Happy Holidays!

From the DII Compliance Calendar
1. Begin certifying for practice and/or competition spring sport student-athletes and mid-year enrollees. (By end of December)
2. Collect roster changes and update squad lists. (continual)
3. Monitor full-time enrollment. (continual)
4. Monitor official and unofficial visits. (continual)
5. Monitor contacts and evaluations. (weekly or monthly as required)
6. Monitor countable-athletically related activities. (weekly or monthly as required)

** Monthly Rules Education Session- Proposed Legislation. **

Please note that the 2010 NCAA Convention Division II official notice is now available at the NCAA Website. Go to ncaa.org Home> Legislation and Governance> Rules and Bylaws> Legislative Actions and Issues>Division II > 2010 NCAA Convention Division II Official Notice.

Please remember that the NCAA has asked that member institutions go through their conference office if they have questions. The NCAA has asked that member institutions DO NOT call the NCAA directly. Member institutions are to go through the conference office. If the compliance person is not available in the conference office then it would be permissible to call the NCAA directly.

I hope things are going well on campus. Please remember if you need anything please contact me and I will help you in any way. Have a safe and Happy Holidays!

Good luck and Go NSIC!
Melissa Sewick, NSIC Assistant Commissioner for Compliance
**AMA Education on Demand**

The latest DII specific rules education video features Jen Fraser and discusses transfers. Remember that in addition to the video detailed above, there is an entire collection of educational videos. The videos can be found in LSDBI on the resource tab, by clicking on the AMA education on demand link found under education materials/information heading. To view the DII specific videos, select the DII link at the top of the AMA Education on Demand Page.

**2010 NCAA Regional Rules Seminars**

May 17-21, 2010- Indianapolis, Indiana  
June 14-18, 2010- Dallas, Texas

Seminar descriptions and schedule coming in mid-January. Back by popular demand- Major Infractions Symposium. The symposium will be Wednesday morning. Registration will open early February 2010.

**Agent, Gambling and Amateurism**

Dontbetonit.org Launches in February 2010

Dontbetonit.org- Movie Trailer

Dontbetonit.org

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**National Letter of Intent Reminders (NLI)**

1. The SA has 14 days from the date issued date to sign the NLI.

2. From the date that the NLI is signed by the SA, you have 21 days to get it into the conference office.

3. The NLI must be signed within the signing period. It cannot be signed after the signing period is over.

4. Please make sure that the NCAA ID Number is readable. I cannot input it into the system if I cannot read it. If the copy you submit to the conference office is dark/blurry or you cannot read it. Please make sure you write their NCAA ID number on the NLI.

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**Compliance Forms Project Update**

Last year the staff began the task of reviewing the NCAA required compliance forms. This review included an examination of the necessity, content and how academic and membership affairs can assist our member institutions in administering these forms. We have received valuable information and feedback from many of you. We anticipate this project to extend into the next couple of years as we continue to explore the use of electronic forms. Please contact Jen Daniels at jdaniels@ncaa.org if you have specific questions, concerns, feedback regarding this project. Please contact Doug Healey at dhealy@ncaa.org if you have general questions about the compliance forms.
NSIC Rules Education:

(Q) Our softball team has a contest during Spring semester in our dome that they are hoping will conclude around 6:30 pm. Our campus recreation department is looking at scheduling a high school scrimmage in that same facility (the dome) for 7:00 pm. We know that at no time can that high school teams be using the same facility as our college team. The question is that if in the rental agreement it has been agreed upon that they will allow both high school teams in prior to the start of their 7 pm game for warm-ups and our game has not yet finished would it be permissible for our campus recreation department to allow them to conduct warm-ups in a different portion of our facility? Most likely being the balconies of our gym. The balconies are completely different rental areas and are not in the same vicinity.

(A) Per discussion with the NCAA (Alex at 12:00 on November 24, 2009) we have concluded that the above situation would be permissible. As long as there is NO coaches involvement, bylaw 13.11.3.3, having the high schools teams warming up in another facility would be permissible. As long as the campus recreation department has them warming up in a different facility than the dome it would be permissible.

(Q) Here is a men’s wrestling student athlete history. Fall 2005 fulltime at 2-year competed, Spring 2006 fulltime at 2-year competed, Fall 2006 fulltime at 2-year competed, Spring 2007 fulltime at 2-year competed, Received Diploma from 2-year school in Insurance Claim Representative, transfers to 4-year school, Fall 2007 fulltime at 4 year school no participation, Spring 2008 part-time at 4-year no participation, Fall 2008 fulltime at 4 year school no participation Passed 0 credits and placed on academic suspension, Spring 2009 no enrollment or participation, Transfers to our institution in Fall 2009 semester and would like to wrestle. I believe this student could use the two year non participation exception, however, he didn’t complete 6 transferrable credits in his last full time term. Did he have to complete 6 credits in his last fulltime term of enrollment to use the two year non participation exception or is he eligible regardless of his academic status because of the non participation exception? If he can use the two year nonparticipation exception but needs to pass 6 credits in his last fulltime term, can he be eligible to compete in the Spring 2010 semester if he passes at least 6 credits at our institution in the Fall 2009 semester or does he have to do a year in residence?

(A) Has the SA been admitted to the institution in good academic standing per Bylaw 14.01.2.1 (good academic standing)? Based on his academic history this may be an issue and is based on the institutions definition of good academic standing. Just because he has been admitted he may not be considered a student in good academic standing. If he is not in good academic standing he cannot use an exception to get eligible. If he is in good academic standing and meets the legislation in 14.5.5.3.7 (two-year nonparticipation or minimal participation exception) then he may also meet the legislation in 14.4.3.4 (e) (two-year nonparticipation or minimal participation exception) to meet the six hour rule. In addition, if the SA wishes to compete during the 2010 spring term he will need to pass six hours during the 2009 fall term to be eligible for competition.

(Q) Student athlete is currently in his 5th full time semester:

So:  2009-10: 5th and 6th full time semester
     2010-11: 7th and 8th full time semester
     2011-12: 9th and 10th full time semester

Student athlete is currently full time, eligible and in good academic standing. Wants to know if he can take a red shirt season during 2010-11 (his 7th and 8th full time semester) and then be fine and eligible to complete his final season of competition come 2011-12 and be fine. I am guessing yes that this is fine, I am just not sure because most times student athletes do this their freshman year. But there would no further paperwork or anything to fill out in order for him to do this correct?

(A) The SA would be able to redshirt and still participate 2011-12 season. As long as the SA is in good academic standing and meets academic requirements. Documentation should be kept on file that the SA does not COMPETE for the 2010-11 academic year. Also, please note that the SA has only 4 seasons of competition and 10 semesters. The above SA would complete his 4 seasons of competition in 10 semesters. A redshirt occurs when a student-athlete does not use a season of competition per the legislation in 14.2.4 (criteria for determining season of eligibility). The SA has 10 semesters to compete in four seasons and must meet all applicable legislation in order to be eligible.

(Q) The football program would like to host a pep rally on our campus possibly sometime in December. They were thinking of inviting the local high school football program to give the event some community flavor. At the event, they were thinking of recognizing the local high school football team for their accomplishments this past year. I don’t believe there are any fees associated with this event. If this event is hosted on campus & within a permissible recruiting time period, can they invite the local high school football team? In addition, the local high school football program would like to bring their pep band. An issue that I see is if recruiting contact is made between our football coaches & the local high school football players.

First, is this event permissible in regards to inviting our local high school football team as well as them bringing their pep band? Second, if this is permissible, anything that we should be aware about to not violate NCAA legislation? Thank you.

(A) It is not clear the intent of this pep rally is it for the high school? Are other groups being invited other than the one high school? The institution’s president makes the determination if an event is community engagement and it must meet the purpose of a community engagement activity defined in Bylaw 13.02.1 (community engagement activity). If this is not considered a community engagement activity then the institution should review 13.2
13.02.1 Community Engagement Activity.

A community engagement activity is an activity in which a member institution participates for the primary purpose of enhancing the community, rather than benefiting the institution. The institution must be able to demonstrate how the engagement of the institution's resources (e.g., its student-athletes, its facilities) is meeting a specific identified community need or show how the use of its aforementioned resources links the institution to an overall school-wide community support strategy. The defining element of a community engagement activity is the clear intent of the member institution to provide value to the community. (Adopted: 1/8/07 effective 8/1/07)

13.02.1.1 Application.

A community engagement activity shall not be considered recruiting for purposes of securing a prospective student-athlete's enrollment and ultimate participation in the institution's intercollegiate athletics program, provided the institution obtains written approval from its chancellor or president (or his or her designee) confirming the activity meets the definition of a community engagement activity set forth in Bylaw 13.02.1. Therefore, the recruiting regulations set forth in Bylaw 13 do not apply when institutional staff members (including spouses and other family members), representatives of the institution's athletics interests and student-athletes are engaged in community engagement activities with prospective student-athletes, except for the following: (Adopted: 1/8/07 effective 8/1/07, Revised: 4/11/07)

(a) A community engagement activity may not take place during a dead period; and

(b) A representative of the institution's athletics interest is limited to participating in community engagement activities with prospective student-athletes when all prospective student-athletes reside within a 100-mile radius of the location of the community engagement activity.

(Q) Our baseball coach would like to tryout at prospective student-athlete. The PSA meets all the requirements set forth in bylaw 13.11.2 (one tryout, medical documentation, tryout not during same term as season, ...) Question is if the tryout can be held at the prospective student-athlete's (home) high school gym instead of on our campus.

(A) NO, the tryout cannot be held at the PSA home high school gym instead of campus.

Bylaw 13.11.2.1 clearly states: "A member institution may conduct a tryout of a PSA ONLY ON ITS CAMPUS of AT A SITE IN NORMALLY CONDUCTS PRACTICE OR COMPETITION"

The PSA also must meet the conditions of Bylaw 13.11.2.1 (a)- (g)

(Q) Can a partial qualifier travel with the team on a spring trip if the person pays for all of their own expenses and NSU does not pay for or provide any benefits. They would drive themselves to the airport, pay for their own ticket, pay NSU for mileage for vans in Florida, pay for all of their own meals and pay for their own motel room.

(A) Per Bylaw 14.3.2.1.1 (eligibility for aid, practice and competition) a partial qualifier is only allowed to practice with the team on campus or at the institutions regular practice facility and since the institution cannot pay for travel unless it is associated with practice or competition per bylaw 16.8 for student-athletes in general, I am assuming the team is going to practice and compete on this trip. I would say that the practice off campus by a partial qualifier is not permissible per the legislation. In addition I agree with your assessment how would the institution monitor the payment of expenses and that the PQ was not receiving any impermissible benefits while away from campus? (Leslie S.- NCAA Contact)
This would not be permissible. There are too many red flags and would be difficult to monitor. PQ are only allowed to practice with the team on campus or regular practice facility and receive athletic aid. There is the potential of impermissible benefits while away from campus that would put the SA at high risk of a violation.

(Q) Based on 17.9.4 I did not approve Football to continue to practice, until the conclusion of the Division II Football Championship, as though it was the regular season (4/20). Based on 17.19.4 I approved Soccer to continue to practice, until the conclusion of the NCAA Division II Soccer Championship, as though it is the regular season (4/20). Based on 17.25.2.4 I approved Volleyball to continue to practice, until the conclusion of the NCAA Division II Women’s Volleyball Championship, as though it is the regular season (4/20). Am I correct in the above interpretations?

(A) Based on the interpretation it is not permissible for an institution to continue to practice in a sport beyond its last regular season contest or date of competition, including the conference championship (if any) unless there is reason to believe it is under consideration for selection in the championship. This applies to each of the sports you indicated volleyball, soccer and football so once the institution has completed their final regular season contest or date of competition they could not practice until the championship unless they have reason to believe they are going to be selected for the championship; in any case once the institution has been notified that they are not going to participate in the championship or loses in the championship they must discontinue practice immediately. (Leslie S.- NCAA Contact)

Interpretation - 1 Interpretation

Title:
Practice Subsequent to Last Scheduled Contest or Date of Competition (II)

Date Published: December 10, 2003
Type: Official Interpretation
Item Ref: 1

The NCAA Interpretations Subcommittee of the Division II Legislation Committee determined that it is not permissible for an institution to continue to practice in a sport beyond its last regular season contest or date of competition, including the conference championship (if any), unless the institution has reason to believe it is under consideration for selection to participate in the championship. Further, an institution not selected to participate in the championship or an institution that loses in the championship may not continue to practice until the conclusion of the championship event. [Reference: NCAA Bylaws 17.1.6-(b) (NCAA or NAIA championships participation in team sports), 17.1.6-(c) (NCAA championships participation in individual sports), 17.1.6-(d) (post-NCAA championships participation), 17._.1 (length of playing season) and 17._.4 (end of regular season).]

References
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2009 November Division II Commissioners Announcements

PLEASE SEE THE ATTACHED DOCUMENT

**Please read- important information in the DH Commissioners Announcements**

Happy Holidays!!

* Please send any newsletter suggestions to me. And any thoughts or concerns *