ACTION ITEMS.

1. Legislative Items.
   - None.

2. Nonlegislative Items.
   - None.

INFORMATIONAL ITEMS.

1. Welcome and Introductions. The Management Council Subcommittee for Legislative Relief chair, Nnenna Akotaobi, welcomed the subcommittee members and requested a review of the roster for accuracy.

2. Approval of August and December 2016 Reports. The subcommittee reviewed and approved the reports from its August 30 and December 1, 2016, teleconferences.

3. Review Cases Decided from August 1, 2016, through January 31, 2017, by the NCAA Staff and Subcommittee. From August 1, 2016, through January 31, 2017, the subcommittee and/or staff received a total of 45 Division III waiver requests, of which 40 were decided. The following is a summary of the decisions made by the staff and subcommittee:
   - Staff approved 25 waivers, denied 15 waivers and five waivers were cancelled. Of the 25 approved waivers, 10 were approved with conditions. The subcommittee reviewed 14 waivers approved based on totality and/or student-athlete well-being and requests that staff archive one of those cases (see Attachment).

4. Review of Division III Previously Approved Waivers List. The subcommittee reviewed the Division III Previously Approved Waivers Checklist [Reference: October 5, 2016, Item Ref: 2 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 took no further action.

5. Review of Subcommittee for Legislative Relief Guidelines. The subcommittee reviewed and approved the updated guidelines document. Specifically, the subcommittee approved the waiver guidelines allowing NCAA staff to approve legislative relief waivers filed on behalf of a transgender female student-athlete who seeks to practice with a women’s team without using a season of participation during her first year of testosterone suppression treatment or first year post-surgical intervention. The guidelines clarify the necessary
information required to process a legislative relief waiver, which waives the use of a season of participation for a transgender female.

The subcommittee reviewed the graduate/postbaccalaureate student transfers guidelines, directives and waivers processed from the past three years. The subcommittee recommended keeping the guidelines and directives as they are currently written and suggested that Division III Management Council have a broader discussion on proposing legislation to allow Division III student-athletes to transfer and pursue a graduate/postbaccalaureate degree at another Division III institution.

6. **Review of the Subcommittee for Legislative Relief Policies and Procedures.** The subcommittee reviewed the Subcommittee for Legislative Relief Policies and Procedures and took no action.

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

8. **Other business.** None.

9. **Adjournment.** The subcommittee adjourned at 2:10 p.m. Eastern time.

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

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| NCAA Division III Management Council Subcommittee for Legislative Relief |
|---|---|
| **Attendees:** |  |
| Nnenna Akotaobi, Swarthmore College; Centennial Conference, Chair. |  |
| Stevie Baker-Watson, DePauw University; North Coast Athletic Conference. |  |
| Kate Roy, Lyndon State College; North Atlantic Conference. |  |
| Karen Tompson-Wolfe, Westminster College; St. Louis Intercollegiate Athletic Conference. |  |
| Denise Udelhofen, Loras College; Iowa Athletic Conference. |  |
| Gerald Young, Carleton College; Minnesota Intercollegiate Athletic Conference. |  |
| **NCAA Staff Support in Attendance:** |  |
| Chris Brown and Joni Williamson. |  |
| **Other NCAA Staff Members in Attendance:** |  |
| Dan Dutcher, Louise McCleary and Jeff Myers. |  |
Case Summary

General Case Information

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<thead>
<tr>
<th>Case Number</th>
<th>Case Type</th>
<th>Sub Case Type</th>
<th>Release to Database</th>
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<tbody>
<tr>
<td>930438</td>
<td>Legislative Relief</td>
<td>Amateurism; Financial Aid; Playing and Practice Seasons</td>
<td>Yes</td>
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<td></td>
<td>Waiver</td>
<td>Request for a Sports Team</td>
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<thead>
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<th>Division</th>
<th>Sport(s)</th>
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<tbody>
<tr>
<td>III</td>
<td>Football</td>
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Legislative Cite(s)

16.4 - Medical Expenses.
16.5.1 - Exceptions.
Administrative Activities Prior to the First Permissible Date of Preseason Practice for Fall Sports (III)

Decision Information

<table>
<thead>
<tr>
<th>Decision</th>
<th>Decision Date</th>
<th>Decision Level</th>
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<tbody>
<tr>
<td>Approved</td>
<td>08/03/2016</td>
<td>Staff</td>
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Conditions

One-time waiver. Future similar requests may be denied.
Must educate institutional staff on policies and procedures related to the legislation in question.
Other: No athletically related activities may take place prior to August 14, 2016, the first permissible date of preseason practice.

Rationale

Student-athlete well-being.: Specifically, staff noted institutional staff miscalculated the preseason start date and did not realize the error until after the information had been communicated to the football team.
Please note that due to the actions of institutional personnel resulting in the need for a waiver, a letter will be sent to applicant institution’s chancellor/president per the Legislative Relief policies and procedures.:
Case Summary

August 28, 2013: Applicant institution's first day of classes for the 2013 fall term.

August 27, 2014: Applicant institution's first day of classes for the 2014 fall term.

August 26, 2015: Applicant institution's first day of classes for the 2015 fall term.

March 2016: Applicant institution scheduled medical exams for all fall sports with physicians.

April 15, 2016: Applicant institution's athletic administrator received the institution's 2016-17 academic calendar.

May 9, 2016: Applicant institution provided report date information to football team and their families.

June 14, 2016: Applicant institution discovered the miscalculation for the football team's preseason report date.

August 11, 2016: Date applicant institution had intended to have football team report to campus and conduct physical exams.

August 12, 2016: Applicant institution's report date for the sport of football.

August 14, 2016: Applicant institution's first permissible practice date in the sport of football.

August 31, 2016: Applicant institution's first day of classes for the 2016 fall term.

September 3, 2016: Applicant institution's first scheduled contest in the sport of football.

Applicant institution would like to allow the football team to report one day early and receive room and board expenses; however, the playing season legislation prevents an institution from reporting to campus three days prior to the first permissible practice date.

Assertions:

(1) Applicant institution feels making a request to change the medical exam date will be difficult and detrimental to their relationship with the team physicians;

(2) Applicant institution has a total of 90 football incoming and new student-athletes and 15 returning student-athletes who are required to undergo a medical exam;

(3) Applicant institution's athletics administration miscalculated and based the football team's first permissible practice off of the first day of classes, which had been the fourth Wednesday in August the past three years; and

(4) Applicant institution institutional policy is to allow student organizations with legitimate need to be on campus prior the start of fall semester with the approval of the institution's dean of students.
Specific Case Information

Describe the institution's request for relief. Waive the normal application of the preseason expenses legislation to permit applicant institution to provide room and board expenses to the football team prior to the first date of permissible preseason practice due to institutional error in calculating the permissible start date.

Name of the NCAA Governance Committee submitting the waiver