~14.2.5.2.5.3 Conference Championships. A conference championship shall be counted as one contest or date of competition in determining the institution's completed or scheduled contests or dates of competition in that sport, regardless of the number of days or games involved in the championship. However, for purposes of this regulation, the calculation of completed or scheduled contests or dates of competition in a particular season does not include postseason competition conducted after the completion of the institution's regular season schedule and conference tournament.~~

14.2.5.2.5.4³ NCAA Regional Cross Country Meet. The NCAA regional cross country meet may be counted as ~~one~~ **an additional** date of competition in determining the institution's scheduled or completed dates of competition, provided no qualifying standards exist for participation in the meet. **Therefore, in the sport of cross country, the denominator in the institution's percent calculation shall be based on the maximum dates of competition (as set forth in Bylaw 17) plus two dates of competition.**

[Remainder of 14.2.5 unchanged]

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

Effective Date: August 1, 2010

Rationale: This proposal permits an institution to calculate the denominator for the hardship waiver percentage based on the maximum contests or dates of competition limits set forth in Bylaw 17 for the applicable sport plus one contest or date of competition. The addition of one contest or date of competition replaces the conference tournament provision in the current legislation. Student-athlete well-being is fostered by allowing a consistent denominator for student-athletes, regardless of the institution's scheduling patterns and conference decision to have or not have a conference tournament. Because of conference, budgetary, philosophical and/or geographical constraints, institutions currently schedule different numbers of contests or dates of competition. Since the student-athletes have no role in scheduling, this creates inequitable treatment of student-athletes from institution to institution as far as waiver calculations are concerned. Further, since the scheduling practices of some institutions are incumbent on conference scheduling policies, even institutions cannot completely control the amount of scheduled contests. This proposal allows for a denominator for all institutions that is equal to the largest possible denominator under current legislation; however the proposal allows all student-athletes seeking a hardship waiver to take advantage of the maximum denominator.

No. 2-5 (1-2) ELIGIBILITY — TRANSFER REGULATIONS — RESIDENCE REQUIREMENT
— DISCIPLINARY SUSPENSION — EXCEPTION

Intent: To specify that a transfer student who meets the requirements of the two-year nonparticipation exception shall be immediately eligible on transfer to the certifying institution, even if the student was disqualified or suspended from the previous institution for disciplinary reasons.

Bylaws: Amend 14.5, as follows:

14.5 Transfer Regulations.

14.5.1 Residence Requirement - General Principle. A student who transfers (see Bylaw 14.5.2) to a member institution from any collegiate institution is required to complete one full academic year of residence at the certifying institution before being eligible to compete for or to receive travel expenses from the member institution (see Bylaw 16.8.1.2.), unless the student satisfies the applicable transfer requirements or receives an exception or waiver as set forth in this section.

[14.5.1.1 through 14.5.1.2 unchanged.]

14.5.1.3 Disciplinary Suspension. A student who transfers to any NCAA institution from a collegiate institution while the student is disqualified or suspended from the previous institution for disciplinary reasons (as opposed to academic reasons) must complete one calendar year or residence at the certifying institution.

14.5.1.3.1 Exception. A student who transfers to the certifying institution and meets the requirements of the two-year nonparticipation exception set forth in Bylaws 14.5.4.2 or 14.5.5.1.3 is not required to complete one calendar year of residence.

[Remainder of 14.5.1 unchanged.]

Source: Massachusetts State College Athletic Conference and Allegheny Mountain Collegiate Conference

Effective Date: August 1, 2010

Rationale: The current rule requires a transferring student-athlete who leaves his or her previous institution under disciplinary suspension to serve a calendar year of residency in order to become eligible at the certifying institution, even if he or she was not enrolled full time for two years prior to enrollment at the certifying institution. The current requirement amounts to double jeopardy for such a student-athlete because a possible one-year sanction would actually be three years if he or she was not enrolled full time at any collegiate institution prior to the transfer. Therefore, this amendment would allow transfer students, who were on disciplinary suspension from the previous institution, to fulfill their sanctions by either serving a full calendar year of residency at their new institution or by meeting the requirements of the two-year nonparticipation exception. This amendment would also bring the disciplinary probation sanctions in line with academic probation sanctions for there is currently an inequality between the fulfillment of disciplinary and academic probation sanctions with regard to the implementation of the two-year nonparticipation exception. If adopted, the optimum way to complete sanctions still remains the single calendar year of residency.

No. 2-6 PLAYING AND PRACTICE SEASONS — LENGTH OF PLAYING SEASONS — END OF THE FALL AND SPRING NONTRADITIONAL SEGMENTS

Intent: To specify that all practice and competition conducted in the nontraditional segment (fall or spring) shall be completed no later than five weekdays before the first day of the institution's final examination period.

A. Bylaws: Amend 17.1.10.2, as follows:

17.1.10.2 Dividing Traditional and Nontraditional Segments. A member institution that divides its practice and playing season into two distinct segments per Bylaw 17.1.2 and conducts its nontraditional segment in the fall must complete all practice and competition ~~by October 30 of the academic year involved~~ **no later than five weekdays before the first day of the institution's final examination period**; conversely, a member institution that conducts its traditional segment in the fall may not begin practice or competition during its nontraditional segment until February 1 of the academic year involved.

B. Bylaws: Amend 17.2.4, as follows:

17.2.4 End of Regular Playing Season. A member institution shall conclude all practice and competition (contests and scrimmages) in baseball by the following dates:

[17.2.4-(a) unchanged.]

(b) Nontraditional Segment. ~~For an institution that conducts its nontraditional segment in the fall, October 30 (see Bylaw 17.1.10.2). For an institution that conducts its nontraditional segment in the spring, the first date of final examinations for the regular academic year at the institution.~~ **All practice and competition conducted in the nontraditional segment (fall or spring) shall be completed no later than five weekdays before the first day of the institution's final examination period.**

C. Bylaws: Amend 17.4.4, as follows:

17.4.4 End of Regular Season. A member institution shall conclude all practice and competition (meets and practice meets) in each segment in bowling by the following dates:

[17.4.4-(a) unchanged.]

(b) Nontraditional Segment. ~~For an institution that conducts its nontraditional segment in the fall, October 30 (see Bylaw 17.1.10.2). For an institution that conducts its nontraditional segment in the spring, the first date of final examinations for the regular academic year at the institution.~~ **All practice and competition conducted in the nontraditional segment (fall or spring) shall be completed no later than five weekdays before the first day of the institution's final examination period.**

D. Bylaws: Amend 17.5.4, as follows:

17.5.4 End of Regular Playing Season. A member institution shall conclude all practice and competition in cross country by the following dates:

[17.5.4-(a) unchanged.]

(b) Nontraditional Segment. ~~For an institution that conducts its nontraditional segment in the fall, October 30 (see Bylaw 17.1.10.2). For an institution that conducts its nontraditional segment in the spring, the first date of final examinations for the regular academic year at the institution.~~ **All practice and competition conducted in the nontraditional segment (fall or spring) shall be completed no later than five weekdays before the first day of the institution's final examination period.**

E. Bylaws: Amend 17.7.4, as follows:

17.7.4 End of Regular Playing Season. A member institution shall conclude all practice and competition (matches or practice matches) in fencing ~~by the first date of final examinations for the regular academic year at the institution~~ **no later than five weekdays before the first day of the institution's final examination period.**

F. Bylaws: Amend 17.8.4, as follows:

17.8.4 End of Regular Playing Season. A member institution shall conclude all practice and competition (contests and scrimmages) in field hockey by the following dates:

[17.8.4-(a) unchanged.]

(b) Nontraditional Segment. ~~For an institution that conducts its nontraditional segment in the fall, October 30 (see Bylaw 17.1.10.2). For an institution that conducts its nontraditional segment in the spring, the first date of final examinations for the regular academic year at the institution.~~ **All practice and competition conducted in the nontraditional segment (fall or spring) shall be completed no later than five weekdays before the first day of the institution's final examination period.**

G. Bylaws: Amend 17.10.4, as follows:

17.10.4 End of Regular Playing Season. A member institution shall conclude all practice and competition in golf by the following dates:

[17.10.4-(a) unchanged.]

(b) Nontraditional Segment. ~~For an institution that conducts its nontraditional segment in the fall, October 30 (see Bylaw 17.1.10.2). For an institution that conducts its nontraditional segment in the spring, the first date of final examinations for the regular academic year at the institution.~~ **All practice and competition conducted in the nontraditional segment (fall or spring) shall be completed no later than five weekdays before the first day of the institution's final examination period.**

H. Bylaws: Amend 17.13.4, as follows:

17.13.4 End of Regular Playing Season. A member institution shall conclude all practice and competition (games and scrimmages) in lacrosse by the following dates:

[17.13.4-(a) unchanged.]

(b) Nontraditional Segment. ~~For an institution that conducts its nontraditional segment in the fall, October 30 (see Bylaw 17.1.10.2). For an institution that conducts its nontraditional segment in the spring, the first date of final examinations for the regular academic year at the institution.~~ **All practice and competition conducted in the nontraditional segment (fall or spring) shall be completed no later than five weekdays before the first day of the institution's final examination period.**

I. Bylaws: Amend 17.15.4, as follows:

17.15.4 End of Regular Playing Season. A member institution shall conclude all practice and competition (games and scrimmages) in rowing by the following dates:

[17.15.4-(a) unchanged.]

(b) Nontraditional Segment. ~~For an institution that conducts its nontraditional segment in the fall, October 30 (see Bylaw 17.1.10.2). For an institution that conducts its nontraditional segment in the spring, the first date of final examinations for the regular academic year at the institution.~~ **All practice and competition conducted in the nontraditional segment (fall or spring) shall be completed no later than five weekdays before the first day of the institution's final examination period.**

J. Bylaws: Amend 17.16.4, as follows:

17.16.4 End of Regular Playing Season. A member institution shall conclude all practice and competition (games and scrimmages) in rugby by the following dates:

[17.16.4-(a) unchanged.]

(b) Nontraditional Segment. ~~The first date of final examinations for the regular academic year at the institution.~~ **No later than five weekdays before the first day of the institution's final examination period.**

K. Bylaws: Amend 17.19.4, as follows:

17.19.4 End of Regular Playing Season. A member institution shall conclude all practice and competition (games and scrimmages) in soccer by the following dates:

[17.19.4-(a) unchanged.]

(b) Nontraditional Segment. ~~For an institution that conducts its nontraditional segment in the fall, October 30 (see Bylaw 17.1.10.2). For an institution that conducts its nontraditional segment in the spring, the first date of final examinations for the regular academic year at the institution.~~ **All practice and competition conducted in the nontraditional segment (fall or spring) shall be completed no later than five weekdays before the first day of the institution's final examination period.**

L. Bylaws: Amend 17.20.4, as follows:

17.20.4 End of Regular Playing Season. A member institution shall conclude all practice and competition (games and scrimmages) in softball by the following dates:

[17.20.4-(a) unchanged.]

(b) Nontraditional Segment. ~~For an institution that conducts its nontraditional segment in the fall, October 30 (see Bylaw 17.1.10.2). For an institution that conducts its nontraditional segment in the spring, the first date of final examinations for the regular academic year at the institution.~~ **All practice and competition conducted in the nontraditional segment (fall or spring) shall be completed no later than five weekdays before the first day of the institution's final examination period.**

M. Bylaws: Amend 17.21.4, as follows:

17.21.4 End of Regular Season. A member institution shall conclude all practice and competition (meets and practice meets) in each segment in squash by the following dates:

[17.21.4-(a) unchanged.]

(b) Nontraditional Segment. ~~The first date of final examinations for the regular academic year at the institution.~~ **No later than five weekdays before the first day of the institution's final examination period.**

N. Bylaws: Amend 17.22.4, as follows:

17.22.4 End of Regular Season. A member institution shall conclude all practice and competition (meets and practice meets) in each segment in swimming and diving by the following dates:

[17.22.4-(a) unchanged.]

(b) Nontraditional Segment. ~~The first date of final examinations for the regular academic year at the institution.~~ **No later than five weekdays before the first day of the institution's final examination period.**

O. Bylaws: Amend 17.23.4, as follows:

17.23.4 End of Regular Playing Season. A member institution shall conclude all practice and competition in tennis by the following dates:

[17.23.4-(a) unchanged.]

(b) Nontraditional Segment. ~~For an institution that conducts its nontraditional segment in the fall, October 30 (see Bylaw 17.1.10.2). For an institution that conducts its nontraditional segment in the spring, the first date of final examinations for the regular academic year at the institution.~~ **All practice and competition conducted in the nontraditional segment (fall or spring) shall be completed no later than five weekdays before the first day of the institution's final examination period.**

P. Bylaws: Amend 17.24.4, as follows:

17.24.4 End of Regular Season. A member institution shall conclude all practice and competition (meets and practice meets) in each segment in indoor and outdoor track and field by the following dates:

[17.24.4-(a) unchanged.]

(b) Nontraditional Segment. ~~The first date of final examinations for the regular academic year at the institution.~~ **No later than five weekdays before the first day of the institution's final examination period.**

Q. Bylaws: Amend 17.25.7, as follows:

17.25.7 End of Regular Playing Season — Women. A member institution shall conclude all practice and competition (games and scrimmages) in volleyball by the following dates:

[17.25.7-(a) unchanged.]

(b) Nontraditional Segment. ~~For an institution that conducts its nontraditional segment in the fall, October 30 (see Bylaw 17.1.10.2). For an institution that conducts its nontraditional segment in the spring, the first date of final examinations for the regular academic year at the institution.~~ **All practice and competition conducted in the nontraditional segment (fall or spring) shall be completed no later than five weekdays before the first day of the institution's final examination period.**

R. Bylaws: Amend 17.27.4, as follows:

17.27.4 End of Regular Playing Season. A member institution shall conclude all practice and competition (meets and practice meets) in wrestling by the following dates:

[17.27.4-(a) unchanged.]

(b) Nontraditional Segment. ~~The first date of final examinations for the regular academic year at the institution.~~ **No later than five weekdays before the first day of the institution's final examination period.**

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

Effective Date: August 1, 2010

Rationale: Currently, the end date for the spring nontraditional segment is the day before the institution's final examination period. This date is not in the best interest of the student-athlete's academic pursuits and does not give the student-athletes sufficient time prior to final exams to focus on academics. Additionally, the end date for the fall nontraditional segment is not linked to the academic calendar, but rather is a defined date (October 30), which significantly limits the ability of institutions on a quarter academic calendar to conduct the fall nontraditional segment. This change establishes consistency between the end dates for the fall and spring nontraditional segments by linking the end of the fall nontraditional segment to the academic calendar instead of a defined date. By linking the fall end date to the academic calendar, quarter-based institutions will have greater flexibility to conduct the fall nontraditional segment. In addition, establishing the end date for the nontraditional segment as five weekdays before final examinations establishes a proper balance between the student-athlete's academic pursuits and the institution's flexibility to conduct its nontraditional segments.

No. 2-7 PLAYING AND PRACTICE SEASONS — FIRST CONTEST OR DATE OF COMPETITION — EXEMPTED ALUMNI CONTEST

Intent: To permit institutions to conduct the exempted alumni contest at any time during the playing season including prior to the first permissible contest date.

A. Bylaws: Amend 17.3.3.1, as follows:

17.3.3.1 Exceptions. The following basketball contests (games or scrimmages) are permitted before the first contest dates specified under Bylaw 17.3.3:

[17.3.3.1-(a) through 17.3.3.1-(b) unchanged.]

(c) Foreign-Team Games. An exhibition contest against a foreign team in the United States played in the arena in which the member institution regularly plays its home contests may be played on or after November 1 by an institution; ~~and~~

(d) NCAA Division I or II Institution. An institution may play one exhibition contest (which shall not count toward the institution's win-loss record) against a Division I or II institution on or after October 31 and before the first permissible contest date-; **and**

(e) Alumni Contest. An institution may conduct an exempted alumni contest [see Bylaw 17.3.5.3-(g)] on or after October 15, provided the contest occurs during the declared playing season.

B. Bylaws: Amend 17.5.3, as follows:

17.5.3 First Date of Competition. A member institution shall not engage in its first date of competition (contest or scrimmage) against outside competition in cross country before the following dates:

[17.5.3-(a) through 17.5.3-(b) unchanged.]

17.5.3.1 Exception. An institution may conduct an exempted alumni meet [see Bylaw 17.5.5.3-(e)] before the specified first date of competition, provided the meet occurs during the declared playing season.

C. Bylaws: Amend 17.8.3, as follows:

17.8.3 First Contest or Date of Competition. A member institution shall not play its first contest or engage in its first date of competition (contest or scrimmage) against outside competition in field hockey before the following dates:

[17.8.3-(a) through 17.8.3-(b) unchanged.]

17.8.3.1 Exception. An institution may conduct an exempted alumni game (see Bylaw 17.8.5.3.2) before the specified first date of competition, provided the game occurs during the declared playing season.

D. Bylaws: Amend 17.10.3, as follows:

17.10.3 First Date of Competition. A member institution shall not engage in its first date of competition against outside competition in golf before the following dates:

[17.10.3-(a) through 17.10.3-(b) unchanged.]

17.10.3.1 Exception. An institution may conduct an exempted alumni match [see Bylaw 17.10.5.3-(e)] before the specified first date of competition, provided the match occurs during the declared playing season.

E. Bylaws: Amend 17.16.3, as follows:

17.16.3 First Contest. A member institution shall not play its first contest (game or scrimmage) against outside competition in women's rugby before the following dates:

[17.16.3-(a) through 17.16.3-(b) unchanged.]

17.16.3.1 Exception. An institution may conduct an exempted alumni contest [see Bylaw 17.16.5.3-(d)] before the specified first date of competition, provided the contest occurs during the declared playing season.

F. Bylaws: Amend 17.19.3, as follows:

17.19.3 First Contest or Date of Competition. A member institution shall not play its first contest or engage in its first date of competition (game) against outside competition in soccer before the

following dates:

[17.19.3-(a) through 17.19.3-(b) unchanged.]

17.19.3.1 Exception. An institution may conduct an exempted alumni game (see Bylaw 17.19.5.3.2) before the specified first date of competition, provided the game occurs during the declared playing season.

G. Bylaws: Amend 17.23.3, as follows:

17.23.3 First Date of Competition. A member institution shall not engage in its first date of competition (match or practice match) against outside competition in tennis before the following dates:

[17.23.3-(a) through 17.23.3-(b) unchanged.]

17.23.3.1 Exception. An institution may conduct an exempted alumni match [see Bylaw 17.23.5.3-(e)] before the specified first date of competition, provided the match occurs during the declared playing season.

H. Bylaws: Amend 17.25.3, as follows:

17.25.3 First Date of Competition — Women. A member institution shall not engage in its first date of competition (game or scrimmage) against outside competition in women's volleyball before the following dates:

[17.25.3-(a) through 17.25.3-(b) unchanged.]

17.25.3.1 Exception. An institution may conduct an exempted alumni match [see Bylaw 17.25.5.3-(e)] before the specified first date of competition, provided the match occurs during the declared playing season.

I. Bylaws: Amend 17.26.4, as follows:

17.26.4 First Date of Competition — Men. A member institution shall not engage in its first date of competition (game or scrimmage) against outside competition in men's water polo before the first Saturday in September.

17.26.4.1 Exception. An institution may play an exempted alumni game [see Bylaw 17.26.8.3-(f)] before the specified first date of competition, provided the game occurs during the declared playing season.

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

Effective Date: August 1, 2010

Rationale: Currently, an exempted alumni contest may be conducted during the nontraditional segment or during the traditional segment on or after the first permissible contest date. The alumni contest is an important public relations event for institutions and for keeping alumni connected to the institution. Therefore, institutions should be afforded the maximum opportunity to conduct these events without lengthening the season. This proposal would provide institutions the opportunity to conduct the contest during the preseason when schedules might be more amenable

to this type of contest. This proposal would not lengthen the season as the contest would still have to occur within the 18- or 19-week playing season.

No. 2-8 (1-5) PLAYING AND PRACTICE SEASONS — FOOTBALL — WALK-THROUGH SESSIONS DURING THE FIVE-DAY ACCLIMATIZATION PERIOD

Intent: In football, to specify that an institution may conduct one one-hour walk-through session per day of the acclimatization period, provided protective equipment (e.g., helmet, shoulder pads) is not worn, equipment related to football (e.g., football, blocking sled) is not used and conditioning activities do not occur. Further, to specify that student-athletes must be provided with at least three hours of continuous recovery time between the end of the on-field practice session and the start of the walk-through session.

A. Bylaws: Amend 17.11.2.2, as follows:

17.9.2.2 Five-Day Acclimatization Period. Preseason practice shall begin with a five-day acclimatization period for both first-time participants (e.g., freshman 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:

[17.9.2.2-(a) unchanged.]

(b) During **each day of** the five-day period, participants shall not engage in more than one on-field practice ~~per day~~, not to exceed three hours in length, **and one one-hour walk-through session. No protective equipment (e.g., helmet, shoulder pads) may be worn, no equipment related to football (e.g., football, blocking sled) may be used and conditioning activities may not occur during the walk-through session. Student-athletes must be provided with at least three hours of continuous recovery time between the end of the on-field practice session and the start of the walk-through session.**

[Remainder of 17.9.2.2 unchanged.]

B. Bylaws: Amend 17.11.2.3, as follows:

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

[17.9.2.3-(a) through 17.9.2.3-(d) unchanged.]

17.9.2.3.1 Exception — Walk-Through Sessions. During the preseason practice period only ~~and following the five-day acclimatization period~~, on-field walk-through sessions are not considered an on-field activity under Bylaw 17.9.2.3, provided protective equipment (e.g., helmets, shoulder pads) is not worn, equipment related to football (e.g., footballs, blocking sleds) is not used and conditioning activities do not occur. Walk-through sessions may occur only on days during which a single on-field practice session is permitted and shall be limited to one hour in length. Student-athletes must be provided with at least three hours of continuous recovery time between the end of the on-field practice session and the start of the walk-through session.

Source: American Southwest Conference, Empire 8 and New Jersey Athletic Conference.

Effective Date: August 1, 2010

Rationale: The additional on-field interaction provides student-athletes a true walk-through for education purposes of offensive, defensive and special team instruction during the preseason segment. The walk-through is limited to one hour in length with no protective equipment worn, no football equipment used and no conditioning activities may occur. Thus, the walk-through is not a strenuous activity. This proposal does not impact class time for the majority of Division III institutions since the acclimatization period normally occurs before classes are in session. This is permissive legislation and institutions would not be required to conduct the additional walk-through.

No. 2-9 DIVISION MEMBERSHIP — DIVISION III PHILOSOPHY STATEMENT —
AFFIRMATION OF PRESIDENTIAL LEADERSHIP AT INSTITUTIONAL,
CONFERENCE AND NATIONAL GOVERNANCE LEVELS OF DIVISION III

Intent: Specify in the Division III Philosophy Statement the expectation for presidential leadership and authority over intercollegiate athletics at the campus, conference and national governance levels.

Bylaws: Amend 20.11, as follows:

DIVISION III PHILOSOPHY STATEMENT

20.11 DIVISION III MEMBERSHIP REQUIREMENTS. Colleges and universities in Division III place highest priority on the overall quality of the educational experience and on the successful completion of all students' academic programs. They seek to establish and maintain an environment in which a student-athlete's athletics activities are conducted as an integral part of the student-athlete's educational experience, and in which coaches play a significant role as educators. They also seek to establish and maintain an environment that values cultural diversity and gender equity among their student-athletes and athletics staff.

To achieve this end, Division III institutions:

(a) Expect that institutional presidents and chancellors have the ultimate responsibility and final authority for the conduct of the intercollegiate athletic program at the institutional, conference and national governance levels;

[20.11-(a) through 20.11-(n) renumbered as 20.11-(b) through 20.11-(o), unchanged.]

[Remainder of 20.11 unchanged.]

Source: NCAA Division III Presidents Council.

Effective Date: August 1, 2010

Rationale: Presidents and chancellors have the ultimate leadership responsibility within the NCAA's governance structure; however, the Division III Philosophy Statement currently contains no specific reference to the leadership expectations related to presidents and chancellors at the institutional, conference or national governance levels of the division. Specifically addressing this issue within the Division III Philosophy Statement will acknowledge and reinforce the ultimate authority that presidents and chancellors hold throughout Division III. The proposal is not intended to undermine, institutional and conference autonomy in the exercise of this leadership role.

Appendix A

Legislative Proposal Number Changes

This appendix lists proposals that are included in the Second Publication of Proposed Legislation and gives their corresponding numbers in the Initial Publication of Proposed Legislation. Please note that not all proposals that appear in the Second Publication of Proposed Legislation were included in the Initial Publication of Proposed Legislation.

SPOPL	IPOPL	SPOPL	IPOPL
1	—	5	2
2	—	6	—
3	—	7	—
4	—	8	5
		9	—

Appendix B

Request for Interpretation

Member institutions and conferences are encouraged to contact primary contact persons, and if necessary, to request interpretations of the proposed legislation in this Second Publication of Proposed Legislation. Interpretations related to the proposed legislation in this Second Publication of Proposed Legislation may be requested via electronic mail to the primary contact persons at Jeff Myers. When submitting such a request, please include the proposal number in question, your institution's name and your title.