



**REPORT OF THE NCAA DIVISION III MANAGEMENT COUNCIL  
SUBCOMMITTEE FOR LEGISLATIVE RELIEF  
MARCH 24, 2023, VIDEOCONFERENCE**

**ACTION ITEMS.**

**1. Legislative items.**

- None.

**2. Nonlegislative items.**

**Eligibility Waiver – Full-Time Enrollment – Requirement for Practice or Competition – Bylaw 14.1.8.1.**

(1) Recommendation. Extend the blanket relief of the full-time enrollment legislation from the 2021-22 and 2022-23 academic years to all student-athletes who earned season-of-participation relief, due to the COVID-19 pandemic. Specifically, permit a student-athlete who has not previously used any pandemic-related enrollment relief to participate while enrolled less than full time as follows:

- (a) If a student-athlete has graduated, prior to the beginning of the academic year, then they may be enrolled in a minimum of six (6) credit hours each semester or quarter in a second baccalaureate, graduate program or classes approved by an academic authority outside of athletics that progresses the student-athlete toward a professional or career goal.
- (b) If a student-athlete will graduate during the academic year, the student-athlete may:
  - i. Enroll in a minimum of six (6) hours of academic credit during the fall term and then enroll in the classes necessary to complete their degree per the final term exception for the spring semester; or
  - ii. The student-athlete enrolls in the classes necessary to complete their degree per the final term exception for the fall semester and then is enrolled in a minimum of six (6) credit hours for each subsequent term for the remainder of the academic year in a second baccalaureate, graduate program or classes that progress the student-athlete toward a professional or career goal and are approved by an academic authority outside of athletics.

[The above criteria would apply to quarter schools on the same equivalent basis.]

(2) Effective date. August 1, 2023.

(3) Rationale. The COVID-19 pandemic challenged how student-athletes can effectively utilize their athletics eligibility. For the 2020-21, 2021-22 and 2022-23 academic years,

the Division III Management Council Subcommittee for Legislative Relief determined that it was appropriate to provide student-athletes that did not have sufficient time to pivot their academic plans a level of enrollment flexibility making it easier to use their additional terms and seasons of participation (Attachment). Extending the enrollment flexibility further will create equity among all student-athletes who were affected by the pandemic, regardless of their academic standing during the 2020 spring term and/or 2020-21 academic year. The recommendation maintains a base level of enrollment thereby ensuring that Division III athletics constitutes students competing against students, while providing flexibility that supports graduation and participation for all student-athletes who received COVID-19 related season-of-participation relief.

This blanket relief does not address all situations and therefore it does not preclude institutions from seeking individual relief for their student-athletes that do not satisfy the criteria in this recommendation.

- (4) Budget impact. None.
- (5) Student-athlete impact. Will provide flexibility for all student-athletes who earned an additional season of participation due to the COVID-19 pandemic to utilize their full athletics eligibility.

**INFORMATIONAL ITEMS.**

1. **Welcome and introductions.** The chair, Jason Verdugo, welcomed the subcommittee and introduced new members at 10:02 a.m. Eastern time and requested members review the roster for accuracy.
2. **Review of NCAA Division III Philosophy Statement.** NCAA staff provided the subcommittee with the Division III Philosophy Statement for review and the subcommittee took no action.
3. **Approval of August 2022 report.** The subcommittee reviewed and approved its August 26, 2022, videoconference report.
4. **Review of Division III Management Council Subcommittee for Legislative Relief Policies and Procedures.** Staff provided the subcommittee with its policies and procedures for review and the subcommittee took no action.
5. **Review of Division III Management Council Subcommittee for Legislative Relief Information Standards, Guidelines and Directives.** Staff provided the subcommittee with its information standards, guidelines and directives for review. The subcommittee noted the continued impact of mental health in the waiver space and how that may prompt the development of additional relief guidelines in the future. The subcommittee took no additional action.

6. **Review of Division III Subcommittee for Legislative Relief Previously Approved Waivers Checklist.** The subcommittee reviewed its previously approved waivers checklist, 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. Staff noted the changes adopted at the August 2022 meeting which provided relief of the admissions legislation for individuals with intellectual disabilities. The subcommittee took no additional action.
  
7. **Review of cases decided August 1, 2022, through January 31, 2023, by staff and subcommittee.** From August 1, 2022, through January 31, 2023, the subcommittee and/or staff received a total of 104 Division III waiver requests, 83 of which were decided and 21 of which were withdrawn or cancelled. The following is a summary of the decisions made by the staff and subcommittee:
  - a. Staff approved 33 waivers, 12 of which were approved with conditions. Of the 33 waivers approved, 13 waivers were approved based on totality of circumstances and/or student-athlete well-being and 19 waivers were approved based on the Subcommittee for Legislative Relief Information Standards, Guidelines and Directives. Thirty-four cases were denied by staff and not appealed to the subcommittee; and
  
  - b. Institutions appealed 14 staff denials to the subcommittee and the subcommittee affirmed the staff position in six cases, while overturning the staff decision in eight cases. Additionally, two cases were elevated to the subcommittee without a staff decision, including one blanket waiver.

The subcommittee also reviewed the case summaries for the 13 waivers approved with a rationale of totality of circumstances and/or student-athlete well-being. The subcommittee did not move to archive any cases from searchable precedent.
  
8. **Mental health assertions and the Division III legislative relief process.** NCAA disability contractor, Marci Ridpath, presented the subcommittee with information regarding assertions of mental health conditions during the legislative relief waiver process and provided the subcommittee with situations to consider and questions to ask when such assertions are present, absent objective documentation. No action was taken by the subcommittee.
  
9. **Discussion of international prospective student-athletes amateurism certification.** The subcommittee approved a blanket waiver to permit the use of standardized dates, October 1 for fall enrollees and March 1 for winter/spring enrollees, to determine the end of a prospective student-athlete's grace period under Division III Bylaw 14.2.4.4 (participation in organized competition before initial-collegiate enrollment). The blanket waiver will be effective for those initially enrolling at a Division III institution during the 2023-24 academic year and data on the impact of the blanket waiver will be provided by the NCAA Eligibility Center to the subcommittee at a future meeting.

10. **Discussion of Division III Bylaw 14.1.9 – graduate and postbaccalaureate student participation.** The subcommittee approved an extension to the existing blanket waiver for graduate/postbaccalaureate student participation for the 2023-24 academic year. The waiver, which relieves administrative burden and permits institutions to self-apply relief to student-athletes who did not graduate from Division III institutions but meet the three criteria of the graduate/postbaccalaureate student directive, was set to expire following the 2022-23 academic year. At such time as the review of the Division III Philosophy Statement has concluded, the subcommittee will discuss whether it is appropriate to continue using the legislative relief process to determine graduate/postbaccalaureate student participation for non-Division III graduates.
11. **Future meetings.** The chair confirmed the day and time for the subcommittee’s standing weekly appeal call. The chair also reminded the subcommittee of its upcoming August 2023 videoconference meeting.
12. **Other business.** The subcommittee asked for clarification as it pertains to processing medical hardship waivers citing mental health. Staff indicated more direction would be coming after receiving feedback from NCAA student-athlete reinstatement staff.
13. **Adjournment.** The subcommittee adjourned at 11:47 a.m. Eastern time.

*Subcommittee Chair: Jason Verdugo, Hamline University.*  
*Staff Liaisons: Corey Berg, Academic and Membership Affairs.*  
*Becca Trovato, Academic and Membership Affairs.*

<b>NCAA Division III Management Council Subcommittee for Legislative Relief March 24, 2023, Videoconference</b>
<b>Attendees:</b>
Cheryl Aaron, Wentworth Institute of Technology.
Kate Corcoran, Cabrini University.
Tom DiCamillo, State University of New York Athletic Conference.
Rob Larson, Luther College.
Angela Marin, Texas-Dallas.
Keiko Price, Emory University.
Bill Stiles, Alvernia University.
Jason Verdugo, Hamline University.
<b>Absentees:</b>
None.
<b>NCAA Staff Support in Attendance:</b>
Corey Berg and Becca Trovato.
<b>Other NCAA Staff Members in Attendance:</b>
Jeff Myers, Bill Regan and Marci Ridpath.