



**REPORT OF THE  
NCAA DIVISION I LEGISLATIVE COMMITTEE  
MARCH 12, 2021, VIDEOCONFERENCE**

**ACTION ITEMS.**

**1. Legislative Items.**

- **None.**

**2. Nonlegislative Items.**

- **Request to Waive Season-of-Competition Legislation.**

- (1) Recommendation. That the NCAA Division I Council approve a waiver permitting institutions in The Ivy League to self-apply a season-of-competition waiver for their spring sport student-athletes, provided the following criteria are met:
  - (a) The student-athlete uses a season of competition in a spring sport during the 2020-21 academic year;
  - (b) The student-athlete does not compete in more than three contests/dates of competition or 30% (whichever number is greater) of the maximum permissible contests/dates of competition as set forth in NCAA Division I Bylaw 17 in the applicable sport;
  - (c) The student-athlete is eligible for intercollegiate competition during the 2020-21 academic year; and
  - (d) Neither the student-athlete as an individual nor the institution's team participates in postseason competition (e.g., NCAA championship, NIT, other national championship) during the 2021 spring.
- (2) Effective date. Immediate.
- (3) Rationale. The NCAA Division I Legislative Committee agreed that, based on the unique circumstances surrounding the conference's decision to cancel spring competition prior to beginning spring competitive seasons, it is appropriate for Council to permit the conference's institutions to self-apply season-of-competition waivers with the conditions set forth above. The Legislative Committee noted that the conference did not submit the fourth criterion as part of its request and emphasized that the intent of the season-of-competition waiver legislation is to provide a season of competition to student-athletes who did not have a meaningful participation opportunity. The Legislative Committee agreed that a student-athlete and/or

team that competes in postseason competition has had a meaningful participation opportunity and should, therefore, not qualify for a season-of-competition waiver.

Further, the Legislative Committee considered whether to recommend that Council approve a blanket waiver, as opposed to a waiver only for the conference. The Legislative Committee agreed that the circumstances of the applicant conference are unique; that most other conferences have already begun spring competition and that future requests should be considered on a case-by-case basis.

- (4) Estimated budget impact. Potential impact for member institutions of applicant conference that have spring sport student-athletes, who would have otherwise exhausted eligibility during 2020-21, return for an additional year.
- (5) Student-athlete impact. Potential impact for student-athletes who have an opportunity to participated in limited competition during spring 2021 and retain a season of competition.

### **INFORMATIONAL ITEMS.**

1. **Spring 2021 Sports Season-of-Competition and Extension Requests.** The Legislative Committee discussed the perception of uncertainty related to potential season-of-competition and extension-of-eligibility waivers for first-year spring sport student-athletes due to the impact of COVID-19 pandemic. Specifically, it was noted that during its February 17 videoconference, the Council declined to issue a blanket waiver and noted that it would continue to monitor the issue to determine whether action is warranted at a later date. However, questions remain regarding the possibility for blanket relief. The Legislative Committee agreed that there have not been significant changes to the current situation and there is not sufficient additional information to warrant reconsideration of the topic at this time.

The Legislative Committee also agreed that further consideration the exemption of financial aid of student-athletes in their final year of eligibility, provided they previously received a COVID-related season-of-competition or extension-of-eligibility waiver, should not occur prior to the Council's April meeting.

2. **Review of Division I Council-Governance Legislation.** The Legislative Committee reviewed the proposals included in the 2021 Division I Council-Governance Official Notice and developed positions and noted comments, concerns and procedural issues [Attachment]. Any additional information related to the proposals will be reviewed during the April meeting and positions will be updated, as necessary.

**3. Review of Recommendations and Issues on the Council's March 17 Meeting Agenda.**

- a. Review of Transition to Recruiting Activities Concepts.** The Legislative Committee reviewed and provided feedback related to two models developed by the NCAA Division I Student-Athlete Experience Committee for the transition to recruiting activities after the expiration of the temporary COVID-19 dead period. The Legislative Committee indicated strong support for maintaining the current end date (May 31) of the dead period and does not support a model that would permit recruiting activities earlier than June 1.

However, the Legislative Committee supports concepts intended to limit the immediate volume of recruiting once dead period ends. The Legislative Committee encourages the Student-Athlete Experience Committee to consider additional ways to phase-in recruiting. For example, recruiting could be phased by recruiting class (e.g., seniors and juniors first, followed by sophomores and freshmen). A phased approach would prioritize those prospective student-athletes who are closer to collegiate enrollment. The Legislative Committee also noted potential issues in permitting unofficial visits in the first phase of recruiting. Specifically, it noted that some prospective student-athletes may have financial obstacles that prevent them from taking an unofficial visit. Additionally, an institution may be overwhelmed by the initial rush from visitors whose enrollment or commitment is not imminent.

- b. Recommendation to Waive the Enrollment Requirements to Participate in Required Summer Athletic Activities – Basketball and Football.** The Legislative Committee reviewed recommendations from the NCAA Division I Men's and Women's Basketball Oversight Committees and NCAA Division I Football Oversight Committee that the Council approve a waiver of the summer school enrollment requirement for student-athletes to participate in required summer athletic activities. The Legislative Committee supports the recommendations. The Legislative Committee also identified specific application issues (e.g., incoming individuals who do not trigger student-athlete status) that should be addressed.

The Legislative Committee also noted that its support of the waiver was specific to the impacts of COVID-19 (e.g., financial savings, course offerings) and that academic impact would need to be considered for any long-term change.

- c. Recommendation for 2021 Spring Out-of-Season Activities – Sports Other Than Football.** The Legislative Committee reviewed recommendations from the Men's and Women's Basketball Oversight Committees and the Student-Athlete Experience Committee that the Council approve a waiver to increase, from eight to 10 hours, the weekly limit on out-of-season countable athletically related activities

and specify that the two hours per week may be spent on meetings and film review. The Legislative Committee supports the recommendations.

4. **Application of the Council's Action to Exempt Financial Aid of Student-Athletes Who Received COVID-Related Waivers.** The Legislative Committee reviewed the application of the Council's previous action to permit institutions to exempt financial aid awarded to fall and winter sport student-athletes who would have exhausted eligibility during 2020-21 but return to the same institution during 2021-22 based on receipt of COVID-19-related season-of-competition and/or extension-of-eligibility waivers. Specifically, the committee discussed whether the exemption applies to a student-athlete who received a season-of-competition or extension-of-eligibility waiver before and unrelated to the COVID-related relief.

The Legislative Committee agreed that the Council's action does not apply to a student-athlete whose eligibility had previously been extended through the 2021-22 academic year for reasons unrelated to COVID-19. Specifically, the Legislative Committee noted the intent of the original action was to provide institutions protection from exceeding financial aid limits due to student-athletes unexpectedly returning for 2021-22. Further, as a matter of policy, Legislative Committee agreed that an institution cannot retract an approved waiver that provides a student-athlete with additional eligibility.

5. **Review of NCAA Division I Student-Athlete Reinstatement Committee Reports.** The Legislative Committee received reports of the February 23 and March 4 videoconferences of the Student-Athlete Reinstatement Committee.
6. **Committees Reporting to the Legislative Committee.** The Legislative Committee received updates on the work of the NCAA Division I Committee for Legislative Relief, the NCAA Division I Interpretations Committee and the NCAA Division I Legislative Committee Modernization of the Rules Subcommittee.
7. **Approval of Legislative Committee February Report.** The Legislative Committee approved the report of its February 15 videoconference.

*Committee Chair: Maggie McKinley, University of Cincinnati, American Athletic Conference*

*Staff Liaisons: Anne Rohlman, Academic and Membership Affairs*

*Leeland Zeller, Division I Governance*

<b>NCAA Division I Legislative Committee March 12, 2021, Videoconference</b>	
<b>Attendees:</b>	
Lisa Archbald, Northeast Conference.	
Carray Banks, Norfolk State University.	
Matt Boyer, Division I Interpretations Committee chair.	
Matt Burgemeister, Atlantic Coast Conference.	
Jeremiah Carter, University of Minnesota.	
Rick Christensen, NCAA Division I Committee on Student-Athlete Reinstatement chair.	
Daniel Feig, University of South Carolina Upstate.	
Tim Gleason, University of Oregon.	
Jennifer Heppel, NCAA Division I Committee on Academics.	
Stephen LaPorta, NCAA Division I Committee for Legislative Relief chair.	
Maggie McKinley, University of Cincinnati (chair).	
Kailyn Myshrall, NCAA Division I Student-Athlete Advisory Committee.	
Alex Ricker-Gilbert, Jacksonville University (vice chair).	
Shalini Shanker, Colorado State University.	
Shannon Strahl, Gonzaga University.	
<b>Absentees:</b>	
Ted White, NCAA Division I Committee on Academics.	
Larry Williams, University of Akron.	
<b>NCAA Staff Liaisons in Attendance:</b>	
Anne Rohlman and Leeland Zeller.	
<b>Other NCAA Staff Members in Attendance:</b>	
DJ Brown, Emily Capehart, Jenn Fraser, Sarah Hebbard, Ty Medd, Karen Metzger and Sarah Otey.	

**NCAA Division I Legislative Committee**  
**Positions, Points to Consider, Comments and Procedural Issues Related to 2020-21 NCAA Division I Council-Governance Proposals**

This attachment provides the NCAA Division I Legislative Committee's positions, points to consider, comments and procedural issues related to legislation scheduled for consideration in April 2021.

A position of support for a proposal reflects that the Legislative Committee supports the sponsor's rationale statement and any additional rationale for support expressed in position statements for the proposal.

<b>Proposal Number</b>	<b>Title</b>	<b>Intent</b>	<b>LC Positions/Points to Consider/Comments</b>
2020-13	DIVISION MEMBERSHIP -- CHANGE OF DIVISION MEMBERSHIP -- DIVISION III TO DIVISION I	To establish a process by which a member of Division III may reclassify to Division I, as specified.	<ul style="list-style-type: none"> <li>• Support.</li> </ul>
2020-16	EXECUTIVE REGULATIONS -- ADMINISTRATION OF NCAA CHAMPIONSHIPS -- NONREVENUE CHAMPIONSHIPS SITE ASSIGNMENT -- CONFERENCE OPPONENTS	To eliminate the requirement that conference opponents shall be avoided in the second round of nonrevenue championships.	<ul style="list-style-type: none"> <li>• No position. Defers to the NCAA Division I Competition Oversight Committee.</li> <li>• Noted that it may be helpful to identify the current nonrevenue championships and the criteria by which the determination is made.</li> </ul>
2020-17	EXECUTIVE REGULATIONS -- AUTOMATIC QUALIFICATION -- SINGLE SPORT CONFERENCES -- GRACE PERIOD AND FIELD SELECTION	To reduce, from two years to one year, the grace period that allows a single-sport conference to remain eligible for automatic qualification following the withdrawal of the institutions(s) that causes the conference's membership to fall below six institutions; further, in sports sponsored by fewer than 50 institutions, to specify that if the number of conferences that meet automatic-qualification criteria exceed 50 percent of the field, the sport committee is granted the authority to select the field in the manner it deems to be in the best interests of the championship and sport.	<ul style="list-style-type: none"> <li>• No position. Defers to the Competition Oversight Committee.</li> <li>• Noted that due to the financial impact of COVID-19, the Council could consider delaying the vote on the proposal or delaying the effective date.</li> </ul>
2020-18	EXECUTIVE REGULATIONS -- AUTOMATIC QUALIFICATION -- MULTISPORT CONFERENCES -- THREE CORE MEMBERS -- SPORTS OTHER THAN BASKETBALL	In sports other than basketball, to define a "core member" as an institution that has been an active member of Division I the preceding eight years or has sponsored the sport at the Division I level the preceding eight years; further, to specify that for a multisport conference to be considered eligible for automatic qualification in a particular sport, at least three of its institutions must be core members that have conducted conference competition together in Division I during a one-year continuity-of-competition period, as specified.	<ul style="list-style-type: none"> <li>• No position. Defers to the Competition Oversight Committee.</li> </ul>