



## A G E N D A

### National Collegiate Athletic Association Division II Committee for Legislative Relief Teleconference

Dial-in No. 877-336-1831  
Passcode: 3272185

August 24, 2022  
3 to 4 p.m. Eastern time

1. Welcome and announcements. (Ellen Fagerstrom)
2. Discussion regarding NCAA Division II Committee for Legislative Relief Previously Approved Waiver Checklist. [Supplement] (Jordan Lysiak)
3. Future NCAA Division II Committee for Legislative Relief meetings.
  - a. October 5, 2022; videoconference.
  - b. March 2023; videoconference.
4. Adjournment.

**NCAA DIVISION II COMMITTEE FOR LEGISLATIVE RELIEF  
PREVIOUSLY APPROVED WAIVERS CHECKLIST**

*Adopted September 2020*

*Updated ~~March 30~~ August 24, 2022*

The previously approved waiver process was approved with an immediate effective date by the NCAA Division II Committee for Legislative Relief during its September 25, 2020, meeting. The intent behind this process is to reduce bureaucracy and permit the membership and NCAA staff to work more efficiently in limited circumstances.

Similar to previously approved incidental expense waivers in NCAA Division II Bylaw 16.12, institutions may self-apply, on campus, any previously approved waiver specifically listed below without filing a formal NCAA Division II Committee for Legislative Relief waiver request to the NCAA national office. An institution is only permitted to self-apply relief (approve a waiver request) if the institution's circumstances appear on the list of designated previously approved waivers, and the circumstances satisfy the specified criteria established for the particular previously approved waiver. If an institution's circumstances do not appear on the list of previously approved waivers, or if the circumstances do not satisfy all of the established criteria for a particular previously approved waiver, the institution must submit a formal legislative relief waiver application to the national office for consideration.

An institution that grants relief of NCAA legislation based on the specific previously approved waiver circumstances listed below must keep a report on file and make it available for examination on request by an authorized representative of the NCAA. Institutions are encouraged to call the national office at 317-917-6044 with any questions related to the administration of the previously approved waiver process. The list of previously approved waivers will be updated on an annual basis by staff.

**Bylaw 12.5.1.1: Missed Class Time in Conjunction with a Promotional Activity.**

1. Institution would like student-athlete(s) to miss class to participate in an institutional, charitable, education or nonprofit promotional activity.
2. All other requirements of the promotional activity legislation is satisfied.
3. The institution's faculty athletics representative supports and has approved the request in writing.
4. Institution has obtained written permission from each professor of the classes that each student-athlete(s) will miss due to the activity.
5. See Committee for Legislative Relief RSRO Case Nos. 998292 and 1088414.

**Bylaw 13.11.2.1: Prospective Student-Athlete's Continuation of Tryout on Different Day Due to Inclement Weather.**

1. Institution would like a prospective student-athlete to continue a tryout on a different day

due to inclement weather.

2. The prospective student-athlete is unable to participate in a complete tryout (i.e., tryout up to two hours, golf tryout up to five hours) due to inclement weather.
3. The institution must not have had an alternate location to continue the tryout (e.g., indoor facilities).
4. Relief is specific to only the time remaining on the prospective student-athlete's tryout.
5. See Committee for Legislative Relief RSRO Case Nos. 942894 and 1074513.

**Bylaw 14.5.5: No Participation Opportunity at Previous institution.**

1. Institution would like for a transfer student-athlete, who had no participation opportunity at their previous institution, to be immediately eligible.
2. The student-athlete is otherwise not eligible for use of the one-time transfer exception ~~but cannot use the exception due to a previous transfer (e.g., 4-4-4 transfer).~~
3. Previous institutions completed the Division II No Participation Opportunity Form.
4. If the student has one season of competition remaining in their sport, or two full-time semesters or three full-time quarters or fewer remaining in which to complete their eligibility and who has not earned a baccalaureate degree, the institution must show that the student-athlete has satisfactorily completed an average of 12-semester or 12-quarter hours of transferrable degree credit acceptable toward any baccalaureate degree program at the certifying institution for each full-time attendance, at any collegiate institution, with a cumulative minimum grade-point average of 2.000 in transferable degree credits. (Effective immediately, for student-athletes transferring for the 2019-20 academic year.)
5. See Committee for Legislative Relief RSRO Case Nos. 1141055, 1143663, 1147066, 1152391, 1153808, and 1155076.

**Bylaw 16.8.1: Institution Providing Actual and Necessary Expenses to A Student-Athlete Not Eligible for Competition When the Travel is Necessary (e.g., Health and Safety).**

1. Institution would like to provide actual and necessary expenses to permit a student-athlete, who is ineligible for competition, to travel with his or her team due to the health and safety of the student-athlete.
2. Institution has on file a written statement from the faculty athletics representative stating that he/she does not object to the student-athlete traveling while ineligible.

3. Institution has on file documentation addressing why it is necessary for the student-athlete to travel with the team (e.g., medical documentation).
4. Student-athlete may not participate in practice or competition associated with the travel.
5. See Committee for Legislative Relief RSRO Case Nos. 982600, 1001573, 1004586, 1044650 and 1073283.

**Bylaw 17.1.6.8.2: Permit a Student-Athlete to Miss Class Time to Participate in Competition During the Nonchampionship Segment Due to A Catastrophic Event Resulting in Institutional Closure – Team Sports.**

1. Institution would like to permit student-athlete(s) to miss class to participate in a previously scheduled date(s) of competition or contest(s) during the nonchampionship segment but due to the closure of the institution, the institution's make-up class schedule conflicts with the previously scheduled date(s) of competition or contest(s).
2. The institution has documentation that the date of competition or contest was previously scheduled.
3. The institution's closure was due to a catastrophic event (e.g., hurricane, wildfires, pandemic).
4. The institution's faculty athletics representative supports and has approved the request in writing.
5. Institution has obtained written permission from each professor of the classes that each student-athlete(s) will miss.
6. Relief is specific to those team sports impacted and for the specific date(s) of competition or contest(s).
7. See Committee for Legislative Relief RSRO Case Nos. 987067, 989328, and 1078461.

**Bylaws 17.3.8, 17.5.8, 17.7.8, 17.10.8, 17.12.8, 17.15.8, 17.17.8, 17.20.8, 17.21.8, 17.23.8, and 17.26.2.8: Participation in Countable Athletically Related Activities Beyond the Legislated Period Outlined in The Nonchampionship Segment Activities Legislation.**

1. Institution would like to participate in countable athletically related activities beyond the 45- or 60-consecutive calendar day period.
2. The request is specific to those instances where an institution was closed due to a catastrophic event (e.g., hurricane, wildfires, pandemic) and the institution lost days within their 45- or 60-consecutive calendar day period due to the closure.

- 3.
4. Institution can only extend the nonchampionship segment in the impacted sport(s) by the number of days missed due to the closure of the institution.
5. See Committee for Legislative Relief RSRO Case Nos. 984951, 985129, 985665, 985818, 988770, 989920, 992536, 1031771, and 1081783.

[References: NCAA Division II Bylaws 12.5.1.1 (institutional, charitable, educational or nonprofit promotions), 13.11.2.1 (tryout), 16.8.1 (permissible), 17.1.6.8.2 (no class time missed for competition in nonchampionship segment – team sports), 17.3.8 (out-of-season and nonchampionship segment athletically related activities) 17.5.8 (out-of-season and nonchampionship segment athletically related activities), 17.7.8 (out-of-season and nonchampionship segment athletically related activities), 17.10.8 (out-of-season and nonchampionship segment athletically related activities), 17.12.8 (out-of-season and nonchampionship segment athletically related activities), 17.15.8 (out-of-season and nonchampionship segment athletically related activities), 17.17.8 (out-of-season and nonchampionship segment athletically related activities), 17.20.8 (out-of-season and nonchampionship segment athletically related activities), 17.21.8 (out-of-season and nonchampionship segment athletically related activities), 17.23.8 (out-of-season and nonchampionship segment athletically related activities), and 17.26.2.8 (out-of-season and nonchampionship segment athletically related activities – women)]