



**REPORT OF THE
NCAA DIVISION III INTERPRETATIONS AND LEGISLATION COMMITTEE
DECEMBER 21, 2022, VIDEOCONFERENCE**

ACTION ITEMS.

- None.

INFORMATIONAL ITEMS.

1. **Review November Report.** The committee reviewed the report from its November 16, 2022, videoconference.
2. **Appeal of RSRO Case No. 1180084.** The committee reviewed whether Proposal No. 2022-5, which amended Bylaw 31.3.3.1.1 effective August 1, 2022, allows for conferences to apply the lower standard of six for purposes of the waiting period prior to August 1, 2022. The committee reviewed the automatic qualification bylaws and noted there is no indication in the legislative history that Proposal No. 2022-5 was intended to be retroactive. The committee confirmed staff's position that Proposal No. 2022-5 would not have a retroactive application, so a conference could not satisfy the waiting period with only six institutions prior to the effective date of August 1, 2022.
3. **Approval of Staff Determination.** The committee reviewed the staff interpretation regarding the timeframe of participation for the international student definition. The committee agreed age 13 is contextually consistent with the definition and therefore an appropriate baseline when determining if an individual participated in athletics outside the United States. The committee approved the following staff determination:

Definition of an International Student (III). The academic and membership affairs staff determined that, for purposes of evaluating if international participation defines an individual as an international student, the individual must have been age 13 or older when the participation occurred.

[References: NCAA Division III Bylaws 12.1.1 (International Students), 12.1.1.1 (International Student Defined) and education column (01/25/22, Item Ref. 2).]

4. **Review Incorporation of an Official Interpretation in Final Format.** The committee reviewed and approved in final legislative format an incorporation of an official interpretation clarifying when athletics department staff members are permitted to be involved in fundraising for a high school (see Attachment A). Management Council approved this incorporation in concept October 18, 2022.
5. **Future Meetings.** The committee reviewed its future meeting schedule.
6. **Adjournment.** The committee concluded its business and adjourned at 12:46 Eastern time.

Committee Chair: Patrick Summers, New England Women's and Men's Athletic Conference

*Staff Liaison(s): Jeff Myers, Academic and Membership Affairs
 Sarah Turner, Academic and Membership Affairs*

Division III Interpretations and Legislation Committee December 21, 2022, Videoconference	
Attendees:	
Kurt J. Beron, University of Texas at Dallas.	
Matt Hill, University of Northwestern-St. Paul.	
Keri Alexander Luchowski, North Coast Athletic Conference.	
Bethany Marren, Rochester Institute of Technology.	
Michael A Mattia, Gettysburg College.	
Mercy Ogutu, Trinity Washington University. (SAAC)	
Mila Su, Plattsburgh State University.	
Patrick B. Summers, New England Women's & Men's Athletic Conference.	
Absentees:	
None.	
NCAA Staff Attendance:	
Jeff Myers and Sarah Turner.	
Other NCAA Staff Members in Attendance:	
Evan Guimond and Bill Regan.	