ACTION ITEMS.

1. Legislative Items.

- Noncontroversial Legislation – Pending Subcommittee for Legislative Relief Waiver – NCAA Bylaw 14.2.4.1.2.

  (1) **Recommendation.** That NCAA Division III Management Council approve in concept noncontroversial legislation to clarify that the existing provision that allows a student to practice while a NCAA Division III Subcommittee for Legislative Relief waiver is pending only suspends the season of participation legislation and does not permit the student to practice if the student is not otherwise eligible for practice.

  (2) **Effective Date.** Immediate.

  (3) **Rationale.** Prior to combining the NCAA Division III Management Council Academic Issues Subcommittee and Subcommittee for Legislative Relief, legislation did not permit a student-athlete to practice while an Academic Issues Subcommittee waiver was pending. Currently, if an institution submits a Subcommittee for Legislative Relief waiver, a student-athlete may practice but not compete while a waiver is pending without using a season of participation. The subcommittee agreed that this provision only provides relief from the season of participation legislation while the waiver is pending and would not allow students to practice if they are not otherwise eligible to practice.

  (4) **Budget Impact.** None.

  (5) **Student-Athlete Impact.** None.

2. Nonlegislative Items.

- Approval of NCAA Division III Management Council Subcommittee for Legislative Relief Policies and Procedures.

  (1) **Recommendation.** That Division III Management Council approve Subcommittee for Legislative Relief policies and procedures [see Attachment A].
(2) **Effective Date.** Immediate.

(3) **Rationale.** During its March 2016 teleconference, the Subcommittee for Legislative Relief reviewed an updated policies and procedures document. Specifically, the subcommittee added a provision allowing an institution to participate on a legislative relief waiver appeal call at the institution's request.

(4) **Budget Impact.** None.

(5) **Student-Athlete Impact.** None.

**INFORMATIONAL ITEMS.**

1. **Welcome and Introductions.** The subcommittee chair, Nnenna Akotaobi, welcomed subcommittee members and requested that subcommittee members review the roster for accuracy.

2. **Approval of September and November 2015 Reports.** The subcommittee reviewed and approved the reports from its September 25 and November 12, 2015, teleconferences.

3. **Review Cases Decided from August 1, 2015, through January 31, 2016, by the NCAA Staff and Subcommittee.** From August 1, 2015, through January 31, 2016, the subcommittee and/or staff received a total of 54 Division III waiver requests, of which 36 were decided. The following is a summary of the decisions made by the staff and subcommittee:

   - Staff approved 25 cases. Of the 25 cases that were approved, seven were approved with conditions and 10 were approved based on the totality of the circumstances and/or student-athlete well-being. The subcommittee reviewed the 10 cases approved based on totality and/or student-athlete well-being and requested that staff archive one of those cases (see Attachment B).

4. **Review of Division III Previously Approved Waivers List.** The subcommittee reviewed the NCAA Division III Previously Approved Waivers Checklist [Reference: November 11, 2015 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 requested the removal of one item from the previously approved waivers checklist.
5. **Review of Subcommittee for Legislative Relief Guidelines.** The subcommittee reviewed and approved the Subcommittee for Legislative Relief Guidelines.

6. **Review Cases Decided from August 1, 2015 through January 16, 2016, by the NCAA Staff and Academic Issues Subcommittee.** From August 1, 2015 through January 16, 2016, the Academic Issues Subcommittee and/or staff received a total of seven Division III waiver requests, of which seven were decided. The following is a summary of the decisions made by the staff and subcommittee:

- Staff approved three cases. Of the three cases that were approved, two were approved with conditions (see Attachment C).

7. **Future Meetings.** The subcommittee chair reminded the subcommittee of the upcoming September 2016 meeting.

8. **Other business.** None.

9. **Adjournment.** The subcommittee adjourned at 3:23 p.m. Eastern time.

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**Committee Chair:** Nnenna Akotaobi, Swarthmore College, Centennial Conference  
**Staff Liaisons:** Sarah Otey, Academic and Membership Affairs  
Joni Williamson, Academic and Membership Affairs

| NCAA Division III Management Council Subcommittee for Legislative Relief  |
| March 7, 2016, Teleconference  |

<table>
<thead>
<tr>
<th>Attendees:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nnenna Akotaobi, Swarthmore College; Centennial Conference, Chair.</td>
</tr>
<tr>
<td>Stevie Baker-Watson, DePauw University; North Coast Athletic Conference.</td>
</tr>
<tr>
<td>Kate Roy, Lyndon State College; North Atlantic Conference.</td>
</tr>
<tr>
<td>Julie Soriero, Massachusetts Institute of Technology; New England Women’s and Men’s Athletic Conference.</td>
</tr>
<tr>
<td>Gerald Young, Carleton College; Minnesota Intercollegiate Athletic Conference.</td>
</tr>
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</table>

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Karen Thompson-Wolfe, Westminster College; St. Louis Intercollegiate Athletic Conference.</td>
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<table>
<thead>
<tr>
<th>NCAA Staff Support in Attendance:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sarah Otey and Joni Williamson.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Other NCAA Staff Members in Attendance:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kristin DiBiase, Jeff Myers and Anne Rohlman.</td>
</tr>
</tbody>
</table>
The NCAA Division III Management Council Subcommittee for Legislative Relief (SLR), formerly the NCAA Division III Management Council Administrative Review Subcommittee (ARS), was created in 1993 as a response to the membership's desire for more rules flexibility. This group consists of a subcommittee of the NCAA Division III Management Council that reviews the application of NCAA legislation in cases where the circumstances are extraordinary in nature (NCAA Division III Bylaw 5.4.1.7). In October 20, 2015, the Management Council approved the integration of the NCAA Division III Committee on Academic Issues Subcommittee (AIS) into SLR; consequently, SLR is also specifically authorized to hear, deliberate and decide all waivers of the academic and full-time enrollment requirements and to consider relief from the application of NCAA legislation in Bylaws 14.01.2 (academic status); 14.1.7 (admission and enrollment); and 14.1.8 (full-time enrollment) and its subsections.

The philosophy of the Subcommittee for Legislative Relief is to review requests to waive the normal application of the legislation, appeal cases and render decisions while considering the following to determine if relief is appropriate:

1. The purpose or intent of the legislation;
2. Any information submitted by the applicant institution and student-athlete relative to, or affected by, the student athlete's institutional academic status;
3. The involvement and the overall well-being of the student-athlete;
4. A competitive or recruiting advantage; and
5. Prior case precedent.

NCAA member institutions, conferences and committees/subcommittees may apply for a SLR waiver when no other committee/subcommittee has the authority to waive specific NCAA legislation for extenuating/extraordinary circumstances.

Reporting Lines.

The subcommittee reports directly to the Management Council.

Subcommittee Composition and Terms.

1. The subcommittee shall consist of six members of the Management Council, one of whom shall be elected chair;
2. The subcommittee chair shall only cast a vote in the event of a tie;
3. Members shall serve terms of office in accordance with Management Council's legislated policies and procedures.

Absences (Bylaw 21.7.2.3).

A member of the subcommittee shall be replaced if:

1. The chair deems the member to not be discharging his or her subcommittee duties properly; or

2. He or she is absent from two consecutive meetings/teleconferences without reasons approved by the Management Council.

Waiver Submission Procedures.

1. Waiver requests shall be submitted to the NCAA national office via Requests/Self-Reports Online (RSRO).

2. Waiver submissions must be e-signed or have a signature uploaded in RSRO.
   
   a. Requests submitted by an institution require signatures from two of the following individuals of the involved institution (one of whom must be from outside the athletics department):

      (1) Chancellor, president or faculty athletics representative; and

      (2) Director of athletics or senior woman administrator.

   b. Requests submitted by a conference office shall be signed by both the commissioner (or executive director) and at least one conference officer (e.g., associate commissioner).

   c. Requests submitted by an NCAA committee or subcommittee shall be signed by the chair or a member of that committee or subcommittee.

3. Stamp signatures will not be accepted. Waiver submissions for individual student-athletes or prospective student-athletes are required to include a signed Buckley Statement.

4. The case will be considered complete and case processing timelines begin once all required information is uploaded into RSRO (either by the applicant institution or by AMA staff).
Review Guidelines.

1. **Documentation for Review.** A decision will be made by the staff and subcommittee based solely on the submitted written documentation from the applicant institution. The request shall include:
   a. The background of the involved situation;
   b. The reason(s) the institution, conference or NCAA committee or subcommittee believes relief from the application of the legislation is warranted; and
   c. Any additional information the institution, conference or NCAA committee or subcommittee believes is relevant to the case (e.g., medical documentation, educational transcripts, game schedules).

   NCAA committee or subcommittee members are prohibited from conducting independent research (e.g., online searches) in an effort to gather more facts/information regarding a pending request. When additional information or documentation is necessary, the subcommittee shall direct the staff to contact the applicant institution to request that the additional information or documentation be submitted.

2. **Review Timeline.** The institution, conference or NCAA committee or subcommittee will typically receive a decision through RSRO on its waiver submission within three weeks of receipt of the appropriate materials at the national office. It is important for the submitting institution, conference or NCAA committee or subcommittee to specify clearly the reason(s) the issue may be time sensitive.

3. **Urgent requests involving unforeseen circumstances (e.g., death, severe injury or illness, catastrophic events).** The subcommittee granted the staff authority to provide relief of the legislation via the telephone. An institution will be required to submit a formal waiver submission via RSRO to the NCAA staff within two business weeks of receiving the telephone waiver decision. Institutions are encouraged to call the staff anytime an unforeseen urgent issue arises in which relief of the legislation is necessary via the waiver process.

4. **Requests Involving Other Institutions, Conferences or Specific Student-Athletes.** For requests involving statements or assertions regarding another member institution's or conference's conduct or actions as a basis for relief, the applicant institution will be required to:
   a. Submit all application materials and supporting documentation to the member institution(s) or conference cited as part of the allegations; and
b. Give the member institution(s) 10 business days for the chancellor or president, director of athletics, faculty athletics representative, senior woman administrator or in the case of a conference, the commissioner, to respond in writing to the subcommittee and provide a copy of the response to the applicant. The response will be included in the application materials for review.

For requests involving a specific student-athlete(s), a written release from the student-athlete(s) is required according to federal law (i.e., Federal Educational Rights and Privacy Act) for the staff to provide applicant's request materials or supporting documentation to another member institution.

5. Transfer Waiver Requests. For transfer waiver submissions, the legislative relief staff may request the following:

a. A position on the waiver request from the previous institution;

b. Any available information on the prospective student-athlete from the enforcement staff; and

c. Information from applicant institution regarding any third-party involvement (e.g., attorney, advisor, former coach) in recruiting and transfer decision(s). This request may include follow-up on information received from the enforcement staff.

In addition:

d. The case manager may research the Internet for articles regarding the prospective student-athlete's recruitment to the previous institution and recruitment and transfer to the applicant institution.

6. Cases Involving Misinformation, a Lack of Information or Institutional Error. For cases in which a student-athlete(s) is detrimentally impacted by the actions of institutional personnel or if the applicant institution benefits (request is approved) as a result of the circumstances, the chancellor or president of the applicant institution will be notified by letter from the staff detailing the chronology of the institution's/individual's actions.

In situations where an institution has submitted multiple waiver requests involving misinformation, a lack of information or institutional error that has detrimentally impacted a student-athlete, a member of the staff or subcommittee may call an institution's chancellor or president to recommend that an institution establish a specific plan to prevent future instances of misinformation/error.
7. **Season of Participation Exception - Pending Subcommittee for Legislative Relief waiver.** A transfer student-athlete who has a SLR waiver request pending at the staff and/or subcommittee level may practice, but not compete, after the first contest or date of competition in the traditional segment in the student-athlete's sport without using a season of participation provided the staff has notified the institution both verbally and in writing (i.e., email) that the staff has received the institution's completed waiver application and relevant supporting documentation. The student-athlete may continue practice until a decision has been reached on the waiver request.

   a. If the student-athlete's waiver request is denied, the institution shall, on verbal and written notification from the staff, immediately prohibit the student-athlete from participating in further practice with his or her team.

   b. If the student-athlete's institution appeals the denial, the institution may permit the student-athlete to resume practicing with his or her team only on verbal and written notification from the staff that it has received the institution's request for appeal. If the subcommittee denies the institution's appeal, the student-athlete must cease practicing immediately on receiving verbal and written notification from the staff that the appeal has been denied.

   c. If the waiver request is denied and the student-athlete continues to practice, he or she shall be charged with the use of a season of participation.

8. **Requests Involving Medical Documentation.** For requests involving medical documentation that does not clearly demonstrate that the requirements of a given waiver are met (e.g., noncontemporaneous, does not state the student-athlete or family member is debilitated), the information may be shared with a medical expert.

   The expert analysis shall be included as part of the waiver request to be considered by the legislative relief waiver staff and subcommittee for review.

9. **Requests Involving Issues, Arguments or Mitigation Regarding an Education-Impacting Disability.** For requests involving an education-impacting disability (e.g., impairments such as mental health disorders, eating disorders, learning disability, Attention Deficit Hyperactivity Disorder, medical conditions, deaf/hard of hearing), the information may be shared with an expert in that field.

   The expert analysis shall be included as part of the legislative relief waiver request to be considered by the legislative relief staff and subcommittee.

10. **Communication Protocol.** Members of the subcommittee shall not discuss a pending request with the NCAA staff, institutional representatives, the prospective or enrolled student-athlete, or his or her legal counsel without all parties having the opportunity to
participate. Further, the subcommittee members may contact the staff to request that additional information about the case be obtained prior to a final decision.

All inquiries from the media should be forwarded to the national office for response.

11. **Archived Cases.** The subcommittee may archive cases based on a change in subcommittee philosophy (with appropriate notice given to the membership) or based on the decision date of a case (i.e., cases decided prior to a given date are designated as archived). Cases shall be archived by the staff every three years. The archived cases serve only as a historical resource to the membership and staff.

**Review Procedures.**

Per NCAA Constitution 4.7.3-(h), the Management Council has authorized the subcommittee to consider requests for relief from the application of NCAA legislation in instances where no Division III committee, subcommittee or NCAA staff member has the authority to act.

The staff may make a decision on behalf of the subcommittee (except for requests involving a blanket waiver). On request of the subcommittee, a waiver may be elevated directly to the subcommittee without a staff decision. A waiver may be elevated directly to the Management Council without either a staff or subcommittee decision only in instances when the subcommittee deems that Management Council would be the appropriate body to issue an initial decision on the request.

The staff and subcommittee should strive for consistency in treating issues involving similar circumstances.

**Recusal Procedures.**

It is the responsibility of a subcommittee member to recuse himself or herself from participation in the review of an institution's or conference's request if:

1. He or she is connected to that institution by employment, personal or conference affiliation; or

2. He or she has a personal relationship or institutional affiliation that reasonably would result in the appearance of bias or prejudice.

Institutional objections to a subcommittee member participating in the review of a request should be raised with the subcommittee chair as soon as recognized but will not be considered unless the concern is raised prior to the subcommittee's review of the matter.

All ex parte communication between applicant representatives and subcommittee members about a pending case is prohibited.
Appeals to the Subcommittee.

The subcommittee will serve as an appellate body for all staff decisions that the membership wishes to appeal. The subcommittee will maintain a standing appointment for a weekly teleconference to discuss the appeal cases. The subcommittee chair shall only cast a vote in the event of a tie vote amongst other subcommittee members present and voting. A simple majority is necessary for a decision. The subcommittee shall not consider appeals of decisions of an NCAA committee or subcommittee with legislative authority to act.

1. Timeline.

   Within 30 calendar days from the date on the initial staff decision letter, the applicant institution, conference, committee or subcommittee may appeal the staff decision to the subcommittee. An appeal letter submitted to the associate director after the 30-day appeal period will not be processed.

   • Exceptions to this policy may be granted by the chair when an institution is able to demonstrate, in writing, that exceptional circumstances caused the institution's appeal to be submitted beyond the 30-day appeal period. Appeals will be submitted to the subcommittee members for review on a weekly basis.

   • At the institution's request, an institution may participate, via teleconference, during the subcommittee's review of a waiver. An institutional staff member (as opposed to a conference office staff member or external counsel) may participate on a subcommittee conference call to present the institution's case. Such a presentation is limited to five minutes, with additional time allotted for questions from subcommittee members. At the discretion of the chair, the institution's presentation may exceed five minutes. At the conclusion of the presentation and any questions, the institution shall exit the call and the subcommittee will deliberate privately.

2. Decision.

   The subcommittee decision shall be communicated to the involved institution by the NCAA staff. A summary of the decisions of the staff and subcommittee shall be provided to the Management Council and NCAA Division III Presidents Council on a regular basis.

Reconsideration.

If new information becomes available after the subcommittee has denied a waiver request, an institution may submit a reconsideration request to the subcommittee. The initial request and all supplemental information for reconsideration shall be submitted to the NCAA staff by an NCAA institution, conference or NCAA committee.
The director or associate director shall determine if the submitted information meets the new information standard. If yes, the staff will then forward the request for reconsideration to the subcommittee. If no, then the reconsideration request shall be denied.

The applicant institution may appeal the director's or associate director's decision to deny the reconsideration request to the chair of the subcommittee. If the chair determines that the case should be reconsidered by the subcommittee, then the staff will forward the case to all subcommittee members. If the chair affirms the director's or associate director's decision to deny the request for reconsideration, the chair's decision is final.

In the event that the chair recuses himself or herself, the senior member of the subcommittee will review the appeal decision.

**Appeals to Management Council.**

Once an institution has exhausted its appellate and if appropriate, reconsideration opportunity with the subcommittee, an institution may appeal the subcommittee's decision to the Management Council. The Management Council and Presidents Council have adopted the following procedures to apply for appeal of any committee or Management Council subcommittee action:

**General Authority.**

The Management Council shall review membership appeals and decisions made by a Division III committee or the NCAA staff regarding the application of NCAA legislation to a particular situation when no other committee, subcommittee, or conference has the authority to act (Constitution 4.8.3-(h)). All Management Council decisions shall be reported to the Presidents Council which may ratify, amend or rescind the actions of Management Council (Constitution 4.4.2-(g)-(h)). The Presidents Council shall hear appeals of original Management Council actions (as opposed to Management Council appellate decisions). Presidents Council is not required to hear or act on any request for additional consideration in which an appellate opportunity has already been provided by the Management Council. Presidents Council may, however, review any issue at its discretion.

**Standard of Review.**

A council shall not alter the decision of the committee, subcommittee or council that initially decided the matter unless it concludes that the committee, subcommittee or council erred in its decision in a manner that, in the judgment of the council, affected the decision. The finding of such an error shall be based on a determination of one of the following:

1. The committee, subcommittee or council improperly applied NCAA legislation or official interpretations;
2. The committee, subcommittee or council took an action inconsistent with established precedent; or
3. The committee, subcommittee or council deviated from its approved procedures or that the decision is clearly erroneous.

Documentation for Review.

The involved institution must submit a written notice of appeal to be received in the national office not later than 30 days after it has received notification of the adverse decision.

1. The appeal must be submitted by at least two of the following institutional representatives: chancellor/president, faculty athletics representative, director of athletics and senior woman administrator.

2. The Notice of Appeal must include reasons the institution believes the decision was erroneous. All supporting documentation from the involved institution shall be submitted no later than five business days before the meeting in which the appeal will be reviewed.

Review of appeals shall take place only in conjunction with regularly scheduled meetings of the applicable council or the NCAA Division III Administrative Committee. All appeals shall be based on the written record, unless the council officers conclude that compelling reasons exist to conduct an in-person meeting.

Not later than 48 hours before the meeting in which the appeal will be reviewed, the committee, subcommittee or council shall submit reports that detail the initial decision. The report shall identify the involved NCAA rules and interpretations and shall specify the information and precedent relied on in reaching the decision.

Parliamentary Procedure and Recusals.

For purposes of parliamentary procedure the Presidents Council, Management Council or Administrative Committee shall constitute a "Board," rather than a "committee," in applying the provisions of Robert's Rules of Order, Newly Revised; therefore, parliamentary procedures shall be those specified for Boards by Robert's Rules in such matters as appeals, rehearing or other appearances. [Note: This affects such matters as motions to reconsider, amend or rescind earlier actions].

Members shall recuse themselves from participating in the complete review process (discussion and vote) if the matter involves their institution or conference. Members shall recuse themselves from voting on a matter of a decision by a committee or subcommittee on which they serve or if the matter involves a member of their conference. However, these members may participate in discussions related to the matter.
Decision.

The Presidents Council, Management Council or Administrative Committee shall deliberate and notify the national office staff of its decision (based on standard of review set forth above). The national office staff shall notify the involved institution and shall provide a written confirmation of the decision. The notification should occur as soon as practical after the decision is reached and adjournment of the meeting. No notification, formal or informal, should occur before adjournment. The appellant also should be notified of any additional procedures available. No public announcement shall be made until the meeting has adjourned.

Rehearing.

Rehearing of an issue may be granted only on the basis of new, relevant and significant information directly related to the original findings. The applicable officers will review the submitted evidence to determine if it believes the new-evidence requirement has been met.

If in reviewing the appeal the Presidents Council, Management Council or Administrative Committee concludes that new information that was not made available to the involved committee or subcommittee at the time of its initial decision has been reported and that the information is of such importance to make a different result reasonably probable, the case shall be redirected to the committee or subcommittee that initially considered it for further review.

Conflict of Interest Statement.

The NCAA is a voluntary Association comprised of colleges, universities, conferences and other organizations governed through a membership-led committee structure. Within the governance structure, subcommittee members must carefully balance their responsibilities to their respective institutions and/or conferences with the obligation to advance the interests of the Association, the division, or the sport and ultimately enhance the student-athlete experience. While the fiduciary obligations of subcommittee members to their own institution, their conference and to the Association ordinarily are not in conflict, it is recognized that as a representative membership organization, subcommittee members' fiduciary obligations are first to their institution, second to their conference and third to the Association. NCAA committee or subcommittee service involves important ethical and moral obligations. Subcommittee integrity is critical to the decision-making process and includes trust, confidentiality and honesty in all issues and aspects of service and representation. NCAA committee or subcommittee members shall disclose any conflict or potential conflict between their respective personal, professional, institutional, conference or business interests and the interests of the Association that may affect or otherwise threaten such integrity, in any and all actions taken by them on behalf of the Association, for subcommittee evaluation under this Statement.
In addition to any fiduciary obligation to their institution and conference, subcommittee members also have a fiduciary duty to the Association not to use knowledge or information obtained solely due to service on that subcommittee to the disadvantage of the Association during the term of subcommittee service. Further, a subcommittee member shall not participate in the subcommittee's discussion or vote on any action that might bring direct or indirect personal financial benefit to the member or any organization (other than the member's institution or conference) in which the member is financially interested. A subcommittee member should also not participate in a discussion or vote for which the member's institution or conference is to be accorded a special benefit beyond benefits shared with other institutions or conferences or is to receive a penalty or disqualification. A violation of either of the above rules by a member of the subcommittee shall not invalidate the action taken by the committee if, following disclosure of the conflict of interest, the subcommittee authorizes, ratifies or approves the action by a vote sufficient for the purpose, without counting the vote of the subcommittee member with the conflict of interest and the appropriate oversight body approves the action.

A subcommittee member is responsible for advising the chair of any actual or potential conflicts of interest or obligations which he/she may have hereunder and should recuse him/herself from participating in proceedings, as may be warranted by this policy. Abuse of one's position as a member of a subcommittee may result in dismissal from that position. Where such abuse appears evident, a subcommittee member will be notified by the subcommittee chair and will have the opportunity to present a rebuttal or details of the situation. (August 2008 NCAA Executive Committee minutes.)

**Speaking Agent Policy.**

The president of the Association and the chair of the Executive Committee are the only individuals authorized to speak on behalf of the Association except as outlined below.

An individual representing a member institution or conference who speaks or opines on an Association issue only has the authority to express the view of that individual or the member institution or conference unless the individual has been designated by the Executive Committee of the Association as a speaking agent of the Association on that issue.

Subcommittee chairs are hereby designated as speaking agents of their subcommittees regarding issues within their subcommittees' jurisdiction on which there is consensus, except that positions of advocacy on behalf of the subcommittee or the Association to be communicated in writing or orally to persons or entities external to the Association must have prior approval by the Executive Committee or the president of the Association.

The president of the Association is hereby granted authority to designate additional speaking agents of the Association. (April 2001 Executive Committee minutes.)
## Case Summary

### General Case Information

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<th>Case Number</th>
<th>Case Type</th>
<th>Sub Case Type</th>
<th>Release to Database</th>
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<tr>
<td>835500</td>
<td>Legislative Relief Waiver</td>
<td>Amateurism; Recruiting; Awards, Benefits and Expenses; Playing and Practice Seasons. Request for a Prospective Student-Athlete or Student-Athlete</td>
<td>Yes</td>
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**Student-Athlete Name**

**Institution**

**Division**

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<th><strong>Sport(s)</strong></th>
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<td>III</td>
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<tr>
<td>Football</td>
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**Legislative Cite(s)**

- 12.1.3.2 - Nonpermissible Activities -- Before Initial, Full-Time Collegiate Enrollment.
- 15.2.3.4 - No Relationship to Athletics Leadership, Ability, Participation or Performance.

### Decision Information

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<tr>
<th>Decision</th>
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<th>Decision Level</th>
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<tr>
<td>Approved</td>
<td>09/01/2015</td>
<td>Staff</td>
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</table>

### Conditions

### Rationale

Student-athlete well-being. PSA well-being. Specifically, staff noted the unique and extraordinary nature of PSA's mother's illness and the financial burden on PSA's family. Additionally, staff noted the following: (1) Applicant institution provided documentation demonstrating PSA's mother's diagnosis; (2) Because PSA is not a SA, applicant institution did not have the opportunity to educate PSA on issues related to fundraising; (3) Immediately after being notified of the crowdfunding site, applicant institution advised PSA to refrain from accepting donations and to remove all reference to athletics on the crowdfunding site; and (4) Prior to its removal, any reference to athletics on the crowdfunding site was minimal in nature.
Case Summary

Prospective student-athlete's mother has brain cancer that was in remission since 2005.

2014: PSA's mother had a seizure while driving and had her license suspended.

January 28, 2015: PSA's mother was diagnosed with a recurrence of the brain tumor.

PSA's family has started a GoFundMe page to solicit donations to assist with his educational expenses while his mother continues fighting cancer. Applicant institution would like PSA to be permitted to accept funds that were raised while PSA's athletics participation was referenced on the crowdfunding site, but he is prohibited by both the amateurism and financial aid legislation. Specifically, discussing involvement in athletics on a crowdfunding site is an impermissible use of a PSA's athletics involvement to receive pay; and any funds PSA receives will be an impermissible outside financial aid award that is based in part on athletics ability, skill, participation or leadership.

Assertions:

(1) After his mother's seizure and the return of her cancer, PSA has taken over running the family's household and providing caregiving duties for his two siblings, including transporting them to and from school, medical appointments and errands. PSA's father works long hours that frequently result in his father being gone for the bulk of the family's day. The demands of PSA's new responsibilities have made it difficult for PSA to earn money to help pay for college;

(2) PSA's mother does not work and does not contribute financially to the family's expenses;

(3) All of the family's finances are dedicated to the costs of PSA's mother's treatment, which leaves the family with little ability to contribute to PSA's educational expenses;

(4) Prior to the time at which applicant institution discovered the crowdfunding site, PSA's family mentioned on the site that PSA was an athlete. Once applicant institution discovered this fact, PSA was instructed to remove all references to athletics. In addition, PSA had not yet accepted funds from donors;

(5) PSA and his family have informed potential donors of NCAA regulations prohibiting his receipt of athletically-related financial aid; and

(6) Due to the family's financial circumstances, without assistance, PSA will have to attend a two-year institution instead of a four-year institution, which is not in his best academic interest.
Describe the institution's request for relief. Waive the normal application of the amateurism and financial aid legislation to allow PSA to accept funds that were raised on a crowdfunding site that referenced PSA's athletics participation.

Name of the NCAA Governance Committee submitting the waiver
## Case Summary

### General Case Information

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<tr>
<td>837495</td>
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<td>Amateurism; Financial Aid; Playing and Practice Seasons</td>
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### Student-Athlete Information

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<th>Sport(s)</th>
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</thead>
<tbody>
<tr>
<td></td>
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<td>III</td>
<td>Women's Basketball</td>
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### Legislative Cite(s)

- 13.2.1 - General Regulation.
- 13.2.5 - Life-Threatening Injury or Illness.

### Decision Information

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<tr>
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<tbody>
<tr>
<td>Approved</td>
<td>09/01/2015</td>
<td>Staff</td>
</tr>
</tbody>
</table>

### Conditions

### Rationale

Student-athlete well-being: PSA well-being. Specifically, staff noted the following: (1) The extraordinary nature of PSA's illness; (2) All proceeds from the fundraising events will go toward PSA's medical expenses; and (3) Had PSA been able to enroll at applicant institution as originally planned, applicant institution could have permissibly held the fundraising events.
Prospective student-athlete (PSA) has verbally committed to attend applicant institution.

PSA has an arachnoid cyst. The medical condition is usually asymptomatic in most patients, but if a patient has the rare, active form of the cyst, it results in a debilitating illness. PSA has the rare form of this condition, which she fought previously and which has now returned more aggressively.

Applicant institution's athletics department would like to hold two fundraisers to help raise money for PSA's medical bills, but is prohibited by the offers and inducements legislation. Specifically, an institution is not permitted to donate funds to a PSA.

Assertions:

(1) Applicant institution's plans would be to hold two events. One event would be a 5K race held in PSA's hometown on or around September 27, 2015. The entry fee would be $25 per person, and PSA's hometown would work together with applicant institution to organize the race. Applicant institution estimates that the race will raise approximately $6,000. For the second event, applicant institution's women's basketball team will dedicate its Saturday, January 16, 2016, home match to PSA and hold a bake sale, silent auction, 50/50 raffle and donation collection jar. Applicant institution hopes to raise at least $2,500 from this event;

(2) The reason applicant institution wants to help PSA and her family is not for recruiting purposes;

(3) All proceeds from the fundraisers would go to PSA and her family; and

(4) The population of SA's hometown is only 8,800 people. Because applicant institution is well-known in PSA's community and is only one and one-half hours away, applicant institution does not believe its fundraising activities would give their athletics program a recruiting advantage.
Describe the institution's request for relief. Waive the normal application of the offers and inducements legislation and permit applicant institution to raise funds for a PSA with a life-threatening illness.

Name of the NCAA Governance Committee submitting the waiver
Case Summary

General Case Information

<table>
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Student-Athlete Name: [Redacted]
Institution: [Redacted]
Division: III
Sport(s): Baseball

Involved Individuals

Legislative Cite(s)
15.01.4 - Contributions by Donor.
15.2.3.3 - Parents and Legal Guardians.

Decision Information

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<tbody>
<tr>
<td>Approved</td>
<td>11/05/2015</td>
<td>Staff</td>
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</table>

Conditions
One-time waiver. Future similar requests may be denied.

Rationale
Totality of the circumstances.: Specifically, staff noted the following: (1) the donation was given as an anonymous gift; (2) the student-athletes were unaware of the donation; and (3) although the relationship between the student-athletes and the family developed as a result of athletics, the donation itself was unrelated to athletics ability or participation.
June 24, 2015: A parent deposited $10,000 anonymously into two baseball student-athlete's (SA's) university accounts, which totaled $20,000.

August 12, 2015: The financial aid office discovered the $10,000 donation. The SAs and director of athletics were notified of the anonymous donation. The institution notified the conference office immediately and the conference office notified the NCAA.

Applicant institution would like the SAs to be able to accept the funds that were deposited into the SAs' university accounts; however, it is not permissible for a SA to receive financial aid from anyone on whom the SA is not a natural or legal dependent. Specifically, it is not permissible for a donor to contribute funds and gift aid to a SA.

Assertions:

(1) The parent provided the donation as a token of her gratitude towards SA's support and friendship for her son while he was going through a difficult time;

(2) The two SA's had no knowledge of the contribution;

(3) After the donation was made SA's were informed by the donor that she had entered SA's names into a scholarship and they won; and

(4) The donation was unrelated to athletics ability or participation.
Describe the institution's request for relief. Waive the normal application of the financial aid legislation to permit SA's to receive a financial aid award from a representative of athletics interest.

Name of the NCAA Governance Committee submitting the waiver
Case Summary

General Case Information

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Legislative Cite(s)

14.1.9 - Graduate Student/Postbaccalaureate Participation.

Decision Information

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<tbody>
<tr>
<td>Approved</td>
<td>10/15/2015</td>
<td>Committee</td>
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</table>

Conditions

Rationale

Overall academic record:
(1) SA graduated with a 3.780 cumulative grade-point average; and
(2) SA did not take any breaks in full-time enrollment.

Totality of the circumstances:
(1) SA's participation in a highly-demanding ROTC program prevented the SA from pursuing varsity athletics opportunities at Institution No. 1;
(2) The ROTC program prevented the SA from enrolling in summer courses in an effort to graduate ahead of schedule; and
(3) Subsequent to participating in fours year of the ROTC program as an undergraduate student, the SA served on active military duty for four years, including a deployment to Afghanistan.
### Conditions

### Rationale

(Sub)Committee for Legislative Relief Guideline(s):
NCAA Division III Management Council Subcommittee for Legislative Relief October 2009 directive regarding graduate/postbaccalaureate student transfers.
Specifically, staff noted student-athlete did not meet all three requirements for approval based on compelling and exemplary academic success. Specifically, SA did not graduate ahead of schedule.
Further, the mitigation was not considered outside the SA's control. Specifically, although the student-athlete's participation in ROTC was admirable, the participation was considered within the SA's control.

Other:
Specifically, the staff noted the Division III Philosophy Statement, focusing on intercollegiate athletics as a four-year, undergraduate experience (January 2012).

### Case Summary

2003-04, 2004-05, 2005-06 and 2006-07 academic years: Student-athlete (SA) attended Institution No. 1 (an NCAA Division I institution). SA participated in four years of club ice hockey as well as ROTC on a Marine Option Scholarship.

May 2007: SA graduated from Institution No. 1 with a 3.780 cumulative grade-point average. SA did not take any breaks in full-time enrollment.

2007-2011: SA served on active military duty. SA was deployed to Afghanistan in 2009.

2011: SA was honorably discharged and entered the military reserves.

2011-June 2014: SA worked as a Catholic youth minister.

Fall 2014-Summer 2015: SA enrolled part time at applicant institution.

2015-16 academic year: SA enrolled full time as a graduate student at applicant institution to pursue graduate degree in pastoral ministry.

Institution No. 1 supports the waiver request.

Applicant institution would like for SA to be immediately eligible to participate in women's lacrosse; however, SA is a graduate-student transfer and is not eligible based on the graduate/postbaccalaureate legislation. Specifically, the SA did not graduate ahead of schedule.

Assertions:

1. SA participated in a highly demanding ROTC program throughout her undergraduate program that did not allow SA the opportunity to participate in varsity athletics at Institution No. 1;
2. The demands of the ROTC program did not allow SA an opportunity to enroll in summer courses in an effort to graduate ahead of schedule;
3. SA served in the military for four years; and
4. Applicant institution offers an uncommon specialty degree in Catholic ministry for lay ministers who are neither part of a religious order nor seeking ordination.
Describe the institution's request for relief. Waive the normal application of the graduate/postbaccalaureate participation legislation and permit SA to be immediately eligible to compete at applicant institution.

Name of the NCAA Governance Committee submitting the waiver
## Decision Information

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<td>Approved</td>
<td>09/04/2015</td>
<td>Staff</td>
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</table>

## Conditions

**Rationale**

Totality of the circumstances.: Staff specifically noted the unique tie between the PSA and applicant institution as a result of the extenuating circumstances surrounding SA's death. Specifically, (1) At the time of his death, PSA's brother was a SA at applicant institution; (2) Applicant institution also honors other individuals in the same manner at its home contests under special circumstances; (3) The event is not intended to gain a recruiting advantage for applicant institution with PSA; and (4) The primary purpose of the recognizing PSA at applicant institution's home football contest is to honor the life of PSA's brother and to show support to his surviving family members.
Case Summary

August 18, 2015: Prospective student-athlete’s (PSA) brother, who was a student-athlete (SA) at applicant institution was killed in an ATV crash. Applicant institution would like to have PSA lead applicant institution's men's football team out onto the football field at the beginning of its September 12 home football game and provide PSA and his family refreshments and access to the institution's president's sideline box suite to watch the game, but is prohibited by the offers and inducements legislation.

Specifically, an institution may not provide benefits to a PSA or the PSA's relatives and friends that are not generally available to all prospective students or a particular segment of the student body for reasons unrelated to athletics.

Assertions:
(1) Applicant institution is not making the request for recruiting purposes and has no intent to engage in recruiting activity. The institution wishes to provide these benefits on one specific occasion, strictly for the purpose of showing respect for one of its own SAs and standing in solidarity with his family;

(2) Applicant institution also provides the same treatment to other guests in various special circumstances, such as Special Olympics athletes and military veterans from the Wounded Warriors Project; and

(3) SA will not receive any additional benefits beyond those applicant institution has requested.
**Specific Case Information**

Describe the institution's request for relief. Waive the normal application of the offers and inducements legislation and permit a deceased SA's brother, who is a PSA, to lead applicant institution's football team onto the football field prior to applicant institution's home football contest, and for PSA and his family to receive special accommodations and refreshments during the contest.

Name of the NCAA Governance Committee submitting the waiver
# Case Summary

## General Case Information

<table>
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<td>Amateurism; Recruiting; Awards, Benefits and Expenses; Playing and Practice Seasons.</td>
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**Request for Any Other Individual, Entity or Event**

**Request for a Prospective Student-Athlete or Student-Athlete**

<table>
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<tr>
<th>Student-Athlete Name</th>
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<td></td>
<td>III</td>
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</table>

**Legislative Cite(s)**

- 14.7.1 - Outside Competition.
- 14.7.3 - Exceptions -- All Sports.

## Decision Information

**Decision**

- Approved

**Decision Date**

- 10/27/2015

**Decision Level**

- Staff

## Conditions

Other: SAs must have permission from professors to miss additional class prior to departing for the elite-level international competition. If permission is not granted, the SAs may not miss class in order to participate.

## Rationale

Student-athlete well-being.: The staff noted: (1) The nature of the elite-level international competition; (2) Each institution provided documentation confirming that SAs are meeting satisfactory progress requirements and in good academic standing; (3) The elite-level international competition does not occur during SAs' playing season in the sport of lacrosse; and (4) No missed class time or minimal missed class time will occur as a result of the waiver based on the event occurring over a weekend.
Case Summary

September 11-13, 2015: The U-19 International World Indoor Lacrosse Challenge will be held in Canada. The event is scheduled in conjunction with the Senior International World Indoor Lacrosse Championship that will take place the following week.

Nine student-athletes (SAs) from six different institutions have been selected to represent the United States at the U-19 championship. Applicant institution, Institution No. 2 and Institution No. 3 each have one SA that would like to participate in the event September 11-13; however, SAs are not permitted to participate as members of an outside team in noncollegiate, amateur competition during the academic year.

Assertions:

(1) The Senior International World Indoor Lacrosse Tournament qualifies as an exception to the outside-competition regulations and the U-19 tournament does not;

(2) The official national governing body of lacrosse does not have a U-19 national team;

(3) U.S. Indoor Lacrosse coordinated the process of identifying a coach, holding tryouts and selecting players to represent the United States at the U-19 championship;

(4) It is not permissible for SAs to participate in the U-19 championship as the event takes place during the academic year and SAs have started classes for the 2015 fall term;

(5) U.S. Indoor Lacrosse is not designated as the national governing body for the sport of lacrosse in the United States; however, U.S. Indoor Lacrosse has served in that role for the purpose of the U-19 International World Indoor Lacrosse Challenge event;

(6) U.S. Indoor Lacrosse conducted open, publicly announced tryouts that were publicized on social media outlets, news forums and emails to member institutions and lacrosse coaches. The tryouts were open to any player meeting the age criteria;

(7) SAs believed that the team for which they were trying out was an official national team and would be treated as such under NCAA rules;

(8) SAs have been participating in practices for the event since January 2015 and incurring all associated expenses;

(9) The need for a waiver was determined recently due to the final roster for the event being announced last week. Further, it was only on making the team that SAs were advised to seek permission from their institutions to participate;

(10) The event organizers modeled this junior level event after the senior level event in order to provide a comparable experience for junior level players and they were unaware that the junior level event would be impermissible for SAs due to outside competition legislation;

(11) The event involves an extraordinary international competition opportunity for SAs; and

(12) The event will take place over one weekend; thus, it will not take SAs away from their academic and team responsibilities and will require little to no missed class time in order for SAs to participate.
Describe the institution's request for relief. Waive the normal application of the outside competition legislation and permit SAs to participate in the U-19 International World Indoor Lacrosse Challenge September 11-13, 2015.

Name of the NCAA Governance Committee submitting the waiver
Case Summary

General Case Information

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Student-Athlete Name: [Redacted]
Institution: [Redacted]
Division: III
Sport(s): Men's Lacrosse

Legislative Cite(s):
14.02.10.1 - Academic Year of Residence.

Decision Information

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<tr>
<td>Approved</td>
<td>11/04/2015</td>
<td>Staff</td>
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</table>

Conditions

Rationale

Totality of the circumstances.: Specifically, the staff noted: (1) applicant institution provided contemporaneous medical documentation to substantiate the student-athlete's personal hardships of active military duty, and subsequent education-impacting disabilities (EIDs); (2) the personal hardships and subsequent EIDs impacted the student-athlete's academic performance during the 2014-15 academic year; (3) the student-athlete continues to receive treatment and medication while enrolled at application institution; (4) the student-athlete's psychiatrist noted participation in athletics at applicant institution is conducive to the student-athlete's recovery from combat trauma.

Case Summary

4-4 transfer.

2008-2013: Student-athlete (SA) served in the United States Marine Corps.

2010 spring term: SA enrolled part time in one course at Institution No. 1 (an online institution); however SA withdrew from the course.

2010 fall term: SA enrolled part time at Institution No. 1.
2011 fall term: SA enrolled part time at Institution No. 2 (a two-year institution).

January 2012-January 2013: SA served two deployments to Afghanistan.

2013-14 academic year: SA initially enrolled full time at Institution No. 3 (a Division I institution). SA did not practice, compete or receive athletics aid. SA was neither in good academic standing nor meeting progress-toward-degree requirements at the conclusion of the 2014 spring term.

November 20, 2013: SA’s initial consultation with Institution No. 3’s health center. SA diagnosed with Post Traumatic Stress Disorder (PTSD), alcohol use disorder and prescribed medication.

April 24, 2014: SA's final treatment at Institution No. 3's health center. In addition to aforementioned diagnosis of PTSD, SA was diagnosed with panic disorder and prescribed medication.

2014-15 academic year: SA transferred to Institution No. 4 (a provisional NCAA Division III institution). SA practiced and competed. SA was neither in good academic standing nor making progress toward degree at the conclusion of the 2015 spring term.

2014 fall term: SA attended four out of 13 scheduled counseling sessions at Institution No. 4.

January 22, 2015: SA’s initial consultation at the Veterans Administration (VA) Medical Center

February 5, 2015: SA's initial evaluation by a VA psychiatrist (Psychiatrist No. 1). SA was diagnosed with combat related PTSD and major depression and prescribed medication.

April 9, 2015: SA received a neuropsychological evaluation from another VA psychiatrist (Psychiatrist No. 2).

April 14, 2015: SA is diagnosed with Attention Deficit Hyperactivity Disorder (ADHD), Inattentive type and PTSD, Chronic by Psychiatrist No. 2.

July 2015: Applicant institution began recruiting SA.

2015 fall term: SA transferred to applicant institution and enrolled full time.

October 27, 2015: SA met with psychologist at applicant institution.

Institution No. 4 supports the waiver on condition that SA satisfies applicant institution's academic eligibility requirements for the 2015 fall term.

Applicant institution would like SA to be immediately eligible to compete but is prohibited by the transfer legislation. Specifically, at the time of transfer to applicant institution, SA would not have been academically or athletically eligible had SA returned to Institution No. 4. Consequently, SA is not eligible for competition and must serve one academic year of residence at applicant institution.

Assertions:

1) SA sought campus counseling and VA counseling during the 2014 fall term; however, the VA was not able to schedule an appointment with SA until January 2015;

2) A VA psychiatrist asserted that SA's untreated PTSD symptoms impacted SA's academic performance during the 2014 fall term. Further, the psychiatrist asserted SA's PTSD and ADHD conditions are under much better control and it is expected that SA's academic performance will continue to improve as SA learns to manage his emotional state. Lastly, the psychiatrist noted that participation in athletics is conducive to SA's recovery from combat trauma;

3) SA did not appeal his academic standing at Institution No. 4. However, if SA had appealed his academic standing, Institution No. 4's Academic Petitions Committee would not have granted the appeal; and

4) Since transferring to applicant institution, SA has sought counseling at the VA, and is continues to receive treatment and medication.
Describe the institution's request for relief. Waive the normal application of the transfer legislation and permit SA to be immediately eligible at applicant institution.

Name of the NCAA Governance Committee submitting the waiver
Case Summary

General Case Information

Case Number: 841477
Case Type: Legislative Relief Waiver
Sub Case Type: Amateurism; Recruiting; Awards, Benefits and Expenses; Playing and Practice Seasons; Request for a Prospective Student-Athlete or Student-Athlete
Release to Database: Yes

Student-Athlete Name:
Institution:
Division: III
Sport(s): Women’s Soccer

Legislative Cite(s):
13.6.2 - Length of Official Visit.

Decision Information

Decision: Approved
Decision Date: 10/21/2015
Decision Level: Staff

Conditions
One-time waiver. Future similar requests may be denied.
Other: (1) After the 48-hour official visit ends, applicant institution may provide PSA one overnight stay with a student host and transportation to the airport; (2) At the end of the 48-hour period, applicant institution must cease all recruiting activity and coaching staff may not have interaction with PSA until she is transported to the airport; and (3) PSA must cover her own expenses on Monday.

Rationale
Student-athlete well-being: PSA well-being. Specifically, staff noted that PSA’s mother had already purchased the tickets before PSA had the opportunity to inform her of the official visit requirements.
Case Summary

Prospective Student-Athlete (PSA) is taking an official visit to applicant institution from her hometown in Alaska. Applicant institution agreed to provide lodging and meals for PSA; however, PSA is paying the cost of her flight to applicant institution.

August 24, 2015: applicant institution's coach informed PSA of the official visit restrictions, both verbally and in writing.

September 18, 2015: PSA's mother purchased PSA's flight to applicant institution's locale for $2,086.

PSA is scheduled to arrive to applicant institution's campus at 1:30 p.m. Eastern time Friday, October 16, 2015. PSA's return flight departs applicant institution's locale at 11:30 a.m. Eastern time Monday, October 19.

Applicant institution would like to provide meals, travel and lodging expenses to PSA until her departure at 11:30 a.m. October 19, but is prohibited by the official visit legislation. Specifically, PSA would be receiving additional expenses 22 hours after the permissible 48-hour period ends.

Assertions:

(1) Applicant institution's coach provided PSA with the proper information in writing, but PSA never shared the information with her mother. PSA's mother booked the flight without consulting PSA and was more focused on determining flight times that would work best for PSA and which would minimize the cost for the visit;

(2) In order to depart within the 48-hour period, PSA would have to change her flight and incur several hundred dollars of additional airline costs;

(3) During the 25 hours, applicant institution's team will not engage in any significant recruiting activities. Specifically, the team will not interact with PSA with the exception of providing access to meals and permitting PSA to stay overnight;

(4) Applicant institution's admissions office periodically holds two-day Sunday/Monday recruiting events for all prospective students generally. As part of these weekends, prospective students receive lunch and a light evening meal, and an overnight stay with a student host on Sundays. If an admissions event were taking place, all of PSA's Sunday expenses would be allowed and the only extra expense she would receive from athletics would be breakfast Monday morning; and

(5) Had PSA departed campus at the end of the 48-hour period, PSA could have permissibly received meals from applicant institution on Sunday based on the legislation in NCAA Bylaw 13.6.5.1.1 (Meals and Lodging While In Transit).
Specific Case Information

Describe the institution's request for relief. Waive the normal application of the official visit legislation and permit applicant institution to provide meals, travel and lodging expenses to SA beyond the maximum visit period of 48 hours.

Name of the NCAA Governance Committee submitting the waiver
Case Summary

General Case Information

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Legislative Cite(s)

14.5 - Transfer Regulations.

Decision Information

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<td>11/12/2015</td>
<td>Staff</td>
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</table>

Conditions

Rationale

Student-athlete well-being.: Specifically, staff noted: (1) SA would have been eligible at applicant institution had he completed his amateurism certification through the NCAA Eligibility Center at Institution No. 1; (2) applicant institution certified the SA's amateurism status; and (3) SA is making satisfactory progress toward his degree at applicant institution.
Case Summary

2014 fall term: Student-athlete (SA) attended Institution No. 1 (a Division II institution). SA practiced, but did not compete or receive athletics aid. SA earned a 2.400 grade-point average (GPA) and 15-credit hours.

2015 spring term: SA attended Institution No. 2 (a two-year college). SA did not practice, compete or receive athletics aid. SA earned a 1.000 GPA and nine-credit hours.

2015 fall term: SA attended applicant institution. SA practiced, but did not compete or receive athletics aid.

Applicant institution would like SA to be immediately eligible to compete for the 2015-16 academic year; however, SA does not meet an exception of the transfer legislation. Specifically, SA would not have been academically or athletically eligible had he returned to Institution No. 1 and must complete one calendar year of residence at the applicant institution.

Assertions:

(1) SA would have been eligible at applicant institution had he completed his amateurism certification through the NCAA Eligibility Center at Institution No. 1;

(2) Applicant institution has certified SA's amateur status;

(3) While at institution No. 1 and No. 2, SA earned a total of 24-credit hours during the 2014-15 academic year; and

(4) SA is making satisfactory progress toward his degree at applicant institution.
Specific Case Information

Describe the institution's request for relief. Waive the normal application of the transfer legislation and permit SA to be immediately eligible to compete at applicant institution.

Name of the NCAA Governance Committee submitting the waiver
# Case Summary

## General Case Information

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### Student-Athlete Information

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### Legislative Cite(s)

14.5.5.1.1 - Exception.

## Decision Information

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<tbody>
<tr>
<td>Approved</td>
<td>10/16/2015</td>
<td>Staff</td>
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</table>

### Conditions

### Rationale

Student-athlete well-being.: Specifically, staff noted that if SA had transferred credits earned at the two-year institution back to Institution No. 1 prior to transfer to applicant institution, SA would have been immediately eligible to compete at applicant institution.
Case Summary

2014-15 academic year: Student-athlete (SA) attended Institution No. 1 (an NCAA Division II institution). SA practiced but did not compete. SA did not earn the requisite number of credit hours during the 2014-15 academic year to be academically eligible at Institution No. 1; however, SA was informed by Institution No. 1 that if she passed six credit hours over the 2015 summer, SA would become eligible.

2015 summer term: SA earned six credit hours at Institution No. 2 (a two-year institution). SA did not officially transfer those credit hours back to Institution No. 1.

2015 fall term: SA enrolled at applicant institution. Transfer tracer from Institution No. 1 indicated that SA would not have been academically eligible to return due to a credit hour deficiency. As a result, SA did not meet a Division III transfer exception.

2015 fall term: SA competed while ineligible in two contests at applicant institution. SA has since been reinstated.

September 10, 2015: SA officially transferred the six credits earned during the 2015 summer back to Institution No. 1. Institution No. 1 reissued a transfer tracer based on the additional credits earned and verified that SA would have been academically eligible to compete at Institution No. 1.

Applicant institution would like for SA to be immediately eligible to compete; however, SA was not academically eligible at the time of transfer to applicant institution.

Assertions:

(1) Had SA appropriately transferred the six credits earned at Institution No. 2 to Institution No. 1 prior to transferring to applicant institution, SA would have been immediately eligible to compete;

(2) SA has since transferred those six credits back to Institution No. 1; and

(3) Institution No. 1 has reissued a transfer tracer verifying SA's academic eligibility.
Specific Case Information

Describe the institution's request for relief. Waive the normal application of the transfer legislation and permit SA to be immediately eligible to compete at applicant institution.

Name of the NCAA Governance Committee submitting the waiver
Case Summary

General Case Information

Case Number: 840248  
Case Type: Academic Issues Subcommittee Waiver  
Sub Case Type: Education-Impacting Disability  
Release to Database: No

Student-Athlete Name:  
Institution:  
Division: III  
Sport(s): Football

Legislative Cite(s)
14.1.8.1.7.2 - Student-Athlete with Education-Impacting Disabilities -- 12-Hour Requirement Only.
14.1.8.1 - Requirement for Practice or Competition.

Decision Information

Decision: Approved  
Decision Date: 09/02/2015  
Decision Level: Staff

Conditions

Rationale
Education-impacting disability:

Case Summary

The student-athlete (SA) initially enrolled in the certifying institution 2015 spring term.

The institution requested the NCAA Division III Management Council Academic Issues Subcommittee consider the SA has a diagnosed education-impacting disability. Based on the SA's disability, institution’s office of disability services indicated that the SA qualifies for full-time student status with a reduced course load. Therefore, institution requested a waiver pursuant to NCAA Bylaw 14.1.8.1.7.2 (student-athlete with education-impacting disabilities - 12-hour requirement only) to allow the SA to practice and compete while enrolled in as few as eight credits.
Case Summary

General Case Information

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Legislative Cite(s)

14.1.8.1 - Requirement for Practice or Competition.

Decision Information

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Conditions

Rationale

Case precedent:
Circumstances do not warrant relief of the legislation: Specifically, subcommittee noted: (1) SA did not graduate in less than four years; (2) SA has the opportunity to complete a fourth season of participation during her tenth semester; and (3) SA's financial feasibility is not a circumstance that warrants relief of the legislation.

Decision Information

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<td>11/12/2015</td>
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Conditions

Rationale

Case precedent:
Circumstances do not warrant relief of the legislation: Specifically, staff noted: (1) SA did not graduate in less than four years; (2) SA has the opportunity to complete a fourth season of participation during her tenth semester; and (3) SA's financial feasibility is not a circumstance that warrants relief of the legislation.
2011-12 academic year: Student-athlete (SA) attended applicant institution. SA practiced and competed.

January 2012: SA sustained a season-ending injury while playing ice hockey.

2012-13 academic year: SA attended applicant institution. SA practiced and competed.

November 2, 2012: SA sustained a season-ending injury.

June 13, 2013: SA was granted a hardship waiver by the institution's conference office affording SA an additional season of participation.


2015 fall term: SA attended applicant institution. SA practiced and competed.

Applicant institution would like SA to be eligible to practice and compete during 2016 spring term; however, SA will not be enrolled in any credit hours. Specifically, institution is requesting a waiver of full-time enrollment to allow SA to practice and compete while not enrolled at applicant institution.

Assertions:

(1) SA is on track to graduate in December 2015, nine semesters after initial collegiate enrollment;

(2) SA had two injuries which affected her ability to graduate in less than four consecutive years;

(3) It is not financially feasible for SA to enroll full time during 2016 spring term; and

(4) SA has not had the opportunity to participate in four seasons of intercollegiate participation due to circumstances beyond SA's control.
Case Summary

General Case Information

Case Number  Case Type  Sub Case Type  Release to Database
848933    Academic Issues Subcommittee Waiver  NCAA Championship After Completion of Degree Requirements Exception-Practice or Competition Past 60 Days  No

Student-Athlete Name

Institution Division Sport(s)

Legislative Cite(s)
14.1.8 - Full-Time Enrollment.
14.1.8.1.6.3.4 - Waiver -- Postseason.

Decision Information

Decision  Decision Date  Decision Level
Denied  11/02/2015  Staff

Conditions

Rationale
Circumstances do not warrant relief of the legislation:

Case Summary

The student-athlete (SA) initially enrolled at the certifying institution 2011 fall term.

The institution requested the NCAA Division III Management Council Academic Issues Subcommittee consider the mitigating circumstances. The SA would like to participate in wrestling for the first time during the 2015-16 academic year. Institution asserts it is not financially efficient for the SA to enroll full time during 2015 spring term. Therefore, institution requested a waiver of full-time enrollment for practice and competition pursuant to NCAA Bylaw 14.1.8.1.6.3.2(Postseason Event after Completion of Degree Requirements - Practice and Competition) to allow the SA to practice and compete while not enrolled in any credits.
Case Summary

General Case Information

Case Number: 849896
Case Type: Academic Issues
Sub Case Type: Subcommittee Waiver
Release to Database: Yes

Student-Athlete Name
Institution
Division: III
Sport(s): Women's Ice Hockey

Legislative Cite(s)
14.1.7.1 - Admission.
14.1.8.1 - Requirement for Practice or Competition.

Decision Information

Decision | Decision Date | Decision Level
Denied | 11/06/2015 | Committee

Conditions

Rationale
Circumstances do not warrant relief of the legislation: The Division III philosophy places significant emphasis on institutional autonomy regarding member institutions' admissions and academic policies. In light of the philosophy, it is not custom for NCAA administrative action to waive institutional policy.

Decision Information

Decision | Decision Date | Decision Level
Denied | 11/02/2015 | Staff

Conditions

Rationale
Circumstances do not warrant relief of the legislation: The Division III philosophy places significant emphasis on institutional autonomy regarding member institutions' admissions and academic policies. In light of the philosophy, it is not custom for NCAA administrative action to waive institutional policy.
The student-athlete (SA) initially enrolled at the certifying institution 2015 fall term.

Institution requested the NCAA Division III Management Council Academic Issues Subcommittee consider the SA's mitigating circumstances in not meeting her requirement to be a degree seeking student. Specifically, the SA enrolled at her first institution fall 2015. However, the SA did not feel comfortable about her decision to attend that institution. Because of her unease, the SA elected to transfer to the applicant institution. Applicant institution's admission policy dictates that students who apply late cannot be admitted as regular, degree seeking students. The SA was admitted with "special student" status and permitted to enroll full time. Institution noted the SA's enrollment in 12 credit hours that will be used to meet degree requirements. Additionally, institution noted that the SA has been accepted as a degree seeking student for 2016 spring term. Therefore, the applicant institution requested a waiver of the requirements to be a degree seeking student pursuant to NCAA Bylaws 14.1.7.1 and 14.1.8.1 to allow the SA to practice and compete.

The case was previously denied by staff; however, institution felt it warranted further review by the subcommittee. The subcommittee upheld the staff's decision during its November 4, 2015, teleconference. In its denial of the appeal, the subcommittee noted the circumstances do not warrant relief of the legislation.
The student-athlete (SA) initially enrolled in the certifying institution 2015 fall term. Institution requested the NCAA Division III Management Council Academic Issues Subcommittee consider the SA's personal hardship. Specifically, the SA was diagnosed with mental health issues that had a direct impact on the need for enrollment in less than 12 credits. The SA's psychiatrist recommended a reduced course load and continued participation in her sport to help with recovery. Based on the SA's personal hardship, the institution requested a waiver pursuant to NCAA Bylaw 14.1.8.1.7.5 (All Other Full-Time Enrollment Waivers - Practice and Competition) to allow the SA to practice while enrolled in as few as six credits.
Case Summary

General Case Information

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Legislative Cite(s)

14.1.8.1 - Requirement for Practice or Competition.
14.1.8.1.7.5 - All Other Full-Time Enrollment Waivers -- Practice and Competition.

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<td>11/12/2015</td>
<td>Staff</td>
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Conditions

Limited Waiver Through a specific date: 2015 fall term only.

Rationale

Personal hardship:

Case Summary

The student-athlete (SA) initially enrolled in a four-year institution 2012 fall term and transferred to the certifying institution 2013 fall term. Institution requested the NCAA Division III Management Council Academic Issues Subcommittee consider the SA's personal hardship. Specifically, the SA was diagnosed with hyperparathyroidism caused by a tumor. Additionally, the SA was diagnosed with several mental health issues which were believed to be an effect of the tumor. During 2015 fall term, the SA had surgery to remove the tumor. The SA's counselor recommended a reduced course load and continued participation in her sport to help with recovery. Based on the SA's personal hardship, the institution requested a waiver pursuant to NCAA Bylaw 14.1.8.1.7.5 (All Other Full-Time Enrollment Waivers - Practice and Competition) to allow the SA to practice and compete while enrolled in as few as six credits. Staff noted the SA's overall academic record.
Specific Case Information
Case Summary

General Case Information

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Student-Athlete Name

Institution

Division

Sport(s)

III

Women's Lacrosse

Legislative Cite(s)

14.1.8.1.4 - Cooperative Educational Exchange Program.

Decision Information

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Conditions

Rationale

Circumstances do not warrant relief of the legislation: Specifically, subcommittee noted: (1) NCAA Division III Management Council Academic Issues Subcommittee Directive. Specifically, SA has the ability to comply with the legislation; (2) Lack of knowledge of legislation does not warrant relief; and (3) NCAA staff encourages applicant institution to work with its conference office to propose legislation to address this issue.

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Conditions

Rationale

Circumstances do not warrant relief of the legislation: Specifically, staff noted: (1) NCAA Division III Management Council Academic Issues Subcommittee Directive. Specifically, SA has the ability to comply with the legislation; (2) Lack of knowledge of legislation does not warrant relief; and (3) NCAA staff encourages applicant institution to work with its conference office to propose legislation to address this issue.
Case Summary

2015 fall term: Student-athlete (SA) attended applicant institution.

Applicant institution would like SA to be eligible to compete for the 2018-19 academic year; however, SA will not be enrolled in a minimum full-time program of studies at applicant institution. Specifically, SA will be enrolled in a dual degree program and will be full time at Institution No. 2 (a Division I institution).

Assertions:
(1) Applicant institution is filing this waiver now, rather than the SA's junior year, in order to allow her to make the most informed decision regarding her future;

(2) Applicant institution's athletics director misadvised the head coach and informed her that all SAs enrolled in the dual degree program would be eligible to play all four years at applicant institution;

(3) Applicant institution's head coach misadvised the SA that she would be able to play women's lacrosse for four years at applicant institution while enrolled in the dual degree program;

(4) SA made her decision to attend applicant institution based on the fact that she would have the opportunity to compete for four years at applicant institution while pursuing the dual degree program;

(5) When the dual degree program was being established, applicant institution's athletics director called the NCAA and received an interpretation that would allow a SA to use his/her fourth and final year of eligibility at applicant institution. Based on this interpretation, applicant institution incorporated this interpretation into the information and procedure guide for this dual degree program;

(6) Course work that is taken at Institution No. 2 is placed on the SA's transcript and accepted towards her undergraduate degree at applicant institution;

(7) Applicant institution is unable to consider the SA to be enrolled in a minimum full-time program of studies due to the fact that the SA will file for financial aid through Institution No. 2;

(8) Institution No. 2 is a Division I school; therefore, the SA may not have the opportunity to participate in her fourth year of eligibility; and

(9) Since learning of the misapplication of this legislation, applicant institution has started to educate staff and prospective student-athlete recruits.
| Specific Case Information |