

LEGISLATION



2020-21
NCAA Division I
Council-
Governance
Publication of
Proposed
Legislation

THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
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2020-21 NCAA Division I Council-Governance Publication of Proposed Legislation

The Council-Governance POPL presents all proposed amendments to the NCAA legislation in areas of Council governance that have been properly sponsored for the 2020-21 legislative cycle.

The publication is updated from the Legislative Services Database for the Internet (LSDBi) once a day. As modifications or corrections are made to proposals during the sponsor modification period, updates will be made to LSDBi and those changes will be reflected in the POPL.

Because changes to the POPL will occur on a regular basis, there is no table of contents or index; however, users may use the "Bookmark" feature of the Adobe Reader to quickly scan the proposal numbers and titles and go directly to those proposals within the document. Users may also use the "Search" feature to find particular proposals. The proposals are presented by topical area by bylaw numbers and by proposal number within topical areas.

Division I Council-Governance Legislative Process for the 2020-21 Legislative Cycle

The following provides key deadlines and information regarding the 2020-21 NCAA Division I Council-governance legislative process. For more information regarding the legislative process, see NCAA Division I Constitution 5.3.2.

December 15:

- Deadline for amendments to proposals identified for January vote.
 - Only proposals introduced by the Council may be identified for a January vote. Additionally, such proposals must impact student-athlete well-being and must be time sensitive.
 - Amendments may not expand the scope of the original proposal.

NCAA Convention/January Council Meeting:

- Council votes on proposals identified for January vote. Council may introduce amendments to any proposal (Council-introduced or conference-sponsored) scheduled for April vote.
- All modifications of Council-introduced proposals are permissible, provided they are germane to the original proposal. Amendments to conference-sponsored amendments may not expand the scope of the original proposal.
- Division I Issues Forum includes opportunity for discussion of proposals in legislative cycle.

February 1 (5 p.m. Eastern time):

- Deadline for sponsors to refine/adjust their own proposals (sponsor modification period).
- All modifications permissible, provided they are germane to the concept of the original proposal.
- Deadline for conferences to submit amendments to proposals (amendment-to-amendment period).
- Amendments may not expand the scope of the original proposal.

February 8:

- NCAA Division I Official Notice available, which includes final version of proposals for Council's April vote.

April Council Meeting:

- Council votes on all remaining proposals.

Council-Governance Proposals in the 2020-21 Legislative Cycle

[Note: In the following proposals, those letters and words that appear in *italics* and ~~striketrough~~ are to be deleted; those letters and words that appear in **bold** and are underlined are to be added; and those words that appear in normal text are unchanged from the current Division I legislation.]

Division Membership

No. 2020-13 DIVISION MEMBERSHIP -- CHANGE OF DIVISION MEMBERSHIP -- DIVISION III TO DIVISION I

Intent: To establish a process by which a member of Division III may reclassify to Division I, as specified.

Bylaws: Amend 20.5, as follows:

20.5 Change of Division Membership.

20.5.1 Eligibility for Reclassification.

20.5.1.1 **Division II Member.** A member of Division II may petition to change its membership to Division I subject to the following prerequisites:

- (a) The institution shall have been an active Division II member for the preceding five years;
- (b) The institution shall be in compliance with all Division I minimum sports sponsorship and financial aid membership requirements; and
- (c) The institution shall have received a bona fide offer of membership from an active Division I multisport conference.

20.5.1.2 Division III Member. A member of Division III may petition to change its membership to Division I subject to the following prerequisites:

- (a) The institution shall have been an active Division III member for the preceding five years;
- (b) The institution shall be in compliance with all Division I minimum sports sponsorship membership requirements;
- (c) The institution shall have received a bona fide offer of membership from an active Division I multisport conference.
- (d) The institution shall have successfully completed a pre-application process of no less than one year, as established by the Strategic Vision and Planning Committee. The pre-application process shall include, but is not limited to, a feasibility study and the development of a strategic plan and policies and procedures that demonstrate the institution's commitment to Division I membership.

[20.5.2 through 20.5.4 renumbered as 20.5.3 through 20.5.5, unchanged.]

Source: NCAA Division I Council (Strategic Vision and Planning Committee)

Effective Date: June 1, 2021

Category: Amendment

Topical Area: Division Membership

Rationale: The established process for a Division II institution to reclassify to Division I has been successful in ensuring that reclassifying institutions are prepared to meaningfully contribute to Division I. Currently, for a Division III institution to reclassify to Division I, it must first reclassify to Division II and complete five years as an active member of Division II. That process is overly burdensome for Division III institutions that are prepared to uphold Division I philosophy and are able to devote appropriate financial resources to student-athletes and sport programs. The proposed process was designed based on the successful Division II to Division I reclassification process and adjusted based on the additional challenges that Division III institutions could face in reclassifying to Division I. The Strategic Vision and Planning Committee would have the authority to determine whether an institution has successfully completed the pre-application process, thus ensuring that only those institutions that are prepared may enter the reclassification process. The reclassification process will continue to ensure that the reclassifying institutions are prepared to meaningfully contribute to Division I at the conclusion of the process.

Division I Commitment addressed by proposal: The Commitment to Value-Based Legislation.

Is the proposal consequential or nationally significant?: Yes.

Is the proposal enforceable and how do the merits outweigh monitoring burdens?: Yes. Providing Division III institutions with a process to seek Division I membership outweighs the monitoring burden of ensuring those institutions meet the requirements to pursue membership.

How does the proposal support student-athlete success/well-being?: This proposal would benefit student-athletes by ensuring that Division III institutions that are prepared to enter the reclassification process and able to contribute meaningfully to Division I have an avenue to do so.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s):

None

History:

Nov 13, 2020: In Progress

Eligibility for Championships

No. 2020-16 EXECUTIVE REGULATIONS -- ADMINISTRATION OF NCAA CHAMPIONSHIPS -- NONREVENUE CHAMPIONSHIPS SITE ASSIGNMENT -- CONFERENCE OPPONENTS

Intent: To eliminate the requirement that conference opponents shall be avoided in the second round of nonrevenue championships.

Administrative: Amend 31.1, as follows:

31.1 Administration of NCAA Championships.

[31.1.1 through 31.1.3 unchanged.]

31.1.3.2 Site Selection. The governing sports committees shall evaluate prospective sites for NCAA championships in terms of the specific criteria approved by the applicable sport oversight committee or the Competition Oversight Committee. The division championships committees may assign specific priorities to these criteria for their respective championships. These criteria shall be specified in the appropriate championships handbooks. A governing sports committee that desires to use additional criteria shall obtain approval before doing so.

[31.1.3.2.1 through 31.1.3.2.4 unchanged.]

31.1.3.2.5 Nonrevenue Championships Site Assignment. In championships that do not generate revenue and for which only 25 percent of the bracket is seeded, seeded teams shall have the opportunity to host preliminary rounds. Conference opponents shall be avoided in the first ~~two rounds~~ **round** of the championships.

[31.1.3.3 unchanged.]

[31.1.4 through 31.1.13 unchanged.]

Source: NCAA Division I Council (Championships Finance Review Working Group)

Effective Date: August 1, 2021

Category: Amendment

Topical Area: Eligibility for Championships

Rationale: Retaining the restriction on conference matchups in the first round maintain the quality of the championships experience. Eliminating the prohibition on conference matchups in the second round helps to protect the integrity of the championship brackets. Sport committees would still be encouraged to avoid conference matchups in the second round when it is reasonable to do so. Sport committees also would be encouraged to avoid the same pairings in the first round from year to year. Membership feedback on a survey of recommendations indicated general support for this concept.

Division I Commitment addressed by proposal: The Commitment to Fair Competition.

Is the proposal consequential or nationally significant?: Yes.

Is the proposal enforceable and how do the merits outweigh monitoring burdens?: Yes. This proposal includes no additional monitoring burdens.

How does the proposal support student-athlete success/well-being?: This proposal would maintain the quality of the championships experience and protect the integrity of the championships brackets.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s):

None

History:

Nov 13, 2020: In Progress

Executive Regulations

No. 2020-17 EXECUTIVE REGULATIONS -- AUTOMATIC QUALIFICATION -- SINGLE SPORT CONFERENCES -- GRACE PERIOD AND FIELD SELECTION

Intent: To reduce, from two years to one year, the grace period that allows a single-sport conference to remain eligible for automatic qualification following the withdrawal of the institution(s) that causes the conference's membership to fall below six institutions; further, in sports sponsored by fewer than 50 institutions, to specify that if the number of conferences that meet automatic-qualification criteria exceed 50 percent of the field, the sport committee is granted the authority to select the field in the manner it deems to be in the best interests of the championship and sport.

Administrative: Amend 31.3.4, as follows:

31.3.4 Automatic Qualification. Each governing sport committee shall forward annually to the applicable sport oversight committee or the Competition Oversight Committee those conferences that should receive automatic qualification for their teams or individual student-athletes into NCAA championships. Prior to forwarding the list of conferences to receive automatic qualification, a governing sport committee shall ensure that the member conference meets the requirements specified in Bylaws 31.3.4.1 through 31.3.4.7. A member conference may appeal to the applicable sport oversight committee or the Competition Oversight Committee the automatic-qualification review of the sport committee and the committee's decision to find, or not find, a conference qualified for automatic-qualification status. The decision on such appeals will be final.

[31.3.4.1 through 31.3.4.3 unchanged.]

31.3.4.4 Additional Requirements -- Sports Other Than Basketball.

31.3.4.4.1 Multisport Conference. To be considered eligible for automatic qualification in a particular sport, a multisport conference (see Bylaw 20.02.5) must be a core conference (see Bylaw 31.02.3) and must include six institutions that sponsor the sport and conduct conference competition together.

31.3.4.4.31.1 **Grace Period -- Multisport Conference.** A conference shall remain eligible for automatic qualification for two years following the date of the withdrawal of the institution(s) that causes the conference's membership to fall below six institutions that sponsor the sport and conduct conference competition together provided the conference maintains at least five Division I members.

31.3.4.4.2 Single-Sport Conference. To be considered for automatic qualification in a particular sport, a single-sport member conference for a sport sponsored by less than 50 percent of the Division I membership must include six institutions that have conducted conference competition together the preceding two years in the sport in question at the Division I level.

31.3.4.4.2.1 Grace Period -- Single Sport Conference. A single sport conference shall remain eligible for automatic qualification for one year following the date of the withdrawal of the institution(s) that causes the conference's membership to fall below six institutions that sponsor the sport and conduct conference competition together provided the conference maintains at least five Division I members.

[31.3.4.5 through 31.3.4.6 unchanged.]

31.3.4.7 Limitations on Automatic-Qualifying Positions.

31.3.4.7.1 Team Sports Other Than Men's Basketball. In team sports, per Bylaw 31.3.4.6-(a), excluding football and any team sport in which automatic qualification is not offered, the sport committee must award,

if a sufficient number of applications for automatic qualification exist, at least 50 percent of the championship field to conferences that meet automatic-qualification criteria and provide play-in criteria. In sports other than men's volleyball, men's water polo and women's water polo, the remaining 50 percent of the championship field shall be reserved for at-large teams. **In sports sponsored by fewer than 50 institutions, if the number of conferences that meet automatic-qualification criteria exceed 50 percent of the field, the sport committee is granted the authority to select the field in the manner it deems to be in the best interests of the championship and sport (e.g., use preset criteria to select among the automatic-qualifying conferences to maintain the 50 percent limit, select all teams at large).** It will be the responsibility of the applicable sport oversight committee or the Competition Oversight Committee to determine if a conference play-in to a championship field is to be administered by the NCAA championships staff or by the member conferences.

[31.3.4.7.2 unchanged.]

Source: NCAA Division I Council (Championships Finance Review Working Group)

Effective Date: August 1, 2021

Category: Amendment

Topical Area: Executive Regulations

Rationale: Given the impact of single-sport conferences on field sizes and championships finances it is appropriate to adjust the legislation related to automatic qualification for single-sport conferences. While there is sound rationale for permitting single-sport conferences to receive automatic qualification, there have been cases in which conferences have been formed only to allow another institution to receive an automatic qualification to a championship. Such cases increase costs to fund bracket expansion (and create play-in games); oftentimes in sports with decreasing sponsorship. Accordingly, this proposal will help to properly manage automatic qualification for single-sport conferences.

Division I Commitment addressed by proposal: The Commitment to Fair Competition.

Is the proposal consequential or nationally significant?: Yes.

Is the proposal enforceable and how do the merits outweigh monitoring burdens?: Yes. This proposal would not increase monitoring burden.

How does the proposal support student-athlete success/well-being?: The proposal would strengthen automatic qualification legislation, which would protect or improve the quality of NCAA championships.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s):

None

History:

Nov 13, 2020: In Progress

No. 2020-18 EXECUTIVE REGULATIONS -- AUTOMATIC QUALIFICATION -- MULTISPORT CONFERENCES -- THREE CORE MEMBERS -- SPORTS OTHER THAN BASKETBALL

Intent: In sports other than basketball, to define a "core member" as an institution that has been an active member of Division I the preceding eight years or has sponsored the sport at the Division I level the preceding eight years; further, to specify that for a multisport conference to be considered eligible for automatic qualification in a particular sport, at least three of its institutions must be core members that have conducted conference competition together in Division I during a one-year continuity-of-competition period, as specified.

Administrative: Amend 31, as follows:

31 Executive Regulations

[31.01 unchanged.]

31.02 Definitions and Applications.

[31.02.1 through 31.02.3 unchanged.]

31.02.4 Core Member. A core member is an institution that has been an active member of Division I the preceding eight years or has sponsored the sport at the Division I level the preceding eight years.

[31.02.4 renumbered as 31.02.5, unchanged.]

[31.1 through 31.3 unchanged.]

31.3.4 Automatic Qualification. Each governing sport committee shall forward annually to the applicable sport oversight committee or the Competition Oversight Committee those conferences that should receive automatic qualification for their teams or individual student-athletes into NCAA championships. Prior to forwarding the list of conferences to receive automatic qualification, a governing sport committee shall ensure that the member conference meets the requirements specified in Bylaws 31.3.4.1 through 31.3.4.7. A member conference may appeal to the applicable sport oversight committee or the Competition Oversight Committee the automatic-qualification review of the sport committee and the committee's decision to find, or not find, a conference qualified for automatic-qualification status. The decision on such appeals will be final.

[31.3.4.1 through 31.3.4.3 unchanged.]

31.3.4.4 Additional Requirements – Sports Other Than Basketball.

31.3.4.4.1 Multisport Conference. To be considered eligible for automatic qualification in a particular sport, a multisport conference (see Bylaw 20.02.5) must **meet the following requirements:** ~~be a core conference (see Bylaw 31.02.3) and must include six institutions that sponsor the sport and conduct conference competition together.~~

(a) The conference must be a core conference (see Bylaw 31.02.3);

(b) The conference must include six institutions that sponsor the sport at the varsity level and conduct conference competition together. At least three of the six institutions must be core members (see Bylaw 31.02.4); and

(c) The conference must complete a one-year continuity-of-competition period during which at least three core members conduct conference competition together.

[31.3.4.4.2 through 31.3.4.4.3 unchanged.]

[31.3.4.5 unchanged.]

31.3.4.6 Sports Groupings for Automatic Qualification. For purposes of evaluating criteria for automatic qualification, the various sports shall be grouped as follows:

(a) Team Sports – baseball, basketball, bowling, field hockey, football, ice hockey, lacrosse, rowing, soccer, softball, volleyball and water polo. ~~In this category, subject to the approval of the applicable sport oversight committee or the Competition Oversight Committee, a sport committee may grant exceptions to the six-team requirement for sports that are sponsored by less than 30 percent of the membership, provided the conference previously included six teams that sponsored the sport;~~

[31.3.4.6-(b) through 31.3.4.6-(c) unchanged.]

[31.3.4.7 unchanged.]

[31.3.5 through 31.3.6 unchanged.]

[31.4 through 31.9 unchanged.]

Source: NCAA Division I Council (Championships Finance Review Working Group)

Effective Date: August 1, 2021

Category: Amendment

Topical Area: Executive Regulations

Rationale: This proposal would add consistency to and strengthen the intent of the current automatic qualification legislation.

Division I Commitment addressed by proposal: The Commitment to Fair Competition.

Is the proposal consequential or nationally significant?: Yes.

Is the proposal enforceable and how do the merits outweigh monitoring burdens?: Yes. This proposal would not add monitoring burdens.

How does the proposal support student-athlete success/well-being?: This proposal would strengthen automatic qualification legislation and would protect or improve the quality of NCAA championships.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s):

None

History:

Nov 13, 2020: In Progress