

LEGISLATION

2010 NCAA CONVENTION

DIVISION II INITIAL PUBLICATION OF PROPOSED LEGISLATION

104th Annual Convention
January 13-16, 2010

Atlanta, Georgia



THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
P.O. Box 6222
Indianapolis, Indiana 46206-6222
317/917-6222
www.ncaa.org
August 2009

Legislation Prepared By: Stephanie Quigg, *Director of Academic and Membership Affairs for Division II*; Maritza Jones, *Associate Director of Academic and Membership Affairs for Division II*; and Jennifer Fraser, *Assistant Director of Academic and Membership Affairs*.

NCAA, NCAA logo and NATIONAL COLLEGIATE ATHLETIC ASSOCIATION are registered marks of the Association and use in any manner is prohibited unless prior approval is obtained from the Association.

Initial Publication of Proposed Legislation Submitted by the Division II Membership 104th Annual Convention

This publication presents all proposed amendments to NCAA legislation that were properly submitted by the Division II membership in accordance with the July 15 deadline in the NCAA legislative calendar. The three proposals herein are printed in the order in which they would appear, if adopted, in the NCAA Division II Manual. No attempt has been made to place them in topical groupings or in the order in which they eventually might appear in the Convention agenda. **The order of the three proposals may change in the Second Publication of Proposed Legislation and in the Official Notice. Therefore, the numeral 1 will be placed in front of each proposal number to help identify it in future legislative publications as having originated in the initial (first) publication.**

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

All of the amendments in this publication have been reviewed by the Division II Legislation Committee. Each proposal is accompanied not only by a statement of intent and proposed effective date, but also by a statement of rationale and a listing of the primary contact person designated by the sponsors of the amendment.

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

No new proposals may be submitted by the Division II membership for the 2010 Convention as the July 15 deadline has passed. Member institutions and conferences that wish to offer suggested revisions to an amendment are encouraged to contact the designated primary contact person, as listed with each proposal. Such contacts should be made as early in the period of time between the date this publication is posted and September 15 to assure time for appropriate consideration by the sponsors.

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

September 23 - Second Publication of Proposed Legislation, including the proposals submitted by the Division II membership as modified on or prior to September 15, as well as all legislation submitted by the NCAA Division II Presidents Council. The submission deadline for the Presidents Council is September 1. Amendment-to-amendment forms will also be available at this time.

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

2009-10 Legislative Calendar

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

July 15: Deadline for submission of amendments by the Division II membership. Each amendment must include a statement of intent and a separate statement of rationale (200 words or less), as well as identification of the designated primary contact person.

July 16: Legislation Committee Review. The committee reviews proposals by the membership and works with the primary contact person for each amendment to ensure that the proposal meets the intent of the sponsor, to ensure that the placement of the amendment is consistent with the organizational integrity of the manual, and to edit the intent and rationale statements of the sponsors for clarity and brevity.

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

August 15: Posting of Initial Publication of Proposed Legislation.

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

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

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

September 23: Posting of Second Publication of Proposed Legislation. This publication includes all Division II membership-sponsored proposals (as modified) and all proposals sponsored by the Division II Presidents Council.

September 23 — November 1: Amendment-to-amendment period. The Division II Presidents Council as well as the membership (see Constitution 5.3.4.2) may submit amendments to the proposals in the Second Publication of Proposed Legislation. These amendments-to-amendments may not increase the modification of the provisions to be amended; they must fall between the provisions of the circularized amendment and the current provisions.

November 1: Deadline for all amendments-to-amendments to be received in the national office. No amendments-to-amendments sponsored by the membership may be submitted after this date. The Presidents Council is authorized to submit further amendments-to-amendments at the Convention if it deems such action necessary.

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

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

Division II Legislation Committee

Chair - Ann Martin, Regis University
Rosemary Broderick, SAAC Representative
J. Anthony Capon, University of Pittsburgh, Johnstown
Marcus Grant, Central Intercollegiate Athletic Association
Dean Johnson, Caldwell College
Diana Kling, Peach Belt Conference
Mark Linder, University of North Alabama
Jill McCartney, Washburn University
Eileen McDonough, Barry University
Frances Nee, Indiana University of Pennsylvania
S. Jay Newton, University of Southern Indiana
Carol Rivera, California Collegiate Athletic Association

**104th Annual Convention LEGISLATIVE PROPOSALS SUBMITTED BY THE
MEMBERSHIP**

[Note: Pursuant to Constitution 5.3.12, all amendments shall become effective not earlier than the first day of August following adoption by the Convention; however, if a voting delegate wishes to propose an immediate effective date, or to propose any other effective date prior to the first day of August, a two-thirds majority of all delegates present and eligible to vote on the amendment is required to approve the immediate or alternative effective date. Further, all amendments with an effective date other than the first day of August following the Convention, will contain in the rationale statement reasons for such effective date. Those proposals that receive the required vote to carry an immediate effective date and that are adopted, become effective upon adjournment of the Convention.]

[Note: In the following proposals:

- Those letters and words that appear in *italics* and ~~striketrough~~ are to be deleted;
- Those letters and words that appear in **bold** and underlined are to be added; and
- Those letters and words that appear in normal text are unchanged from the current Division II legislation.]

Intent: To eliminate the requirement that an institution must provide a prospective student-athlete written notice of the five official-visit limitation.

Bylaws: Amend 13.6.1.2, as follows:

13.6.1.2 Number of Official Visits — Prospective Student-Athlete Limitation. A prospective student-athlete may take a maximum of five expense-paid visits, with no more than one permitted to any single institution. This restriction applies regardless of the number of sports in which the prospective student-athlete is involved and only for expense-paid visits to Divisions I and II institutions.

~~13.6.1.2.1 Written Notification Required. Each member institution shall be required to notify the prospective student-athlete in writing, at the time of its invitation but before the visit, of the five-visit limitation. Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, they shall not affect the prospective student-athlete's eligibility.~~

[13.6.1.2.2 renumbered as 13.6.1.2.1, unchanged.]

Source: Lone Star Conference, Mid-America Intercollegiate Athletics Association and South Atlantic Conference.

Effective Date: Immediate

Rationale: This proposal will eliminate unnecessary paperwork and inadvertent violations due to administrative oversight. By reducing some of the administrative burdens placed on Division II compliance personnel who are charged with monitoring official visits, appropriate attention can be shifted to other areas. The immediate effective date will bring instant relief to the compliance workload. In 2004, Division I eliminated this requirement and there have not been any resulting issues with monitoring official visits.

Primary Contact Person:

Name: Stan Wagnon, Commissioner

Address: Lone Star Conference
1221 W. Campbell Rd.
Suite 245
Richardson, TX 75080

Telephone Number: (972) 234-0033

Email Address: wagnons@lonestarconference.org

No. 1-2 PLAYING AND PRACTICE SEASONS — GOLF — OUT-OF-SEASON AND NONCHAMPIONSHIP SEGMENT ATHLETICALLY RELATED ACTIVITIES — NONCHAMPIONSHIP SEGMENT ACTIVITIES — 60-CONSECUTIVE CALENDAR DAY PERIOD

Intent: In golf, to specify that during the segment in which the NCAA championship does not occur, a student-athlete may participate in any practice or competition activity as permitted by other legislation, provided such activity is restricted to a maximum of 24 days that occur within a period

of 60 consecutive calendar days; further, to specify that an institution that declares fall as its championship segment per Bylaw 20.10.4.3 and discontinues championship segment activities by November 1 (instead of November 15) may add 15 calendar days to the period of 60 consecutive calendar days available during the nonchampionship segment.

A. Bylaws: Amend 17.1.6.2, as follows:

17.1.6.2 Weekly Hour Limitations — Outside of Playing Season. Outside of the playing season during the academic year, only a student-athlete's participation in weight-training, conditioning, individual skill instruction and, in football, review of game film shall be permitted. A student-athlete's participation in such activities shall be limited to a maximum of eight hours per week, of which not more than two hours per week may be spent on individual skill workouts set forth in Bylaw 17.1.6.2.1 and, in football, review of game film. All countable athletically related activities outside the playing season are prohibited one week prior to the beginning of the final examination period through the conclusion of the institution's final examinations. Participation in voluntary individual workouts monitored by strength and conditioning personnel for safety purposes per Bylaw 17.02.1.1 shall not count against the weekly hour limitation.

[17.1.6.2.1 through 17.1.6.2.3 unchanged.]

17.1.6.2.4 Exception — Alternate Playing Season — Golf and Tennis. In golf and tennis, an institution that conducts its championship segment during the fall term must discontinue practice at the conclusion of its nonchampionship segment (**golf — designated ~~45~~ 60- or ~~60~~ 75-consecutive calendar day period; tennis — designated 45- or 60-day consecutive calendar day period**). Such a team may resume practice the day following the conclusion of the institution's final examination period for the applicable academic term or 10-consecutive calendar days before the start of the championship, whichever is earlier, provided the institution has reasonable belief that it is under consideration for selection to participate in an NCAA, NCCAA or NAIA championship event. (See Bylaws 17.10.5.1 and 17.23.5.1.)

B. Bylaws: Amend 17.10, as follows:

17.10 GOLF. Regulations for computing the golf playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (See Figure 17-1 and Figure 17-2.)

[17.10.1 through 17.10.4 unchanged.]

17.10.5 First Date of Practice and Competition — Nonchampionship Segment. A member institution shall not commence practice sessions or engage in outside competition in the nonchampionship segment before September 7 or the first day of class, whichever occurs first.

17.10.5.1 Exception — Alternate Playing Season. An institution that is a member of a conference that conducts its only conference championship or plays the majority of its conference matches during the fall; or an institution that declares fall as its institution's championship segment per Bylaw 20.10.4.3, may use the playing season dates for sports that conduct a fall championship. Multi-day tournaments (up to a maximum of five tournaments) may count as one date of the 24 practice or competition dates, regardless of the number of days of the tournament. Further, an institution that uses this exception and discontinues its championship segment activities by November 1 (instead of November 15) may add 15 calendar days to the period of **45 60** consecutive calendar days available during the

nonchampionship segment. The institution is eligible for the NCAA championship.

[Remainder of 17.10.5.1 unchanged.]

[17.10.6 through 17.10.7.5 unchanged.]

17.10.8 Out-of-Season and Nonchampionship Segment Athletically Related Activities. Student-athletes and members of the coaching staff shall not engage in countable athletically related activities outside the championship segment except for the following:

[17.10.8-(a) unchanged.]

(b) Nonchampionship Segment Activities. During the segment in which the NCAA championship does not occur, student-athletes may participate in any practice or competition activity as permitted by other legislation provided such activity is restricted to a maximum of 24 days that occur within a period of ~~45~~ **60** consecutive calendar days, omitting vacation and examination days officially announced or on days that the institution is closed due to inclement weather, as long as no practice or competition occurs on such days. Multi-day tournaments (up to a maximum of five tournaments) may count as one date of the 24 practice or competition dates, regardless of the number of days of the tournament. The ~~45~~ **60** consecutive calendar days must be within the dates set forth in Bylaws 17.10.5 and 17.10.6. It is not permissible for an institution that declares fall as its championship segment and operates on the quarter system to engage in practice and competition from the time period of seven calendar days prior to the first date of the institution's final examination period for the winter quarter until the first day of classes of the spring quarter. The days during which practice and competition is prohibited may be exempted from the period of ~~45~~ **60** consecutive calendar days.

(1) Exception. A member institution that declares fall as its institution's championship segment per Bylaw 20.10.4.3 and discontinues championship segment activities by November 1 (instead of November 15) may add 15 calendar days to the period of ~~45~~ **60** consecutive calendar days available during the nonchampionship segment (See Bylaw 17.10.5.1).

[Remainder of 17.10 unchanged.]

Source: Rocky Mountain Athletic Conference and Northern Sun Intercollegiate Conference.

Effective Date: August 1, 2010

Rationale: This proposal would benefit student-athletes by spreading out the nonchampionship segment and allowing them to avoid missing class time for several weeks in a row. The change would not increase missed class time because the 24 days of practice and competition in the nonchampionship segment would not increase and most institutions already compete in four to five tournaments during the segment. The proposal will allow institutions additional flexibility in scheduling, which is vital as many institutions do not own their golf facilities and are subject to the availability of the venues in which they compete. Competition in the nonchampionship segment has equal weight to competition in the championship segment for determination of postseason participation. Under the current nonchampionship segment model, student-athletes typically have less than a week of practice time before their first competition of the season, which leads to the majority of the first week of practice consisting of qualifying rounds because a coach has not had the opportunity to assess his or her roster. Finally, since most coaches coach both the men's and

women's programs, this change will allow them to spend adequate practice time with both programs.

Primary Contact Person:

Name: Joel R. Smith, Commissioner
Address: Rocky Mountain Athletic Conference
1867 Austin Bluffs Parkway
Suite 101
Colorado Springs, CO 80918

Telephone Number: (719) 471-4813
Email Address: jrsmith@rmacsports.org

No. 1-3 **PLAYING AND PRACTICE SEASONS — BASKETBALL — FIRST CONTEST**

Intent: In basketball, to specify that a member institution shall not play its first contest (game or scrimmage) with outside competition prior to the second Friday of November.

Bylaws: Amend 17.3.3, as follows:

17.3.3 First Contest. A member institution shall not play its first contest (game or scrimmage) with outside competition in basketball ~~before~~ **prior to the second Friday of** November ~~15~~, except as provided under Bylaw 17.3.3.1.

Source: Peach Belt Conference, Mid-America Intercollegiate Athletics Association and West Virginia Intercollegiate Athletic Conference.

Effective Date: August 1, 2010

Rationale: Currently, an institution shall not play its first contest against outside competition prior to November 15, aside from exceptions outlined in Bylaw 17.3.3.1. This proposal does not change that date substantially, it simply allows institutions to schedule that first contest on a weekend night. This proposal will not allow an institution to compete earlier than what is allowed under current legislation as most Division II basketball teams compete in exempted contests on or soon after November 1. The proposal will only change the date for the first permissible "countable" contest. This change will also provide a benefit to student-athletes as no season-opening games or events will take place during the week and teams can also schedule "countable" games earlier in the season to provide flexibility for conference playing dates that occur during final examination periods. Further, this change is easy to administer as all schools can easily determine when the second Friday is and coaches can better schedule knowing the season starts on a weekend every year. Adoption of this proposal will likely result in all Division II basketball teams officially starting their season on the same day.

Primary Contact Person:

Name: David R. Brunk, Commissioner
Address: Peach Belt Conference

503 Blackburn Drive
Augusta, GA 30907

Telephone Number: (706) 860-8499

Email Address: dbrunk@peachbeltconference.org

