

LEGISLATION

2020 NCAA CONVENTION

DIVISION III INITIAL PUBLICATION OF PROPOSED LEGISLATION

114th Annual Convention

January 22-25, 2020

Anaheim, California



THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

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**Initial Publication of Proposed Legislation Submitted by the
NCAA Division III Membership
114th Annual Convention**

This publication presents the proposed amendments to NCAA legislation that were properly submitted by the NCAA Division III membership in accordance with the July 15 deadline in the NCAA legislative calendar.

The proposals are accompanied not only by a statement of intent and proposed effective date, but also by a statement of rationale and a listing of the primary contact person designated by the sponsors of the amendments.

This publication is produced directly from the Legislative Services Database for the Internet each time it is downloaded. Therefore, the content of the publication may change each time it is accessed from the NCAA webpage. As modifications or corrections are made to the proposals during the sponsor modification period, updates will be made to LSDBi and those changes will be reflected in this document.

Between the date this publication is posted (not later than August 15) and September 15, sponsors of these proposals are permitted to refine and change the amendments in any manner that is germane to the proposals as printed in this publication. Such changes may either increase or decrease the modification set forth in the original proposal (i.e., the sponsors may alter the proposal to make greater or lesser changes in the current legislation than they originally submitted). A sponsor-modification memorandum will be distributed to designated primary contact persons in mid-August. Sponsors may use the LSDBi "Sponsor Modification Submission" section to modify the legislative proposal they have submitted. All such modifications must be received by the NCAA national office not later than 5 p.m. Eastern time, September 15. In addition, sponsors who wish to withdraw a proposal should contact Jeff Myers (jmyers@ncaa.org) or Bill Regan (bfregan@ncaa.org); however, please note that if withdrawn after September 15, the proposal will still appear in the Second Publication of Proposed Legislation.

No new proposals may be submitted by the Division III membership for the Convention after the July 15 deadline; however, proposals are available for co-sponsorship until September 1. Member institutions and conferences that wish to offer suggested revisions to an amendment are encouraged to contact the designated primary contact person listed with each proposal. Such contacts should be made as early as possible in the period of time between the date this publication is posted and September 15 to assure time for appropriate consideration by the sponsors.

This represents the first in a series of three publications addressing Convention legislation, as dictated by the provisions of NCAA Constitution 5. The other publications will be as follows:

Second Publication of Proposed Legislation. Issued not later than September 23 and includes the proposals properly sponsored by the Division III membership as modified on or prior to September 15, as well as all legislation submitted by the NCAA Division III Presidents Council and the NCAA Division III Management Council in accordance with the September 1 deadline. Amendment-to-amendment forms will also be available at this time.

Official Notice of the 2020 Convention. Issued on November 15 and contains all Division III legislation for the Convention, including all amendments-to-amendments and resolutions submitted by the November 1 deadline.

2019-20 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 individual institution sponsors.

July 22-23: Management Council consideration. The Management Council considers legislative proposals that it may wish to sponsor. It also reviews proposals submitted by the membership in accordance with the July 15 deadline.

August 7: Presidents Council consideration. The 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 IPOPL 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 Presidents Council or Management Council.

September 1: Deadline for proper co-sponsorship of membership proposals. The proposals must receive proper co-sponsorship from one additional conference (if originally sponsored by one conference) or 10 additional institutions (if originally sponsored by 10 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 membership-sponsored proposals as modified and includes all proposals sponsored by the Presidents Council or Management Council.

Date SPOPL is Posted through November 1: Amendment-to-amendment period. The Presidents Council and Management 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 original proposed amendment and the current provisions.

November 1: Deadline for all amendments-to-amendments and resolutions to be received in the national office. No amendments-to-amendments sponsored by the membership may be submitted after this date. The Presidents Council and Management Council 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 22-25, 2020: NCAA Convention. Voting on proposals will occur at the business session.

NCAA Division III Interpretations and Legislation Committee

Amy J. Backus, Case Western Reserve University
Jim Cranmer, St. Mary's College of Maryland
Annabelle Feist, Williams College (student-athlete)
Alexandra Fox, Mills College
Gregg Kaye, Commonwealth Coast Conference
Angie Morenz, Blackburn College (chair)
Michelle Morgan, John Carroll University
Mila C. Su, Plattsburgh State University of New York

114th 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 appear in *italics* and ~~strikethrough~~ are to be deleted;
- Those letters and words that appear in **boldface and are underlined** are to be added; and
- Those letters and words that appear in normal text are unchanged from the current Division III legislation.

No. 1-1 RECRUITING - ADVERTISEMENTS AND PROMOTIONS-ELIMINATE THE PROHIBITION OF ATHLETICS ADVERTISING AT ATHLETICS EVENTS INVOLVING PROSPECTIVE STUDENT-ATHLETES

Intent: To allow athletics recruiting advertisements at athletics events involving prospective student-athletes.

Bylaws: Amend 13.4.3, as follows:

[Division III, roll call]

13.4.2 Advertisements and Promotions.

13.4.2.1 Recruiting Advertisements. A member institution is permitted to produce any athletically related recruiting advertisement or promotion, **and there are no limitations regarding the placement of the advertisement or promotion** provided the **funds generated from the advertisement or promotion are not used for a high school or two-year college's athletics program.** ~~is not placed or conducted at an athletics event featuring prospective student-athletes (or during broadcasts of such events).~~ [D]

13.4.2.1.1 *Exception—Nonathletics Institutional Advertisements.* ~~An institution (or a third party acting on behalf of the institution) may produce a nonathletics institutional advertisement or promotion at an athletics event featuring prospective student-athletes (or during broadcasts of such events), provided:~~ [D]

~~(a) The funds generated by the advertisements or promotional material are not used for a high school or a two-year college's athletics program;~~

~~(b) The institution's athletics department is not involved in the advertisements or promotional material; and~~

~~(c) The advertisements or promotional material do not contain athletics information.~~

[13.4.2.1.2 unchanged.]

[13.4.2.2 unchanged.]

Source: American Rivers Conference.

Effective Date: Immediate

Rationale: The "Nonathletics Institutional Advertisements" legislation revision was enacted at the 2011 NCAA Convention. At the time, there was some fear that an "arms race" would develop as institutions would feel pressure to keep pace with others by advertising when they hadn't before. Instead, the proposal passed by a resounding 412-48-3 vote. Division III institutions are not permitted to put athletics imagery - even their athletics logos - in recruiting advertisements except as noted in this April 27, 2017 interpretation: "... However, photographs of student-athletes engaging in athletics activities may be included in an advertisement that also features photographs of other student activities (e.g., band, academic, Greek life)." Division III schools are likely to emphasize the holistic nature of the D-III experience in an advertisement, but others might want more of an athletics message. Finally, Division III conferences - by nature, athletics organizations - are hamstrung to advertise at athletics events featuring prospective student-athletes (or during broadcasts). Conference offices would have a very difficult time balancing a print or visual ad with each institution represented. This proposal has an immediate effective date so institutions can use athletics advertisements for winter and spring events that involves prospective student-athletes.

Budget Impact: None.

Primary Contact Person:

Charles Yrigoyen, Commissioner
American Rivers Conference
Email: chuck@iowaconference.com

Presidents Council Grouping

No. 1-2 AWARDS AND BENEFITS -- HOUSING AND MEALS -- EXCEPTIONS -- SNACKS AND NUTRITIONAL SUPPLEMENTS INCIDENTAL TO PARTICIPATION

Intent: To specify that an institution may provide snacks and permissible nutritional supplements to student-athletes as a benefit incidental to participation in intercollegiate athletics.

A. Bylaws: Amend 16.4, as follows:

[Roll Call]

16.4 Medical Expenses. An institution may finance medical-expense benefits incidental to a student-athlete's participation in intercollegiate athletics. ~~However, it is not permissible for an institution to finance nutritional supplements (e.g. weight gain, muscle/strength building, and weight loss supplements) as medical expense benefits incidental to a student-athlete's participation in intercollegiate athletics.~~ [R]

[16.4.1 unchanged.]

B. Bylaws: Amend 16.5, as follows:

[Roll Call]

16.5 Housing and Meals. An institution may finance housing and meal benefits incidental to a student-athlete's participation in intercollegiate athletics provided such housing and benefits are available to students in general. [R]

16.5.1 Exceptions.

[16.5.1-(a) through 16.5.1-(b) unchanged.]

~~(c) Meals Related to Institutional Committee Service. A student-athlete who serves on an institutional committee may receive expenses to cover the cost of a meal missed as a result of a committee meeting that occurs when regular institutional dining facilities are open.~~

~~(d)~~ **(c)** Meals in Conjunction with Home Competition. The institution may provide meals to student-athletes at the institution's discretion on the day(s) of competition until they are released by institutional personnel. An institution shall not provide cash to student-athletes in lieu of meals during this time period. An institution, at its discretion, may provide a meal or cash, but not both, to student-athletes at the time of their release by institutional personnel.

[16.5.1-(e) relettered as 16.5.1-(d), unchanged.]

(e) Snacks and Nutritional Supplements. An institution may provide snacks and permissible nutritional supplements to student-athletes as a benefit incidental to participation and for the purpose of providing additional calories and electrolytes. Permissible nutritional supplements do not contain any NCAA banned substances and are identified according to the following classes: carbohydrate/electrolyte drinks, energy bars, carbohydrate boosters, protein supplements, omega-3 fatty acids, and vitamins and minerals.

[16.5.1.1 unchanged.]

C. Bylaws: Amend 16.11.1, as follows:

[Roll Call]

16.11.1 Permissible.

[16.11.1.1 through 16.11.1.10 unchanged.]

~~16.11.1.11 Reasonable Refreshments. An institution may provide student-athletes with reasonable refreshments (e.g., soft drinks, snacks) for student-athlete educational and business meetings and, on an occasional basis, for celebratory events (e.g., birthdays). [R]~~

16.11.1.11 Meals and Snacks Related to Institutional Service and Programming.

16.11.1.11.1 Meals Related to Institutional Committee Service. A student-athlete who serves on an institutional committee may receive expenses to cover the cost of meals missed as a result of a committee meeting that occurs when regular institutional dining facilities are open.

Meals and Snacks Related to Educational and Business Meetings and Programs. An institution may provide meals and snacks for student-athlete educational and business meetings and programs, provided the meetings and programs are offered pursuant to Bylaw 16.3.

[16.11.1.12 through 16.11.1.15 unchanged.]

Source: Alvernia University; Berry College; East Texas Baptist University; Emory University; Farmingdale State College; Howard Payne University; Hardin-Simmons University; Knox College; LeTourneau University; Loras College; Maine Maritime Academy; McMurry University; Moravian College; Salve Regina University; Swarthmore College; Sweet Briar College; University of Dubuque; University of Lynchburg; University of Mary Hardin-Baylor; University of Texas at Dallas; University of Wisconsin-Whitewater; and Wilmington College (Ohio).

Effective Date: August 1, 2020

Rationale: In addition to meals benefits allowed under current legislation, this proposal will permit an institution to provide snacks and permissible nutritional supplements to all-student-athletes at its discretion as a benefit incidental to participation in intercollegiate athletics. Such measures will help ensure that all student-athletes' nutritional needs are met incidental to practice and other activities. This proposal is intended to provide flexibility to meet the student-athletes' nutritional needs and to alleviate administrative burdens related to accounting for such benefits. Nutrition is not an issue of competitive advantage, but rather an issue of student-athlete health and safety. This proposal allows institutions to more fully provide for overall well-being of Division III student-athletes.

Budget Impact: Will vary per institution.

Primary Contact Person:

Audrey Hester, Assistant Director of Athletics for Student Success & Compliance
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No. 1-3 AWARDS AND BENEFITS -- EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE AND COMPETITION -- PERMISSIBLE PRACTICE EXPENSES -- EXCEPTIONS FOR GOLF AND SWIMMING AND DIVING

Intent: To allow an institution to provide practice expenses in the sports of Golf and Swimming and Diving during an official vacation period regardless of location.

Bylaws: Amend 16.8, as follows:

[Roll Call]

16.8 Expenses Provided by the Institution for Practice and Competition.

16.8.1 Permissible. The permissible expenses for practice and competition that an institution may provide a student-athlete are defined in the following subsections (see Bylaw 16.10 for expenses that may be provided by individuals or organizations other than the institution).

16.8.1.1 Practice. Expenses may be paid for practice sessions only if they are associated with an away-from-home contest or conducted at a site located within the member institution's state or, if outside that state, not more than 100 miles from the institution's campus. [D]

[16.8.1.1.1 through 16.8.1.1.4 unchanged.]

16.8.1.1.5 Exception -- Golf and Swimming and Diving. An institution may provide actual and necessary travel expenses (e.g., transportation, lodging and meals) for golf and swimming and diving student-athletes at any location during an official vacation period, provided the student-athlete is eligible and no class is missed. [R]

[16.8.1.2 through 16.8.1.5 unchanged.]

Source: American Rivers Conference and Minnesota Intercollegiate Athletic Conference.

Effective Date: Immediate

Rationale: Student-athletes should have the ability to prepare under the right conditions without having to worry about fulfilling an artificial competition requirement. Our conferences have seen multiple violations of this legislation over the years in the sports of golf and swimming & diving. Golf for institutions in colder climates faces several challenges. Unlike some sports that routinely take trips to warmer climates during official vacation periods, golf and swimming and diving student-athletes' best preparation for competition is enhanced

significantly by outdoor participation. Golf and swimming & diving competition throughout the playing season is predominantly in multi-team events. Standalone dual matches are uncommon. Regardless, both formats have been difficult for our conferences' members to organize during vacation-period trips. Finally, many institutions artificially manufacture competitions against outside competition (e.g., an alumni team that might only consist of recreational golfers or swimmers) or a joint practice with outside competition where a head-to-head scoring component isn't even required. This proposal has an immediate effective date so women's and men's golf teams can use the exception this spring.

Budget Impact: Little to none. These trips already are occurring so there should be minimal budget impact.

Primary Contact Person:

Charles Yrigoyen, Commissioner
American Rivers Conference
Email: chuck@iowaconference.com

No. 1-4 ATHLETICALLY RELATED ACTIVITIES – LEADERSHIP PROGRAMMING OUT-OF-SEASON INVOLVING ATHLETICS RELATED INFORMATION AND CONTENT (GENERAL IN NATURE)

Intent: To allow student-athletes serving in a team leadership capacity to voluntarily participate in leadership programming involving general, athletics-related content/information outside of the declared playing season with any member of an institution's coaching staff, provided the content of the programming does not include any: a) Field, floor, or on-court activity; b) Setting up offensive or defensive alignment; c) Chalk talk; d) Lecture on or discussion of strategy related to the specific-sport of the student-athlete(s); e) Activities using equipment related to the sport; f) Discussion or review of game films, motion pictures or videotapes related to the sport; or g) Any other athletically related activity.

Bylaws: Amend 17.02.1.1.1.5 Exceptions. Leadership Programming Involving Athletics-Related Information, as follows:

[Roll Call]

17.02.1.1.1.5 Exceptions. Leadership Programming Involving Athletics-Related Information.

(a) Student-athletes serving in a team leadership capacity may voluntarily participate in leadership programming involving athletics-related, general information outside of the declared playing season with any member of an institution's coaching staff.

(b) All programming must occur during the institution's regular academic year and must be completed not later than five week days before the first day of any of the institution's final regular examination period (see Bylaw 17.1.2 – (c) and 17.1.2 – (d) regarding holiday, vacation and final examination periods.)

(c) All leadership programming involving athletics-related, general information is limited to one meeting per week, with each meeting lasting no more than 90 minutes, and may not occur more than ten times outside of the declared playing season.

(d) The leadership-programming plan and materials must be in writing in the office of the institution's director of athletics and compliance officer (if separate individuals hold such positions).

Source: North Coast Athletic Conference and Upper Midwest Athletic Conference.

Effective Date: August 1, 2020

Rationale: Leadership development is inherent to the NCAA Division III philosophy. Large-group leadership opportunities hold value; however, powerful growth happens in small, experience-based settings. Allowing coaches to work with team leaders is the most effective means of mentoring and experiential learning. NCAA-supported and facilitated leadership programs affirm that small group and individualized approaches are more effective than large-group programming for student-athletes. Additionally, with increased attention and awareness of mental health concerns among student-athletes, additional engagement between coaches and student-athletes strengthens the support networks student-athletes build during their season and could assist in identifying mental health concerns to ensure appropriate resources and support are provided out-of-season to student-athletes. Intercollegiate athletics plays an integral role in enrollment management strategies at Division III institutions. The retention of student-athletes is critical in the success of not only intercollegiate athletics programs, but the entire institution for many Division III members. With the transfer rate continuing to increase in Division III, allowing additional time for student-athletes and coaches to discuss leadership development-related content will positively

impact the overall experience and growth for student-athletes as well as institutional retention rates. Consistent leadership programming would allow student-athletes opportunities to expand their leadership capacities as part of their holistic experience.

Budget Impact: None

Primary Contact Person:

Corey Borchardt, Commissioner
Upper Midwest Athletic Conference
Email: cpborchardt@umacathletics.com

General Grouping

No. 1-5 DIVISION MEMBERSHIP -- PLAYING AND PRACTICE SEASONS -- EMERGING SPORTS FOR WOMEN -- WOMEN'S EQUESTRIAN

Intent: To add Equestrian as an emerging sport for women and establish legislation related to playing and practice seasons and membership.

A. Bylaws: Amend 17, as follows:

[Roll Call]

17 Playing and Practice Seasons.

[17.01 through 17.02 unchanged.]

17.02.13 Varsity Intercollegiate Sport. A varsity intercollegiate sport is a sport that has been accorded that status by the institution's president or chancellor or committee responsible for intercollegiate athletics policy and that satisfies the following conditions:

[17.02.13-(a) through 17.02.13-(c) unchanged.]

[17.02.13.1 unchanged.]

17.02.13.2 Individual Sports. The following are classified as individual sports for purposes of this bylaw:

Bowling, Women's	Skiing
Cross Country	Swimming and Diving
Equestrian, Women's	Tennis
Fencing	Track and Field, Indoor and Outdoor
Golf	Triathlon, Women's
Gymnastics	Wrestling
Rifle	

[17.02.14 unchanged.]

[17.1 through 17.6 unchanged.]

17.7 Women's Equestrian. Regulations for computing the equestrian playing season are set forth in Bylaw 17.1 (See Figure 17-1)

17.7.1 Length of Playing Season. (See Bylaw 17.1.1.3.3 for spring NCAA championship sports.)

17.7.2 Preseason Practice. (See Bylaw 17.1.1.3.3.)

17.7.3 First Date of Competition. (See Bylaw 17.1.1.3.3.)

17.7.4 End of Regular Playing Season. (See Bylaw 17.1.1.3.3.)

17.7.5 Number of Dates of Competition.

17.7.5.1 Maximum Limitations -- Institutional. A member institution shall limit its total playing schedule with outside competition in equestrian during the institution's equestrian playing season to eight dates of competition except for those dates of competition excluded under Bylaw 17.7.5.3. Countable date of competition limitations apply separately to multiple teams (e.g., varsity, subvarsity and freshman). For in-season foreign competition see Bylaw 17.1.4.3.

17.7.5.2 Maximum Limitations-Student-Athlete. An individual student-athlete may participate in each academic year in a maximum of 8 dates of competition in equestrian. This limitation includes those dates of competition in which the student-athlete represents the institution, including competition as a member of the varsity, junior varsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.9.

17.7.5.3 Annual Exemptions. (See Standard Exemptions set forth in Bylaw 17.1.4.5.)

17.7.6 Out-of-Season Athletically Related Activities. (See Bylaw 17.1.5.)

[17.8 through 17.30 renumbered as 17.9 through 17.31, unchanged.]

B. Bylaws: Amend 20, as follows:

[Roll Call]

20 Division Membership.

[20.01 through 20.02 unchanged.]

20.02.6 Emerging Sports for Women. The following shall be considered emerging sports for women:

[20.02.6-(a) unchanged.]

(b) Individual Sports. Triathlon **and Women's Equestrian**.

[20.02.6.1 unchanged.]

[20.02.7 unchanged.]

[20.1 through 20.11 unchanged.]

20.11.3 Sports Sponsorship. A member institution shall sponsor in Division III a minimum number of sports based on institutional enrollment. At least one sport involving an all-male team or a mixed team and at least one sport involving an all-female team shall be conducted in every sport season. All sports used to meet the minimum sports sponsorship requirements must meet the minimum contest and participant requirements per Bylaw 20.11.3.8.

[20.11.3.1 through 20.11.3.7 unchanged.]

20.11.3.8 Minimum Contests and Participants Requirements for Sports Sponsorship. In each sport, the institution's team shall engage in at least a minimum number of intercollegiate contests (against the varsity programs of four-year, degree-granting collegiate institutions) each year. In the individual sports, the institution's team shall include a minimum number of participants in each contest that is counted toward meeting the minimum-contests requirement. The following minimums are applicable:

Team Sports	Minimum Contests	Individual Sports	Minimum Contests	Minimum Participants
Beach Volleyball	8	Bowling	8	5
Baseball	25	Cross Country	5	5
Basketball	18	Fencing	8	5
Field Hockey	12	Golf	6	4
Football	7	Men's Gymnastics	6	6
Ice Hockey	18	Women's Gymnastics	6	5
Lacrosse	10	Rifle	6	4
Women's Rowing	8	Skiing	5	5
Women's Rugby	8	Swimming and Diving	8	8
Soccer	13	Tennis	10	6
Softball	24	Track and Field, Indoor	5	10
Volleyball	17	Track and Field, Outdoor	6	12
Water Polo	13	<u>Women's Equestrian</u>	<u>3</u>	<u>6</u>
		Women's Triathlon	4	3
		Wrestling	7	6

(Note: The minimum-contest requirements set forth in Bylaw 20.11.3.8 apply only to the provisions of this section and do not apply to minimum-contest requirements in Bylaw 14 and Bylaw 17.)

[20.11.3.8.1 through 20.11.3.8.10 unchanged.]

[20.11.3.9 through 20.11.3.10 unchanged.]

[20.11.4 unchanged.]

Source: Adrian College; Albion College; Alfred State College; Alvernia University; Berry College; Bethany College (West Virginia); Bridgewater State University; East Texas Baptist University; Emory University; Morrisville State College; Nazareth College; Roger Williams University; Randolph-Macon College; Salve Regina University; State University of New York at Geneseo; State University of New York at New Paltz; Sweet Briar College; University of Lynchburg; Wentworth Institute of Technology; Wesleyan College; and Wilson College.

Effective Date: August 1, 2020

Rationale: Significant support exists for equestrian to be added as an NCAA sport, moving from the emerging sport for women list, including support from institutions and national governing bodies. It is expected that the addition of women's equestrian will produce a significant increase in participation opportunities for women, as well as provide the membership with a new option for sponsorship of a women's sport. Division I and Division II already have this legislation.

Budget Impact: Based on institutional sponsorship of the sport

Primary Contact Person:

Jody Mooradian, Director of Athletics
Salve Regina University
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No. 1-6 PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING SEASON REGULATIONS -- MISSED CLASS TIME -- PRACTICE -- EXCEPTION -- PRACTICE IN CONJUNCTION WITH A CONFERENCE AND NCAA CHAMPIONSHIP

Intent: To extend the missed class time exception to allow student-athletes from the team representing the host institution to miss class time to attend practice activities associated with a conference championships as is currently allowed for NCAA championship events.

Bylaws: Amend 17.1.4, as follows:

[Division III, roll call]

17.1.4 Practice, Contest and Dates of Competition Limitations.

[17.1.4.1 unchanged.]

17.1.4.2 Missed Class Time. A student-athlete shall not miss class for the following:

[17.1.4.2-(a) through 17.1.4.2-(b) unchanged.]

17.1.4.2.1 Exceptions. A student-athlete may miss class for practice activities in the following circumstances:

[17.1.4.2.1-(a) unchanged.]

(b) Student-athletes representing the host institution shall be permitted to miss class time for practice activities scheduled in conjunction with a ~~an~~ **conference or** NCAA championship.

[17.1.4.3 through 17.1.4.5 unchanged.]

Source: American Southwest Conference.

Effective Date: Immediate

Rationale: Extending the missed class time exception to include conference championships in addition to NCAA championships provides flexibility for scheduling practice activities in conjunction with a conference championship with minimal impact on missed class time for student-athletes. The students from visiting institutions at conference and NCAA championships are permitted to miss class time to participate in practice activities at the competition site before the competition. Non-controversial legislation approved in 2011 permitted students at the host institution to miss class time for an NCAA championship, but did not extend the same exception to students representing the host team at a conference championship. Since it is difficult at a conference championship to schedule equitable weekday practice time without some missed class time, this proposal seeks to afford the host institution's team the same opportunity for practice as visiting teams. Missed class time remains a primary consideration when scheduling championship practice opportunities, but flexibility within the legislation allowing a host team to miss class may be applied where circumstances deem it appropriate at a conference championship the same as an NCAA championship. An immediate effective date will permit use of the exception for winter 2020 and spring 2020 conference championship events.

Budget Impact: None.

Primary Contact Person:

Amy Carlton, Commissioner
American Southwest Conference
Email: acarlton@ascsports.org

Presidents Council Grouping

No. 1-7 DIVISION MEMBERSHIP -- APPLICATION PROCESS -- PROVISIONAL INSTITUTION -- REDUCE WAITING PERIOD FROM FOUR YEARS TO THREE YEARS PLUS AN EXPLORATORY YEAR

Intent: To amend legislation related to the Division III provisional process as follows: (1) For non-NCAA members, reduce the provisional process from four to three years; (2) Expect that process will continue to require an exploratory year; (3) While a waiver of exploratory membership will remain in place, there will no longer be a waiver during the provisional process; (4) Specify that if an institution is unable to gain full active membership within this time frame, there is a one-time opportunity to repeat a year in question, through recommendation of Membership Committee.

A. Constitution: Amend 3.6, as follows:

[Roll Call]

3.6 Provisional Membership.

[3.6.1 through 3.6.3 unchanged.]

3.6.3.1.1 Fee -- Provisional Members. Each provisional member shall pay a nonrefundable fee of an amount determined annually by the Membership Committee based on an analysis of the expenses and benefits associated with the membership process. At the time of registration for the exploratory year, a portion of the fee, as determined by the Membership Committee, shall be due, and the remainder of the fee shall be due by September 1 of the first year of provisional membership. Provisional members in years one through ~~four~~ **three** shall also pay NCAA dues.

[3.6.3.2 through 3.6.3.3 unchanged.]

[3.6.4 through 3.6.5 unchanged.]

3.6.5.4 Reinstatement of Terminated Member. Any provisional member whose membership is terminated may reapply for membership after a period of one year by the Membership Committee. The Membership Committee may grant credit to such an institution for any portion of the first two years of the ~~four~~**three**-year provisional period the institution previously completed as a provisional member, provided the portion was completed within the last 10 years.

B. Bylaws: Amend 20.02, as follows:

[Roll Call]

20.02 Definitions and Applications.

[20.02.1 through 20.02.2 unchanged.]

20.02.3 Provisional Membership. Provisional membership is a prerequisite for active membership and shall not be less than a ~~four~~**three**-year period. During the third ~~and fourth~~ years of provisional membership, an institution shall administer its athletics programs in accordance with the constitution, bylaws and other legislation of the Association.

[20.02.4 through 20.02.7 unchanged.]

C. Bylaws: Amend 20.3, as follows:

[Roll Call]

20.3 Provisional Membership.

[20.3.1 through 20.3.2 unchanged.]

20.3.3 ~~Four~~**Three**-Year Provision. Provisional membership shall not be less than a ~~four~~**three**-year period. At the end of the ~~four~~**three**-year period, a provisional member shall be eligible to apply for active membership (see Constitution 3.2.3).

20.3.3.1 Waivers.

~~20.3.3.1.1 General. At the completion of year two of the provisional membership process, an institution may apply for a waiver of the four-year provisional membership process. The Membership Committee may grant waivers of the four-year provision based on compelling evidence that the institution has:~~

- ~~(a) Satisfied sports sponsorship requirements (including minimum contests and participant requirements) in years one and two;~~
- ~~(b) Not awarded institutional financial aid based on athletics during any provisional year;~~
- ~~(c) Completed a successful financial aid report;~~
- ~~(d) Attended all required functions for provisional members (e.g., NCAA Convention, NCAA Regional Rules Seminar);~~
- ~~(e) Completed a successful year two on-campus visit;~~
- ~~(f) Displayed evidence of a properly functioning athletics compliance system. The preliminary program assessment shall be submitted with the waiver request;~~
- ~~(g) Not been required to repeat any year of provisional membership;~~
- ~~(h) Displayed evidence of effective mentoring by the Membership Committee or other Division III members; and~~
- ~~(i) Satisfied all other membership requirements.~~

20.3.3.1.21 Credit for Time Completed Previously as Provisional Member. The Membership Committee may waive any portion of the first two years of the ~~four~~**three**-year provisional period the institution previously completed as a provisional or reclassifying member.

20.3.3.1.32 Reclassification of Provisional Membership from Division II to Division III. The Division III Membership Committee may waive one year of the ~~four~~**three**-year provisional membership period if an institution reclassifies its provisional membership from Division II to Division III. The waiver may be granted only if the institution meets Division III financial aid requirements and the minimum contest and participant requirements during its previous year of provisional membership. The institution shall serve a minimum of ~~four~~ **three** total years of provisional membership before being considered for active membership. An institution that reclassifies its provisional membership from Division II to Division III shall comply with the provisional membership legislation in effect at the time of its reclassification.

[20.3.4 through 20.3.7 unchanged.]

Source: American Collegiate Athletic Association; American Southwest Conference; and USA South Athletic Conference

Effective Date: August 1, 2020

Rationale: Division III has in place, strategies to limit membership growth. Those limiters have included a four-institution cap on applications of new members annually, an imposed moratorium to suspend applications, a five-year application process, and a number of reports and actions to move from one year to the next. While these steps have been successful in limiting growth, one inadvertent consequence has been the impression that we in Division III are exclusive. Many current enrollment-driven institutions find it extremely challenging to commit to a division that provides no access to NCAA national championships for an entire generation of students. Prospective members not currently associated with the NCAA need additional time to develop a full understanding of administrative and cultural expectations of our organization. To this end, a three-year waiting period is proposed for provisional members. This adjustment also allows for a flexible process should our organization need to quickly modify our approach to membership. If the institution fails to meet legislated expectations of membership, consistent with current legislation, they would have a one-time opportunity to repeat a year in the process.

Budget Impact: None

Primary Contact Person:

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No. 1-8 DIVISION MEMBERSHIP -- APPLICATION PROCESS -- RECLASSIFYING INSTITUTION -- REDUCE WAITING PERIOD FROM FOUR YEARS TO THREE YEARS

Intent: To amend legislation related to the Division III reclassifying process as follows: (1) For current NCAA members reclassifying to Division III, reduce the number of years in the reclassifying process from four to three years; (2) The process will eliminate the one-year exploratory membership requirement; (3) Specify that if an institution is unable to gain full active membership within this time frame, there is a one-time opportunity to repeat a year in question, through recommendation of Membership Committee.

Bylaws: Amend 20.6, as follows:

[Roll Call]

20.6 Change of Division Membership.

[20.6.1 unchanged.]

20.6.2 Requesting Reclassification to Division III – Election Procedures.

20.6.2.1 Application Process.

~~20.6.2.1.1 Exploratory Year. An institution seeking reclassification to Division III must complete an exploratory year in accordance with Bylaw 20.3.1.1. During the exploratory year, the institution may submit an application for Division III membership in accordance with Bylaw 20.6.2.1.2.~~

20.6.2.1.2¹ Application for Reclassification. When petitioning for change of division membership to Division III, a member shall submit a form approved by the Membership Committee available from the national office. The form shall be received in the national office not later than January 15 ~~of the exploratory year~~. Any form received after that date shall be postmarked not later than January 8. The application may be approved by the Membership Committee, provided the applicant institution satisfies all of the standards required for provisional applicants in Bylaw 20.3.1, **except that an exploratory year is not required**. ~~Further, reclassifying members are subject to the same fees and dues required of provisional members specified in Constitution 3.6.3.1.1.~~

[20.6.2.1.2 renumbered as 20.6.2.1.1, unchanged.]

20.6.2.1.2 Fee -- Reclassifying Members. Each reclassifying member shall pay a nonrefundable fee of an amount determined annually by the Membership Committee based on an analysis of the expenses associated with the membership process. At the time of application a portion of the fee, as determined by the Membership Committee, shall be due, and the remainder of the fee shall be due by September 1 of the first year of reclassifying membership. Reclassifying members in years one through three shall also pay NCAA dues.

[20.6.3 unchanged.]

20.6.4 ~~Four~~**Three**-Year Provision. Reclassifying membership shall not be less than a ~~four~~**three**-year period. At the end of the ~~four~~**three**-year period, a reclassifying member shall be eligible for active membership (see Constitution 3.2.3).

~~20.6.4.1 Exploratory Year Waiver. An institution in the reclassifying membership process may apply for a waiver of the exploratory year, consistent with the waiver available for the provisional membership process (See Bylaw 20.3.1.1.3).~~

~~20.6.4.2 Waiver. At the completion of year two of the reclassifying membership process, an institution may apply for a waiver of the four-year reclassification process, consistent with the waiver available for the four-year provisional membership process (see Bylaw 20.3.3.1).~~

[20.6.5 through 20.6.7 unchanged.]

20.6.8 Conditions and Obligations of Reclassifying Membership.

20.6.8.1 Education Program. Each reclassifying member must complete the provisional member education program administered by the Membership Committee before being granted active membership.

20.6.8.2 Determination of Reclassifying Membership Standing. A reclassifying member may be permitted to continue the ~~four~~**three**-year reclassifying member process with or without conditions as determined by the Membership Committee in instances of noncompliance with Division III and/or reclassifying membership regulations.

20.6.8.3 Repeat of Reclassifying Membership. The Membership Committee may require a reclassifying member to repeat any one of the ~~four~~ **three** years of the reclassifying membership period. An institution may repeat only once during the ~~four~~ **three**-year reclassifying membership period.

[20.6.8.4 through 20.6.8.5 unchanged.]

[20.6.9 through 20.6.10 unchanged.]

Source: American Collegiate Athletic Association; American Southwest Conference and USA South Athletic Conference

Effective Date: August 1, 2020

Rationale: Division III has strategies in place to manage membership growth. Those limits have included a four-institution cap on applications of new members annually, an imposed moratorium to suspend applications, a five-year application process, and a number of reports and actions to move from one year to the next. While these steps have been successful in limiting growth, one inadvertent consequence has been the impression that we in Division III are exclusive. Many current enrollment driven institutions find it challenging to commit to a division that provides no access to NCAA national championships and/or grant funding for an entire generation of students. This proposal accepts that current NCAA Divisions I or II members reclassifying understand the philosophy, history and culture of the NCAA and are committed to compliance as outlined in the Division III operating manual. Therefore, this proposal reduces the time to gain full membership by eliminating the exploratory year and one reclassifying year. This adjustment also allows for a flexible process should our organization need to quickly modify our approach to membership. If the institution fails to meet legislated expectations of membership, consistent with current legislation, they would have a one-time opportunity to repeat a year in the process.

Budget Impact: None

Primary Contact Person:

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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 Initial Publication of Proposed Legislation. Interpretations related to the proposed legislation in this Initial Publication of Proposed Legislation may be requested via electronic mail to bfregan@ncaa.org or jmyers@ncaa.org. When submitting such a request please include the proposal number in question, your institution's name and your title.