

The Irish Interpreter

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The NCAA Legislative Process

One commonly asked question is “how is NCAA legislation created?” The Division I legislative process begins when a Division I conference or NCAA cabinet and/or committee recommends a change to current legislation. The recommendation, referred to as a proposal, can be either a new piece of legislation or an amendment (revision) to current legislation. Proposals submitted by conferences are forwarded to NCAA cabinets and committees for further review. In addition, the Management Council and Board of Directors can also propose legislation.

Once the proposed legislation is reviewed by the appropriate cabinet or committee it is forwarded to the Management Council for review (referred to as initial consideration). If the legislation is initially approved by the Management Council it is sent to the membership for a 60-day comment period. During the comment period, the membership has the opportunity to provide comments and feedback on those proposals initially approved by the Management Council. In addition, the membership

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Coming in February:

National Letter of Intent (NLI) Signing day for football is February 7. The February issue will have information on the NLI and NCAA rules surrounding the signing period.

Understanding NCAA Transfer Rules

NCAA rules involving student-athletes transferring to another institution can be difficult to understand. Here is a brief overview on the key issues regarding transferring.

There are three basic transfers in Division I:

- A student who transfers from a two-year college to a four-year institution (called a 2-4 transfer)
- A student who transfers from a four-year institution to a second four-year institution (a 4-4 transfer)
- A student who transferred from a four-year institution, to a two-year college and then transfers to another four-year institution (a 4-2-4 transfer).

Note: A student who was certified as eligible for practice, competition and athletically related financial aid by the NCAA Clearinghouse for his/her first year at a Division I institution is called a “qualifier”. A student who was not certified is called a “nonqualifier”.

2-4 Transfer

If a 2-4 transfer student was a qualifier, that student is eligible for practice, competition and athletic aid in his/her first year at the new four-year institution provided he/she has completed a minimum of one full-time term of academic residence at the two-year college, earned an average of 12 hours of transferable degree credit and earned a minimum 2.0 g.p.a. If the 2-4 transfer student was a nonqualifier, he/she is eligible for practice, competition and athletic aid in his/her first year at a four-year institution, provided he/she has earned an

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has an opportunity to suggest amendments to the original proposals. After the comment period has ended, the Management Council will review the reactions and suggestions from the membership. Legislative changes that are approved by the Management Council are forwarded to the Board of Directors for final approval. Legislation that is adopted by the Board of Directors is once again sent out to the membership for a 60-day override period. During the override period, member institutions have the opportunity to override the adoption of the legislation. If there is no call for an override vote at the end of the 60-day override period, the Board of Directors' decision to adopt the legislation is final.

In order to override the adoption of a legislative change, the NCAA must receive a minimum of 100 requests for an override vote. If the required number of requests has been received, the Board of Directors will review its decision to adopt the legislation. If the Board of Directors does not change its decision, the membership will have the opportunity to vote on the legislation. At least a 5/8ths majority vote of the membership is required to override the legislative action taken by the Board of Directors. If a 5/8ths majority vote is not obtained then the Board of Directors action is final.

There is an exception to the legislative process which allows the Board of Directors or the Management Council to adopt emergency or noncontroversial legislation that is effective immediately. Legislation that is considered emergency or noncontroversial does not have to go through the normal legislative process.

Legislative proposals will be considered noncontroversial only if broader consultation and debate are unlikely to improve the proposal in any substantial way; significant disagreement or alternative points of view will not be generated; and such proposals do not have a significant impact (unanticipated consequences, undesirable precedent) on existing legislation or proposed legislation. Legislative proposals will be considered emergency only if significant value or harm is at stake; and the use of the regular legislation cycle is

likely to cause undue hardship to the Association or the Division I membership because of the delay in its effective date.

What is the state of the legislative process for 2006-2007?

At the NCAA Convention last week, the Management Council met and forwarded their recommendations to the Board of Directors. There were over 100 proposals in this year's cycle. The Board of Directors adopted a few proposals which are now in the 60-day override period. The other proposals are being considered by the Board and a final decision will be made at their April 2007 meeting.

DEFINITIONS

Division I Board of Directors - The Board of Directors includes 18 members comprised of chief executive officers (i.e., Presidents, Chancellors) from Division I-A, I-AA and I-AAA institutions. The main responsibility of the Board of Directors in the legislative process is to adopt or defeat proposed legislation.

Division I Management Council - The Management Council includes 49 members comprised of athletics administrators (e.g., athletics directors, senior women administrators, assistant athletics directors, conference administrators), faculty athletics representatives and institutional administrators to whom athletics departments report or who have other significant duties regarding athletics. The members of the Management Council represent Division I-A, I-AA and I-AAA institutions. The main responsibility of the Management Council in the legislative process is to forward proposed legislation to the Board of Directors for a final decision.

Division I Cabinets and Committees - There are two cabinets in the Division I governance structure which are responsible for academic affairs, eligibility and compliance and championships and competition issues. In addition, there are 12 Division I committees which deal with issues that apply only to Division I institutions. Some of the committees include the Men's Basketball Issues Committee, Women's Basketball Issues Committee, Football Issues Committee, Student-Athlete Advisory Committee, Committee on Academic Performance and Committee on Infractions. Several Division I committees report directly to a cabinet. All cabinets report to the Management Council which reports to the Board of Directors.

Membership - The membership is comprised of those institutions which belong to the NCAA. Membership in the NCAA is voluntary, not required.

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AA degree, completed 48 semester hours (or 72 quarter hours) of transferable degree credit, earned a minimum 2.0 g.p.a., and completed at least three semesters (or four quarters) of full-time enrolment at the two-year college.

4-4 Transfer

In general a 4-4 transfer student is not eligible for competition at the second four-year institution until the student has fulfilled one academic year in residence at the second four-year institution. Sometimes people call this year in residence as "sitting out". There are a few exceptions to the general 4-4 transfer rule which can be used provided the student was certified as a qualifier. The most common exception to the transfer rule is called the "one-time transfer exception". In order for this to be used, the following conditions must be met:

- the student must participate in a sport other than basketball, football or ice hockey
- the student can not have transferred previously from a four-year institution
- the student must be in good academic standing and meet the progress toward degree standards
- the student would have been academically eligible if they remained at the first institution
- the first institution does not object to the student receiving the one-time transfer exception

If the student meets the one-time transfer exception, he/she will be immediately eligible for competition at the second four-year institution.

4-2-4 Transfer

In order for a 4-2-4 transfer student to be immediately eligible at the second four-year institution, the student must have completed an average of at least 12 hours of transferable degree credit with a minimum g.p.a. of 2.0 for each term of full-time enrollment at the two-year college, one calendar year must have elapsed since the student's departure from the student's previous four-year college and the student must have graduated from the two-year college.

Big East Conference Transfers

Conferences are permitted to have their own transfer rules which apply to student-athletes who want to transfer from one institution to another within the same conference. In the Big East Conference (Notre Dame's conference), in the sports of football and men's and women's basketball, student-athletes are not permitted to transfer from one Big East institution to another and participate in athletics. In all other sports, student-athletes may transfer, directly or indirectly, from one Big East institution to another Big East institution provided that prior to competing for the second Conference institution the student-athlete serves an academic year in residence ("sitting out") at the second Conference institution. During the year in residency, the student-athlete will be eligible to practice and receive athletically related financial aid.

Hot Topic: Division I Overrides Graduate Transfer Rule

At the annual NCAA Convention last week, NCAA Division I members voted to override a proposal that would have allowed graduate student-athletes to transfer to a new institution and compete immediately. The proposal was entered into the 2005-2006 legislative cycle and was passed by the Board of Directors in April 2006. Enough schools called for a reconsideration of the Board's position (a minimum of 30) that an override vote was held at this year's NCAA convention. 70% of institutions and conferences voting on the override (196) supported the override, and thus the proposal was overturned.

RECRUITING CALENDAR

BASEBALL

- JANUARY 1-3 – QUIET PERIOD
- JANUARY 4-8 – DEAD PERIOD
- JANUARY 9-31 – QUIET PERIOD

MEN'S BASKETBALL

- JANUARY 1-31 – EVALUATION PERIOD

WOMEN'S BASKETBALL

- JANUARY 1-31 – EVALUATION PERIOD

FOOTBALL

- JANUARY 1-4 – DEAD PERIOD
- JANUARY 5-7 – QUIET PERIOD
- JANUARY 8-11 – DEAD PERIOD
- JANUARY 12-13 – QUIET PERIOD
- JANUARY 14-31 – CONTACT PERIOD

MEN'S LACROSSE

- JANUARY 1-3 – DEAD PERIOD
- JANUARY 4-31 – CONTACT/EVALUATION PERIOD

WOMEN'S LACROSSE

- JANUARY 1 – QUIET PERIOD
- JANUARY 2-31 – CONTACT/EVALUATION PERIOD

SOFTBALL

- JANUARY 1 – QUIET PERIOD
- JANUARY 2-31 – CONTACT/EVALUATION PERIOD

VOLLEYBALL

- JANUARY 1-12 – QUIET PERIOD
- JANUARY 13-31 – CONTACT/EVALUATION PERIOD

RECRUITING DEFINITIONS TO KNOW...

Contact Period: A contact period is that period of time when it is permissible for authorized athletics department staff members to make in-person, off-campus recruiting contacts and evaluations.

Evaluation Period: An evaluation period is that period of time when it is permissible for authorized athletics department staff members to be involved in off-campus activities designed to assess the academic qualifications and playing ability of prospective student-athletes. No in-person, off-campus recruiting contacts shall be made with the prospective student-athlete during an evaluation period.

Quiet Period: A quiet period is that period of time when it is permissible to make in-person recruiting contacts only on the member institution's campus. No in-person, off-campus recruiting contacts or evaluations may be made during the quiet period.

Dead Period: A dead period is that period of time when it is not permissible to make in-person recruiting contacts or evaluations on or off the member institution's campus or to permit official or unofficial visits by prospective student-athletes to the institution's campus. During such a dead period, a coaching staff member may not visit the prospective student-athletes' educational institutions. It remains permissible, however, for an institutional staff member to write or telephone prospective student-athletes during such a dead period.

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