



REPORT OF THE
NCAA DIVISION III INTERPRETATIONS AND LEGISLATION COMMITTEE
JULY 10, 2024, VIDEOCONFERENCE

ACTION ITEMS.

1. Legislative items.

a. Legislation – NCAA Division III Bylaws 14.5.4 and 14.5.5.1 – Eligibility – Transfer Regulations.

- (1) Recommendation. That the NCAA Division III Management Council support legislation changing the eligibility process for transfer student-athletes that were academically ineligible had they remained at their previous institution as follows: (a) the student-athlete would remain ineligible for competition upon transfer; and (b) the institution could certify that student-athlete as eligible after one regular term of full-time enrollment, based on that institution's academic standards for all student-athletes. This process eliminates the default position that all transfer student-athletes would have to serve an academic year of residence.

The Interpretations and Legislation Committee acknowledges the significance of this change and that such a change should typically be accomplished through a vote of the membership at convention. The committee further acknowledges that this review is the result of litigation challenging the NCAA Division I year of residence requirement for transfer student-athletes and that immediate action, via emergency legislation may be preferable due to the current environment. Consequently, the committee did not make a recommendation regarding the specific legislative option in which to accomplish the recommended change. [Note: Division I and II eliminated the year of residence for four-year transfer student-athletes via emergency legislation.]

- (2) Effective date. Immediate.
- (3) Rationale. The current legislation requires two-year and four-year undergraduate transfer student-athletes to serve a year of residence before being eligible for competition unless they satisfy a specific exception. Feedback from various Division III committees and affiliate groups suggests that a required year of residence should be eliminated as the default condition for transfer student-athletes. However, feedback from the membership also suggests that some period of acclimatization to the Division III institution is warranted for a student-athlete that was not satisfying the prior institution's academic standards. Thus, the opportunity to certify the transfer student-athlete after one regular term of full-time enrollment at the Division III institution ensures that they are, at minimum, meeting the same

academic standards of all student-athletes at the new institution before competing. Additionally, this change would ensure that student-athletes transferring to Division III institutions would not be subject to greater competitive restrictions than those student-athletes transferring to Division I or II institutions.

- (4) Estimated budget impact. None.
- (5) Student-athlete impact. Student-athlete participation opportunities would no longer be restricted once they can demonstrate they satisfy the academic eligibility requirements of their Division III institution.

b. 2025 Convention Legislation – NCAA Division III Bylaw 9.3 – Legislative Authority and Process – Amendment Process.

- (1) Recommendation. That the NCAA Division III Management Council sponsor 2025 NCAA Convention legislation to amend the Division III legislative process. Specifically, to:
 - (a) Establish an initial membership proposal submission deadline of July 1 annually, where sponsors must submit the affected bylaws and the intent and rationale statements;
 - (b) Establish a comment period for proposals from July 1 to September 1 annually;
 - (c) Establish an alternate membership proposal submission deadline of September 15 annually, where sponsors must submit the proposal in final format and meet a sponsorship threshold of four multisport conferences or 20 institutions representing four multisport conferences;
 - (d) Establish September 15 as the final sponsorship date for governance proposals;
 - (e) Produce a publication of proposed legislation on October 1 annually; and
 - (f) Permit four multisport conferences, 20 institutions representing four multisport conferences or the Division III Presidents or Management Councils (by a three-quarter vote) to offer amendments that increase the modification of a proposal.

- (2) Effective date. Immediate.
- (3) Rationale. Following the adoption of the NCAA Constitution in 2022, the Division III governance structure tasked the Interpretations and Legislation Committee with reviewing the division's legislative process. The goal of the review was to encourage more membership participation in the legislative process as well as foster greater collaboration between the governance structure and membership at large with the legislative process. This package of concepts to amend the legislative process represents feedback from the Division III governance structure, as well as affiliate groups within the membership.
- (4) Estimated budget impact. None.
- (5) Student-athlete impact. The NCAA Division III National Student-Athlete Advisory Committee would be guaranteed the opportunity to review all membership sponsored proposals at its annual July meeting, ensuring that committee members understand all proposals before soliciting peer feedback and taking official committee positions. Further, all proposals that affect the student-athlete experience will have gone through a public comment period before being voted on by the Division III membership.

INFORMATIONAL ITEMS.

1. **Review June Report.** The committee reviewed and approved the report of its June 24, 2024, videoconference.
2. **Future Meetings.** The committee reviewed its future meeting schedule.
3. **Other Business.** The committee thanked Kurt Beron for his service and wished him well as the University of Texas at Dallas will begin the Division II membership process during the 2024-25 academic year.
4. **Adjournment.** The committee concluded its business and adjourned at 2:32 p.m. Eastern time.

Committee Chair: Michael Mattia, Gettysburg College.
Staff Liaison(s): Corey Berg, Academic and Membership Affairs
Jeff Myers, Academic and Membership Affairs

Becca Trovato, Academic and Membership Affairs
Sarah Turner, Academic and Membership Affairs

| Division III Interpretations and Legislation Committee July 10, 2024, Videoconference |
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| Attendees: |
| Kurt J. Beron, University of Texas at Dallas. |
| Rachana Bhat, Claremont McKenna-Harvey Mudd-Scripps Colleges. |
| Crystal Gibson, St. Mary's College of Maryland. |
| Jack Langan, Cornell College. (SAAC representative). |
| Bethany Marren, Rochester Institute of Technology. |
| Michael A Mattia, Gettysburg College. |
| Danielle O'Leary, William Peace University. |
| Sarah Otey, University Athletic Association. |
| Andrea R. Ricketts-Preston, Mount Holyoke College. |
| Absentees: |
| Harry Dumay, Elms College. |
| NCAA Staff Liaisons (or Staff Support if subcommittee) in Attendance: |
| Corey Berg, Jeff Myers and Becca Trovato. |
| Other NCAA Staff Members in Attendance: |
| Bill Regan, Luke Schultheis, Tori Sutherland and Julie Zike. |