



**REPORT OF THE
NCAA DIVISION I COMMITTEE FOR LEGISLATIVE RELIEF
SEPTEMBER 28, 2023, VIDEOCONFERENCE**

ACTION ITEMS.

- **Legislative item.**

(1) Recommendation: That the NCAA Division I Legislative Committee recommend that the NCAA Division I Council introduce legislation to eliminate the prohibition that an ineligible student-athlete may not receive conference or national championship awards. In addition, the Committee for Legislative Relief also supports that a male practice player be able to receive participation and postseason awards.

(2) Effective date: Immediately

(3) Rationale: As a result of modernization of NCAA Bylaw 16.8.1 that permits ineligible student athletes to travel with an institution's sports team the Committee for Legislative Relief did not deem it necessary to maintain a restriction that would prohibit receipt of postseason awards. In addition, the Committee for Legislative Relief supports modernization of the rules and does not believe with the change in climate that the restriction to male practice player is necessary given their contribution to the success of the team.

INFORMATIONAL ITEMS.

1. **NCAA Division I Transfer Advisory Panel update.** The Committee for Legislative Relief discussed the recent feedback from the NCAA Division I Transfer Advisory Group. The update included additional guidance for multiple four-year college transfers and athletics participation as a basis for mental health assertions.

The Advisory Group recently provided guidance on requests that involve assertions of a student-athlete's necessity to depart the first institution as a basis for relief of the residence-requirement legislation at the third or fourth institution. The Committee for Legislative Relief affirmed support that in instances when a student-athlete transfers from multiple four-year college institutions (e.g., 4-4-4), only mitigation surrounding the most recent transfer (e.g., Institution No. 2 to applicant institution) will be considered for legislative relief.

In addition, the Advisory Group provided guidance on requests of a student-athlete's athletics participation, or lack thereof, was a basis for their mental health challenges at the previous institution. The Committee for Legislative Relief affirmed their support that waiver requests based on athletics participation should be denied.

2. **Update of the Division I Previously Approved Waiver Checklist.** The Committee for Legislative Relief discussed and took action to update the Division I Previously Approved Waiver Checklist.

- (1) **Bylaw 16.8.1: Travel During Residence Requirement.** The committee affirmed support for removal of the previously approved waiver that allowed for student-athletes to travel during residence requirement. The removal is a result of the modernization to NCAA Bylaw 16.8.1. Specifically, the change in legislation allows for ineligible student athletes to travel with the institution's team.
- (2) **Bylaws 16.8.1 and 17.29.1.4.1: Incoming Student Participation on a Foreign Tour.** The committee affirmed support for removal of the previously approved waiver due to the recent legislative changes. The committee noted that there may be instances where an incoming student-athlete does not trigger student-athlete status and a waiver may be needed and will be reviewed on a case-by-case basis.
- (3) **Bylaw 14.6.1 Postgraduate Participation.** The committee reviewed and modified the previously approved waiver for postgraduate participation. The modifications to the previously approved waiver are effective immediately for student-athletes seeking immediate competition eligibility for the 2024-25 academic year.
- a. **Notification of transfer deadline.** The Committee for Legislative Relief added a condition to the previously approved waiver to establish that a student-athlete must have provided written notification to the institution by May 1 for fall and winter sports, or July 1 or the final period for the applicable sport in Bylaw 13.1.1.3.1, whichever is later, for spring sports. In support of the addition, the Committee for Legislative Relief noted alignment for the previously approved waiver with the current notification of transfer requirements for postgraduate student-athletes using the one-time transfer exception.
 - b. **Differentiation of Degree Program.** The Committee for Legislative Relief removed "the student-athlete's previous institution does not offer the student-athlete's program of study" requirement from the previously approved waiver. In support of the removal of the requirement, the Committee for Legislative Relief noted the ambiguous application among institutions regarding the differentiation of postgraduate programs has caused an unnecessary bureaucratic burden on campus administrators. Further, the removal allows student-athletes to pursue degree programs at another institution that are like their undergraduate degree they received at their previous institution to continue to further explore their academic interests.
 - c. **Frequency of Use of the Previously Approved Waiver.** The Committee for Legislative Relief supported clarifying that the previously approved waiver may only be used once as a means to establish postgraduate eligibility at another Division I institution. In support of the addition of the frequency restriction, the committee noted the impact of postgraduate student-athlete departures on

institutional NCAA Division I Academic Progress Rate retention and the declining enrollment of student-athletes with access to the COVID-19 seasons of competition extensions.

3. **Review of waivers of Bylaw 13.1.1.3.1 - Request to enter the NCAA Transfer Portal outside of a legislative window.** The Committee for Legislative Relief reviewed waiver requests for student-athletes to enter the NCAA Transfer Portal outside of a designated notification of transfer time period or exception. The Committee for Legislative Relief supported a review of the waiver requests on a case-by-case basis with limited relief for student-athletes that would otherwise meet the one-time transfer exception. Relief may only be provided if there are extenuating circumstances that demand the student-athlete's immediate departure from the previous institution. Further, the current enrollment of the student-athlete at the institution will be considered.
4. **Undergraduate transfer waiver update.** Chris Johnson, associate director for academic and membership affairs, provided an update on the data surrounding undergraduate transfer waivers.
5. **Review waiver requests involving Official Visits Benefits: Transportation, Meals, Lodging and Entertainment.** The Committee for Legislative Relief deferred this item to their next videoconference.

Committee Chair: Stephen LaPorta, James Madison University
Staff Liaisons: Chris Johnson, Academic and Membership Affairs
Khadian Kelly, Academic and Membership Affairs

| NCAA Division I Committee for Legislative Relief September 28, 2023, Videoconference |
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| Attendees: |
| Blake Barlow, University of Texas at Austin. |
| Stephen LaPorta, James Madison University. |
| Kristina Minor, Northwestern University. |
| Katy McNay, Davidson College. |
| Katie Willett, Big East Conference. |
| Kristy Lee Bannon, Temple University. |
| Absentees: |
| Jason Cable, Alabama State University. |
| Other Attendees: |
| None. |
| Other NCAA Staff Members in Attendance: |
| Emily Capehart, Brandy Hataway, Chris Johnson, Khadian Kelly and Ty Medd. |