

2012 NCAA Convention Division III Legislative Proposals Question and Answer Guide

Approved December 15, 2011, by the
NCAA Division III Interpretations and Legislation Committee

Please note this is the second edition of the 2012 NCAA Convention Division III Legislative Proposals Question and Answer Guide. Future editions may be developed as questions are presented to the NCAA staff or the NCAA Division III Interpretations and Legislation Committee. Newly approved questions and answers are shaded in gray.

Understanding how to read the 2012 NCAA Convention Division III Official Notice.

1. How to read the NCAA Division III legislative proposals. When reviewing legislative proposals, it is important to note that:
 - a. The letters and words that appear in ~~italics and strikethrough~~ are letters and words in the current NCAA Division III rule that would be deleted with the adoption of the proposal;
 - b. The letters and words that appear in **bold face and underlined** are letters and words that would be added with the adoption of the proposal; and
 - c. The letters and words that appear in normal text are letters and words in the current Division III rule that would remain unchanged with the adoption of the proposal.

2. What appears in the white pages of the NCAA Division III Official Notice?
 - The white pages of the NCAA Division III Official Notice contain the legislative proposals that will be voted on individually at the NCAA Division III business session. Anticipated questions and answers related to each of the proposals appearing in the white pages are contained in the question and answer section.

3. What is the difference between the presidential grouping and the general grouping of proposals?

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

The Presidents Council has identified three proposals that it believes are of particular interest to Division III presidents or chancellors and has included them in the Presidents

Council grouping. The remaining proposals are included in the general grouping. All proposals have been identified by the Presidents Council for a roll-call vote.

4. What appears in the blue pages of the Official Notice?

- The blue pages of the Official Notice contain three types of legislative proposals. The proposals appearing in the blue pages have already been adopted by the authority of the NCAA Division III Management Council. These proposals have an immediate effective date from the time of adoption. These groups of proposals will be ratified by the NCAA Division III membership during the Division III business session. If a delegate objects to the incorporation of any one of these legislative proposals, that objection should be raised prior to the ratification of the package of proposals. 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 would then vote on the proposal in question via a separate action.

The question and answer document does not address proposals that are included in the blue pages. The blue pages however include an “additional information” section with each proposal that provides additional clarification regarding the proposal.

The three types of legislation contained within the blue pages are listed below.

- (1) Interpretations to be incorporated in the 2012-13 NCAA Division III Manual. These interpretations have already been accepted by the membership and the only issue that is before the membership is whether they should be set forth in the Division III Manual.
- (2) Noncontroversial legislation adopted by the Management Council. These proposals constitute all of the noncontroversial legislative changes the Management Council has adopted 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.
- (3) Modifications of wording. These proposals are modifications to current legislation that have been shown to be consistent with the intent of the membership in adopting the current legislation. To approve such a change, the Management Council has determined that sufficient documentation and testimony exists to establish clearly the original

wording of the legislation requires modification to better reflect the original intent.

Video Series Detailing 2012 Convention Proposals.

The academic and membership affairs staff is creating a three-part educational video series designed to assist the membership in understanding the legislative content of the 2012 Convention proposals prior to voting. The video series details specific information regarding the proposals that will be voted on, and provides a tutorial on how to read and understand Division III proposals and properly use all of the resources available in preparation for the 2012 Convention. The release dates of the videos will be as follows:

Convention Video I: December 2, 2011;

Convention Video II: December 9, 2011; and

Convention Video III: December 16, 2011.

The video series can be found on the Division III home page by clicking on the “2012 Convention proposal videos” link in the Hot Topics box. The videos are also accessible to your institution by logging on to the Legislative Services Database for the Internet (LSDBi), and taking the following actions:

1. Click on the “Resources” tab (upper right of the page).
2. Look for the “Education Materials/Information” section (middle bottom of the page).
3. Click on the “AMA Education on Demand Videos” link (first link in that section).

These links will also be available for viewing the Post-Convention Update video in the weeks after the Convention.

Questions and Answers
2012 NCAA Convention Division III Legislative Proposals

Proposal Number: 2012-1 (2-10)

Title: DIVISION MEMBERSHIP -- DIVISION III PHILOSOPHY STATEMENT -- AFFIRMATION AND CLARIFICATION OF UNDERGRADUATE EXPERIENCE, BROAD - BASED ATHLETICS PROGRAMS, PARTICIPATION IN NONATHLETIC PURSUITS AND AUTONOMY IN ELIGIBILITY STANDARDS

Effective Date: Immediate.

Source: NCAA Division III Presidents Council.

Intent: To specify in the philosophy statement that Division III institutions: emphasize intercollegiate athletics as primarily focused on a four-year, undergraduate experience; encourage participation by maximizing the number and variety of sport offerings for their students through broad-based athletics program; assure that student-athletes are supported in their efforts to meaningfully participate in non-athletic pursuits to enhance their overall educational experience; and exercise institutional and/or conference autonomy in the establishment of initial and continuing eligibility standards for student-athletes.

Question No. 1: Are there penalties for not abiding by the principles in the philosophy statement?

Answer: No. The philosophy statement serves as a guide for Division III institutions, conferences, committees and councils to make policy and legislative decisions. The philosophy statement is not like other bylaws that have related enforcement provisions.

Question No. 2: Does Division III legislation already reflect these principles elsewhere in the legislation?

Answer: Yes. Legislation already exists outlining the academic expectations of Division III student-athletes, sport-sponsorship requirements for Division III institutions and playing season parameters.

Question No. 3: Does this proposal effectively eliminate the graduate participation exception set forth in Bylaw 14.1.9 that allows a graduate student to compete at the school he or she most recently attended as an undergraduate?

Answer: No. The exception set forth in Bylaw 14.1.9 would not be compromised as part of this proposal.

Question No. 4: Does this proposal effectively amend Bylaw 14.2.2 which allows a student-athlete 10 semesters or 15 quarters to complete his or her four years of participation?

Answer: No. A student-athlete would still be permitted 10 semesters or 15 quarters to complete his or her four years of participation.

Proposal Number: 2012-2 (2-1)

Title: NCAA MEMBERSHIP -- MEMBER CONFERENCE -- CONDITIONS, OBLIGATIONS PRIVILEGES AND AUTOMATIC QUALIFICATION -- CORE INSTITUTION

Effective Date: For the 2012-13 academic year.

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

Intent: To align the membership requirements for a conference with the automatic qualification requirements for a conference, by doing the following: (1) confirming that member conferences must be comprised of at least seven core Division III institutions; (2) specifying that institutions may be a core member in only one multisport conference; and (3) specifying that a member conference is entitled to a two-year grace period if it fails to satisfy the membership requirements. Finally, any institution considered a core institution in more than one multisport conference prior to September 1, 2011, may continue as a core institution in those conferences for purposes of satisfying the automatic qualification and conference membership requirements.

Question No. 1: How would the current definition of “core” be changed under this proposal?

Answer: Core is defined as an institution that participates in more than one sport within the conference. That would not change under the proposal. Per that definition, however, an institution could be considered core in multiple conferences. The proposal eliminates this flexibility and would add the limitation to the current definition requiring that an institution could only be core in one multisport conference.

Question No. 2: What is the significance of the definition of “core” under this proposal?

Answer: The determination of a “core” institution currently dictates if and when a conference gets an automatic qualification (AQ) to the NCAA championship. In short, a multisport conference that has seven core members (that have been core for two years) that sponsor the particular sport is immediately eligible for an AQ in that sport. A multisport conference may also be eligible for an AQ if, for a two year period, the conference had seven members, four of which must be core, sponsoring the sport and competing together for two years.

Question No. 3: What is the minimum number of institutions necessary to comprise a conference?

Answer: As of September 1, 2012, a conference must have at least seven active institutions. If this proposal passes, those seven active institutions could only count as one of the necessary seven institutions for one multisport conference. Passage of this proposal would require that a multisport conference be comprised of at least seven active core institutions.

Question No. 4: Would the proposal affect “single-sport conferences?”

Answer: No. The ability of institutions to form a single-sport conference and the process for a single-sport conference to receive an AQ would not be affected by this proposal. Core only refers to multisport conferences.

Question No. 5: What is an “umbrella” conference?

Answer: The term “umbrella” conference does not appear in the legislation, but it is understood to describe a multisport conference structure in which there are two independent conferences that allow their lower sponsored sports to come together to play in a third overarching, umbrella, conference and receive AQs within that third conference. All of the members of the third conference are primary members in one of the two other conferences. Consequently, under this proposal the third conference could not receive an AQ, because it would not have any core members. As stated above, any existing “umbrella” conferences would not be affected, but future formations of this type of conference would be prohibited under the proposal.

Question No. 6: Under the current rule what happens to a conference if the conference falls below the minimum required institutions?

Answer: The Management Council, at the recommendation of the NCAA Division

III Membership Committee, may immediately suspend or terminate the conference's membership in the NCAA.

Question No. 7: How does the proposal change the current rule, regarding the implications to a conference for falling below the minimum number of institutions?

Answer: This proposal provides a mandatory period of two academic years that is not currently required, before Management Council can suspend or revoke a conference's membership for failure to maintain seven core institutions. Under the proposal, if a conference fell below the seven required institutions, then the conference would have a grace period of two academic years to get back to seven members before Management Council, at the recommendation of the Membership Committee, could suspend or terminate the conference's membership.

Question No. 8: Explain how the two-year grace period applies to conference membership. How is it the same as the two-year grace period for AQs? How is it different?

Answer: This proposal would alter the penalty structure for conferences to align with the two year grace period for championships.

Example No. 1: A conference loses three members, reducing the conference membership to four core members. That conference had several AQs but now only four members play in each of those AQ sports. Under the current rule the conference would maintain its AQs for two years via the grace period legislation. That same conference, however, would not satisfy the minimum number of institutions necessary to exist as a conference and consequently is in jeopardy of losing its membership status. The process for revoking a conference's membership could conceivably occur before the AQ grace period expires. This proposal would align the two processes and allow for a membership grace period that coincides with the AQ grace period.

Example No. 2: A multisport conference loses two members. The conference has an AQ in field hockey but now only has six members that sponsor field hockey. The multisport conference, however still has eight active

members. Under both the current rule and the proposal there would not be any membership implications as the conference has maintained at least seven active institutions. The conference would maintain its AQ in field hockey through the grace period legislation.

Question No. 9: Would passage of this proposal effectively eliminate the process by which conferences have “associate” or “affiliate” members to earn an AQ?

Answer: No. This proposal clarifies the definition of core but keeps intact an institution’s discretion to align with a conference as an associate or affiliate member. Currently, a conference may earn an AQ by having four core members and three affiliate members. That will not change under the proposal. While an institution may be a core member in one conference, if its conference does not sponsor a particular sport, it could affiliate with another conference in that sport and be a part of the AQ process, but it may not be considered one of the necessary four core institutions.

Question No. 10: Does the grace period apply to other conditions of membership for a conference?

Answer: No. The grace period only applies to the composition requirements for a conference. During the grace period, a conference is required to sponsor five sports in three seasons, submit its NCAA Division III Conference Self-Study Guide and satisfy all other obligations of membership.

Question No. 11: What is the significance of the September 1, 2011, date set forth in the proposal?

Answer: The proposal allows institutions that were considered core in more than one multisport conference prior to September 1, 2011, to maintain those relationships. It would ensure that existing conference affiliations would not have to be altered. The date of September 1, 2011, is the date the proposal was first posted, and thus when institutions were first officially put on notice of the potential change.

Proposal Number: 2012-3 (2-9)

Title: PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING-SEASON REGULATIONS -- REQUIRED SICKLE CELL TESTING

Effective Date: August 1, 2012, for all student-athletes, including both new and continuing student-athletes.

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

Intent: To require a sickle cell solubility test as part of the mandatory medical examination, unless documented results of a prior test are provided to the institution or the student-athlete declines the test and signs a written release; applicable to all student-athletes beginning their initial season of eligibility and continuing student-athletes.

Question No. 1: Under this proposal, would institutions be required to administer the sickle cell solubility test to transfer student-athletes prior to any athletics participation?

Answer: Yes, unless documented results of a prior test are provided to the institution or the transfer student-athlete declines the test and signs a written release.

Question No. 2: Would this proposal require institutions to administer the sickle cell solubility test to male students who practice with women's teams (i.e., male practice players)?

Answer: Yes, unless documented results of a prior test are provided to the institution or the male student declines the test and signs a written release.

Question No. 3: The mandatory medical examination must be administered within six months before participation in any practice, competition or out-of-season conditioning activities. Would this proposal require the sickle cell solubility test be conducted within the same six-month window of the mandatory medical examination?

Answer: Yes. This proposal, if adopted, would require an institution to include the sickle cell solubility test as part of the mandatory medical examination, which must be administered within six months prior to any athletics participation. In the event that a student-athlete was previously tested for the sickle cell trait, the documented results of that test must be provided to the institution within six months prior to athletics participation. Once the institution receives that documentation, the institution is not required to include the sickle cell solubility test as part of the mandatory medical examination for that student-athlete.

Question No. 4: Under this proposal, may an institution conduct the sickle cell solubility test as part of a medical examination during a prospective student-athlete's visit to campus to attend general orientation sessions conducted for all prospective students?

Answer: Yes.

Question No. 5: Would it be permissible, under this proposal, for an institution to mandate that all student-athletes sign a written release without offering the sickle cell solubility test?

Answer: No. The intent of this proposal is that student-athletes will be first offered the sickle cell solubility test and then, if they decline due to personal circumstances, knowing the risks associated with the sickle cell trait, a signed written release will be required. The written release provision should not be used by an institution to avoid the mandatory obligation to ensure the health, safety and well-being of student-athletes through testing for the sickle cell trait.

Question No. 6: If this proposal is adopted, will the NCAA provide a standard template document to institutions for the written release provision of this legislation?

Answer: No. Each institution should discuss with its legal counsel the need for developing an institution-specific written release form.

Question No. 7: Under this proposal, if a student-athlete declines the sickle cell solubility test and signs a written release, does the written release provision require that the release be signed by other individuals as well (e.g., parent, legal guardian)?

Answer: The signature of the student-athlete's parent or legal guardian is required if the student-athlete is a minor. If the student-athlete is not a minor, then the institution may decide whether additional signatures are required.

Question No. 8: Would this proposal require the results of the sickle cell solubility test be available before a student-athlete is permitted to participate in physical practice activities?

Answer: Yes. This proposal would require the result of the sickle cell solubility test be available before a student-athlete may participate in physical practice activities.

Question No. 9: Do all states require the testing of the sickle cell trait in newborns?

Answer: Currently, all 50 states and the District of Columbia mandate the testing of sickle cell disease in newborns.

Question No. 10: Is it possible for someone who tests positive for the trait as an infant to no longer have the trait in adulthood?

Answer: No.

Question No. 11: If a student-athlete tests positive for the sickle cell trait, what are some suggested next steps/best practices?

Answer: If the sickle cell solubility test confirms the sickle cell trait, the student-athlete should be offered counseling on the implications of the sickle cell trait, including health, athletics participation and family planning. Knowledge of sickle cell trait status can be a gateway to education, and simple precautions should be taken to minimize health issues among student-athletes with the sickle cell trait.

Question No. 12: Does the NCAA have educational materials for student-athletes and staff members to learn more about the sickle cell trait?

Answer: Yes. Educational materials, including a fact sheet and educational video, are available for student-athletes, coaches and athletics personnel at www.ncaa.org/health-safety.

Question No. 13: Who should view the educational video about the sickle cell trait?

Answer: At a minimum, it is recommended that student-athletes with a positive test result, student-athletes who decline the test and sign a written release and athletics staff members who are involved with conducting or monitoring physical activities view the educational video.

Question No. 14: Are sickle cell trait/disease foundations available to help find screening solutions for student-athletes?

Answer: Yes. Visit www.ncaa.org/health-safety for a list of state organizations.

Question No. 15: Under this proposal, would a question on the history portion of a medical examination form be sufficient to determine a student-athlete's sickle cell trait status?

Answer: No. This proposal would require that documented results of a prior test be provided to the institution.

Question No. 16: Would this proposal require an institution to use a specific method to track a student-athlete's sickle cell trait status or written release status?

Answer: No. The method used to track a student-athlete's sickle cell trait status or written release status would be an institutional decision. It is recommended, at a minimum, that athletics medical staff maintain a copy of a student-athlete's sickle cell trait status or written release status in the student-athlete's medical file.

Question No. 17: What is the average cost of a sickle cell solubility screening test?

Answer: If a student-athlete's record of their newborn screening is not available, the cost for the institution can be negotiated locally. The NCAA has an agreement with Quest Diagnostics' national laboratories which will give NCAA member institutions and their student-athletes access to screening exams for sickle cell trait. Institutions can select from three different service models and can call 1-866-226-8046 for more information. A detailed account of the screening options and associated costs is contained in the article attached as Addendum A.

Proposal Number: 2012-4 (2-3)

Title: AMATEURISM AND EXECUTIVE REGULATIONS -- FINANCIAL DONATIONS AND ADVERTISING AND SPONSORSHIP OF NCAA CHAMPIONSHIPS -- PROFESSIONAL SPORTS ORGANIZATIONS

Effective Date: Immediate.

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

Intent: To specify that a professional sports organization may serve as a financial sponsor of an intercollegiate competition event, provided the organization is not publically identified as such; and that a professional sports organization may serve as a financial sponsor of an activity or promotion that is ancillary to the competition event and may be publically identified as such; further, to eliminate the prohibition on sponsorship of NCAA championship activities or promotions by professional sports organizations or teams.

Question No. 1: What is the current rule regarding a professional sports organization sponsoring an intercollegiate competition?

Answer: A professional sports organization (e.g., professional sports team or league) may not serve as a financial sponsor of an intercollegiate competition, regardless if it is a regular season competition, conference competition or NCAA championship competition.

The NCAA Division III Management Council approved a waiver of this rule pending the vote on this proposal so that championships could continue to operate as planned. For example, the waiver permitted the combined NCAA Division III Men's Lacrosse Championship to use existing promotional efforts (e.g., mailing to season ticket holders).

Question No. 2: What constitutes financial sponsorship of intercollegiate competition by a professional organization?

Answer: A variety of activities conducted by a professional sports organization are considered financial sponsorship of an intercollegiate athletics competition. The following are examples of financial sponsorships that are prohibited under the current rule:

- a. A minor league baseball team allows a Division III conference to conduct its baseball championship at its stadium at no cost or at a reduced rate;
- b. A professional team allows the Division III institution to advertise (e.g. an in-game announcement, advertisement in the game program, or on the professional team's website) its upcoming games without paying for the advertising; and
- c. A professional team is an identified sponsor of a conference championship.

Question No. 3: How does this proposal change the current rule?

Answer: This proposal would allow a professional sports organization to serve as a financial sponsor of an intercollegiate event (e.g., postseason tournament game, regular-season contest, conference or national championship), provided the professional sports organization is not identified as a sponsor. It would also permit a professional sports organization to be identified as a sponsor of an event that is ancillary to the competition.

Question No. 4: What are examples of financially sponsoring a competition event but not being identified as a sponsor?

Example No. 1: A minor league baseball team may financially sponsor a regular-season baseball contest between two Division III institutions by providing the use of its stadium at a reduced rate and by agreeing to split ticket revenue as part of the financial contract, but they cannot be an identified sponsor of the contest (e.g., Indianapolis Indians Baseball Classic).

Example No. 2: The Wisconsin Timber Rattlers may be involved in promoting the NCAA Division III Baseball Championship through in-game announcements and by providing advertising space in game programs at no charge to the NCAA, host institution or local organizing committee.

Example No. 3: The Baltimore Ravens may be involved in promoting the NCAA Divisions I/II/III Men's Lacrosse Championship at Ravens games through distribution of information to season ticket holders and by providing advertising during all events (e.g., concerts, games) at no charge to the NCAA, host institution or local organizing committee.

Example No. 4: The National Pro Fastpitch League may promote each division's NCAA championship on its website and during each of its team's games.

Question No. 5: What is an example of an event that is ancillary to the competition, that a professional team may be identified as a sponsor?

Answer: Events that are ancillary to the competition but not part of the competition itself would be a three-on-three basketball tournament in conjunction with the Division III basketball championship, youth clinics or fan activities held at the event (e.g., "Tourney Town" in conjunction with the final four). Under the proposal, it would be permissible for a professional sports organization to be an identified sponsor of any of these events.

Question No. 6: Would this proposal allow professional sports organizations to sponsor institutions as opposed to the intercollegiate event?

Answer: No. Financial sponsorship of an event is specific to the event itself and not any particular institution, conference or the NCAA. Consequently, while a professional hockey team may sponsor a game between two Division III institutions, it may not be a financial sponsor or an identified sponsor of either institution. While the institutions may receive some financial benefit, as a result of the various financial arrangements made regarding hosting and sponsoring the event (e.g., split concession profits), the professional team could not provide a direct cash donation to either institution, except as permitted in Bylaw 12.6.1.4.

Question No. 7: Would this proposal allow a professional sports organization to affiliate with student-athletes?

Answer: No. It would remain impermissible for a professional sports organization to affiliate with student-athletes (e.g., logos, marks) in any manner.

Proposal Number: 2012-5 (2-2)

Title: PERSONNEL -- CONDUCT OF ATHLETICS PERSONNEL -- CERTIFIED STRENGTH AND CONDITIONING COACHES -- REQUIRED SPORTS-SAFETY TRAINING

Effective Date: August 1, 2012.

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

Intent: To require certified strength and conditioning coaches to maintain current certification in first aid, cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) use if they conduct voluntary strength and conditioning activities outside the playing season.

Question No. 1: Do strength and conditioning certifications include first aid, CPR and AED certifications?

Answer: Many do. Some may not, however, require all three certifications. Further, the first aid, CPR or AED certification may lapse before the strength and conditioning certification expires. This proposal requires that regardless of the particular strength and conditioning certification held by the coach, that coach must maintain active first aid, CPR and AED certification to conduct out-of-season workouts.

Question No. 2: Does this legislation require *all* strength and conditioning coaches to be

certified in first aid, CPR and AED use?

Answer: No. This proposal requires certification in first aid, CPR and AED use only for certified strength and conditioning coaches who wish to conduct voluntary workouts outside of the playing season. Strength and conditioning coaches, regardless of certification, that conduct workouts in season or merely monitor workouts for safety purposes outside the season are not required under this proposal to have first aid, CPR and AED certification.

Question No. 3: Under this proposal, if an institution's certified strength and conditioning coach is not certified in first aid, CPR and AED use, can he/she still monitor strength and conditioning activities for health and safety purposes?

Answer: Yes. This proposal does not alter any of the current exceptions to the athletically related activities bylaw. Therefore, any strength and conditioning coach, regardless of certifications may still monitor out-of-season voluntary workouts for safety purposes.

Question No. 4: Does this proposal require all institutions to have an AED accessible by the certified individual?

Answer: No. Although this proposal does not require an AED to be accessible by the certified individual, the NCAA Sports Medicine Handbook guidelines state that: "AEDs have become a common, safe and effective means of reviving persons in cardiac arrest. An AED should be considered a part of your sideline equipment. However, CPR should never be delayed while searching for an AED." For more information about AED use on campus, please review the NCAA Sports Medicine Handbook Guideline, No. 1-(c), at www.ncaa.org/health-safety. Further, Division III institutions should note they may request funding for an AED through the Division III Strategic Initiatives Grant Program operated through Division III conferences and the Association of Division III Independents.

Proposal Number: 2012- 6 (2-7)

Title: PLAYING AND PRACTICE SEASONS -- REQUIRED DAY OFF -- VOLUNTARY STRENGTH AND CONDITIONING ACTIVITIES PROHIBITED DURING REQUIRED DAY OFF

Effective Date: Immediate.

Source: New England Collegiate Conference, New England Women's and Men's Athletic Conference.

Intent: During the playing season, to prohibit voluntary activities conducted by certified strength and conditioning personnel during the mandatory day off; further, outside the playing season, to prohibit voluntary activities conducted by certified strength and conditioning personnel one calendar day per week.

Question No. 1: Would the proposal still allow a certified strength and conditioning instructor to monitor for safety purposes a voluntary individual workout during a mandatory day off?

Answer: Yes, it would be permissible for a certified strength and conditioning instructor to monitor for safety purposes a voluntary activity on a mandatory day off, so long as the instructor does not conduct the workout.

Question No. 2: If a student-athlete is enrolled in a strength and conditioning course taught by an institution's strength and conditioning personnel, is it permissible for the student-athlete to participate in the course activities during a mandatory day off?

Answer: Yes, if the course is part of the institution's regular academic offerings, it would be permissible for a student-athlete to participate during a mandatory day off. The student-athlete may not participate in practice activities under the guise of course work (i.e., a student-athlete participates in normal class activity as outlined by the instructor for all students).

Question No. 3: Is it permissible for a noncertified strength and conditioning instructor to conduct voluntary activities during mandatory days off?

Answer: No, it would not be permissible for any athletics department staff member to conduct voluntary individual strength and conditioning activities during a mandatory day off. The instructor could be present to monitor for safety purposes. Under the current rule, only certified strength and conditioning personnel may conduct voluntary workouts during the mandatory day off.

Question No. 4: Is the day off requirement mandated by this proposal a team requirement or individual requirement?

Answer: During the season, each team is required to have one day off per week

from all athletically related activity. This proposal requires that student-athletes may not participate in voluntary workouts with a strength and conditioning coach on the team off day. Outside the playing season there is not a required team day off. Therefore, the requirement is specific to the individual and only requires that each student-athlete refrain from these voluntary workouts with a strength and conditioning coach at least one day per week. That day off can be different for different members of the same team.

Proposal Number 2012-7 (2-4)

Title: RECRUITING -- PERMISSIBLE ELECTRONIC TRANSMISSIONS

Effective Date: Immediate.

Source: Little East Conference, St. Louis Intercollegiate Athletic Conference.

Intent: To regulate electronically transmitted correspondence between prospective student-athletes and college staff and coaches according to the same standard as telephone, email and fax correspondence.

Question No. 1: What type of communication would be permissible under this proposal?

Answer: This proposal would deregulate the current restriction on electronic communication which only permits email and facsimiles and permit coaches and staff to use any form of electronic communication with prospective student-athletes. For example, text messaging and instant messaging would be permitted. Additionally, the use of social networking sites to communicate with prospective student-athletes would also be permissible. For example, the use of the chat and message feature of Facebook would be permitted along with the direct message feature of Twitter.

Question No. 2: Would a coach be permitted to send a message to a prospect that could be seen by others?

Answer: No. This proposal permits a coach or staff member to use any type of communication, but it does not change the publicity restrictions in NCAA Division III Bylaw 13.10. For example, a coach would not be permitted to write on a prospect's Facebook wall or include the prospect's username in a Twitter post. These types of communications would be contrary to the

publicity legislation. Permissible communication must be sent directly and privately to a prospect under this proposal.

Question No. 3: Under this proposal, would it be permissible for a prospective student-athlete's name or picture to appear on an athletics department staff member's profile page of a social networking website to identify the prospective student-athlete as a "friend" of the athletics department staff member?

Answer: Yes. Appearing as a "friend" confirms recruitment, which is permissible. The athletics department staff member, however, may not make any public comments regarding the prospective student-athlete's ability, the contribution that the prospective student-athlete might make to the team or the likelihood of the prospective student-athlete's attendance at that institution. Additional communication with or about a prospective student-athlete in the public's view (e.g., Twitter "@replies" or "mentions") is contrary to the publicity legislation.

Question No. 4: How does this proposal differ from Proposal No. 2012-8 (2-5)?

Answer: Proposal No. 2012-8 (2-5) only permits text messaging while this proposal permits any form of electronic communication (e.g., instant messaging, chat).

Question No. 5: Does this proposal change anything with respect to current rules as they pertain to communication with prospects who play on a club team coached by an institution's coach?

Answer: Currently, it is permissible to use any form of communication, including text messaging, to communicate in these situations, provided the communication is not for recruiting purposes. This proposal would allow the communication to also be for recruiting purposes.

Question No. 6: How does the current rule and this proposal differ from Divisions I and II?

Answer: Similar to Division III, Divisions I and II may only use email and fax to communicate with prospects. Divisions I and II, however, do not have a restriction on the use of social networking which means it is permissible to use the message feature of any application (e.g., Facebook messages, Twitter direct message) as it is comparable to email and has been interpreted as such.

- Both Divisions I and II have proposals that would deregulate the forms of electronic communication, similar to this Division III proposal. If adopted, both divisions would be permitted to use any form of electronic communication.

Proposal Number 2012-8 (2-5)

Title: RECRUITING -- ELECTRONIC TRANSMISSIONS -- ALLOWING TEXT MESSAGING

Effective Date: Immediate.

Source: NCAA Division III Management Council.

Intent: To allow text messaging to be used in the recruiting process.

Question No. 1: How is this proposal different than Proposal No. 2012-7 (2-4)?

Answer: This proposal only changes the current rule to permit text messaging. Proposal No. 2012-7 (2-4) permits any form of electronic communication such as text messaging, instant messaging, chat and so forth.

Proposal Number: 2012-9 (2-6)

Title: ELIGIBILITY -- HARDSHIP WAIVER -- PRACTICE AFTER INJURY

Effective Date: August 1, 2012.

Source: Midwest Conference, Minnesota Intercollegiate Athletic Conference.

Intent: In the traditional season, to prohibit student-athletes who have, according to a physician, sustained a season-ending injury from engaging with the team in any physical practice activities.

Question No. 1: Under the current rule how long can a student-athlete continue to practice after sustaining a season ending injury and still qualify for a hardship waiver?

Answer: If the student-athlete suffers a season ending injury within the legislated timeframe as supported by appropriate medical documentation, the student-athlete may continue to engage in practice and rehabilitative

activities for the remainder of the season so long as he or she does not compete.

Question No. 2: Under this proposal, if a student-athlete sustains a season-ending injury in the first half of the season, may she/he practice for the remainder of the first half of the season?

Answer: No, if the season-ending injury was diagnosed in the first half of the season. If the injury was not diagnosed season-ending until the second half of the season the student-athlete may continue to practice with the team up to the end of the first half of the season (see DIII Manual Figure 14-1, Page No. 102) and still be in position to qualify for a hardship waiver. Student-athletes who sustain injuries in the first half of the season that are not immediately diagnosed as season-ending should avoid practice into the second half of the season and engage only in rehabilitation activities until there is a clear determination of whether they can return to competition or it is a season-ending injury. If the student-athlete continues to practice after the defined halfway point of the season, the student-athlete will not be eligible for a hardship waiver.

Question No. 3: Can the injured student-athlete engage in rehabilitation activities that are embedded within team practice activities?

Answer: No. The permissible rehabilitation activities must be conducted under the guidance of the athletics training staff or physician and cannot be embedded within official practice activities. A student-athlete that engages in activities directed by the athletics training staff or physician that are also part of practice (e.g., throwing a baseball, running sprints), may not participate in those activities as part of official practice. Some examples are:

- a. A baseball student-athlete has been directed by a physician to incorporate throwing into his rehabilitation. The baseball team warms up for practice by throwing for 15 minutes. The student-athlete may not throw with his teammates during this 15 minute warm-up session.
- b. A student-athlete has been directed by a physician to run each day as part of her rehabilitation. The student-athlete may run around the fields while her team is practicing, so long as that is not part of the official practice. Furthermore, that student-athlete may not engage in any practice drills or conditioning that includes running.

- c. A softball student-athlete has been directed by a trainer to incorporate pitching into her rehabilitation. The athletic training staff is not physically present during the rehabilitation activities. While the trainer does not have to be physically present for the activity, another student-athlete may not assist the rehabilitating student-athlete in rehabilitation activities, during official practice time. A coach may not assist the student-athlete regardless of when the rehabilitation activities occur.

Question No. 4: Does the phrase in the proposal “conducted under the guidance of the athletic training staff or physician” [and referenced in question number 3] require the trainer or physician to be physically present during the rehabilitation activities?

Answer: No. The proposal does not specifically require the trainer or physician be physically present during the prescribed activities.

Question No. 5: Under the proposal, can a healthy student-athlete assist an injured student-athlete in rehabilitation activities (e.g., throwing in baseball or softball)?

Answer: Yes, as long as it takes place outside of regular practice activities and the healthy student-athlete engages in the activity voluntarily as opposed to being directed by the coach.

Question No. 6: How does this proposed legislation affect participation in the nontraditional season?

Answer: It does not affect participation in the nontraditional segment. For example, a student-athlete in an NCAA fall championship sport that received a hardship waiver would still be able to practice in the nontraditional season in the spring (and compete in the one contest if applicable) without forfeiting that medical hardship waiver.

Question No. 7: How does this proposed legislation affect participation in a “split season” sport like golf and tennis?

Answer: A student-athlete with a season ending injury in the first half of the season may not practice in the second half of the split competition season if he or she wishes to remain eligible for a medical hardship waiver. It is important to remember, that even with the split-season sports, the halfway point of the season is defined by the number of contests and not by the end of the fall period.

Question No. 8: Would this proposal allow a student-athlete that suffers a season ending injury to participate in team practices as a manager?

Answer: The student-athlete could participate in regular practice as a manager but the role shall be limited to performing traditional managerial duties. Any participation beyond engaging in managerial duties will be considered participation in regular practice and nullify eligibility for the hardship waiver. Participating as a practice player is not considered managerial duties.

Question No. 9: Would this proposal prohibit a student-athlete from traveling and receiving expenses associated with competition, if he or she is to qualify for a hardship waiver?

Answer: No. Traveling with a team and receiving related expenses does not jeopardize a student-athlete's eligibility for a hardship waiver.

Proposal Number: 2012-10 (2-8)

Title: PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING SEASON REGULATIONS -- POSTSEASON ACTIVITIES -- EXEMPTING ONE POSTSEASON CHAMPIONSHIP FROM THE 18 OR 19 WEEK DECLARED PLAYING SEASON

Effective Date: August 1, 2012, for all student-athletes, including both new and continuing student-athletes.

Source: The Commonwealth Coast Conference, Great Northeast Athletic Conference.

Intent: In all sports, to exclude from the 18 or 19 week declared playing and practice season, one postseason championship.

Question No. 1: Are postseason championships exempted from the 18/19 week playing season under the current rule?

Answer: There are four specific postseason championships that are exempted from the 18/19 week playing season. Those four championships are:

- a. NCAA;
- b. National Christian College Athletic Association;

- c. National Association of Intercollegiate Athletics; and
- d. National Collegiate Gymnastics Association national championship (women's).

There are also two general types of championships that are exempted from the 18/19 week playing season. Those championships are:

- 1) A postseason championship in a sport in which the NCAA does not sponsor a championship but the institution uses for sport sponsorship purposes; and
- 2) A postseason championship for an emerging sport for women.

All other postseason championships must be included in the 18/19 week playing season. This proposal would allow practice and competition for any postseason championship to be exempted from the 18/19 week playing season.

Question No. 2: Does this proposal limit the length of the exempted postseason championship?

Answer: Any postseason championship must conclude prior to the end of the NCAA championship in that sport. So long as the postseason championship concludes by that time, there is no limit on the length of the championship that may be exempted.

Question No. 3: If a team has completed its 18/19 week playing season and the postseason tournament has not yet started, may a team continue to practice in preparation for the tournament?

Answer: Yes. If a member institution has reason to believe it is under consideration for selection to the postseason tournament, it may practice as follows: For the postseason championships that are currently exempted (e.g., those championships identified in the response to question number 1) an institution may practice (but not compete) for up to three weeks immediately preceding the beginning of the championship. For all other exempted postseason championships, an institution may practice (but not compete) for up to one week immediately preceding the beginning of the championship.

Question No. 4: Are the contests in a postseason championship counted in the maximum contest limits?

Answer: Pursuant to both the current rule and the proposal, an institution may exclude from the maximum contest limits, the contests in one postseason championship.

Question No. 5: Would a conference tournament be a postseason championship that may be exempted pursuant to this proposal?

Answer: No. Under the current rule a conference tournament must be included within the 18/19 week playing season. The conference tournament contests are exceptions to the maximum contests limits for the particular sport but participation in the tournament must be included within the 18/19 week playing season. The proposal does not change this application.

Question No. 6: How many postseason championships would this proposal allow an institution to exempt from its 18/19 week playing season?

Answer: An institution could only exempt one postseason championship.

Question No. 7: May an institution participate in more than one postseason championship?

Answer: Yes, but only one postseason championship may be exempted from the 18/19 week playing season, and only the contests for one postseason championship may be excluded from the maximum contest limitation. Therefore, participation in a second postseason championship must occur during the 18/19 week playing season and the contest must be counted against the maximum contest limitations.

Question No. 8: What is considered a “postseason championship?”

Answer: A postseason championship is a season-ending, invitational tournament scheduled to occur after a conference or independents championship and shall involve competition between teams that are not identified until the close of the regular season. The sponsoring organization and requirements for selection must be established prior to the first permissible contest date for the sport. The sponsoring organization may not consist solely of the members of any single conference that has already conducted a conference championship tournament or solely of a group of independents that have already conducted an independents championship tournament.

NCAA Partners with National Laboratory to Provide Access to Affordable Screening for Sickle Cell Trait as Part of a Student-Athlete's Medical Examination.

Overview

In an effort to provide a more efficient and effective process for sickle cell trait (SCT) screening, the NCAA has signed an agreement with Quest Diagnostics to provide three different service models for member institutions and their student-athletes to access affordable screening exams to determine SCT status as part of the student-athlete's medical examination process. Effective October 1, 2011.

All student-athletes beginning their initial season of eligibility and students who are trying out for a team are required to undergo a medical examination before engaging in physical activity.

In Division I, this medical examination must include a sickle cell solubility test, unless documented results of a prior test are provided or the student-athlete declines the test and signs a written release. Although SCT screening is performed on all U.S. babies at birth, many student-athletes may not know whether they have the trait. SCT status can be accomplished with a simple blood test that is relatively inexpensive. Screening can be used as a gateway to targeted precautions and counseling on the implications of SCT, including health, athletics and family planning. Currently, Division II and Division III are evaluating proposals for a similar legislative requirement as part of the medical examination.

Institutions can select from the following three service models:

1. Institution on-site services model;
2. Patient service center model; or
3. Student-athlete service model.

Service Models for NCAA Member Institutions.

1. Institution On-Site Services Model.

The following service model is available to all NCAA member institutions that want to conduct onsite campus collections for their student-athletes as part of their medical examination through an agreement with Quest Diagnostics. Institutions are responsible for fees associated with this model and Quest Diagnostics will bill the institution on a monthly invoice. The average turnaround time for results mainly depends on the physician. The laboratory will turnaround the results in 24 hours to the ordering physician/institution designated physician either via fax or online.

Quest Diagnostics will provide on-site blood drawing (phlebotomy) services at an NCAA institution with this service model. The institution will contact the Quest Diagnostics

Client Service Team to schedule a blood-drawing event at **1-866-226-8046**. Institutions should indicate they are calling to setup an “onsite blood drawing event for sickle cell trait testing”. The event must be scheduled with a minimum notice of ten business days prior to the date the service is required.

All laboratory testing must be ordered by a licensed physician and Quest Diagnostics must be provided with the licensed physician information. An institution physician or campus health center physician could fill the role of ordering physician as long as the results reporting and follow-up are provided to the student-athlete.

Quest Diagnostics will provide an appropriate number of phlebotomists to accommodate the number of student-athletes that need their blood drawn. In the event that phlebotomy support is requested and confirmed as scheduled, then subsequently cancelled with less than three business days notice, a cancellation charge equal to two hours/phlebotomist staffed at the stated hourly rate will be assessed.

Quest Diagnostics will provide, as part of the set established fee, all supplies necessary for the proper collection and transport of specimens to Quest Diagnostics. This includes requisition forms, specimen transport containers, specimen bags and labels, packaging materials, courier pick-up and transportation back to a Quest Diagnostics facility. The Quest Diagnostics phlebotomists will make all of the arrangements to have the blood specimens picked up by a Quest Diagnostics courier and transported to the laboratory for testing.

A positive screening test will result in an automatic reflexive test for confirmation. All laboratory testing results will be reported back to the ordering physician as designated by the institution per state and federal regulations for sharing and transmitting medical information. If a test is positive, the student-athlete should be offered counseling on the implications of SCT, including health, athletics and family planning.

Fees:

On-Site Blood Draw at Institution Location - **\$65.00** per phlebotomist, per hour.

Sickle Cell Screen (test code 825) - **\$8.50**.

Confirmatory Reflex Testing (test code 35489/37679) - **\$30.00**.

2. Patient Service Center Model.

The following service model is available to all NCAA member institutions that want to pay for their student-athletes SCT screening test as part of their medical examination but do not want to collect the samples onsite. Institutions are responsible for fees associated with this model and Quest Diagnostics will bill the institution on a monthly invoice. The

average turnaround time for results mainly depends on the physician. The laboratory will turnaround the results in 24 hours to the ordering physician/institution designated physician either via fax or online.

Quest Diagnostics operates a network of over 2,000 company owned and managed Patient Service Centers (PSC). These PSCs provide member institutions' student-athletes with walk-in phlebotomy blood-drawing services. Student-athletes of the NCAA member institutions can use this national network of PSCs for their blood draw where the SCT Screening test will be analyzed.

This process begins with the institution contacting the Quest Diagnostics Client Service Team at **1-866-226-8046** to setup an account for the forms. The institutions *name* and *contact information* will be listed on each form provided to the student-athlete. The participating NCAA institution provides the student-athlete with a Quest Diagnostics Test Requisition Form and an institution physician, campus health center physician, or family physician fills the role of ordering physician. The student-athlete will look up a Quest Diagnostics PSC location nearest their location by using a zip code (school address or home address, whichever is more convenient) at :

<https://secure.questdiagnostics.com/hcp/psc/jsp/SearchLocation.do?newSearch=FindLocation>.

At the time of presenting the form at the PSC, the blood will be drawn and sent to a Quest Diagnostics laboratory for testing. The testing will be performed and results will be reported back to the physician with prescriptive authority for ordering the testing per state and federal regulations for sharing and transmitting medical information.

A positive screen results in an automatic reflexive test for confirmation. The student-athlete or physician will then report the testing results to the institution's designee per state and federal regulations for sharing and transmitting medical information. If a test is positive, the student-athlete should be offered counseling on the implications of sickle cell trait, including health, athletics and family planning.

Fees:

Blood Draw at Quest Diagnostics PSC (test code 3259) - **\$9.00**

Sickle Cell Screen (test code 825) - **\$8.50**

Confirmatory Reflex Testing (test code 35489/37679) - **\$30.00**

3. Student-Athlete Service Model.

The following service model is available to all NCAA member institutions that want their student-athletes to pay for the SCT screening test as part of their medical examination.

This is a patient-centered laboratory test ordering model and the student-athlete will pay for the fees associated with this model through an easy to use, and secure online system run by Quest Diagnostics and Medivo. The student-athlete must be 18 years of age or older to use the online service. Student-athletes can expect that their results will be ready between 24-48 hours, on average.

As instructed by their institution, the student-athlete will go directly to the Medivo website to generate the test order, pay for the SCT screening test and physician service with a single \$32.50 fee and print a Quest Diagnostics test requisition form.

Website: <https://sicklecelltesting.medivo.com/order/am>

The student-athlete will be able to determine the most convenient Quest PSC for their blood draw by performing a search on the Medivo website as they are generating the test order.

Medivo will provide the prescriptive authority for the SCT screening test order and confirmatory test (if necessary) as well as the payment platform for the student-athlete. The student-athlete *must* take the Quest Diagnostics test requisition form (generated after they make payment on the Medivo website) to a Quest Diagnostics PSC to have their blood drawn. There are no exceptions.

Test results will go back to Medivo for review. Medivo will post the results to their website for the student-athlete to view and print. If a test result is *positive*, the student-athlete will receive a phone call directly from a physician at Medivo as well as an email with a link to go back online to request and pay for the confirmation reflex testing (\$30.00) through the Medivo online system. The student-athlete will be directed to a new website to order the confirmation test:

<https://confirmationtest.medivo.com/order/am>

The student-athlete may need to have an additional blood draw for the confirmation testing. The student-athlete will then provide the results to their primary care physician or the institution's designee per state and federal regulations for sharing and transmitting medical information. If a test is positive, the student-athlete should be offered counseling on the implications of sickle cell trait, including health, athletics and family planning.

Fees:

SCT Screening Test - **\$32.50**

Confirmation Reflex Testing - **\$30.00**