



REPORT OF THE  
NCAA DIVISION II LEGISLATIVE RELIEF COMMITTEE  
OCTOBER 2, 2024, VIDEOCONFERENCE

ACTION ITEMS.

1. Legislative Items.

- None.

2. Nonlegislative Items.

- Division II Legislative Relief Committee's previously approved waivers checklist.

- (1) Recommendation. Approve the updated Legislative Relief Committee's Previously Approved Waivers Checklist, as specified. [See Attachment.]
- (2) Effective date. Immediate.
- (3) Rationale. Following a review of its previously approved waivers checklist, the committee determined that specific amendments were necessary to appropriately modernize the checklist and meet the needs of Division II institutions and student-athletes. Specifically, in light of the action taken by the Division II Executive Board in April 2024 to amend the four-year college transfer legislation, the No Participation Opportunity at Previous Institution previously approved waiver is no longer applicable. Removing the previously approved waiver, along with the accompanying No Participation Opportunity Form, will not increase the burden on compliance administrators or result in an increase in waivers received by staff. Further, removing the previously approved waiver will provide NCAA staff and the committee with the opportunity to continue to monitor waivers received under the new four-year college transfer requirements regarding athletics eligibility.

Additionally, establishing a previously approved waiver for student-athletes to receive athletics aid during a term in which they have already received an approved progress-toward-degree waiver permitting the student-athlete to enroll less than full time will ease the burden on compliance administrators and decrease the number of waivers received by staff.

Finally, establishing a previously approved waiver for institutions to provide a student-athlete's family members with actual and necessary expenses to attend the student-athlete's senior night, if they are otherwise unable to attend due to documented financial constraints, will enhance the student-athlete experience and ease the burden on compliance administrators.

- (4) Estimated budget impact. None.
- (5) Student-athlete impact. The updated checklist will provide additional flexibility for institutions to self-apply a waiver to provide a student-athlete with financial aid while enrolled less than full time and to provide a student-athlete's family with actual and necessary expenses to attend the student-athlete's senior night, without the requirement of submitting a legislative relief waiver, thereby expediting the process to provide relief to the student-athlete.

### **INFORMATIONAL ITEMS.**

1. **Review of Legislative Relief Committee cases decided from February 1, 2024, through July 31, 2024, by the NCAA staff and committee.** The committee reviewed cases decided by staff and the committee from February 1, 2024, through July 31, 2024. A total of 66 cases were submitted in Division II with 44 of those cases decided by staff and the committee during this time period. Of the 44 cases decided, staff approved 22 cases, 11 of which were approved with conditions. There was one case approved based on the totality of the circumstances, with the committee affirming staff's position in the case. Additionally, staff denied 12 cases, five of which were appealed to the committee. The committee affirmed the staff decision in three cases and overturned staff's decision in two cases.
2. **Review of the Legislative Relief Committee's information standards, guidelines and directives.** The committee discussed and provided feedback on its information standards, guidelines and directives. Specifically, the committee continued its discussion on the information standards, guidelines and directives regarding participation in organized competition before initial collegiate enrollment. The committee recommended removing the directive that misinformation or a lack of information provided from institutional personnel shall not, in itself, warrant relief of the legislation. The committee determined that misinformation provided by a Division II member institution may warrant relief in certain scenarios. The committee will review an updated draft of its information standards, guidelines and directives during its March 2025 meeting to take formal action and will continue its discussion regarding participation in organized competition before initial collegiate enrollment.

The committee also discussed whether any changes were necessary in light of the action taken by the Executive Board in April 2024 to amend the four-year college transfer legislation. The committee determined that no changes should be made at this time. Staff will continue to monitor waivers received as it relates to NCAA Division II Bylaw 14.3.5 and will present these waivers to the committee during its March 2025 meeting for continued discussion.

3. **Review of the Legislative Relief Committee's previously approved waivers checklist.** The committee reviewed its previously approved waivers checklist and recommended specific amendments as a way to modernize the checklist. Specifically, the committee took

action to remove the No Participation Opportunity at Previous Institution previously approved waiver, along with the accompanying No Participation Opportunity Form, due to the section no longer being applicable in light of the changes to the four-year college transfer requirements. Additionally, the committee recommended establishing a previously approved waiver for a student-athlete to receive athletics aid during a term in which they are enrolled less than full time, if the institution has on file an approved progress-toward-degree waiver permitting the student-athlete to be enrolled less than full time. The committee determined that inclusion of a previously approved waiver would decrease the administrative burden for compliance staff. Finally, the committee recommended establishing a previously approved waiver that would permit an institution to provide actual and necessary expenses to a student-athlete's family member(s) to attend the student-athlete's senior night when the family is otherwise unable to attend due to documented financial constraints. [See nonlegislative action item.]

4. **Review of the Legislative Relief Committee's reconsideration policy for legislative relief waivers.** The committee reviewed the current reconsideration policy for legislative relief waivers. Under the current reconsideration policy, the primary liaison to the committee reviews the request and determines if it meets the threshold for reconsideration. If the primary liaison determines the threshold has not been met, the institution may appeal the decision to the committee's chair. If the committee's chair accepts the reconsideration request, then the committee reviews the case with the new information during its next scheduled appeal meeting. The committee recommended amending the reconsideration policy to provide staff with the opportunity to conduct a review of the waiver request with the additional information provided if the reconsideration request is approved. The committee will continue this discussion and make a final recommendation during its March 2025 meeting after reviewing feedback from other committees with a similar reconsideration policy.
5. **Review of 2025 NCAA Convention Division II proposals.** The committee received an update on the eight proposals that will be voted on by the Division II membership at the 2025 Convention. None of the proposals are expected to impact legislative relief waiver volume.
6. **Review of the 2024-25 Division II priorities.** The committee received an update on the Division II priorities for the upcoming year.
7. **Review of the summer 2024 Division II Executive Board and NCAA Division II Management Council summary of actions.** Staff provided an update on the summary of actions from the 2024 summer meetings of the Executive Board and Management Council.
8. **Review of the Legislative Relief Committee's March 7, 2024, and August 21, 2024, videoconference reports.** The committee reviewed and approved its March 7, 2024, and August 21, 2024, videoconference reports.

**9. Future videoconferences.**

- a. March 2025 videoconference; timing to be determined.
- b. September 2025 videoconference; timing to be determined.

*Committee Chair:* Marcie Haduca Covell, California State University, East Bay

*Staff Liaison(s):* Rachel Denton, Academic and Membership Affairs

Jordan Lysiak, Academic and Membership Affairs

| NCAA Division II Legislative Relief Committee<br>October 2, 2024, Videoconference. |  |
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| <b>Attendees:</b>  |  |
| Rob Fiedler, University of Tampa.  |  |
| Marty Gilbert, Mars Hill University.   |  |
| Marcie Haduca Covell, California State University, East Bay.                       |  |
| Amy Henkelman, Dominican University of California.                                 |  |
| Roberta Page, Slippery Rock University of Pennsylvania (Management Council chair). |  |
| <b>Absentees:</b>  |  |
| None.  |  |
| <b>Guests in Attendance:</b>   |  |
| None.  |  |
| <b>NCAA Staff Liaisons in Attendance:</b>  |  |
| Rachel Denton and Jordan Lysiak.   |  |
| <b>Other NCAA Staff Members in Attendance:</b>                                     |  |
| Brooke Dixon, Terri Steeb Gronau, Molly Hansen and Angela Red.                     |  |