
Infractions Program

No. 2026-39 INFRACTIONS PROGRAM -- STANDARDS OF REVIEW AND RESOLUTION METHODS (LEVEL I/II CASES) -- ALTERNATIVE STANDARD IN IMPERMISSIBLE CONTACT CASES

Intent: To specify that in cases of impermissible contact, the enforcement staff shall make formal allegations if a reasonable person would infer that one or more parties engaged in impermissible conduct.

Bylaws: Amend 19.7, as follows:

19.7 Standards of Review and Resolution Methods (Level I/II Cases)

[19.7.1 through 19.7.2 unchanged.]

19.7.3 *Violations Presumed in Select* **Alternative Standard in Impermissible Contact** Cases. *In cases involving name, image and likeness offers, agreements and/or activities in which related communications and conduct are subject to NCAA regulation, the infractions process (including interpretive requests) shall presume a violation occurred if circumstantial information suggests that one or more parties engaged in impermissible conduct. The enforcement staff may make a formal allegation based on the presumption. The hearing panel shall conclude a violation occurred unless the institution or involved individual clearly demonstrates with credible and sufficient information that all communications and conduct surrounding the name, image and likeness activity complied with NCAA legislation. In cases involving impermissible contact, the enforcement staff shall make formal allegations if a reasonable person would infer that one or more parties engaged in impermissible conduct. The hearing panel shall conclude a violation occurred unless the institution or involved individual clearly demonstrates with credible and sufficient information that all communications complied with NCAA legislation.*

[19.7.4 through 19.7.6 unchanged.]

Source: NCAA Division I Board of Directors (Infractions Process Task Force)

Effective Date: Immediate

Category: Amendment

Topical Area: Infractions Program

Rationale: Impermissible contact is a significant membership concern. Creating an alternative standard of review for cases involving allegations of Level I or Level II impermissible contact violations is one way to address current concerns with the Division I recruiting environment. The language related to presumed violations in cases involving name, image and likeness activities is being removed based on the shift in enforcement of name, image and likeness legislation to the College Sports Commission as specified in the House settlement.

Estimated Budget Impact: None.

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

Position Statement(s):

None

History:

Apr 27, 2026:	In Progress	Introduced by the Board of Directors. The Board recommends that the Cabinet adopt the proposal as expedited legislation during its June 23-24, 2026, meeting.
Jun 12, 2026:	In Progress	Board of Directors directed Cabinet to not take expedited action on proposal during its June meeting to allow for stakeholder feedback on engagement period concept. Cabinet may choose to consider proposal during its October 2026 cycle.