



REPORT OF THE NCAA DIVISION III MANAGEMENT COUNCIL  
SUBCOMMITTEE FOR LEGISLATIVE RELIEF  
MARCH 15, 2024, VIDEOCONFERENCE

ACTION ITEMS.

1. Legislative items.

a. **Noncontroversial Legislation** – Incorporate the Graduate/Postbaccalaureate Student Participation Directive into Legislation – NCAA Bylaw 14.1.8.

- (1) Recommendation. That Management Council approve in concept noncontroversial legislation to incorporate the existing graduate/postbaccalaureate student participation waiver directive for non-Division III graduates.

**Bylaw 14.1.8.1 Graduates of a non-NCAA Division III Institution.** A student who has graduated from a non-NCAA Division III institution may participate as a graduate or postbaccalaureate student provided they meet the criteria above and additionally meet the following:

- (a) The student-athlete graduated with an undergraduate degree 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 Bylaw 14.2.4.1 (minimum amount of participation), regardless of where (e.g., other NCAA division, NAIA) the participation occurs; and
- (c) The student-athlete continued/maintained their education as a full-time student rather than having "breaks" (e.g., part time) in enrollment for no reason/circumstances beyond their control.

- (2) Effective date. August 1, 2024.

- (3) Rationale. Incorporating the existing waiver directive for graduate/postbaccalaureate students from non-Division III institutions will alleviate the administrative burden on member institutions, which are currently required to submit legislative relief waiver requests via RSRO. Further, the blanket waiver approved by the Division III Management Council Subcommittee for Legislative Relief has been in effect for the last two academic years permitting self-application of the waiver directive on campus; all feedback from the membership during this time has been positive. Finally, incorporation of the directive does not preclude

institutions from seeking individual relief through the normal waiver process for student-athletes that do not satisfy the criteria.

- (4) Estimated budget impact. None.
  - (5) Student-athlete impact. Increases opportunity for graduate/postbaccalaureate student participation by alleviating the burden on institutions who have previously been required to submit requests of this type into RSRO.
- b. **Noncontroversial Legislation** – To establish standardized dates in the delayed enrollment analysis for all prospective student-athletes.
- (1) Recommendation. That Management Council approve in concept noncontroversial legislation implementing standardized dates in the delayed enrollment analysis for all prospective student-athletes. Specifically, October 1 for fall enrollees and March 1 for winter/spring enrollees.
  - (2) Effective date. For all prospective student-athletes enrolling on or after August 1, 2024.
  - (3) Rationale. Under current legislation, during the amateurism certification process, the NCAA Eligibility Center staff and certifying institutions are required to utilize varying dates to identify the conclusion of an individual's grace period, creating confusion and lack of uniformity. Because of this, the NCAA Division III Subcommittee for Legislative Relief issued a blanket waiver to permit the use of October 1 or March 1 (whichever occurs earlier) immediately after one calendar year has elapsed following a prospective student-athlete's high school graduation date as the end date of their grace period for the 2023-24 academic year. The utilization of a standard date through the blanket waiver created more consistency and flexibility and helped to ensure simplified messaging was provided to all prospects regarding when organized competition prior to initial full-time collegiate enrollment must end. Permitting the use of standard dates (October 1 or March 1) in determining the end of a prospective student-athlete's grace period, will provide more consistency and flexibility for prospective student-athletes and ensure consistent educational messaging related to the amateurism certification process.
  - (4) Estimated budget impact. None.

- (5) Student-athlete impact. Creates transparency and equity in amateurism certification process.

2. **Nonlegislative items.**

- None.

**INFORMATIONAL ITEMS.**

1. **Welcome and introductions.** The chair, Rob Larson, welcomed the subcommittee and introduced new members at 10:03 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 fall 2023 report.** The subcommittee reviewed and approved its August 2023 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 subcommittee's information standards, guidelines and directives.** Staff provided the subcommittee with its information standards, guidelines and directives for review. The subcommittee reviewed the document and took no action.
6. **Review Division III previously approved waiver 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. The subcommittee took no action.
7. **Cases decided from August 1, 2023, through January 31, 2024, at the staff and subcommittee level.** From August 1, 2023, through January 31, 2024, the subcommittee and/or staff received a total of 65 Division III waiver requests, 55 of which were decided and 10 of which were withdrawn or cancelled. The following is a summary of the decisions made by the staff and subcommittee:
  - a. Staff approved 25 waivers, 12 of which were approved with conditions. Of the 25 waivers approved, 18 waivers were approved based on totality of circumstances and/or student-athlete well-being and six waivers were approved based on the

subcommittee's information standards, guidelines and directives. Eighteen cases were denied by staff and not appealed to the subcommittee; and

- b. Institutions appealed 12 staff denials to the subcommittee and the subcommittee affirmed the staff position in five cases, while overturning the staff decision in two cases. Additionally, four cases were elevated to the subcommittee without a staff decision, including one blanket waiver.

The subcommittee also reviewed the case summaries for the 18 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. **Review of seasons of participation.** The subcommittee reviewed feedback from the Division III Interpretations and Legislation Committee and discussed the application and history of Bylaws 14.2.4.1.4 and 14.1.8. Two issues were presented by staff for discussion: (1) The differing season of participation standards for non-Division III undergraduate transfers and non-Division III graduate/postbaccalaureate student-athletes; and (2) The directive for participation as graduate/postbaccalaureate student-athletes for graduates of non-Division III institutions. The subcommittee discussed season of participation standards for graduate/postbaccalaureate student-athletes and undergraduate transfers, but did not offer any recommendations. The subcommittee recommended noncontroversial legislation to incorporate the existing graduate/postbaccalaureate student participation waiver directive for non-Division III graduates. [See Action Item 1a]
9. **Review of transfer regulations and Division III Interpretations and Legislation Committee transfer updates.** The subcommittee discussed the current Bylaw 14 legislation that requires a transfer student-athlete to serve an academic year of residence before being permitted to compete, unless a specific exception applies. The subcommittee discussed that a year of residence may not be the most appropriate starting point for a transfer analysis. While there was interest in exploring the possibility of determining a student-athlete's status based on their eligibility at the certifying institution, the subcommittee did not offer other alternatives. The subcommittee also agreed that student-athletes who are not eligible at their previous institution due to a disciplinary suspension should still be subject to terms in residence before competition is permitted.
10. **Review of waivers requesting relief of Bylaw 17.** Staff reviewed waivers received during the initial year of the implementation of the new playing and practice model. Staff noted that the cases received conditional approvals and applicant institutions were advised to pursue legislative change for future relief.
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 2024 videoconference meeting.

12. **Other business.** The subcommittee had no other business to attend to.
13. **Adjournment.** The subcommittee adjourned at 11:26 a.m. Eastern time.

*Subcommittee Chair: Rob Larson, Luther College*  
*Staff Liaisons: Becca Trovato, Academic and Membership Affairs.*  
*Julie Zike, Academic and Membership Affairs.*

<b>NCAA Division III Management Council Subcommittee for Legislative Relief March 15, 2024, Videoconference</b>	
<b>Attendees:</b>	
Kate Corcoran, Cabrini University.	
Tom DiCamillo, State University of New York Athletic Conference.	
Rob Larson, Luther College.	
Angela Marin, Texas-Dallas. (MC)	
Nicki Pieart, Lake Forest College	
Keiko Price, Emory University	
Bill Stiles, Alvernia University	
Jason Verdugo, University of Wisconsin-Eau Claire	
<b>Absentees:</b>	
None.	
<b>NCAA Staff Support in Attendance:</b>	
Becca Trovato and Julie Zike	
<b>Other NCAA Staff Members in Attendance:</b>	
Corey Berg, Kameron Jones, Jeff Myers and Bill Regan.	