



**REPORT OF THE
NCAA DIVISION III MANAGEMENT COUNCIL
SUBCOMMITTEE FOR LEGISLATIVE RELIEF
MARCH 27, 2019, TELECONFERENCE**

ACTION ITEMS.

1. Legislative items.

- None.

2. Nonlegislative items.

- **Approve amended NCAA Division III Management Council Subcommittee for Legislative Relief graduate student/postbaccalaureate eligibility directive for exemplary academic success.**

- (1) Recommendation. That Division III Management Council approve the amended Subcommittee for Legislative Relief graduate student/postbaccalaureate eligibility directive for exemplary academic success, as follows:

a. The student-athlete graduated with an undergraduate degree ~~*ahead of schedule (i.e., in less than four academic years)*~~ **within four academic years.** Such documentation shall be in the form of the student-athlete's academic transcript and/or a written statement from an appropriate academic official from the previous institution (e.g., registrar);

b. The student-athlete has seasons of participation remaining. A season of participation shall be determined based on Division III Bylaw 14.2.4.1 (Minimum Amount of Participation), regardless where (e.g. other NCAA division, NAIA) the participation occurs;

~~b.c.~~ The student-athlete continued/maintained his or her education as a full-time student rather than having "breaks" (e.g., part time) in enrollment for no reason/circumstances beyond his or her control; and

~~c.d.~~ The student-athlete possesses a minimum 3.000 cumulative grade-point average

- (2) Effective date. Immediate.

- (3) Rationale. The membership's desire to create greater graduate/postbaccalaureate student opportunities was demonstrated as recently as 2018 when legislation passed to allow for participation after

graduation from any Division III institution. This opportunity has also been granted to academically strong students from Division I, Division II and non-NCAA institutions through the waiver process' directive for exemplary academic success. The Subcommittee for Legislative Relief, however, does not believe the current directive is an adequate measure for graduate/postbaccalaureate eligibility. Specifically, the requirement to graduate in less than four academic years is not a proper measure of exemplary academic success, as many strong academic programs make it impossible to graduate early. It also requires considerable forethought on the part of the student-athlete to graduate early for purposes of graduate student eligibility. By relaxing the graduation timeline standard to not more than four years, and by adding the requirement that the student-athlete not have used four seasons of participation per Division III legislation, the revised directive promotes the Division III philosophy of increasing opportunity for participation. The amended directive also provides an alternative solution to historical concerns of "redshirted" student-athletes participating as graduate/postbaccalaureate students at Division III institutions.

- (4) Budget Impact. None.
- (5) Student-Athlete Impact. Greater opportunity for graduate/postbaccalaureate student participation.

INFORMATIONAL ITEMS.

- 1. **Welcome and introductions.** The subcommittee reviewed the roster for accuracy and welcomed new subcommittee member, Scott McGuinness, Washington and Jefferson College.
- 2. **Approval of August 2018 report.** The subcommittee reviewed and recommended a minor editorial change to the August 27, 2018 teleconference report. The report was approved subject to the change.
- 3. **Approval of December 2018 report.** The subcommittee reviewed and approved the report from its December 06, 2018, teleconference.
- 4. **Review cases decided from August 1, 2018, through January 31, 2019, by the NCAA staff and subcommittee.** From August 1, 2018, through January 31, 2019, the subcommittee and/or staff received a total of 61 Division III waiver requests, all of which were decided. The following is a summary of the decisions made by the staff and subcommittee:

- a. Staff approved 49 waivers, 14 of which were approved with conditions. Of the 49 waivers approved, 11 waivers were approved based on totality of circumstances and/or student-athlete well-being and the remaining waivers were approved based on the Subcommittee for Legislative Relief Information Standards, Guidelines and Directives.
 - b. Staff denied 11 waivers. Institutions appealed one of the staff denials to the subcommittee, and the subcommittee affirmed the staff position.
 - c. No waivers were cancelled or withdrawn.
 - d. One waiver was directly reviewed by the subcommittee and approved.
5. **Review of Division III Previously Approved Waivers List.** The subcommittee reviewed the Division III Subcommittee for Legislative Relief Previously Approved Waivers Checklist [Reference: October 5, 2016, Item Ref: 2 Educational Column], which provides flexibility for an institution to grant relief of NCAA legislation and submit a report to its conference office rather than filing a formal legislative relief waiver request. The subcommittee took no action.
6. **Review of Subcommittee for Legislative Relief Guidelines and Policies and Procedures.** The NCAA staff provided the subcommittee with its guidelines and policies and procedures for review. The committee reviewed the documents and approved the edits reflecting gender neutral language.
7. **Central Intercollegiate Bowling Conference waiver from NCAA Division III Membership Committee.** The subcommittee reviewed a request for a waiver of Bylaw 3.3.1.2.2 submitted by the NCAA Division III Membership Committee on behalf of the Central Intercollegiate Bowling Conference. At its February 2019 in-person meeting, the Membership Committee granted single-sport conference status to the CIBC, with the condition that a waiver of the seven-member requirement for a single sport conference be approved by the subcommittee.

The subcommittee approved the waiver, citing that because bowling is a National Collegiate Championship sport, the minimum number of active institutions to create a single-sport conference should be the same as the minimum number necessary to receive an automatic qualification for a National Collegiate Championship.
8. **Continuous full-time enrollment waivers asserting education-impacting disability.** The subcommittee reviewed the current staff position on providing conditioned approvals for waivers of Bylaw 14.1.8.1 (full-time enrollment – requirement for practice or competition), in which the student-athlete has a documented education-impacting disability

and is receiving the accommodation of less-than-full-time enrollment from their institution. The subcommittee determined that waivers of this type may be granted in perpetuity, provided: (1) The student-athlete continues to receive the less-than-full-time enrollment accommodation from their institution; and (2) The institution maintains documentation of the student-athlete's accommodation from the institution.

9. **Waiver education initiatives.** The subcommittee reviewed the 2019 NCAA Regional Rules Seminars presentation materials addressing legislative relief waivers.
10. **Future meetings.** The chair, Kate Roy, reminded the subcommittee of the upcoming August 2019 meeting.
11. **Other business.** None.
12. **Adjournment.** The subcommittee adjourned at 2:43 p.m. Eastern time.

Subcommittee Chair: Kate Roy, North Atlantic Conference

*Staff Liaisons: Kaitlyn Purcell, Academic and Membership Affairs
Corey Berg, Academic and Membership Affairs*

NCAA Division III Management Council Subcommittee for Legislative Relief March 27, 2019, Teleconference	
Attendees:	
Jason Fein, Bates College.	
Lori Mazza, Western Connecticut State University.	
Scott McGuinness, William and Jefferson College.	
Kate Roy, North Atlantic Conference.	
Denise Udelhofen, Loras College.	
Mike Vienna, Emory University.	
Absentees:	
None.	
NCAA Staff Support in Attendance:	
Corey Berg and Kaitlyn Purcell.	
Other NCAA Staff Members in Attendance:	
Shannon Blevins, Louise McCleary, Jeff Myers and Bill Regan.	