

2013 NCAA Convention

DIVISION III NOTICE

Division III Official Notice

107th Annual Convention
January 16-19, 2013
Grapevine, Texas



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THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

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November 2012

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Distributed to directors of athletics, faculty athletics representatives, senior woman administrators, senior compliance administrators, presidents or chancellors, and conference commissioners.

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Official Notice

107th Annual Convention

On behalf of the NCAA Executive Committee, the Division I Board of Directors, the Divisions II and III Presidents Councils, the Division I Leadership Council and the Divisions II and III Management Councils, we extend a cordial invitation to each NCAA member to be represented at the Association's 107th annual Convention scheduled January 16 through 19, 2013, in Grapevine, Texas.

It is our pleasure to issue this Official Notice of the 2013 Convention. This publication is sent to the president or chancellor, faculty athletics representative, director of athletics, senior woman administrator and senior compliance administrator at each active NCAA Division III member institution, as well as to the officers of member conferences and provisional member institutions.

This Official Notice contains a schedule of meetings and sessions that are a part of the 2013 Convention. [Please note: The schedule is subject to change. Please refer to your Convention Program for the most up-to-date meeting sites and times.] This Official Notice contains legislation for consideration at the Division III business session of the 2013 Convention, including amendments-to-amendments. It also contains the necessary information concerning the accreditation of delegates, voting procedures and other Convention policies. We encourage each member to review the information related to the activities in which you will be involved before attending the Convention. **It is particularly important that each Division III delegate bring a copy of the Official Notice to the Convention. The Official Notice will be the only publication containing all Division III Convention legislation.**

In addition to the consideration of legislation, Division III delegates also will participate in educational and discussion sessions about topics of concern within the division.

We hope you will arrive in time to join delegates from all divisions at the opening business session Thursday afternoon. The NCAA Delegates Reception will be held Thursday evening immediately after the opening business session, and the NCAA Honors Celebration will be held Friday evening.

We hope that each member of the Association will be in attendance at the 2013 Convention. We look forward to seeing you in Grapevine, Texas.

Lou Anna Simon
President, Michigan State University
Chair, NCAA Executive Committee

Nathan Hatch
President, Wake Forest University
Chair, Division I Board of Directors

J. Patrick O'Brien
President, West Texas A&M University
Chair, Division II Presidents Council

James Schmotter
President, Western Connecticut
State University
Chair, Division III Presidents Council

November 15, 2012

Table of Contents

Prop. No.	Title	Page
----------------------	--------------	-------------

Division III Legislative Proposals

PRESIDENTS COUNCIL GROUPING

No. 1 (No. 2-1)	Organization – Presidents Council – Increase Composition to 18 Members – Amend Representational Requirements.....	2
No. 2 (No. 2-13)	Division Membership – Championship Eligibility and Grant Funding – Institutions Reclassifying From Division III to Division II.....	3
No. 3 (No. 2-7)	Awards and Benefits – Special Achievement Awards – Conference Postgraduate Scholarship.....	4
No. 4 (No. 2-8)	Playing and Practice Seasons – General Playing-Season Regulations – Sickle-Cell Trait Status.....	6

GENERAL GROUPING

No. 5 (No. 2-9)	Playing and Practice Seasons – Football – Five-Day Acclimatization Period – Three-Hour Recovery Period	9
No. 6 (No. 2-11)	Playing and Practice Seasons – Ice Hockey – First Permissible Contest Date – November 1	11
No. 7 (No. 2-12)	Playing and Practice Seasons – Tennis – Fall Period – Exception to Playing and Practice Season – Intercollegiate Tennis Association – National Small College Championship	11
No. 8 (No. 2-10)	Playing and Practice Seasons – Football – Out-Of-Season Athletically Related Activities – Use of Hand Shields	12
No. 9 (No. 2-4)	Recruiting – Electronic Transmissions – All Forms Of Private Electronic Correspondence Permitted.....	13
No. 10 (No. 2-6)	Eligibility – Four-Year College Transfers – Exceptions – Transfer From A Division III Institution – Change From Season Of Participation To Any Participation	15
No. 11 (No. 2-5)	Eligibility – Recognized Foreign Exchange or Study Abroad Program – Transfer and Outside Competition Exception.....	16
No. 12 (No. 2-3)	Amateurism – Promotional Activities – Prospective Student-Athlete's Participation in Institutional Fundraisers.....	19
No. 13 (No. 2-2)	Amateur Status – Before Initial, Full-Time Collegiate Enrollment – Prize Money Based On Team Performance	20

All proposals have been designated by the NCAA Division III Presidents Council for roll-call vote.

APPENDIXES

A	Voting in Division III Business Session	21
B	Interpretations to be Included in the 2013-14 NCAA Division III Manual.....	23
C	Noncontroversial Legislation Adopted by the NCAA Division III Management Council.....	25
D	Division III Modifications of Wording Pursuant to NCAA Constitution 5.4.1.1.1	55
E	Index to Legislative Proposals.....	57
F	Corresponding Legislative Proposal Numbers – Official Notice to SPOPL.....	59
G	Corresponding Legislative Proposal Numbers – SPOPL to Official Notice.....	61
H	Convention Voting Procedures.....	63
I	2013 NCAA Convention Meeting Schedule (Division III Delegates).....	67
J	Convention Lanyards, Badges and Voting Procedures.....	69
K	NCAA Governance Structure	71
L	Request for Interpretations.....	75

Accrediting of Delegates

Association policy provides that the appointment of accredited and visiting delegates is the responsibility of the president or chancellor of each member institution or organization. **In November 2012, a link to the appointment of delegate website was emailed to the president or chancellor of all member institutions and organizations. The link was also made available on the NCAA website at www.ncaaconvention.com under the Appointment of Delegate section.**

It is important that the voting delegate be properly accredited, and this is to urge appointing officers to submit the completed forms to the NCAA national office at their earliest convenience.

An institution's or organization's president or chancellor shall appoint the voting and alternate delegates by completing the online delegate appointment form. The transfer of voting rights among the delegates is a matter of institutional discretion.

Please note also that the governance structure of each division urges member institutions to include women in their NCAA Convention delegations.

If an institution's or organization's president or chancellor fails to submit the online delegate appointment form, that institution's representatives will be registered as visitors until the president or chancellor certifies in writing the voting and alternate delegates. No other institutional representatives are permitted to complete a delegate appointment form.

Once the online delegate appointment form has been verified by the president or chancellor, no one may be added as a voting or alternate delegate without written instructions from that president or chancellor. Thus, no individual appointed as a visitor may become a voter or alternate without written authorization from the president or chancellor.

Visiting delegates, except in certain situations, do not have speaking privileges at the Convention.

At the Convention, each individual representing a member school or conference who registers will receive a white Convention badge designating the individual as a delegate. Voting delegates receive red lanyards and alternate delegates receive blue lanyards. Delegates with speaking rights receive green lanyards; delegates without speaking rights and other observers receive white lanyards. Speakers and presenters for menu sessions will receive badges with a green color designation. NCAA staff will receive badges with a royal blue color designation. Presidents and chancellors of member institutions will also have a purple color designation on their name badge signifying his or her professional title. [See Appendix J.]

The convention registration fee for NCAA members was \$250 for all delegates who registered on or before Monday, October 15, and \$375 for all delegates who register by Friday, December 7. Member registration fees after December 7 are \$500.

The registration fee includes one ticket to the following events: the Delegates Reception, Trade Show Reception and Delegates

Breakfasts, as well as all Convention materials. Honors Celebration and Keynote and Association Luncheons tickets are included in the registration fee, but requests for tickets are available on a preregistration and space-available basis. Notification regarding registering for the Keynote Luncheon and Association Luncheon will be sent in November. Notification regarding registering for the Honors Celebration will be sent in December.

Additional Honors Celebration, Delegates Reception, Keynote Luncheon, Association Luncheon and Trade Show Reception tickets are available to guests for \$40.

Meetings and Reservations

A listing of Convention meetings of the NCAA and its affiliated organizations was distributed to the membership in late September. Included was a reservation form and covering memorandum describing the procedure for making hotel reservations. If there is anything further the NCAA can do to facilitate your attendance at the Association's 2013 Convention, please call upon us.

Please note that the Convention schedule of events is available on the NCAA website (www.NCAA.org). In addition, the Convention Program (which will be distributed to delegates upon registering at the Convention) contains the most up-to-date schedule of meetings held in conjunction with the Convention. Please note that the Convention officially begins when the opening business session convenes at 4 p.m. Thursday, January 17. Adjournment of the Convention has been scheduled for January 19.

Proposed Amendments

The proposed amendments to be considered at the 107th annual Convention begin on Page 1. All amendments, if adopted, become effective as indicated in each proposal.

It is important that each Division III delegate bring a copy of the Official Notice to the Convention, inasmuch as the Official Notice will be the only publication containing all Convention legislation for the 2013 Convention.

In accordance with the provisions of Constitution 5.3, an amendment to the Association's legislation may be proposed by the Division III Presidents Council or the Division III Management Council, by 20 active Division III member institutions eligible to vote on the matter or by two member conferences. The source is indicated in each proposal. When the Presidents Council or Management Council proposes an amendment originally recommended by a committee, the committee is indicated as well.

Please note that the Presidents Council is authorized to distribute during division or general business sessions information detailing positions on key legislative proposals.

Amendments-to-Amendments

In Division III, all amendments submitted by the membership in accordance with the July 15 deadline were printed in the Initial

Publication of Proposed Legislation, which was provided to the membership August 15. Sponsors of those proposals were permitted to revise them in any manner until September 15. In the interim, the Division III Presidents Council had until September 1 to submit its legislative proposals. All proposals were provided to the membership September 23 in the Second Publication of Proposed Legislation.

The Division III Presidents Council, any 20 active Division III member institutions eligible to vote on a given issue or two member conferences had until November 1 to submit amendments to the original proposals, provided the amendment to the amendment did not increase the modification proposed by the original amendment. As a result of that deadline, all amendments-to-amendments are included in this Official Notice with the proposals they are intended to amend. Resolutions also were handled in accordance with those same deadlines and are included in this publication. No additional amendments-to-amendments or resolutions are permitted for the 2013 Convention unless they are sponsored by the Presidents Council and distributed before or during the business session.

Withdrawal of Proposal

Sponsors who intend to withdraw a proposal are urged to notify the academic and membership affairs staff as soon as possible before the business session of the Convention at which the proposal is scheduled to be considered.

Review of Interpretations

The Interpretations and Legislation Committee issues interpretations as to the scope, meaning or effect of the constitution and bylaws applicable to Division III. These rulings are subject to review by the membership upon the request of any member in accordance with NCAA Constitution 5.4.1.4. Any member to which an interpretation applies may request a review of the interpretation by making such a request in writing to the academic and membership affairs staff or the Association's Convention office before 1 p.m. on the day before the division business sessions of the Convention (Friday, January 18).

Interpretations to be Included in the NCAA Division III Manual

The Interpretations and Legislation Committee is authorized to recommend interpretations to be incorporated in the next printing of the NCAA Division III Manual. Such incorporations are approved by the Division III Management Council and are printed in Appendix B.

Noncontroversial Legislation Adopted by the Presidents and Management Councils

The Management Council is authorized to adopt, in the interim between annual Conventions, noncontroversial legislative amendments that are necessary to promote the normal and orderly administration of the Association's legislation, per Constitution

4.8.3-(d) and 5.3.1.1.1. That authorization requires a three-fourths majority vote of the Management Council. The Management Council then submits to the next annual Division III business session the amendments that have been adopted under its authorization. The noncontroversial amendments adopted by the Management Council in 2012 appear in Appendix C. Approval of the Official Convention Notice during the Division III business session constitutes ratification of these amendments.

Modifications of Wording Adopted by the Presidents and Management Councils

The Management Council is authorized to adopt, in the interim between annual Conventions, proposals that are consistent with the intent of the membership in adopting the original legislation if sufficient documentation and testimony exist to establish clearly that the original wording of the legislation was inconsistent with that intent, per Constitution 5.4.1.1.1. That authorization requires a two-thirds majority vote of the Management Council. The Management Council submits to the next annual Division III business session the amendments that have been adopted under its authorization. The modifications adopted in 2012 appear in Appendix D. Approval of the Official Convention Notice during the Division III business session constitutes ratification of these actions.

There were no modifications of wording for approval at the 2013 NCAA Convention.

Order of Business

The opening business session of the 107th annual Convention will begin at 4 p.m. Thursday, January 17. The “State of the Association” address by the NCAA president will be presented orally during that general session.

The various proposals will be taken up in their numerical order, unless that order is changed at the Convention. All proposals are designated for a roll-call vote and the schedule for consideration of the proposals is identified in Appendix A.

Amendments for the annual Convention will be presented as indicated on page xi. For convenience of reference, an index (Appendix E) lists the proposals in the order in which they would appear in the constitution and bylaws in the NCAA Division III Manual.

In each grouping of related items (either amendments or amendments-to-amendments), the Association’s established procedure will be followed. The membership will consider first the proposal that contemplates the greatest modification of the present circumstance, followed by other proposals in the order of decreasing modification. In some instances, when a proposal in such a grouping is adopted, those that follow in that grouping may become moot.

Voting Procedures

Methods of voting shall be in accordance with Constitution 5.1.4.4. Each voting delegate, when registering, receives a “voting

paddle” for use in indicating the institution’s vote when the chair calls for a “paddle” vote. Voting delegates receive paddles of different colors to indicate their division status. Voting paddles for those with special voting circumstances are marked as set forth in Appendix J.

The Association uses an electronic voting system for roll-call and general votes. Upon registering for the Convention, each voting delegate moves to the general registration area to receive the voting unit that has been coded for that member institution or conference. The voting delegate must turn in the voting unit identification card contained in the registration envelope to obtain the electronic unit.

Amendments to federated provisions are voted on by divisions, with a majority vote required for approval. In such instances (federated provisions), each division is committed to the result of its counted vote. Any member that voted on the prevailing side can request reconsideration of the recorded vote of its division on an issue at any time before the conclusion of voting during that session. Each proposal includes a designation of the division(s) that votes on that item and the type of vote involved (federated or common).

Delegates are urged to register and receive their voting materials before the opening business session begins at 4 p.m. Thursday, January 17. In addition, all voting in the division business sessions shall be by show of paddles or by electronic roll-call votes, rather than by voice or hand.

Memorial Resolutions

At the time of the annual Convention, members of the Association honor by memorial resolution those persons closely associated with intercollegiate athletics who passed away during the year. It is requested that the names of persons to be honored in this manner be submitted to the NCAA, P.O. Box 6222, Indianapolis, Indiana 46206-6222.

Administrative Structure

Rosters of the NCAA Executive Committee, and Division III Presidents Council and Management Council, are listed in Appendix K.

Request for Interpretations

Division III member institutions and conferences are encouraged to request interpretations of the proposed legislation in this Official Notice in advance of the Convention. Information about requesting an interpretation appears in Appendix L.

All such requests must be received in the national office not later than December 7, 2012. Requests will be considered by the Interpretations and Legislation Committee, and the decisions will be reviewed by the Division III Management Council in its pre-Convention meeting Wednesday, January 16. The resulting interpretations will be duplicated and distributed to the conferences for their pre-Convention meetings before the beginning of the division business sessions Saturday, January 19.

**TOPICAL GROUPINGS OF PROPOSED AMENDMENTS
107th ANNUAL CONVENTION**

Proposal Numbers

1 through 13

1 through 4

5 through 13

General Topic

Division III Legislative Proposals

Presidents Council Grouping

General Grouping



Division III

DISCOVER | DEVELOP | DEDICATE

107th Annual Convention

LEGISLATIVE PROPOSALS SUBMITTED BY THE MEMBERSHIP

[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 underlined are to be added; and
- Those letters and words that appear in normal text are unchanged from the current Division III legislation.]

DIVISION III LEGISLATIVE PROPOSALS

The NCAA Division III Presidents Council has determined that it will deal primarily with those national issues in Division III athletics that prompt widespread concern among Division III presidents or chancellors.

Legislative proposals developed by the Division III Management Council or by Division III committees reporting to it must be submitted to the Division III Presidents Council for review. They cannot be placed on the agenda for consideration at the Convention unless the Presidents Council agrees to sponsor them. Legislative proposals of an operational nature may be sponsored by the Management Council and placed on the agenda for consideration at the Convention.

The Division III Presidents Council has identified those proposals that it believes are of particular interest to Division III presidents or chancellors and has included them in the Presidents Council grouping. The Presidents Council identified all proposals in both the Presidents Council grouping and General grouping for roll-call vote.

PRESIDENTS COUNCIL GROUPING

NO. 2013-1 (NO. 2-1) ORGANIZATION – PRESIDENTS COUNCIL – INCREASE COMPOSITION TO 18 MEMBERS – AMEND REPRESENTATIONAL REQUIREMENTS

Intent: To increase the Presidents Council membership from 15 to 18 members and amend the specific representational requirements regarding the enrollment and public/private status of the institutions being represented as well as the gender composition of the Council.

Constitution: Amend 4.4.1, as follows:

[Roll Call]

4.4.1 Composition. The Presidents Council shall include ~~15~~ **18** members and shall be comprised of Division III presidents or chancellors. At least two members of the Council shall be included from each Division III geographical region (see Constitution 4.13.1.1 for geographical regions) and seven members shall serve “at large.” In addition, appropriate consideration shall be given to appointing Division III presidents or chancellors from historically black colleges and universities. The members of the Council shall include:

(a) At least ~~two~~ **three** institutional presidents or chancellors from colleges or universities with full-time undergraduate enrollment of ~~4,000~~ **2,400** or more;

(b) At least ~~two~~ **three** institutional presidents or chancellors from colleges or universities with full-time undergraduate enrollment of ~~less than 2,000~~ **between 1,400 and 2,400**;

(c) **At least three institutional presidents or chancellors from colleges or universities with full-time undergraduate enrollment of 1,400 or less;**

(~~c~~ **d**) At least ~~two~~ **three** institutional presidents or chancellors from public colleges or universities;

(~~d~~ **e**) At least ~~two~~ **three** institutional presidents or chancellors from private colleges or universities;

(~~e~~ **f**) At least ~~three~~ **four** institutional presidents or chancellors who are women;

(~~f~~ **g**) At least ~~three~~ **four** institutional presidents or chancellors who are men;

(~~g~~ **h**) At least two institutional presidents or chancellors who are members of an ethnic minority; and

(~~h~~ **i**) At least two institutional presidents or chancellors who are not ethnic minorities.

Source: NCAA Division III Presidents Council.

Effective Date: Immediate

Rationale: The compositional requirements for Presidents Council have not changed since 1999, when the membership increased the composition of the Division III Presidents Council from 11 to 15, to allow the Council to better perform its duties. Those four additional positions were “at large” positions. Over that period, Division III has experienced significant growth. The proposed increase recognizes that growth and enhances presidential representation and involvement. The specific representational requirements more accurately reflect the current Division III membership.

Budget Impact: \$20,000 annual increase (Association-wide committee budget).

**NO. 2013-2 (NO. 2-13) DIVISION MEMBERSHIP –
CHAMPIONSHIP ELIGIBILITY AND
GRANT FUNDING – INSTITUTIONS
RECLASSIFYING FROM DIVISION
III TO DIVISION II**

Intent: To stipulate that a Division III member institution is ineligible for Division III championships and Division III grant funding once it commences the Division II reclassification process.

A. Bylaws: Amend 20.6.1.1, as follows:

[Roll Call]

20.6.1.1 Division III Grant and Initiative Funding. An institution that has sent written notice to the national office regarding its intent to change its membership to Division I may no longer receive Division III grant and initiative funding. An institution reclassifying to Division II may not receive Division III grant and initiative funding **once the institution commences the Division II reclassification process (i.e., start of the first candidacy year)**. *beginning with the start of the second candidacy year or when the institution provides athletically related financial aid, whichever occurs first.*

B. Bylaws: Amend 20.6.9.1, as follows:

[Roll Call]

20.6.9.1 Reclassification to Division II. A member institution reclassifying to Division II *that has forwarded its official reclassification application to the national office*, per Bylaw 20.6.1, shall no longer be eligible to participate in any future Division III championship **or receive Division III grant and initiative funding once the institution commences the Division II reclassification process (i.e., start of the first candidacy year)** *beginning with championships that occur during the second candidacy year or when the institution provides athletically related financial aid, whichever occurs first* (see Bylaw 15.4.9 for additional regulations regarding financial aid based on athletics).

Source: NCAA Division III Presidents Council [Management Council (Membership Committee)].

Effective Date: Effective for those institutions beginning Division II candidacy year one in the 2013-14 academic year and thereafter.

Rationale: Division III legislation currently allows a Division III member institution that is reclassifying to Division II to access Division III championships and grant funding during the first year of its Division II candidacy, provided the Division III institution does not provide athletically related financial aid to its student-athletes. The current legislation is challenging for the reclassifying institution because the institution intends to function and follow Division II legislation, yet it hopes to maintain eligibility for access to Division III championships and grant funding by complying with Division III legislation. Further, there is an inherent competitive advantage for a Division III institution reclassifying to Division II due to the promise of athletically related aid and announcement of the transition.

Budget Impact: Loss of Division III grant funding once the institution commences the Division II reclassification process.

**NO. 2013-3 (NO. 2-7) AWARDS AND BENEFITS – SPECIAL
ACHIEVEMENT AWARDS –
CONFERENCE POSTGRADUATE
SCHOLARSHIP**

Intent: To permit NCAA member conferences to provide an award granting a scholarship for graduate school to one male and one female student-athlete that have excelled in the classroom, in athletics and the community and who have exhausted their eligibility.

A. Bylaws: Amend 15.2.3.2, as follows:

[Roll Call]

15.2.3.2 Aid from Outside Sources. Financial aid received from outside sources that meets the provisions of Bylaws 15.2.3.5 or 15.2.3.6 (or an award made through the NCAA postgraduate scholarship program or a conference postgraduate scholarship award [see Bylaw 16.1.4.3.1]) is permissible without consideration of the recipient's financial need.

B. Bylaws: Amend 16.1.4.3, as follows:

[Roll Call]

16.1.4.3 Special Achievement Awards. Awards may be provided each year to individual student-athletes and teams to recognize special achievements, honors and distinctions, limited in value and number as specified in Figure 16-3. [R]

16.1.4.3.1 Conference Postgraduate Scholarship Award. A student-athlete may receive a conference postgraduate scholarship award, provided the

following conditions are met:

(a) Academic performance and community involvement shall be considered in granting the award;

(b) Athletics leadership, ability, participation or performance and other considerations may be considered in granting the award;

(c) The student-athlete shall have exhausted eligibility in his or her sport and forfeits eligibility in all other sports upon acceptance of the award;

(d) The conference may provide the award to one male and one female recipient per year;

(e) Athletics department personnel from member institutions shall not comprise the selection committee unless all institutions within the conference are represented on the selection committee. The selection committee shall also include at least one member of the member conference staff;

(f) The award must be made directly to the institution of the recipient's postgraduate studies;

(g) The maximum value of the scholarship shall not exceed the value of the NCAA postgraduate scholarship; and

(h) The conference may provide either the Conference Postgraduate Award or the Conference Scholar Athlete of the Year Award, but not both (see Figure 16-3).

Source: City University of New York Athletic Conference, St. Louis Intercollegiate Athletic Conference

Effective Date: Immediate

Rationale: Similar to the NCAA Postgraduate Scholarship, a conference postgraduate scholarship award (not administered or awarded by a member institution) would permit a conference to recognize one male and one female student-athlete in the form of an award based on their overall collegiate accomplishments including academic, athletic and community involvement to assist with the student-athletes' postgraduate studies.

Governance Structure Position: The NCAA Division III Presidents Council, the Management Council, the Interpretations and Legislation Committee and the Financial Aid Committee support this proposal as it creates an additional opportunity to recognize the achievements of Division III student-athletes. The Councils and committees believe that providing this award to student-athletes who have exhausted their eligibility does not threaten the integrity of the Division III collegiate model or compromise the financial aid tenets of Division III. Further, the

Councils and committees recognize that this is permissive legislation, and member conferences would have the discretion to determine whether to provide such an award.

Budget Impact: This is permissive legislation that would result in a potential budget impact only if implemented by the member conference.

NO. 2013-4 (NO. 2-8) PLAYING AND PRACTICE SEASONS – CONFIRMATION OF SICKLE CELL TRAIT STATUS

Intent: To require confirmation of sickle cell trait status for all student-athletes not later than the 2014-15 academic year, including mandatory confirmation of status of all incoming student-athletes (first year and transfers) in the 2013-14 academic year. Further, to provide education regarding sickle cell trait for all student-athletes and provide additional mandatory education for those that do not confirm their status.

Bylaws: Amend 17.1.6.4, as follows:

[Roll Call]

17.1.6.4 Mandatory Medical Examination. Before participation in any practice, competition or out-of-season conditioning activities (or, in Division I, permissible voluntary summer conditioning in basketball and football or voluntary individual workouts pursuant to the safety exception), student-athletes who are beginning their initial season of eligibility and students who are trying out for a team shall be required to undergo a medical examination or evaluation administered or supervised by a physician (e.g., family physician, team physician). The examination or evaluation must be administered within six months before participation in any practice, competition or out-of-season conditioning activities. In following years, an updated history of the student-athlete's medical condition shall be administered by an institutional medical staff member (e.g., sports medicine staff, team physician) to determine if additional examinations (e.g., physical, cardiovascular, neurological) are required. The updated history must be administered within six months before the student-athlete's participation in any practice, competition or out-of-season conditioning activities for the applicable academic year.

17.1.6.4.1 Confirmation of Sickle Cell Trait Status. An institution shall confirm the sickle cell trait status of student-athletes, before participation in intercollegiate athletics in one of the following manners:

(a) Documentation. The student-athlete may provide documented results of a sickle cell solubility test administered prior to participation;

(b) Pending Documentation. A student-athlete who

has taken a sickle cell solubility test, but whose results are not yet confirmed, may participate provided the student-athlete engages in mandatory education as set forth in Bylaw 17.1.6.4.1.1 and receives appropriate precautions as set forth by the institution; or

(c) Waiver. The student-athlete may sign a waiver declining confirmation of sickle cell trait status if:

(i) Prior to signing a waiver, the institution provides the student-athlete education regarding the implications of exercising the waiver option; and

(ii) Prior to athletics participation, a student-athlete who signs a waiver under this provision engages in mandatory education as set forth in Bylaw 17.1.6.4.1.1.

17.1.6.4.1.1 Mandatory Sickle Cell Trait Status Education. Each student-athlete shall be provided education regarding sickle cell trait status. Student-athletes who have been tested, but do not have confirmed results documented or have signed a waiver per Bylaw 17.1.6.4.1(c), shall be provided additional education regarding the risks, impact and precautions associated with sickle cell trait.

Source: NCAA Division III Presidents Council [Management Council (Committee on Competitive Safeguards and Medical Aspects of Sports)].

Effective Date: August 1, 2013, for all incoming (first year and transfers) student-athletes; August 1, 2014, for all student-athletes.

Rationale: By encouraging awareness of one's sickle cell trait (SCT) status, this proposal promotes the health and safety of all student-athletes. Knowledge by the student-athlete and education by key institutional staff that conducts and monitors workouts continues to be the most important factor for determining appropriate precautions and interventions and ultimately preventing catastrophic events. Consequently, education, in addition to knowledge of one's own trait status, is a key component to the overall health and well-being of the student-athlete. Education is required for all student-athletes, and those that either waive confirmation of sickle cell trait status or want to participate before results of the sickle cell solubility test are confirmed shall be provided additional education regarding the implications of their decision and the risks, impact and precautions related to sickle cell trait. Many Division III institutions already confirm SCT status as part of their medical examination process confirming both the need and feasibility of this health and safety measure. Likewise, the Committee on Competitive Safeguards and Medical Aspects of

Sports (CSMAS) has determined the need of these measures for Division III, based on Division III specific data and research. Combining knowledge of SCT status with a robust educational program puts all institutions in the best position to protect student-athletes' health and well-being.

Budget Impact: Cost associated with administering the test. The NCAA had entered into a national contract with Quest Diagnostics labs that provides several cost options. Institutions and student-athletes are not required to use Quest; therefore, cost and options will vary.

GENERAL GROUPING

NO. 2013-5 (NO. 2-9) PLAYING AND PRACTICE SEASONS – FOOTBALL – FIVE-DAY ACCLIMATIZATION PERIOD – THREE-HOUR RECOVERY PERIOD

Intent: In football, to establish that on any day during the five-day acclimatization period, student-athletes must be provided with at least three continuous hours of recovery time between all sessions.

A. Bylaws: Amend 17.9.2.2, as follows:

[Roll Call]

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., freshmen 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 the first day of the five-day acclimatization period, an institution may conduct either:

(1) One on-field practice, not to exceed three hours in length. The institution may also conduct ~~an~~ 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 any sessions (e.g., on-field practice or walk-through) the end of the on-field practice session and the start of the walk-through session (if the walk-through session occurs first, three hours of recovery time is not required); or

(2) One on-field testing session (e.g., speed, conditioning or agility tests), not to exceed one hour in length, and one on-field practice, not to exceed two hours in length. The institution may also conduct ~~an~~ 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 any sessions (e.g., testing, on-field practice or walk-through) the end of each on-field session (e.g., testing session, and on-field practice session) and the beginning of the next session (e.g., conditioning session, on-field practice, or walk-through

session). Three hours of continuous recovery time is not required after the walk-through session.

(c) During the remainder of the five-day period, participants shall not engage in more than one on-field practice, 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 **any sessions (e.g., on-field practice session or walk-through)** *the end of the on-field practice session and the start of the walk-through session (if the walk-through session occurs first, three hours of recovery time is not required).*

[17.9.2.2-(d) unchanged.]

B. Bylaws: Amend 17.9.2.3.1, as follows:

[Roll Call]

17.9.2.3.1 Exception – Walk-Through Sessions. During the preseason practice period only, 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 **any sessions (e.g., testing, on-field practice or walk-through)** *the end of the on-field practice session and the start of the walk-through session.*

Source: NCAA Division III Management Council (Committee on Competitive Safeguards and Medical Aspects of Sports).

Effective Date: August 1, 2013

Rationale: The current legislation regarding the five-day acclimatization period in football permits a member institution to conduct an on-field practice or testing session in conjunction with a walk-through session without a three-hour recovery period between the two sessions if the walk-through session occurs first. The NCAA Committee on Competitive Safeguards and Medical Aspects of Sports reviewed the current permissible walk-through legislation in football and found inconsistencies across the three divisions. In the interest of providing consistent safeguards for student-athletes, the committee recommended that the three divisions evaluate this legislation and align the language with that of Division II, which states that student-athletes must be provided with at least three continuous hours of recovery time between any sessions occurring that day. Amending the legislation to require a three-hour period between all sessions would ensure

that Division III student-athletes have recovery from the cumulative effects of on-field activities, especially in the heat.

Budget Impact: None.

**NO. 2013-6 (NO. 2-11) PLAYING AND PRACTICE SEASONS –
ICE HOCKEY – FIRST PERMISSIBLE
CONTEST DATE – NOVEMBER 1**

Intent: In ice hockey, to specify that a member institution shall not play its first contest (game, exhibition or scrimmage) against outside competition in ice hockey before November 1.

Bylaws: Amend 17.12.3, as follows:

[Roll Call]

17.12.3 First Contest. A member institution shall not play its first contest (game, exhibition or scrimmage) against outside competition in ice hockey before ~~October 15~~ **November 1**.

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

Effective Date: August 1, 2013

Rationale: In ice hockey, the first permissible contest date and practice date are the same, which raises concerns for student-athletes' health and well-being. Student-athletes will benefit by delaying the first permissible contest day to allow them to properly condition and be protected from premature exposure to the full rigors of competition. A two-week delay between the first practice date and the first contest is typical in many sports and with the length of the ice hockey season, institutions would not be negatively impacted by such a delay. Lastly, institutions that have signed a contract prior to July 24, 2012, may honor such agreements.

Budget Impact: None.

**NO. 2013-7 (NO. 2-12) PLAYING AND PRACTICE SEASONS
– TENNIS – FALL PERIOD –
EXCEPTION TO PLAYING AND
PRACTICE SEASON –
INTERCOLLEGIATE TENNIS
ASSOCIATION – NATIONAL SMALL
COLLEGE CHAMPIONSHIP**

Intent: To specify that an institutional coaching staff member may coach a student-athlete who has qualified for the Intercollegiate Tennis Association (ITA) National Small College Championships even if the activity occurs outside the declared playing season.

Bylaws: Amend 17.22.6, as follows:

[Roll Call]

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

17.22.6.1 Exception – Intercollegiate Tennis Association (ITA) National Small College Championship. An institutional coaching staff member may engage in coaching activities with a student-athlete for practice and participation in the Intercollegiate Tennis Association (ITA) National Small College Championships even if the event falls outside the defined playing season, provided the student-athlete has qualified for the event.

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

Effective Date: August 1, 2013

Rationale: The Intercollegiate Tennis Association (ITA) National Small College Championships annually crowns men's and women's singles and doubles national champions in each of the ITA's four small college divisions [NCAA Divisions II and III, National Association of Intercollegiate Athletics (NAIA) and Junior/Community College] during the month of October. Participants are determined through the ITA Regional Championships, held in September and October, which serve as qualifying tournaments. Under the current rules, if coaches work with the one or two student-athletes who qualify for the national championships, then that interaction has to count against the institution's 19-week playing season. This proposal allows the few student-athletes who qualify for the ITA National Small College Championships to continue to receive coaching and not have the entire team disadvantaged by losing weeks of the playing season.

Budget Impact: Current rules allow the institution to pay for this one tournament, so there would not be an additional expense associated with this proposal.

NO. 2013-8 (NO. 2-10)	PLAYING AND PRACTICE SEASONS – FOOTBALL – OUT-OF-SEASON ATHLETICALLY RELATED ACTIVITIES – USE OF HAND SHIELDS
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Intent: To permit the use of hand shields during the spring football strength and conditioning period.

Bylaws: Amend 17.9.6.1, as follows:

[Roll Call]

17.9.6.1 Exception. An institution is permitted to conduct conditioning and strength training sessions and limited skill instruction during a consecutive five-week period outside the playing season. During this five-week period, the institution may conduct athletically related activity on a maximum of 16 days with not more than four days of athletically related activity in any one week. Any athletically related activity (per Bylaw 17.02.1.1) shall constitute the use of a day. Skill instruction

during this period shall be limited to passing, catching and kicking-related drills. Such instruction may include offensive and defensive alignments, but may not involve contact. Except for footballs **and hand shields**, the use of helmets, pads, blocking sleds or any other form of sport-related equipment is prohibited. **The use of hand shields shall be limited to one-on-one and two-on-two skill instruction.** No missed class time is permitted for these sessions and the institution shall conclude all athletically related activities by the first date of final examinations for the regular academic year.

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

Effective Date: Immediate

Rationale: The use of hand shields during the strength and conditioning period allows coaches to provide skill instruction to student-athletes who are not “skill position” players or special teams players. Specifically, coaches will be able to teach proper stance, hand placement and movement, including blocking, which would enhance the safety of the game. The use of hand shields would be restricted to one-on-one and two-on-two skill instruction and would continue to prohibit player-to-player contact.

Budget Impact: None.

**NO. 2013-9 (NO. 2-4) RECRUITING – ELECTRONIC
TRANSMISSIONS – ALL FORMS OF
PRIVATE ELECTRONIC
CORRESPONDENCE PERMITTED**

Intent: To specify that any form of electronically transmitted correspondence (e.g., electronic mail, Instant Messages, text messages or facsimiles) including private communication through a social networking site may be sent to a prospective student-athlete (or the prospective student-athlete’s parents or legal guardians), provided the correspondence is sent directly to the prospective student-athlete (or his or her parents or legal guardians) and is private between only the sender and recipient (e.g., no use of public chat rooms, message boards or public communication through a social networking site).

A. Bylaws: Amend 13.02.5.1, as follows:

[Roll Call]

13.02.5.1 Permissible Recruitment Activities for Enrolled Student-Athletes. Permissible recruitment activities for enrolled student-athletes are limited to the following:

[13.02.5.1(a) unchanged.]

(b) Electronic transmissions. It is permissible for an enrolled student-athlete to send electronic *mail or correspondence (e.g., electronic mail, Instant Messenger, private communication*

through social networking site, text messages or facsimiles) to a prospective student-athlete for the purpose of recruitment, provided the correspondence is sent directly to the prospective student-athlete (or his or her parents or legal guardians) and is private between only the sender and recipient (e.g., no use of public chat rooms, message boards, public communication through a social networking site).

[13.02.5.1(c)-(d) unchanged.]

B. Bylaws: Amend 13.02.11, as follows:

[Roll Call]

13.02.11 Electronic Transmissions. ~~Any e~~**Any electronically transmitted correspondence (e.g., electronic mail, Instant Messenger, private communication through social networking site, text messages or facsimiles) may be sent to a prospective student-athlete (or his or her parents or legal guardians) provided the communication is private between only the sender and recipient (e.g., no use of public chat rooms, message boards, public communication through a social networking site) that may be sent to a prospective student-athlete by, or on behalf of, a member of the institution's athletics department staff is limited to electronic mail, text messages and facsimiles.** An enrolled student-athlete may send ~~private electronic mail and correspondence (e.g., electronic mail, Instant Messenger, private communication through social networking site, text messages and or facsimiles)~~ to a prospective student-athlete for recruitment purposes. [D]

13.02.11.1 Timing of Electronic Transmissions. There are no restrictions on the timing for sending ~~emails~~ **private electronic correspondence (e.g., electronic mail, Instant Messenger,** text messages ~~and or~~ facsimiles) to prospective student-athletes.

Source: Minnesota Intercollegiate Athletic Conference, St. Louis Intercollegiate Athletic Conference

Effective Date: Immediate

Rationale: There is a growing concern that current prohibitions on electronic transmissions are outdated and lagging behind prospective student-athletes' use of technology. Current limitations are inhibiting the exchange of information in the most efficient, cost effective and least intrusive means as compared to other forms of communication, such as telephone calls. Developments in technology have made it easier and less expensive to communicate through the expanded availability and prevalence of mobile communication devices that are multifunctional and often provide options for the user to define his or her communication preferences. Institutions have been permitted to send an unlimited number of emails to student-athletes for several years and there have not been any concerns regarding frequency or intrusion. This

proposal seeks to deregulate the current restrictions on private electronic communication through social networking sites as well as define private electronic correspondence in a broad manner in order to account for future advancement in technology. In addition, the burden and expenditure of resources related to rules monitoring will be greatly decreased.

Governance Structure Position: The NCAA Division III Management Council supports this proposal. The Council recognizes that communication technology is ever changing and attempting to regulate the use of such technology can be counterproductive. Additionally, the Council understands that certain principles and standards should be upheld when communicating with prospective student-athletes. The Council supports this proposal because it draws the proper balance between regulating the technology and maintaining the standard that all recruiting communications remain private.

Budget Impact: None.

NO. 2013-10 (NO. 2-6)	ELIGIBILITY – FOUR-YEAR COLLEGE TRANSFERS – EXCEPTIONS – TRANSFER FROM A DIVISION III INSTITUTION – CHANGE FROM SEASON OF PARTICIPATION TO ANY PARTICIPATION
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Intent: To specify that a four-year college transfer student from a Division III institution would have to satisfy a transfer exception or serve a year in residence, if the transfer student has ever participated (practiced or competed) at a Division III school, regardless if the student used a season of participation.

Bylaws: Amend 14.5.5, as follows:

[Roll Call]

14.5.5 Four-Year College Transfers. See Bylaw 13.1.1.2 for prohibition against contacting student-athletes of another four-year collegiate institution without permission.

14.5.5.1 General Rule. A transfer student from a four-year institution shall not be eligible for intercollegiate competition until the student has fulfilled an academic year of residence (see Bylaw 14.02.10) at the certifying institution unless the student qualifies for one of the transfer exceptions set forth in Bylaws 14.5.5.1.1, 14.5.5.1.2 or 14.5.5.1.3. A transfer student (other than one under disciplinary suspension per Bylaw 14.5.1.2) may qualify for an exception to the academic year of residence requirement provided he or she does not have an unfulfilled residence requirement at the institution from which he or she is transferring.

14.5.5.1.1 Exception. A student who transfers to the certifying institution shall be immediately eligible if:

(a) The student *has not previously used a season of participation at a Division III institution pursuant to Bylaw 14.2.4.1, and* has never practiced or competed in intercollegiate athletics *at a non-Division III institution. This provision is not applicable to a Division III student who has been granted a hardship waiver per Bylaw 14.2.5 or a season-of-participation waiver per Bylaws 14.2.6 or 14.2.7;*

(b) The student transfers from a four-year collegiate institution and would have been academically and athletically eligible, at the time of transfer to the certifying institution (see Bylaw 14.5.2), had he or she remained at the previous institution; or

[14.5.5.1.1-(c) unchanged.]

[Remainder of 14.5.5 unchanged.]

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

Effective Date: August 1, 2013

Rationale: Currently, the four-year transfer exception allows a student-athlete to transfer and be immediately eligible if the student-athlete has not used a season of participation at a Division III institution, and has never practiced or competed in intercollegiate athletics at a non-Division III institution. Effectively, a student-athlete who is academically ineligible at one Division III institution could transfer to another Division III institution and be immediately eligible provided the student-athlete has not used a season of participation. For example, the current rule allows a student-athlete to participate and compete in the nontraditional segment (which does not trigger the use of a season of participation) in the fall, become academically ineligible, and then transfer to another Division III institution mid-year and become immediately eligible for competition in the spring championship segment. In this situation, the student-athlete would not have been eligible had he or she remained at the previous institution. This proposal affirms that academic eligibility should be the primary consideration when determining eligibility status for a transfer student-athlete who has participated in practice or competition at a previous institution, including Division III institutions.

Budget Impact: None.

**NO. 2013-11 (NO. 2-5) ELIGIBILITY – RECOGNIZED
FOREIGN EXCHANGE OR STUDY
ABROAD PROGRAM – TRANSFER
AND OUTSIDE COMPETITION
EXCEPTION**

Intent: To specify that if a Division III student-athlete participates in athletics while engaging in a study abroad or foreign exchange program that is recognized by his or her institution,

then the student-athlete shall not trigger the outside competition legislation or the transfer legislation if the student-athlete returns to his or her home institution; further, to specify that a student-athlete participating in such a program shall not trigger the use of a season of participation.

A. Bylaws: Amend 14.1, as follows:

[Roll Call]

14.1 General Eligibility Requirements.

[14.1.1 through 14.1.11 unchanged.]

14.1.12 Recognized Foreign Exchange/Study Abroad Program. A student-athlete who participates in a formal and established educational foreign exchange or study abroad program recognized by the certifying institution's academic authorities shall not be considered a transfer student-athlete upon return to the certifying institution. A student-athlete who also participates (practices or competes) in athletics while participating in the recognized study abroad program does not use a season of participation nor is considered to have engaged in impermissible outside competition. All amateurism regulations still apply.

B. Bylaws: Amend 14.2.4.1, as follows:

[Roll Call]

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. **(See Bylaw 14.1.12 for student-athletes participating in a recognized foreign exchange/study abroad program.)**

[14.2.4.1.1 through 14.2.4.1.3 unchanged.]

C. Bylaws: Amend 14.5.5.1, as follows:

[Roll Call]

14.5.5.1 General Rule. A transfer student from a four-year institution shall not be eligible for intercollegiate competition until the student has fulfilled an academic year of residence (see Bylaw 14.02.10) at the certifying institution unless the student qualifies for one of the transfer exceptions set forth in Bylaws 14.5.5.1.1, 14.5.5.1.2 or 14.5.5.1.3. A transfer student (other than one under disciplinary suspension per Bylaw 14.5.1.2) may qualify for an

exception to the academic year of residence requirement provided he or she does not have an unfulfilled residence requirement at the institution from which he or she is transferring. **(See Bylaw 14.1.12 for student-athletes participating in a recognized foreign exchange/study abroad program.)**

D. Bylaws: Amend 14.7.1, as follows:

[Roll Call]

14.7.1 Outside Competition. A student-athlete becomes ineligible for intercollegiate competition in that sport until eligibility is restored by the Committee on Student-Athlete Reinstatement if, after enrollment in college and during any year in which the student-athlete is a member of an intercollegiate squad or team, he or she competes or has competed as a member of any outside team in any noncollegiate, amateur competition (e.g., tournament play, exhibition games or other activity) during the institution's intercollegiate season in the sport (see Bylaw 14.7.3 for exceptions and waivers) unless restored to eligibility before that time by the Committee on Student-Athlete Reinstatement. **(See Bylaw 14.1.12 for student-athletes participating in a recognized foreign exchange/study abroad program.)**

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

Effective Date: Immediate

Rationale: Many student-athletes participate in a foreign exchange or study abroad program as a part of their collegiate experience. Currently, when a student-athlete participates in such a program, participating in athletics during this period could render the student-athlete ineligible by triggering the outside competition legislation. Further, the student-athlete often triggers transfer status and would have to satisfy an exception to the transfer legislation to be immediately eligible on return to the certifying institution. Lastly, student-athletes who participate in athletics while abroad could trigger the use of a season of participation. Modifying the legislation to prevent these consequences is consistent with the Division III philosophy and encourages student-athletes to participate in study abroad programs similarly to the general student body. An institution's recognition of a study abroad or foreign exchange program is not limited only to those programs that are conducted by the institution itself; so long as the program is recognized by the institution, this exception will apply.

Budget Impact: None.

**NO. 2013-12 (NO. 2-3) AMATEURISM – PROMOTIONAL
ACTIVITIES – PROSPECTIVE
STUDENT-ATHLETE’S
PARTICIPATION IN
INSTITUTIONAL FUNDRAISERS**

Intent: To permit prospective student-athletes to participate in institutional fundraisers prior to their initial collegiate enrollment provided the prospect has graduated from high school and has forwarded the paid acceptance of the institution’s written offer of admission and/or financial aid.

Bylaws: Amend 12.5.1.1.6, as follows:

[Roll Call]

12.5.1.1.6 Prospective Student-Athlete’s Participation in Institutional Fundraisers or Promotions. Prospective student-athletes may not be involved in institutional fundraisers or promotional activities (see Bylaw 13.02.7). [D]

12.5.1.1.6.1 Exception. A prospective student-athlete who has graduated from high school and has forwarded the paid acceptance of the institution’s written offer of admission and/or financial aid may be involved in institutional fundraisers or promotional activities.

Source: State University of New York Athletic Conference, Wisconsin Intercollegiate Athletic Conference

Effective Date: Immediate

Rationale: Currently, prospective student-athletes are prohibited from participating in institutional fundraisers prior to their attending classes or reporting for practice activities. This prohibition precludes those prospective student-athletes who have made a determination on their institution of attendance from participating in fundraisers that may be intended to pay or supplement the costs associated with preseason practice (e.g., food, lodging) and/or other participation-related expenses.

Governance Structure Position: The NCAA Division III Management Council and the Interpretations and Legislation Committee support this proposal. The Council and committee recognize that allowing prospective student-athletes to participate in institutional fundraisers provides an opportunity for these individuals to offset the costs of participation-related expenses. Additionally, it will provide an opportunity for prospective student-athletes to begin integrating with the institution’s team. The Council and committee also believe that the requirements that prospective student-athletes graduate and forward a paid acceptance of admission or financial aid before participating in an institutional fundraiser are sufficient to prevent potential abuse.

Budget Impact: None.

**NO. 2013-13 (NO. 2-2) AMATEUR STATUS – BEFORE
INITIAL, FULL-TIME COLLEGIATE
ENROLLMENT – PRIZE MONEY
BASED ON TEAM PERFORMANCE**

Intent: To specify that before initial full-time collegiate enrollment, an individual may accept payment based on the individual's or his or her team's place finish or performance, or given on an incentive basis (e.g., bonus) from a team, provided the combination of such payments and expenses provided to the individual does not exceed his or her actual and necessary expenses.

Bylaws: Amend 12.1.3.1, as follows:

[Roll Call]

12.1.3.1 Permissible Activities – Before Initial, Full-Time Collegiate Enrollment. Before initial, full-time collegiate enrollment, an individual may engage in the following without jeopardizing his or her amateur status:

(a) Prize Money Based on Place Finish. May accept prize money based on **the individual's or his or her team's place finish or performance, or payment given on an incentive basis (e.g., bonus) from a team,** from the sponsor of an open athletics event, the U.S. Olympic Committee or the appropriate national governing body. **If payment is based on a team's performance then the combination of such payments and expenses shall not exceed his or her actual and necessary expenses;**

[12.1.3.1-(b) through 12.1.3.1-(o) unchanged.]

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

Effective Date: August 1, 2013

Rationale: Prior to initial full-time collegiate enrollment, an individual may compete in an open event and receive prize money based on his or her place finish or performance. Such prize money is not limited to actual and necessary expenses. Individuals that compete on a team are not afforded the same opportunity to receive prize money based on performance. NCAA Divisions I and II permit individuals to receive prize money based on a team's performance without jeopardizing their amateur status. Consequently, individuals in team sports are being put in a difficult situation. The individual on a winning team may accept prize money while his or her teammate who is considering a Division III institution could not accept the money. It is not equitable to treat the team sport athletes differently, nor is it reasonable for an individual to discern these amateurism nuances between divisions. Consistency as well as fairness for these individuals justifies allowing receipt of prize money based on a team's performance, so long as the prize money does not exceed actual and necessary expenses.

Budget Impact: None.

Appendix A

Voting in Division III Business Session

The provisions of NCAA Constitution 5.1.4.3.2 specify that dominant legislation per Constitutions 1 and 2 and elsewhere, and federated legislation determined by the Executive Committee to be contrary to the Association's basic purpose, fundamental policies and general principles shall be acted upon by the divisions meeting in joint session. The provisions of Constitution 5.1.4.3.3 specify that federated legislation pertaining to a single division or more than a single division of the Association may be acted upon by the appropriate divisions during the separate divisional business sessions.

Division III Business Session

Proposal No.	Title	Page
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PRESIDENTS COUNCIL GROUPING

1 (2-1)	Organization – Presidents Council – Increase Composition to 18 Members – Amend Representational Requirements	2
2 (2-13)	Division Membership – Championship Eligibility and Grant Funding – Institutions Reclassifying From Division III to Division II	3
3 (2-7)	Awards and Benefits – Special Achievement Awards – Conference Post-graduate Scholarship	4
4 (2-8)	Playing and Practice Seasons – General Playing-Season Regulations – Sickle-Cell Trait Status	6

GENERAL GROUPING

5 (2-9)	Playing and Practice Seasons – Football – Five-Day Acclimatization Period – Three-Hour Recovery Period	9
6 (2-11)	Playing and Practice Seasons – Ice Hockey – First Permissible Contest Date – November 1	11
7 (2-12)	Playing and Practice Seasons – Tennis – Fall Period – Exception to Playing and Practice Season – Intercollegiate Tennis Association – National Small College Championship	11
8 (2-10)	Playing and Practice Seasons – Football – Out-Of-Season Athletically Related Activities – Use of Hand Shields	12
9 (2-4)	Recruiting – Electronic Transmissions – All Forms Of Private Electronic Correspondence Permitted	13
10 (2-6)	Eligibility – Four-Year College Transfers – Exceptions – Transfer From A Division III Institution – Change From Season Of Participation To Any Participation	15

11 (2-5)	Eligibility – Recognized Foreign Exchange or Study Abroad Program – Transfer and Outside Competition Exception.....	16
12 (2-3)	Amateurism – Promotional Activities – Prospective Student-Athlete’s Participation in Institutional Fundraisers.....	19
13 (2-2)	Amateur Status – Before Initial, Full-Time Collegiate Enrollment – Prize Money Based On Team Performance.....	20

**All proposals are designated by the Division III Presidents Council for roll-call vote.*

Appendix B

Interpretations to be Included in the 2013-14 NCAA Division III Manual

In accordance with its authority to recommend incorporation of interpretations in the next printing of the NCAA Division III Manual, the NCAA Division III Interpretations and Legislation Committee has recommended and the NCAA Division III Management Council has approved inclusion of the following in the 2013-14 Division III Manual. This will be referenced in the report of this Official Convention Notice during the 2013 Division III business session. Approval of this Official Notice will constitute the incorporation of these interpretations. If a delegate objects to incorporation of a particular interpretation, that objection should be raised at the time of the report of the Official Notice. (It is preferred that any delegate intending to raise an objection also inform a member of the academic and membership affairs staff of that intent before the Division III business session.) The Division III membership then will decide by majority vote of the eligible voters whether to incorporate the interpretation.

It should be noted that these interpretations already have been accepted by the membership, and the only issue concerning these interpretations that is before the Division III membership is whether they should be set forth in the 2013-14 Division III Manual and subsequent Division III Manuals. If the membership votes not to incorporate a particular interpretation into the Manual, the interpretation will still be binding on the membership; it simply will not be included in the 2013-14 Division III Manual.

For each of these interpretations approved by the Management Council, the provisions of Constitution 5.4.1.4 also would apply (i.e., any Division III member to which the interpretation applies may request a review of that interpretation at the 2013 Division III business session by making such a request in writing to the academic and membership affairs staff or the Association's Convention office before 1 p.m. on the day preceding the Division III business session of the Convention). If an interpretation is not challenged per Constitution 5.4.1.4 and the incorporation of the interpretation into the 2013-14 Division III Manual also is not challenged, it will appear in the 2013-14 Division III Manual as noted.

NO. I-2013-1	AWARDS AND BENEFITS – AWARDS – UNIFORMITY OF PARTICIPATION AWARDS
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Bylaws: Amend 16.1.2, as follows:

16.1.2 Uniformity of Awards. Awards presented by a member institution, conference or other approved agency must be uniform for all team members receiving the award. **A member institution, conference or other approved agency may provide different participation awards based on the year or**

class (e.g., freshman, sophomore, first-year participant, second-year participant) of a student-athlete, provided the awards are uniform for all recipients within a given year or class. [R]

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

Effective Date: Immediate.

Additional Information: Incorporating this interpretation (Reference: July 13, 2011, Item No. 2-c) in the Manual clarifies the flexibility institutions have regarding participation awards.

NO. I-2013-2

**RECRUITING – DEFINITION OF A
RECRUITING OR SCOUTING SERVICE**

A. Bylaws: Amend 13.02, as follows:

[13.02.1 through 13.02.11 unchanged.]

13.02.12 Recruiting or Scouting Service. A recruiting or scouting service includes any individual, organization, entity or segment of an entity that is primarily involved in providing information about prospective student-athletes. A recruiting or scouting service may include:

(a) Any service that provides information only to paid subscribers;

(b) Any service that is only available to a select group of individuals (e.g., coaches), regardless of whether there is a charge associated with the service; and

(c) Any service that provides information to the public free of charge.

Any individual, organization or entity or segment of an entity that provides information about prospective student-athletes incidental to its primary purpose and is generally available to the public (e.g., news media), is not considered a recruiting or scouting service.

[13.02.12 renumbered as 13.02.13, unchanged.]

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

Effective Date: Immediate.

Additional Information: The incorporation of this October 26, 2011, official interpretation provides guidance in determining entities that would be classified as recruiting or scouting services and makes the information more readily accessible to the Division III membership.

Appendix C

Noncontroversial Legislation Adopted by the NCAA Division III Management Council

Pursuant to NCAA Constitution 4.8.3-(d) and 5.3.1.1.1, the NCAA Division III Management Council has adopted the following noncontroversial legislative amendments during the past year. The Management Council is permitted to adopt such legislation if it is necessary to promote the normal and orderly administration of the Association's legislation. These actions will be referenced in the report of this Official Convention Notice during the 2013 Division III business session. Approval of the Official Notice will constitute ratification of these actions and incorporation in the 2013-14 NCAA Division III Manual. If a delegate objects to ratification of a particular amendment, that objection should be raised at the time of the report of the Official Notice. (It is preferred that any delegate intending to raise an objection also inform a member of the academic and membership affairs staff of that intent before the Division III business session.) The Division III membership then will decide by majority vote of the eligible voters whether to ratify that amendment.

NO. NC-2013-1	PLAYING AND PRACTICE SEASONS – WOMEN'S BOWLING – PRESEASON PRACTICE AND FIRST DATE OF COMPETITION – OCTOBER 1
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Intent: In women's bowling, to specify that an institution shall not commence practice sessions or engage in its first date of competition with outside competition prior to October 1.

A. Bylaws: Amend 17.1.1.3.2, as follows:

17.1.1.3.2 Sports with a Winter NCAA Championship. The length of an institution's playing season shall be limited to a maximum of 19 weeks.

17.1.1.3.2.1 Season Limitations. Except for the sports of basketball, **women's bowling**, hockey and wrestling (the applicable provisions are set forth in the specific sports sections) and unless otherwise noted in the applicable sport section, the playing season shall be conducted according to the following:

(a) First Practice or Competition. September 7 or the institution's first day of classes for the fall term, whichever is earlier.

(b) End of Season. All practice and competition shall be completed by the conclusion of the NCAA championship. An institution may continue practice and competition beyond

the NCAA championship provided it is within 19 weeks and all practice and competition is completed not later than five weekdays before the first day of the institution's final examinations for the regular academic year. If an institution's academic year concludes with a nonregular academic term (e.g., May term), then all practice and competition shall be completed not later than the first day of final examinations for that nonregular academic term. [See Bylaws 17.1.2-(c) and (d) regarding holiday, vacation and final examination periods.]

B. Bylaws: Amend 17.4, as follows:

17.4 Bowling, Women's.

[17.4 through 17.4.1 unchanged.]

17.4.2 Preseason Practice. *(See Bylaw 17.1.1.3.2.1)* **A member institution shall not commence practice sessions in bowling before October 1.**

17.4.3 First Date of Competition. *(See Bylaw 17.1.1.3.2.1)* **A member institution shall not engage in its first date of competition in bowling before October 1.**

[17.4.4 through 17.4.6 unchanged.]

Source: NCAA Division III Management Council (Championships Committee).

Effective Date: August 1, 2012.

Additional Information: This proposal standardizes the first permissible dates of preseason practice and competition for women's bowling in all NCAA divisions and minimizes the pressure to begin the season early in the academic year.

Budget Impact: None.

NO. NC-2013-2	PLAYING AND PRACTICE SEASONS – WOMEN'S BOWLING – NUMBER OF DATES OF COMPETITION
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Intent: In women's bowling, to specify that an institution shall limit its total playing schedule with outside competition to, and that an individual student-athlete may participate in, each academic year, 32 dates of competition; further, to include all dates of competition of a tournament in the maximum limitation.

Bylaws: Amend 17.4.5, as follows:

17.4.5 Number of Dates of Competition.

17.4.5.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule against outside competition in bowling during the institution's bowling playing season to ~~26~~ **32** dates of competition (games and scrimmages), *including not more than 10 tournaments*

~~that are counted as single dates of competition~~ except for those dates of competition excluded under Bylaw 17.4.5.3 (see Bylaw 17.02.6.1 for required minimum number of student-athletes and Bylaw 20.11.3.5 for minimum contests and participants requirements). For in-season foreign competition, see Bylaw 17.1.4.3.

17.4.5.2 Maximum Limitations – Student-Athlete. A student-athlete may participate in each academic year in ~~26~~ **32** dates of competition in bowling, ~~including not more than 10 tournaments that are counted as single dates of competition~~. This limitation includes those dates of competition in which the student 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 17.02.8.

[Remainder of 17.4.5 unchanged.]

Source: NCAA Division III Management Council (Championships Committee).

Effective Date: August 1, 2012.

Additional Information: Under current legislation, institutions and student-athletes may participate in 26 dates of competition. However, with the tournament provision, up to 10 three-day tournaments may count as single dates of competition, which permits institutions and student-athletes to participate in as many as 46 dates of competition (i.e., $10 \times 3 = 30$ plus 16 additional dates of competition = 46 total). By eliminating the tournament provision, this recommendation standardizes the total dates of competition for institutions and student-athletes and also reduces the total dates of competition for institutions and student-athletes by as many as 14 dates.

Budget Impact: Potential cost savings to institutions due to a decrease in dates of competition.

NO. NC-2013-3	AMATEUR STATUS – PROMOTIONAL ACTIVITIES – PROSPECTIVE STUDENT- ATHLETE’S PARTICIPATION IN INSTITUTIONAL FUNDRAISERS OR PROMOTIONS – DE MINIMIS
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Intent: To specify that a violation of legislation related to a prospective student-athlete’s participation in institutional fundraisers or promotions shall be considered an institutional violation; the student-athlete’s eligibility shall not be affected.

Bylaws: Amend 12.5.1.1.6, as follows:

12.5.1.1.6 Prospective Student-Athlete’s Participation in Institutional Fundraisers or Promotions. Prospective student-athletes may not be involved in institutional fundraisers or promotional activities (see Bylaw 13.02.6). **[D]**

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

Effective Date: Immediate.

Additional Information: All Bylaw 12 violations affect eligibility unless there is specific language to the contrary. Because there is no specific language to the contrary, Bylaw 12.5.1.1.6 affects a prospective student-athlete's eligibility. A student-athlete, however, who unknowingly participates in an impermissible institutional fundraiser, does not have his or her eligibility affected. The violation is *de minimis* (meaning it is an institutional violation but it does not affect the student-athlete's eligibility). It is not equitable in this type of situation to hold that a prospective student-athlete who participates in an institutional fundraiser suffers a stiffer penalty than a student-athlete. For that reason, the committee determined that violations of Bylaw 12.5.1.1.6 should be *de minimis*.

Budget Impact: None.

NO. NC-2013-4	RECRUITING – TRANSPORTATION – TRANSPORTATION TO ENROLL FROM ANY BUS OR TRAIN STATION OR AIRPORT
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Intent: To permit an institutional staff member to provide a student-athlete with transportation from any bus or train station or airport to campus on the occasion of the student-athlete's initial arrival at the institution to attend class.

Bylaws: Amend 13.5.4, as follows:

13.5.4 Transportation to Enroll. An institution or its representatives shall not furnish a prospective student-athlete, directly or indirectly, with transportation to the campus for enrollment. However, it is permissible for any member of the institution's staff to provide transportation from *the nearest* **any** bus or train station or *major* airport to the campus on the occasion of the student-athlete's initial arrival at the institution to attend classes. **[R]**

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

Effective Date: Immediate.

Additional Information: Current legislation allows transportation from the nearest bus or train station or major airport, which can become a challenge if there are different stations and airports in close proximity to the institution. By amending the legislation, the burden of monitoring the location at which a prospective student-athlete is arriving on the occasion of his or her initial enrollment will be eliminated.

Budget Impact: Minimal, depending upon extent to which the institution provides transportation to enroll.

Intent: To permit an institution to provide expenses for practice on an extended road trip en route to the first competition site.

A. Bylaws: Amend 16.7.4, as follows:

16.7.4 Practice Sites on Road Trips. Any practice on an extended road trip shall take place either at the competition site or on a direct route between the institution's campus and the first competition site or on a direct route between two consecutive competition sites. It is not permissible for an institution to schedule practice sessions at other locations *in-order* to provide entertainment opportunities for team members. [D]

B. Bylaws: Amend 16.8.1.1.1, as follows:

16.8.1.1.1 Practice Sites on Road Trips. Any practice on an extended road trip shall take place either at the competition site or on a direct route between the institution's campus and the first competition site or on a direct route between two consecutive competition sites. [D]

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

Effective Date: Immediate.

Additional Information: Current legislation permits an institution to provide practice expenses on an extended road trip only at the competition site or on a direct route between two competition sites. Consequently, a team that leaves its campus for a spring trip may not incur expenses associated with practice until the team reaches the locale of the competition site. Therefore, if a golf team stops at a golf course on a direct route between campus and the first competition site, the institution may not pay for the team to play a practice round of golf. The student-athletes may pay the expense, but the institution may not. The committee agreed the rationale for the current legislation was to prohibit strictly training trips and ensure that extended road trips are tied to competition. The committee determined that an institution could pay practice expenses and still uphold this rationale so long as the practice occurred at a location on a direct route between campus and the competition site.

Budget Impact: Potential additional costs for practice associated with extended road trips.

Intent: To specify that a student-athlete who is involved in a case of clearly observed manipulation of an NCAA drug test shall be declared ineligible for further participation in postseason and regular-season competition during the time period ending two calendar years (730 days) after the student-athlete was involved in the manipulation of a drug test.

A. Bylaws: Amend 18.4.1.5.1.1, as follows:

18.4.1.5.1.1 Breach of NCAA Drug-Testing Program Protocol. A student-athlete who is in breach of the NCAA drug-testing program protocol (e.g., no show, *tampering with sample*) shall be considered to have tested positive for the use of any drug other than a “street” drug.

18.4.1.5.1.1 Manipulation of Drug Test Sample. A student-athlete who is involved in a case of clearly observed manipulation of an NCAA drug test, as documented per NCAA drug-testing protocol by a drug-testing crew member, shall be declared ineligible for further participation in postseason and regular-season competition during the time period ending two calendar years (i.e., 730 days) after the student-athlete was involved in the manipulation of a drug test.

B. Administrative: Amend 31.2.3.1, as follows:

31.2.3.1 Breach of NCAA Drug-Testing Program Protocol. A student-athlete who is in breach of the NCAA drug-testing program protocol (e.g., no show, *tampering with sample*) shall be considered to have tested positive for the use of any drug other than a “street” drug.

31.2.3.1.1 Manipulation of Drug Test Sample. A student-athlete who is involved in a case of clearly observed manipulation of an NCAA drug test, as documented per NCAA drug-testing protocol by a drug-testing crew member, shall be declared ineligible for further participation in postseason and regular-season competition during the time period ending two calendar years (i.e., 730 days) after the student-athlete was involved in the manipulation of a drug test.

Source: NCAA Division III Management Council (Committee on Competitive Safeguards and Medical Aspects of Sports).

Effective Date: August 1, 2012.

Additional Information: The penalty for testing positive for use of a banned substance is a serious penalty, supported by the

membership as a strong deterrent to banned drug use to protect the integrity of the game and student-athlete health and safety. The current penalty for breach of protocol (e.g., tampering with a sample) is the same as that for a positive test. A deliberate attempt by a student-athlete to alter his or her urine specimen (documented per NCAA drug-testing protocol by a drug-testing crew member), through the use of added substances or by substituting another's urine, demonstrates an egregious violation of ethical conduct. This behavior warrants an even more serious automatic penalty as a deterrent to such behavior and as a sanction when it occurs. As with all drug-testing penalties, there is an appeal process available to the institution and student-athlete.

Budget Impact: None.

**NO. NC-2013-7 ORGANIZATION – PRESIDENTS
COUNCIL – EXTENSION TO
PRESIDENTS COUNCIL TERM OF
OFFICE**

Intent: To specify that the Presidents Council may waive the four-year term limit if the nominations subcommittee concludes that an extension is necessary and appropriate to enhance the Presidents Council's continuity and effectiveness or otherwise allow the Presidents Council to continue to fulfill its representational requirements.

Constitution: Amend 4.4.3.2, as follows:

4.4.3.2 Term of Office. Members of the Presidents Council shall serve four-year terms. **The Presidents Council may waive the four-year term limit if an extension is necessary and appropriate to enhance the Presidents Council's continuity and effectiveness or otherwise allow the Presidents Council to continue to fulfill its representational requirements.** Members shall not be eligible for another term on the Council until two years have elapsed. An individual may not serve on the Council for more than two terms.

Source: NCAA Division III Presidents Council (Nominations Subcommittee).

Effective Date: Immediate.

Additional Information: This proposal gives the Presidents Council greater flexibility to effectively fulfill its responsibilities if the nominating subcommittee does not receive a sufficient number of eligible nominations to fill specific vacancies.

Budget Impact: None.

Intent: To combine the current set of presumptive penalties and disciplinary measures into one set of penalties to be implemented at the discretion of the Committee on Infractions.

Bylaws: Amend 19.5, as follows:

19.5 Penalties.

[19.5.1 unchanged.]

19.5.2 Penalties, Disciplinary Measures and Corrective Actions for Major Violations. The Committee on Infractions has the authority to determine the penalties, disciplinary measures and corrective actions that are imposed on an institution for major violations. The Infractions Appeals Committee shall hear and act on an institution's appeal per Bylaw 19.2. The committee(s) may consider institutional- or conference-determined penalties and, where appropriate, include those in the penalties. Institutional- or conference-determined penalties shall not displace or substitute for the committee's judgment regarding sanctions. Penalties, disciplinary measures and corrective actions for major violations shall include those penalties, disciplinary measures and corrective actions prescribed for secondary violations and may include any and all of the following:

19.5.2.1 - Presumptive Penalty. The presumptive penalty for a major violation, subject to exceptions authorized by the Committee on Infractions on the basis of specifically stated reasons, shall include all of the following:

(a) A two-year probationary period (including a periodic in-person monitoring system and written institutional reports);

(b) The reduction in the number of expense-paid recruiting visits to the institution in the involved sport for one recruiting year;

(c) A restriction on activities and benefits provided during unofficial visits (see Bylaw 13.7);

(d) A requirement that all coaching staff members in the sport be prohibited from engaging in any off-campus recruiting activities for up to one recruiting year;

(e) A requirement that all institutional staff members determined by the committee knowingly to have engaged in or condoned a major violation be subject to:

(1) Termination of employment;

- ~~(2) Suspension without pay for at least one year;~~
- ~~(3) Reassignment of duties within the institution to a position that does not include contact with prospective or enrolled student-athletes or representatives of the institution's athletics interests for at least one year; or~~
- ~~(4) Other disciplinary action approved by the committee.~~
- ~~(f) Sanctions precluding postseason competition in the sport, particularly in those cases in which:~~
 - ~~(1) Involved individuals remain active in the program;~~
 - ~~(2) A significant competitive advantage results from the violation(s); or~~
 - ~~(3) The violation(s) reflect a lack of institutional control.~~
- ~~(g) Institutional recertification that the current athletics policies and practices conform to all requirements of NCAA regulations.~~

(a) Public reprimand and censure.

(b) Probation for up to five years. Conditions of probation shall be determined on a case-by-case basis. A failure to satisfy the conditions of probation may result in additional findings of violation(s), including the failure to cooperate, lack of institutional control and/or violations of conditions for membership, and shall result in a reconsideration of the initial penalties imposed, including an extension of the probationary period and imposition of additional penalties. Conditions of probation shall include, but are not limited to, the following:

- (1) Annual written reports shall be submitted to the Committee on Infractions detailing compliance with probationary conditions; and**
- (2) At the conclusion of probation, the institution shall certify that current athletics policies and procedures conform to all requirements of NCAA legislation and that all conditions of probation have been satisfied.**

(c) Information regarding the violations committed, the term of probation and penalties must be noted on the home page of the institution's athletics website, in the media guide for the involved sport(s) and in recruiting materials provided to prospective student-athletes in the involved sport(s). Such information must be displayed and provided to prospective student-athletes for the full term of probation. Information to prospective student-athletes must be

provided as soon as practicable after the prospective student-athlete is recruited pursuant to Bylaw 13.02.8 and, in all instances, before the prospective student-athlete signs a financial aid agreement or initially enrolls at the institution, whichever is earlier.

(d) Ineligibility for postseason competition in the involved sport(s), particularly in situations in which:

(1) Individual(s) involved in the violation(s) remain active in the sport program;

(2) A significant competitive advantage resulted from the violation(s);

(3) The violation(s) indicate a lack of institutional control or failure to monitor the involved sport(s) or athletics program;

(4) The violation(s) include academic fraud; or

(5) The institution is a repeat violator.

(e) Pursuant to Bylaw 14.12.1.2-(c), a recommendation to the Management Council that it waive the one-year residence requirement and permit full athletics participation in a sport for a student-athlete who transfers to another member institution when the Committee on Infractions renders the student-athlete's previous institution's team in that sport ineligible for postseason competition during all of the remaining seasons of the student-athlete's eligibility. No student-athlete will be allowed such a waiver unless the student-athlete would have been eligible for participation had he or she remained at the previous institution.

(f) Ineligibility for participation in or hosting outside, invitational and/or NCAA championship competition in the involved sport(s).

(g) Vacation of records in a case in which a student-athlete(s) has competed while ineligible, particularly in a case involving academic fraud, serious intentional violations, a large number of violations, direct or knowing involvement of a coach or high-ranking administrator, competition while academically ineligible, competition while ineligible in conjunction with a finding of failure to monitor or lack of institutional control or a case in which vacation or a similar penalty would be imposed if the underlying violation(s) were secondary. Records to be vacated may include one or more of the following, as applicable:

(1) Individual records and performances in individual sports, including reconfiguration of the institution team point totals after vacation of

individual records and performances;

(2) Relay, doubles and similar team records in individual sports when one or more team member competes while ineligible, including reconfiguration of the institution team point totals after vacation of relay, doubles or similar results;

(3) Team and individual records and performances in team sports;

(4) Records of head coaches; and

(5) In conjunction with any vacation, the return of individual or team awards to the Association may be required.

(h) A financial penalty.

(i) Ineligibility for selection involving network and/or broadband television broadcasts for the involved sport(s).

(j) A reduction in the number of expense-paid recruiting visits in the involved sport(s).

(k) A restriction on activities and benefits provided during unofficial visits.

(l) Limiting or prohibiting the recruiting activities of some or all coaching staff members in the involved sport(s).

(m) An outside audit or review of the institution's athletics policies and procedures (including, but not limited to, compliance policies and procedures).

(n) A requirement that the institution must provide a copy of the infractions report to the institution's regional accrediting agency if the violation(s) involves academic misconduct or reflects questionable academic conduct or procedures.

(o) Ineligibility of institutional staff members to serve on NCAA standing or special committees, councils or task forces, including as representatives of their institution or conference.

(p) Requirement that the institution take disciplinary action against an institutional staff member(s) who knowingly committed or condoned a major violation, including suspension of the head coach or the staff member(s) for one or more competition(s), and other disciplinary action(s) approved by the Committee on Infractions.

(q) Issuance of a show-cause order per Bylaw 19.5.2.2 against an institutional staff member if that staff member has committed unethical conduct (see Bylaw

10.1) or other serious violations.

(r) Pursuant to the provisions of Bylaw 19.5.2.6, exclusion of an individual or entity, including disassociation of a representative of an institution's athletics interests, from involvement in an institution's athletics program on a permanent basis or for a specified period of time.

(s) Other penalties, corrective actions and disciplinary measures, as appropriate.

19.5.2.2 - Disciplinary Measures. In addition to those penalties prescribed for secondary violations, among the disciplinary measures, singly or in combination, that may be adopted by the committee (or the Infractions Appeals Committee per Bylaw 19.2) and imposed against an institution for major violations are:

- (a) Public reprimand and censure;*
- (b) Probation for at least one year;*
- (c) Prohibition against the recruitment of prospective student-athletes for a sport or sports for a specified period;*
- (d) One or more of the following penalties:*
 - (1) Individual records and performances shall be vacated or stricken; or*
 - (2) Team records and performances shall be vacated or stricken; or*
 - (3) Individual or team awards shall be returned to the Association.*
- (e) Financial penalty;*
- (f) Ineligibility for any television programs involving coverage of the institution's intercollegiate athletics team or teams in the sport or sports in which the violations occurred;*
- (g) Ineligibility for invitational and postseason meets and tournaments;*
- (h) Ineligibility for one or more NCAA championship events;*
- (i) Prohibition against an intercollegiate sports team or teams participating against outside competition for a specified period;*
- (j) Ineligibility of the member to vote or its personnel to serve on committees of the Association, or both; and*
- (k) Requirement that a member institution that has been found in violation, or that has an athletics department staff member who has been found in*

violation of the provisions of NCAA legislation while representing another institution, show cause why:

(1) A penalty or an additional penalty should not be imposed if, in the opinion of the committee (or the Infractions Appeals Committee per Bylaw 19.2), it does not take appropriate disciplinary or corrective action against athletics department personnel involved in the infractions case, any other institutional employee, if the circumstances warrant, or representatives of the institution's athletics interests;

(2) A recommendation should not be made to the membership that the institution's membership in the Association be suspended or terminated if, in the opinion of the committee (or the Infractions Appeals Committee per Bylaw 19.2), it does not take appropriate disciplinary or corrective action against the head coach of the sport involved, any other institutional employee, if the circumstances warrant, or representatives of the institution's athletics interests;

(3) "Appropriate disciplinary or corrective action" as specified in subparagraphs (1) and (2) above may include, for example, termination of the coaching contract of the head coach and any assistants involved; suspension or termination of the employment status of any other institutional employee who may be involved; severance of relations with any representative of the institution's athletics interests who may be involved; the debarment of the head or assistant coach from any coaching; recruiting or speaking engagements for a specified period; and the prohibition of all recruiting in a specified sport for a specified period;

(4) The nature and extent of such action shall be the determination of the institution after due notice and hearing or oral argument to the individuals concerned, but the determination of whether or not the action is appropriate in the fulfillment of NCAA policies and principles, and its resulting effect on any institutional penalty, shall be solely that of the committee (or the Infractions Appeals Committee per Bylaw 19.2); or

(5) Where this requirement is made, the institution shall show cause or, in the alternative, shall show the appropriate disciplinary or corrective action taken, in writing, to the committee (or the Infractions Appeals Committee per Bylaw 19.2) within 15 days thereafter. The committee (or the Infractions Appeals Committee per Bylaw 19.2) may, without further hearing or oral argument, determine on the basis of such writing whether or not in its opinion

~~appropriate disciplinary or corrective action has been taken and may impose a penalty or additional penalty; take no further action, or, by notice to the institution, conduct a further hearing or oral argument at a later date before making a final determination.~~

19.5.2.2.1 Opportunity to Appear. In the event the committee considers additional penalties to be imposed on an institution in accordance with Bylaw 19.5.2.2(q) above, the involved institution shall be provided the opportunity to appear before the committee; further, the institution shall be provided the opportunity to appeal (per Bylaw 19.6.2) any additional penalty imposed by the committee.

19.5.2.2 Show-Cause Order. Penalties, corrective actions and disciplinary measures may be directed at a particular institutional staff member who has been found to have committed a violation(s). A show-cause order may also be directed at a representative of an institution's athletics interests. A show-cause order shall specify the period of time over which the sanction(s) are in effect regarding the individual, whether the individual remains at the institution where the violation(s) occurred or the individual is employed by another institution.

19.5.2.2.1 Obligation to Comply. If an institutional staff member who is subject to a show-cause order is employed by an institution other than the institution at which the violation(s) occurred, that institution must comply with the sanctions imposed unless and until it can show cause to the satisfaction of the Committee on Infractions (or the Infractions Appeals Committee per Bylaw 19.2) why it need not comply. Failure to comply with the sanctions may subject the institution to findings of violations, including a failure to cooperate and lack of institutional control, as well as other penalties, corrective actions and disciplinary measures, as appropriate.

19.5.2.2.1.1 Hearing Opportunity. If the individual is employed by another institution, the institution may show cause why it need not comply with an order either by written submission or in an appearance before the Committee on Infractions.

[Remainder of 19.5 unchanged.]

Source: NCAA Division III Management Council (Committee on Infractions).

Effective Date: Immediate.

Additional Information: This is a new Division III penalty structure for major violations cases. Penalties for major violations are presently divided into two subsections: presumptive penalties and disciplinary measures. The presumptive penalties must be imposed by the Committee on Infractions in every case unless there is a reason to deviate. The disciplinary measures may be imposed by the committee in addition to the presumptive penalties and the penalties available for secondary infractions. The recommended change combines the penalties for simplification and will allow the committee to impose any available penalty without a mandate to impose certain penalties, regardless of the circumstances of a particular case. This will allow the committee to determine an order of probation that is tailored to the issues of each institution in the major violations process.

Budget Impact: None.

NO. NC-2013-9	COMMITTEES – STRATEGIC PLANNING AND FINANCE COMMITTEE – INCREASING COMPOSITION BY ONE MEMBER AND REQUIRING TWO CONFERENCE REPRESENTATIVES
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Intent: To expand the Strategic Planning and Finance Committee by one member, who shall be a Management Council representative, and to specify that at least two members of the committee be conference administrators.

Bylaws: Amend 21.9.5.1.1, as follows:

21.9.5.1.1 Composition. The Strategic Planning and Finance Committee shall consist of ~~12~~ **13** members, including the vice chair of the Presidents Council; three additional members of the Presidents Council; the vice chair of the Management Council; ~~three~~ **four** additional members of the Management Council; the chair of the Championships Committee; two “at-large” members who do not serve on the Presidents Council, Management Council or Championships Committee; and one student-athlete who shall be a member of the Student-Athlete Advisory Committee. **At least two members shall be conference administrators.**

Source: NCAA Division III Management Council (Administrative Review Subcommittee).

Effective Date: Immediate.

Additional Information: The scope of work of the committee to oversee not only the Division III budget and strategic plan but all Division III non-championship initiatives, and specifically its oversight of the Conference Grant Program, warranted

expansion of the committee by one conference representative.

Budget Impact: None. This committee meets by teleconference, resulting in no financial impact.

**NO. NC-2013-10 PLAYING AND PRACTICE SEASONS –
FOOTBALL AND BASKETBALL
SCRIMMAGE – ALLOW PUBLICITY AND
OFFICIAL SCORING**

Intent: In basketball and football, to remove the requirement that a practice scrimmage must be conducted without publicity or official scoring.

A. Bylaws: Amend 17.3.3, as follows:

17.3.3 First Contest. A member institution shall not play its first contest (game or scrimmage) against outside competition in basketball before November 15, except as provided under Bylaw 17.3.3.1.

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:

(a) Practice Scrimmages. A maximum of two informal practice scrimmages with outside competition (~~conducted without publicity or official scoring~~) may be conducted between the first permissible date for on-court preseason practice (see Bylaw 17.3.2.1) and the conclusion of the basketball season;

[Remainder of 17.3.3.1-(b) through (e) unchanged.]

B. Bylaws: Amend 17.9.3, as follows:

17.9.3 First Contest. A member institution shall not play its first contest (game) against outside competition in football before the Friday or Saturday 11 weeks before the first round of the Division III Football Championship.

17.9.3.1 Exceptions. The following football contests (games or scrimmages) are permitted before the first contest date specified under Bylaw 17.9.3:

(a) Preseason Practice Scrimmage. One informal preseason practice scrimmage that may be conducted during the preseason practice period against outside competition (~~conducted without publicity or official scoring and~~ provided neither team misses class); and

(b) Labor Day Weekend. An institution may play its first football contest on the Thursday before Labor Day in years when the first permissible contest date falls during the Labor Day weekend.

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

Effective Date: August 1, 2012.

Additional Information: Under current legislation, football and basketball are the only sports in which a preseason scrimmage must be conducted without publicity and official scoring. This proposal removes arbitrary differences between sports to make the regulations more consistent. This proposal would allow institutions to post their football and basketball scrimmages on their websites without incurring a violation. Further, it would also permit students that will be used as scorekeepers throughout the season to use this scrimmage as a means of training without violating the official scoring prohibition.

Budget Impact: None.

**NO. NC-2013-11 PLAYING AND PRACTICE SEASONS –
REFERENCE TO SCRIMMAGE OR
EXHIBITION**

Intent: To create consistency within the legislation related to the terms “scrimmage,” “exhibition” and “exhibition scrimmages.”

A. Bylaws: Amend 17.02, as follows:

17.02 Definitions and Applications.

[17.02.1 through 17.02.2 unchanged.]

17.02.3 Contest, Countable, Institutional. A countable contest for a member institution, in those sports for which the limitations are based on the number of contests, is any contest by the member institution against an outside team in that sport, unless a specific exemption for a particular contest is set forth in this bylaw. Contests, including scrimmages **or exhibitions**, by separate squads of the same team against different outside teams shall each count as one contest.

[Remainder of 17.02 unchanged.]

B. Bylaws: Amend 17.2, as follows:

[17.2 through 17.2.4 unchanged.]

17.2.5 Number of Contests and Dates of Competition.

17.2.5.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule against outside competition in baseball during the institution's baseball playing season to a maximum of 40 contests (games, *and* scrimmages **and exhibitions**) during the traditional segment, and one date of competition during the nontraditional segment, except for those contests excluded under Bylaw 17.2.5.3. For in-season foreign competition, see Bylaw 17.1.4.3.

17.2.5.2 Maximum Limitations – Student-Athlete. An individual student-athlete may participate in each academic year in a maximum of 40 baseball contests

(games, ~~and~~ scrimmages **and exhibitions**) during the traditional segment and one date of competition during the nontraditional segment. This limitation includes those contests 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 17.02.8.

[Remainder of 17.2 unchanged.]

C. Bylaws: Amend 17.3, as follows:

[17.3.1 through 17.3.2 unchanged.]

17.3.3 First Contest. A member institution shall not play its first contest (games, ~~and~~ scrimmages **and exhibitions**) against outside competition in basketball before November 15, except as provided under Bylaw 17.3.3.1.

17.3.3.1 Exceptions. The following basketball contests (games, ~~and~~ scrimmages **and exhibitions**) are permitted before the first contest dates specified under Bylaw 17.3.3:

(a) **Exhibitions, Practice Scrimmages and Joint Practices.** A maximum of two *informal joint practices scrimmages (may include competition)* with **an** outside ~~competition team (conducted without publicity or official scoring)~~ may be conducted between the first permissible date for on-court preseason practice (see Bylaw 17.3.2.1) and the conclusion of the basketball season;

(b) Basketball Hall of Fame Tip-Off Classic. An institution may play in the Basketball Hall of Fame Tip-Off Classic on or after November 1;

(c) Foreign-Team Games. An exhibition **or scrimmage contest** against a foreign team in the United States may be played on or after November 1 by an institution;

(d) NCAA Division I or II Institution. An institution may play one exhibition **or scrimmage 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~~ **exhibition or scrimmage** (see Bylaw 17.11.1.2) on or after October 15, provided the contest occurs during the declared playing season.

[17.3.4 through 17.3.5.2 unchanged.]

17.3.5.3 Exemptions.

17.3.5.3.1 Sport-Specific Exemptions. The maximum number of basketball contests or competitions shall exclude the following (see Figure 17-1):

(a) Exhibition, ~~Contest and Practice~~ Scrimmages, and

Joint Practices. One of the following may be exempted:

(1) Two *informal joint practices scrimmages* (**may include competition**) with **an** outside *competition team*; or

(2) One *informal joint practice scrimmage* (**may include competition**) with **an** outside *competition team* and one exhibition **or scrimmage contest** against a NCAA Division I or II institution conducted on or after October 31 and before the first permissible contest date.

[Remainder of 17.3 unchanged.]

D. Bylaws: Amend 17.4, as follows:

[17.4 through 17.4.4 unchanged.]

17.4.5 Number of Dates of Competition.

17.4.5.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule against outside competition in bowling during the institution's bowling playing season to 32 dates of competition (games, *and* scrimmages **and exhibitions**) except for those dates of competition excluded under Bylaw 17.4.5.3 (see Bylaw 17.02.6.1 for required minimum number of student-athletes and Bylaw 20.11.3.5 for minimum contests and participants requirements). For in-season foreign competition, see Bylaw 17.1.4.3.

[Remainder of 17.4 unchanged.]

E. Bylaws: Amend 17.5, as follows:

[17.5 through 17.5.2 unchanged.]

17.5.3 First Date of Competition. See Bylaw 17.1.1.3.1.1, except in the traditional segment an institution may conduct an unlimited number of exhibitions **or** scrimmages on one date during the preseason practice period, which shall count as one date of competition in the institution's maximum limitation on contests or dates of competition.

[17.5.4 unchanged.]

17.5.5 Number of Dates of Competition.

17.5.5.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule against outside competition to a maximum of nine dates of competition (games, *and* scrimmages **and exhibitions**), except for those dates of competition excluded under Bylaw 17.5.5.3 (see Bylaw 17.02.6.1 for required minimum number of student-athletes and Bylaw 20.11.3.5 for minimum contests and participants requirements). For in-season foreign competition, see

Bylaw 17.1.4.3.

[Remainder of 17.5 unchanged.]

F. Bylaws: Amend 17.8, as follows:

[17.8 through 17.8.2 unchanged.]

17.8.3 First Contest or Date of Competition. See Bylaw 17.1.1.3.1.1, except during the traditional segment an institution may conduct an unlimited number of exhibitions **or** scrimmages on one date during the preseason practice period, which shall count as one contest in the institution's maximum limitation on contests.

[Remainder of 17.8 unchanged.]

G. Bylaws: Amend 17.9, as follows:

[17.9 through 17.9.2 unchanged.]

17.9.3 Contest.

17.9.3.1 Exceptions. The following football contests (games, **exhibitions** or scrimmages) are permitted before the first contest date specified under Bylaw 17.9.3:

(a) Preseason Joint Practice, Scrimmage **or Exhibition**. One *informal* preseason **joint** practice (may include competition), scrimmage **or exhibition** that may be conducted during the preseason practice period against **an** outside *competition team* (*conducted without publicity or official scoring and* provided neither team misses class); and

(b) Labor Day Weekend. An institution may play its first football contest on the Thursday before Labor Day in years when the first permissible contest date falls during the Labor Day weekend.

17.9.4 End of Playing Season. A member institution's last contest (game, **exhibition** or scrimmage) with outside competition in football shall not be played outside the traditional segment except for those games played in the Division III Football Championship, football contests played on a foreign tour certified by the member institution or the National Association of Intercollegiate Athletics football championships.

17.9.5 Number of Contests.

17.9.5.1 Maximum Limitations – Institutional. A member institution shall limit its total regular-season playing schedule against outside competition in football during the permissible football playing season in any one year to a maximum of 10 contests (games, **exhibitions** and scrimmages), except as provided under Bylaws 17.9.5.3. For in-season foreign competition, see Bylaw 17.1.4.3.

17.9.5.3 Exemptions. The maximum number of football contests shall exclude the following (see Figure 17-1):

(a) Twelve-Member Conference Championship Game. A conference championship game between division champions of a member conference of 12 or more institutions that is divided into two divisions (of six or more institutions each), each of which conducts round-robin, regular-season competition among the members of that division;

(b) Conference Tournament. A conference-sponsored postseason tournament (i.e., one between teams that are not identified until the end of the preceding regular season), not to exceed one contest for any one member institution;

(c) Preseason **Joint** Practice, Scrimmage **or Exhibition**. One *informal* preseason **joint** practice (**may include competition**) scrimmage **or exhibition** conducted during the preseason practice period per Bylaw 17.9.3.1-(a);

[Remainder of 17.9.5.3-(d) through 17.9.6.1 unchanged.]

H. Bylaws: Amend 17.12, as follows:

[17.12 through 17.12.3 unchanged.]

17.12.3 First Contest. A member institution shall not play its first contest (game, **exhibition** or scrimmage) against outside competition in ice hockey before October 15.

17.12.4 End of Playing Season. A member institution shall conclude all practice and competition (games, **exhibitions** and scrimmages) in ice hockey by the conclusion of the Division III Ice Hockey Championship game.

17.12.5 Number of Contests.

17.12.5.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule against outside competition during the institution's ice hockey playing season to a maximum of 25 contests (games, **exhibitions** or scrimmages), except for those contests excluded under Bylaw 17.12.5.3. For in-season foreign competition, see Bylaw 17.1.4.3.

[Remainder of 17.12 unchanged.]

I. Bylaws: Amend 17.15, as follows:

[17.15 through 17.15.4 unchanged.]

17.15.5 Number of Dates of Competition.

17.15.5.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule

against outside competition in rowing during the institution's playing season to a maximum of 20 dates of competition (games, **exhibitions** and scrimmages), except for those dates of competition excluded under Bylaw 17.15.5.3. For in-season foreign competition, see Bylaw 17.1.4.3.

J. Bylaws: Amend 17.16, as follows:

[17.16 through 17.16.2 unchanged.]

17.16.3 First Contest. See Bylaw 17.1.1.3.1.1, except during the traditional segment an institution may conduct an unlimited number of **exhibitions or** scrimmages on one date during the preseason practice period, which shall count as one contest.

[17.16.4 unchanged.]

17.16.5 Number of Contests.

17.16.5.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule with outside competition in rugby during the institution's rugby playing season to 10 contests (games, **exhibitions** or scrimmages), except for those contests excluded under Bylaw 17.16.5.3. For in-season foreign competition, see Bylaw 17.1.4.3.

17.16.5.2 Maximum Limitations – Student-Athlete. An individual student-athlete may participate in each academic year in not more than 10 contests (games, **exhibitions** or scrimmages) in women's rugby. This limitation includes those contests in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution.

[Remainder of 17.16 unchanged.]

K. Bylaws: Amend 17.19, as follows:

[17.19 through 17.19.2 unchanged.]

17.19.3 First Contest or Date of Competition. See Bylaw 17.1.1.3.1.1, except during the traditional segment:

(a) An institution may play up to three soccer scrimmages or exhibition games (which shall not count toward the institution's win-loss record) before the first scheduled contest, provided the scrimmages or exhibition games are conducted during the institution's declared playing season per Bylaw 17.19.1 and are counted against the maximum number of contests.

(b) An institution may conduct an unlimited number of **exhibitions or** scrimmages on one date during the preseason practice period, which shall count as one of three scrimmages or exhibition games detailed in (a).

[Remainder of 17.19 unchanged.]

L. Bylaws: Amend 17.20, as follows:

[17.20 through 17.20.4 unchanged.]

17.20.5 Number and Dates of Competition.

17.20.5.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule against outside competition during the institution's softball playing season to a maximum of 40 contests (games, **exhibitions** and scrimmages) during the traditional segment, and one date of competition during the nontraditional segment, except for those contests excluded under Bylaw 17.20.5.3. For in-season foreign competition, see Bylaw 17.1.4.3.

17.20.5.2 Maximum Limitations – Student-Athlete. A student-athlete may participate in each academic year in a maximum of 40 softball contests (games, **exhibitions** or scrimmages) during the traditional segment and one date of competition during the nontraditional segment. This limitation includes those contests in which the student 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 17.02.8.

[Remainder of 17.20 unchanged.]

M. Bylaws: Amend 17.24, as follows:

[17.24 through 17.24.2 unchanged.]

17.24.3 First Date of Competition.

(a) Men. (See Bylaw 17.1.1.3.3.1)

(b) Women. See Bylaw 17.1.1.3.1.1, except in the traditional segment an institution may conduct an unlimited number of **exhibitions or** scrimmages on one date during the preseason practice period, which shall count as one date of competition in the institution's maximum limitation on contests or dates of competition.

[Remainder of 17.24 unchanged.]

N. Bylaws: Amend 17.25, as follows:

[17.25 through 17.25.2 unchanged.]

17.25.3 First Date of Competition.

(a) Men. A member institution shall not engage in its first date of competition (game, **exhibition** or scrimmage) against outside competition in men's water polo before the first Saturday in September.

(b) Women. (See Bylaw 17.1.1.3.3.1)

[Remainder of 17.25 unchanged.]

O. Bylaws: Amend 17.26, as follows:

[17.26 through 17.26.2 unchanged.]

17.26.3 First Date of Competition. A member institution shall not engage in its first date of competition (match, exhibition or scrimmage) against outside competition in wrestling in either the traditional or nontraditional segment before November 1.

P. Bylaws: Amend 17.29, as follows:

17.29 Playing Rules. Member institutions shall conduct all of their intercollegiate competition in accordance with the playing rules of the Association in all sports for which the NCAA develops playing rules. It is not mandatory that those rules be used in institutional scrimmages, exhibitions or other forms of practice with outside competition.

Q. Bylaws: Amend 17.1.1.3.4.1, as follows:

17.1.1.3.4.1 Periods.

(a) Fall Period.

(1) **First Permissible Practice.** The date that permits a maximum of 16 units in the preseason practice formula before the first permissible date of competition (as opposed to the institution's first date of competition) as specified in each sport.

(2) **First Permissible Competition.** In golf and tennis, September 1 or the preceding Friday if September 1 falls on a Saturday, Sunday or Monday, or the institution's first day of classes, whichever is earlier. Exhibitions or scrimmages may be conducted during the preseason practice period. In rowing, September 7 or the institution's first day of classes for the fall term, whichever is earlier.

(3) **End of Period.** All practice and competition shall be completed not later than five weekdays before the first day of the final regular fall examination period.

[17.1.1.3.4.1-(b) unchanged.]

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

Effective Date: August 1, 2012.

Additional Information: Under current legislation, the terms "scrimmage," "exhibition" and "exhibition scrimmages" appear to be used interchangeably with no difference in meaning or application. This terminology has caused some confusion regarding how the activities may be conducted, whether they may be conducted with publicity and official scoring, and if the playing rules have to be applied. It would benefit the membership to use more consistent language and ensure more

consistent application of the legislation. This proposal would achieve that consistency.

Budget Impact: None.

NO. NC-2013-12 AMATEURISM – DEFINITIONS AND APPLICATIONS – AGENT

Intent: To specify that an agent is any individual who, directly or indirectly, represents or attempts to represent an individual for the purpose of marketing his or her athletics ability or reputation for financial gain, or seeks to obtain any type of financial gain or benefit from securing a prospective student-athlete's enrollment at an educational institution or from a student-athlete's potential earnings as a professional athlete.

Bylaws: Amend 12.02, as follows:

12.02 Definitions and Applications.

12.02.1 Agent. An agent is any individual who, directly or indirectly:

(a) Represents or attempts to represent an individual for the purpose of marketing his or her athletics ability or reputation for financial gain; or

(b) Seeks to obtain any type of financial gain or benefit from securing a prospective student-athlete's enrollment at an educational institution or from a student-athlete's potential earnings as a professional athlete.

12.02.1.1 Application. An agent may include, but is not limited to, a certified contract advisor, financial advisor, marketing representative, brand manager or anyone who is employed or associated with such persons.

[12.02.1 through 12.02.5 renumbered as 12.02.2 through 12.02.6, unchanged.]

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

Effective Date: Immediate.

Budget Impact: None.

NO. NC-2013-13 NCAA MEMBERSHIP-MEMBER CONFERENCE – COMPOSITION OF CONFERENCE – APPLICATION OF GRACE PERIOD – EXPIRATION

Intent: To clarify the application of restricted membership status and a two-year grace period for those conferences which fall below the required minimum number of institutions for active Division III conference membership.

Constitution: Amend 3.3.1.2, as follows:

[3.3.1.2 through 3.3.1.2.3 unchanged.]

3.3.1.2.4 Grace Period. A conference shall continue to be considered a member conference for two academic years following the date it fails to satisfy the conference composition requirement. At the expiration of the grace period, if the conference *must* **does not** meet the composition requirement to continue to qualify as a member conference, **it shall enter into restricted status. A conference placed in restricted status shall lose eligibility for a number of membership privileges, including but not limited to, voting and automatic qualification privileges, and grant and initiative funding. Institutions that are members of a conference in restricted status shall continue to receive the benefits of active membership (e.g., voting rights at the NCAA Convention, grant initiative funding for independent member institutions).**

Source: NCAA Division III Management Council (Membership Committee).

Effective Date: August 1, 2012.

Additional Information: The proposed conference penalty process for failure to maintain seven active members on expiration of the two-year grace period is consistent with the institutional penalty process. Restricted status is appropriate for conferences that are not able, within a two-year grace period, to meet the same minimum standards required of conferences seeking active NCAA Division III membership.

Budget Impact: A conference that is in restricted status will lose access to conference-specific funds typically administered via the NCAA Division III Strategic Initiative Grant.

**NO. NC-2013-14 COMMITTEES – DIVISION III
COMMITTEES – STUDENT-ATHLETE
ADVISORY COMMITTEE –
COMPOSITION**

Intent: To specify that the Student-Athlete Advisory Committee shall consist of one student-athlete from each unit represented in the Division III Student-Athlete Advisory Committee partnership program; further, to specify that independent institutions shall collectively be represented as one additional unit and that if there is an odd number of Division III conferences, the unpaired conference and all independent institutions shall collectively be represented as one additional unit.

Bylaws: Amend 21.9.5.10.1, as follows:

21.9.5.10.1 Composition. The Student-Athlete Advisory Committee shall consist of:

(a) One student-athlete from each *pair-of-conferences unit* represented in the Division III Student-Athlete Advisory Committee partnership program. **A unit shall consist of two partnered conferences. Independent institutions shall collectively be represented as one additional unit. If there is an odd number of Division III conferences, the unpaired conference and all independent institutions shall collectively be represented as one additional unit;** and

(b) *At least one student-athlete from a Division III independent institution. Additionally,* Fifty percent of the positions shall be allocated for men and 50 percent allocated for women with at least 25 percent of all positions allocated for ethnic minorities. Not more than one student-athlete from a playing conference may serve on the committee at any time. Two Management Council members shall serve as ex officio members of the committee.

Source: NCAA Division III Management Council (Student-Athlete Advisory Committee).

Effective Date: Immediate.

Additional Information: The current legislation does not account for committee composition and representation if there is an odd number of Division III conferences.

Budget Impact: None.

**NO. NC-2013-15 COMMITTEES – DIVISION III
COMMITTEES – CHAMPIONSHIPS
COMMITTEE – INFORMATIONAL
UPDATES FROM PLAYING RULES
OVERSIGHT PANEL ON ISSUES
RELATED TO DIVISION III**

Intent: To specify that the Playing Rules Oversight Panel shall provide informational updates to the Division III Championships Committee on issues relating to Division III.

Bylaws: Amend 21.9.5.2, as follows:

21.9.5.2 Championships Committee.

[21.9.5.2.1 unchanged.]

21.9.5.2.2 Duties. The committee shall:

(a) Make budgetary recommendations to the Management Council for the conduct of championships;

(b) Supervise qualifications and/or selection procedures for those events;

(c) Review recommendations from sports committees regarding the administration of those championships;

(d) Process other issues related to the administration of the events;

(e) Act as the final authority regarding championships matters that are subject to appeal (i.e., excluding appeals of championships selection or assignment in championships competition); *and*

(f) Appoint the members of the sports committees, subject to the final approval of the Management Council; **and**

(g) Receive informational updates from the Playing Rules Oversight Panel on issues relating to Division III.

Source: NCAA Division III Management Council (Championships Committee).

Effective Date: Immediate.

Additional Information: During the restructuring of the Division I governance structure, it was specified that PROP would report to the Division I Championships/Sports Management Cabinet regarding issues relating to Division I (see NCAA Division I Bylaw 21.7.5.5.4) for sharing of information only. Division II recently passed similar legislation, leaving Division III as the only division that does not have language requiring PROP to report issues relating to Division III.

Budget Impact: None.

**NO. NC-2013-16 COMMITTEES – COMMITTEE ON
INFRACTIONS – TERM OF OFFICE –
THREE-YEAR TERM WITH POTENTIAL
IMMEDIATE APPOINTMENT TO A
SECOND TERM**

Intent: To specify that a member of the Committee on Infractions shall serve a three-year term and may be immediately appointed to a second three-year term.

Bylaws: Amend 21.9.5.4, as follows:

21.9.5.4 Committee on Infractions.

[21.9.5.4.1 unchanged.]

21.9.5.4.2 Term of Office. A member shall serve a three-year term and may be immediately reappointed to one additional three-year term. The term of the member who serves as the representative of the Management Council shall coincide with his or her term on that body.

[21.9.5.4.2 through 21.9.5.4.8 renumbered as 21.9.5.4.3 through 21.9.5.4.9, unchanged.]

Source: NCAA Division III Management Council (Committee on Infractions).

Effective Date: Immediate.

Budget Impact: None.

NO. NC-2013-17 AMATEURISM – LOSS OF AMATEURISM – PRACTICE PROHIBITION

Intent: To clarify that if a student-athlete loses his or her amateur status in a particular sport, he or she is prohibited from participating in practice in that sport.

A. Bylaws: Amend 12.1.3.2, as follows:

12.1.3.2 Nonpermissible Activities – Before Initial, Full-Time Collegiate Enrollment. Before initial, full-time collegiate enrollment, an individual loses amateur status and thus shall not be eligible for *intercollegiate competition* **participation** in a particular sport if the individual engages in any of the following activities:

[12.1.3.2-(a) through 12.1.3.2-(h) unchanged.]

B. Bylaws: Amend 12.1.5.2, as follows:

12.1.5.2 Nonpermissible Activities – After Initial, Full-Time Collegiate Enrollment. After initial, full-time collegiate enrollment, an individual loses amateur status and thus shall not be eligible for *intercollegiate competition* **participation** in a particular sport if the individual engages in any of the following activities:

[12.1.5.2-(a) through 12.1.5.2-(o) unchanged.]

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

Effective Date: Immediate.

Additional Information: The general principle sections of both NCAA Division III Bylaws 12 and 14 state that a student-athlete shall not be eligible for participation (practice or competition) in an intercollegiate sport if the individual has violated any of the amateurism regulations. Bylaws 12.1.3.2 and 12.1.5.2 identify activities that are impermissible and will result in the loss of amateurism. Those bylaws, however, specifically state that the loss of amateurism precludes intercollegiate competition but does not specifically reference all participation. This proposal makes the bylaws consistent with the general principles and clarifies that the loss of amateurism results in the prohibition of all participation (practice and competition) in that sport.

Budget Impact: None.

NO. NC-2013-18 ELIGIBILITY – POST-BACCALAUREATE ELIGIBILITY – POSTSEASON EVENT FOLLOWING LAST TERM OF ELIGIBILITY

Intent: To specify that a student-athlete who is eligible during the term in which degree work is completed (or is eligible as a graduate) remains eligible for any postseason event that begins within 60 days after the end of the term in which the student

completes the requirements for the degree (or graduate eligibility).

Bylaws: Amend 14.1.8.1.6.3, as follows:

~~14.1.8.1.6.3 Final Semester/Quarter --Practice or Competition. A student-athlete may practice or compete while enrolled in less than a minimum full-time program of studies, provided the student is enrolled in the final semester or quarter of the baccalaureate or graduate program and the institution certifies that the student is carrying (for credit) the courses necessary to complete degree requirements. For a student-athlete who competes while eligible pursuant to this exception, the student-athlete shall forfeit eligibility in all sports, unless the student completes all degree requirements during that semester or quarter and is eligible to receive the baccalaureate or graduate diploma on the institution's next degree-granting date.~~

14.1.8.1.6.3.1 Practice or Competition. A student-athlete may practice or compete while enrolled in less than a minimum full-time program of studies, provided the student is enrolled in the final semester or quarter of the baccalaureate or graduate program and the institution certifies that the student is carrying (for credit) the courses necessary to complete degree requirements. For a student-athlete who competes while eligible pursuant to this exception, the student-athlete shall forfeit eligibility in all sports, unless the student completes all degree requirements during that semester or quarter and is eligible to receive the baccalaureate or graduate diploma on the institution's next degree-granting date.

14.1.8.1.6.3.12 NCAA Championship Postseason Event
After Completion of Degree Requirements – Practice or Competition. A student-athlete who is eligible during the term in which degree work is completed (or is eligible as a graduate, per Bylaw 14.1.9) remains eligible for any *NCAA championship* **postseason event** that begins within 60 days after the end of the term in which the student completes the requirements for the degree (or graduate eligibility), **including any practice activities or regular-season competition preceding the postseason event.**

[14.1.8.1.6.3.2 through 14.1.8.1.6.3.3 renumbered as 14.1.8.1.6.3.3 and 14.1.8.1.6.3.4, unchanged.]

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

Effective Date: Immediate.

Budget Impact: None.

Appendix D

Division III Modifications of Wording Pursuant to NCAA Constitution 5.4.1.1.1

Pursuant to NCAA Constitution 5.4.1.1.1, the NCAA Division III Management Council, by a two-thirds majority of its members present and voting, has determined that the following proposals are consistent with the intent of the membership in adopting the original legislation and that sufficient documentation and testimony exists to establish clearly that the original wording of the legislation was inconsistent with that intent. These actions will be referenced in the report of this Official Convention Notice during the 2013 Division III business session. Approval of this Official Notice will constitute ratification of these actions and incorporation in the 2013-14 NCAA Division III Manual. If a delegate objects to ratification of a particular amendment, that objection should be raised at the time of the report. (It is preferred that any delegate intending to raise an objection also inform a member of the academic and membership affairs staff of that intent before the Division III business session.) The Division III membership then will decide by majority vote of the eligible voters whether to ratify that amendment.

There were no modifications of wording submitted for approval at the 2013 NCAA Convention.

Appendix E

Index To Legislative Proposals

<i>Legislative Reference</i>	<i>Proposal Number</i>	<i>Page Number</i>
4.4.1	1.....	2
12.1.3.1.....	13.....	20
12.5.1.1.6.....	12.....	19
13.02.5.1.....	9.....	13
13.02.11.....	9.....	14
13.02.11.1.....	9.....	14
14.1	11.....	17
14.2.4.1.....	11.....	17
14.5.5.1.....	10, 11.....	15, 17
14.5.5.1.1.....	10.....	15
14.7.1	11.....	18
15.2.3.2.....	3.....	4
16.1.4.3.....	3.....	4
17.1.6.4.....	4.....	6
17.9.2.2.....	5.....	9
17.9.2.3.1.....	5.....	10
17.9.6.1.....	8.....	12
17.12.3.....	6.....	11
17.22.6.....	7.....	11
20.6.1.1.....	2.....	3
20.6.9.1.....	2.....	3

Appendix F

**Corresponding Legislative
Proposal Numbers**

This appendix lists proposals that appear in the Official Notice and gives their corresponding number in the Second Publication of Proposed Legislation (SPOPL).

Official Notice	SPOPL
1.....	1
2.....	13
3.....	7
4.....	8
5.....	9
6.....	11
7.....	12
8.....	10
9.....	4
10.....	6
11.....	5
12.....	3
13.....	2

Appendix G

**Corresponding Legislative
Proposal Numbers**

This appendix lists proposals that were included in the Second Publication of Proposed Legislation (SPOPL) and gives their corresponding number in the Official Notice.

SPOPL	Official Notice
1.....	1
2.....	13
3.....	12
4.....	9
5.....	11
6.....	10
7.....	3
8.....	4
9.....	5
10.....	8
11.....	6
12.....	7
13.....	2

Appendix H

Convention Voting Procedures

The following terms and procedures involved in voting at NCAA Conventions have been reviewed by the Association's parliamentarian.

Significant Terms

1. **Vote Announcement** — After a paddle, roll-call or secret ballot vote, the chair announces the vote and states whether the motion passed or failed.
2. **Retake a Vote** — A retake occurs when a paddle vote is taken again or when a paddle vote is counted. A retake may occur before the statement of the next question. After the statement of the next question, a motion to reconsider must be used to retake a vote. During a retake, voters may change their votes and new eligible voters may participate. A retake motion would be considered dilatory and, therefore, denied after a roll-call vote and out of order after a secret-ballot vote unless it is clear that the question was misunderstood or that fraud had occurred.
3. **Change a Vote** — In a paddle vote, a vote may be changed if a retake occurs or by rising for that purpose before the result is announced by the chair. After the announcement of the vote, but before the next question is stated, a change may be made only by permission of the assembly by a majority vote after a nondebatable motion. In a roll-call vote, a change may occur before closing the polls or the polls may be reopened to change a vote before the statement of the next question. In a secret-ballot vote, no change may be made once the ballot is cast. After the statement of the next question following a roll-call vote and after a vote is cast in a secret ballot, a vote change can occur only through a successful motion to reconsider.
4. **Recount a Vote** — This applies only to a secret-ballot vote. The ballots simply are counted again as cast and can be ordered only by a majority vote of the assembly.
5. **Closing the Polls** — For roll-call and secret-ballot votes, the polls are opened when the chair calls for the vote. When the chair has ascertained that all who so desire have voted or have changed their votes, the chair will state that the polls are closed. If there is disagreement on closing the polls, they may be closed by a two-thirds vote on a nondebatable motion to do so. Once the polls are closed, the polls may be reopened before the statement of the next question by majority vote on a nondebatable motion to do so. Once the polls are closed, however, the chair will move to the next item on the agenda.
6. **Statement of Next Question** — When a new motion is made and seconded, the chair will announce that "The motion before you is ... Is there any discussion?" This is the statement of the next question and ends the opportunity to retake a vote or

reopen the polls in regard to the preceding question.

7. **Reconsideration** — After the statement of the next question, only one motion to reconsider any foregoing question may be made before adjournment of the Convention by any member that voted on the prevailing side in the original consideration. Reconsideration of a vote taken in a division or subdivision business session must occur in that division's or subdivision's business session, except that such reconsideration also may occur during a designated period at the beginning of the general business session.

Voting Procedures

1. Paddle Voting

- a. The chair calls for a vote by paddles, and determines the result by sound or sight from the dais.
- b. The chair may retake the vote if there is doubt.
- c. The chair must have the vote counted if requested by a voting delegate. The chair also may choose to retake a paddle vote and have it counted by hand or by the wireless voting system.
- d. During a retake, new voters may participate or votes may be changed. Vote changes also may occur before the result is announced by the chair.
- e. A retake will not be permitted after the next question has been stated. A request to retake a counted vote will be regarded as dilatory by the chair and will not be allowed.

2. Roll-Call Voting (by Wireless Voting System)

- a. A roll-call vote may be designated by the Presidents Council or ordered by a majority of the voters, after a nondebatable motion to vote in that manner. If both a secret-ballot and a roll-call vote are moved, the assembly votes first on whether to vote by roll call. A motion to conduct a secret ballot on an issue designated for roll call by the Presidents Councils will be considered out of order.
- b. Once ordered, the chair shall call for a roll-call vote by use of the wireless voting system.
- c. The chair shall determine if everyone who wishes to has voted, or if anyone wishes to change a vote. When it appears that all ballots have been cast, the chair shall state that the polls are closed.
- d. The chair will move to the next available item on the agenda while votes are being tallied. No new voters, changes or corrections to the prior question are permitted unless the polls are reopened, and such a motion will be out of order after the next question is stated by the chair. Once the new question is stated by the chair, the only way to return to any foregoing question is by reconsideration, and only one motion for reconsideration of a given item is permitted.
- e. Abstentions will not be counted in the determination of a majority.

3. Ordinary Voting (by Wireless Voting System)

- a. An electronic vote may be designated by the Presidents Council or ordered by a majority of the voters, after a nondebatable motion to vote in that manner.
- b. Once ordered, the chair shall call for an electronic vote by use of the wireless voting system.
- c. The chair shall determine if everyone who wishes to has voted, or if anyone wishes to change a vote. When it appears that all ballots have been cast, the chair shall state that the polls are closed.
- d. The chair will move to the next available item on the agenda while votes are being tallied. No new voters, changes or corrections to the prior question are permitted unless the polls are reopened, and such a motion will be out of order after the next question is stated by the chair. Once the new question is stated by the chair, the only way to return to any foregoing question is by reconsideration, and only one motion for reconsideration of a given item is permitted.
- e. Abstentions will not be counted in the determination of a majority.

4. Ballot Voting (Secret Ballot)

- a. A secret ballot may be ordered by the assembly before, during or after any ordinary vote (but before the next question is stated) by a majority vote on a nondebatable motion to do so.
- b. Once ordered, the chair shall ask for the vote by the wireless voting system. Votes will be tallied electronically, but only a summary printout of results will be reported.
- c. After the chair determines that all who wish to vote have voted, the polls shall be closed. A vote change shall not be permitted once the vote is cast.
- d. The chair will move to the next available item on the agenda while votes are being tallied. Once the next question is stated by the chair, the polls may not be reopened for a new vote on the prior issue.
- e. Abstentions will not be counted in the total for determination of a majority.

Appendix I

2013 NCAA Convention Division III Delegates Schedule and Association-Wide Events

TIME	DIVISION III	ASSOCIATION-WIDE
Tuesday, January 15		
12:30 to 1 p.m.		NCAA Scholarly Colloquium – Welcome and Opening Remarks
1 to 2:30 p.m.		NCAA Scholarly Colloquium – Historical Roots of Financial Inequality within College Sports
2:45 to 4:30 p.m.		NCAA Scholarly Colloquium – The Impacts of Financial Inequality in Low-Revenue and High-Revenue Athletics Programs
4:45 to 6 p.m.		NCAA Scholarly Colloquium – Contributed Papers Session
4:45 to 6 p.m.		NCAA Scholarly Colloquium – Poster Session
Wednesday, January 16		
8:30 to 9:45 a.m.		NCAA Scholarly Colloquium – Contributed Papers Session
8:30 to 9:45 a.m.		NCAA Scholarly Colloquium – Poster Session
8:30 to 11:30 a.m.	NCAA Division III Special Olympics Activity	
10 to 11:30 a.m.		NCAA Scholarly Colloquium – Financial and Related Issues Among Historically Black Colleges and Universities
Noon to 1:30 p.m.		Keynote Luncheon
1:30 to 5 p.m.		Trade Show
1:45 to 3:30 p.m.		NCAA Scholarly Colloquium – The Effects of the Economic Model of College Sport on Athlete Educational Experience
5 to 6:30 p.m.		Trade Show Reception

TIME	DIVISION III	ASSOCIATION-WIDE
Thursday, January 17		
9:30 to 11 a.m.	NCAA Educational Session – Division III: Student-Athlete Well-Being – New Trends	
9 a.m. to 3:30 p.m.		Trade Show
11:15 a.m. to 12:15 p.m.	NCAA Educational Session – Division III: Rules Compliance Campus Integration	
12:30 to 2 p.m.		Association Luncheon
2 to 3:45 p.m.	NCAA Division III Outreach Program for First-Time Chancellors and Presidents	
2:15 to 3:45 p.m.	NCAA Educational Session – Division III: Integrating Athletics Fundraising with Institutional Advancement and Development Programs	
4 to 5:30 p.m.		Opening Business Session
5:30 to 7 p.m.		Delegates Reception
Friday, January 18		
7 to 8:30 a.m.		Delegates Breakfast
9 to 11:45 a.m.	Division III Issues Forum	
Noon to 1:30 p.m.	Presidents/Chancellors Forum and Luncheon	
Noon to 1:30 p.m.	Athletics Direct Report Forum and Luncheon	
Noon to 6 p.m.	Conference Meetings	
4 to 5:15 p.m.	Provisional/Reclassifying Education Session	
6:30 to 8:30 p.m.		Honors Celebration
Saturday, January 19		
7 to 8:30 a.m.		Delegates Breakfast
8 a.m. to 1 p.m.	Business Session	
Noon to 1:30 p.m.	NADII/AA Reception	

Appendix J

Convention Lanyards, Badges and Voting Paddles

The Convention lanyards are of various colors to designate the individual's delegate status. The designations are as follows:

Voting delegate	Red lanyard
Alternate delegate	Blue lanyard
Other delegate with speaking rights	Green lanyard
Delegate without speaking rights and other observers .	White lanyard

Only those persons with red, blue or green lanyards are permitted to speak in a business session.

In addition, the Convention badges are of different colors to designate the individual's status. The designations are as follows:

Delegate	Orange designation on name badge
Speaker/Presenter	Green designation on name badge
Media	Brick designation on name badge
President/Chancellor	Purple designation on name badge
NCAA Staff	Royal blue designation on name badge
Vendor	Teal designation on name badge
Trade Show	Gold designation on name badge
Visitor	Magenta designation on name badge

The following is a listing of the different voting paddle colors in use at the 2013 NCAA Convention:

Orange	Division II
Yellow	Division III

Appendix K

NCAA Governance Structure

Executive Committee

Chair — Lou Anna Simon

Div.	Name, Institution	Conference	Term Exp.
FBS	Stan L. Albrecht, Utah State University	Western Athletic	August 2014
FBS	Gene D. Block, University of California, Los Angeles	Pac-12	August 2016
FBS	Judy Genshaft, University of South Florida	Big East	August 2013
FBS	Nathan O. Hatch, Wake Forest University	Atlantic Coast	August 2014
FBS	Sidney McPhee, Middle Tennessee State University	Sun Belt	August 2014
FBS	Harris Pastides, University of South Carolina, Columbia	Southeastern	August 2015
FBS	John G. Peters, Northern Illinois University	Mid-American	August 2013
FBS	Lou Anna Simon, Michigan State University	Big Ten	August 2014
FCS	William R. Harvey, Hampton University	Mid-Eastern Athletic	August 2013
FCS	William A. Meehan, Jacksonville State University	Ohio Valley	August 2013
I	David R. Hopkins, Wright State University	Horizon League	August 2015
I	Timothy P. White, University of California, Riverside	Big West	August 2015
II	Ann Martin, Regis University (Colorado)	Rocky Mountain Athletic	January 2013
II	J. Patrick O'Brien, West Texas A&M University	Lone Star	January 2013
III	Jack R. Ohle, Gustavus Adolphus College	Minnesota Intercollegiate Athletic	January 2014
III	James Schmotter, Western Connecticut State University	Little East	January 2013

NCAA Staff Liaisons:

Bernard W. Franklin, Executive Vice President of Membership and Student-Athlete Affairs

Delise S. O'Meally, Director of Governance and International Affairs

Janice Whitehead, Executive Assistant to the Executive Vice President of Membership and Student-Athlete Affairs

Division III Presidents Council

Chair — James Schmotter

Name, Institution	Term Exp.
Livingston Alexander, University of Pittsburgh, Bradford	January 2013
Robert Antonucci, Fitchburg State University	January 2015
Erik Bitterbaum, State University of New York at Cortland	January 2016
James Bultman, Hope College.....	January 2013
Thomas Chema, Hiram College	January 2013
Alan Cureton, Northwestern College (Minnesota)	January 2014
Charley Edmondson, Alfred University.....	January 2015
Sharon Herzberger, Whittier College	January 2015
Jack Ohle, Gustavus Adolphus College	January 2014
Frederik Ohles, Nebraska Wesleyan University	January 2014
Rosalind Reichard, Emory and Henry College.....	January 2014
Pamela Reid, University of St. Joseph (Connecticut).....	January 2016
Lisa Marsh Ryerson, Wells College	January 2015
Herman Saatkamp Jr., Richard Stockton College of New Jersey	January 2013
James Schmotter, Western Connecticut State University	January 2013

NCAA Staff Liaisons:

Daniel T. Dutcher, Vice President for Division III

Louise McCleary, Director of Division III

Jeff Myers, Director of Academic and Membership Affairs for Division III

Brandy Hataway, Associate Director of Academic and Membership Affairs for Division III

Eric Hartung, Associate Director of Research for Division III

Debbie Kresge, Executive Assistant of Division III

Division III Management Council

Chair — Jeff Martinez

Name, Institution	Term Exp.
Kitty Baldridge, Gallaudet University	January 2013
Kurt Beron, University of Texas at Dallas.....	January 2015
Stan Ching, Connecticut College	January 2014
Tim Downes, Emory University	January 2014
#Tucker Glass, Plattsburgh State University of New York.....	May 2013
Charles Harris, Averett University.....	January 2015
Marjorie Hass, Austin College	January 2015
Jan Hathorn, Washington and Lee University	January 2015
Portia Lowe Hoeg, Lake Forest College.....	January 2014
Fredina M. Ingold, Pennsylvania State University, Altoona	January 2013
Bill Klika, Fairleigh Dickinson University, Florham.....	January 2013
Chris Martin, College Conference of Illinois and Wisconsin.....	January 2013
Jeff Martinez, University of Redlands.....	January 2013
Nancy Meyer, Calvin College	January 2015
Steve Nelson, University of Wisconsin, Superior.....	January 2016
Charlie Robert, Nichols College.....	January 2013
Lori Runksmeier, New England College.....	January 2016
Terry Rupert, Wilmington College (Ohio).....	January 2016
Lou Stark, Coe College	January 2014
Chris Thomforde, Moravian College.....	January 2013
#Dalaine Whitlock, Concordia University Texas	May 2014

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Jeff Myers, Director of Academic and Membership Affairs for Division III

Brandy Hataway, Associate Director of Academic and Membership Affairs for Division III

Eric Hartung, Associate Director of Research for Division III

Debbie Kresge, Executive Assistant of Division III

#Student-Athlete Advisory Committee Representative

Appendix L

Request for Interpretations

Member institutions and conferences are encouraged to request interpretations of the proposed legislation in this Official Notice not later than December 7, 2012. Interpretations related to the proposed legislation in this Official Notice may be requested via electronic mail to the primary contact person at jmyers@ncaa.org. When submitting such a request, please include the proposal number in question, your institution's name and your title. All resulting interpretations will be distributed to the delegates in time for the conference meetings held in conjunction with the Convention.

The NCAA salutes the more than
400,000 student-athletes
participating in **23** sports at
more than **1,000** member institutions

