

## A G E N D A

National Collegiate Athletic Association

Division II Committee for Legislative Relief

Telephone Conference  
Toll-Free Number: 877/336-1831  
Access Code: 3272185

March 23, 2011  
1 to 3 p.m. Eastern time

1. Welcome and introductions. (Kathleen Heitzman)
  - NCAA Division II Committee for Legislative Relief roster. [Supplement No. 1]
2. Review Committee for Legislative Relief cases decided from September 1, 2010, through January 31, 2011, by NCAA staff and committee. [Supplement No. 2] (Amanda Conklin)
3. Review of October 2010 Committee for Legislative Relief report to NCAA Division II Management Council. [Supplement No. 3] (Heitzman)
4. Review the January NCAA Division II Management Council and NCAA Division II Presidents Council summary of actions. [Supplement No. 4] (Brenda Cates)
5. Review of NCAA Bylaw 14.2.4.2 cases since April 2010. [Supplement No. 5] (Conklin)
  - a. Diversion from normal academic path. [Supplement No. 6] (Heitzman)
  - b. Proposed streamlined review process guidelines. [Supplement No. 7] (Kelly Brooks)
  - c. Mandatory Military Service. [Supplement No. 8]
6. Transfer legislation. (Heitzman)
7. Review of NCAA Division II Proposal 2011-20. [Supplement No. 9] (Conklin)

8. Academic and membership affairs business practices review. (Brooks)
9. Future meetings.
  - September/October 2011 teleconference.
10. Other business.
11. Adjournment.

REPORT OF THE  
NCAA DIVISION II COMMITTEE FOR LEGISLATIVE RELIEF  
MARCH 23, 2011 TELECONFERENCE

**ACTION ITEMS.**

**1. Legislative Items.**

- None.

**2. Nonlegislative Items.**

- **Guidelines for Review of Requests Seeking Relief of NCAA Bylaw 14.2.4.2 Citing International Mandatory Military Service as Mitigation.**
  - (1) Recommendation. To establish new guidelines for review of requests seeking relief of NCAA Bylaw 14.2.4.2 (participation in organized competition before initial collegiate enrollment) citing mandatory international military service as mitigation, as specified. [Attachment A]
  - (2) Effective Date. Immediate for student-athletes initially enrolling full time at a NCAA Division II institution on or after August 1, 2011.
  - (3) Rationale. Currently the guidelines for waivers involving international mandatory military service indicate that such requests will be evaluated on a case-by-case basis. Developing more detailed guidelines and more closely aligning the guidelines with those currently in place in Division I, provides additional consistency when evaluating such cases.
  - (4) Estimated Budget Impact. None.
  - (5) Student-Athlete Impact. Clarifying the waiver guidelines related to international mandatory military service will allow institutional personnel to more accurately advise student-athletes who are required to complete international mandatory military service prior to enrollment.

**INFORMATIONAL ITEMS.**

- 1. Review of NCAA Staff and NCAA Division II Committee for Legislative Relief Decisions.** The committee reviewed cases decided by the NCAA staff and the committee from September 1, 2010, through January 31, 2011. A total of 115 cases were reviewed by the staff, with 75 being decided on or before January 31. Staff granted 28 cases, nine of which were granted with conditions. Twelve cases were granted based on the totality of the circumstances. The staff denied 47 cases, 11 of which were appealed to the

Committee for Legislative Relief. One case that the staff granted with conditions was also appealed. The committee affirmed the staff decision in nine cases and overturned the staff decision on two occasions. No blanket waivers were issued during this period.

2. **Review of NCAA Staff and NCAA Division II Committee for Legislative Relief Decisions on Bylaw 14.2.4.2 Cases [Attachment B].** The committee reviewed all Bylaw 14.2.4.2 (participation in organized competition before initial collegiate enrollment) cases decided since legislative changes from 2010 NCAA Convention Division II Proposal No. 2010-11 were applied on April 1, 2010. There were a total of 62 cases received from April 1, 2010, through February 27, 2011. Of that total, 44 cases were decided before February 27, 2011. The remaining 18 cases are still under review. Thirteen cases were granted by the NCAA staff, six of those cases were granted with conditions. The staff denied 31 cases, five of which were appealed to the Committee for Legislative Relief. One case that the staff granted with conditions was also appealed. The committee affirmed the staff decision in four cases and overturned the staff decision on two occasions.
3. **Discussion of Bylaw 14.2.4.2 Cases that Involve a Diversion from the Prescribed Academic Path.** The committee received an update from the NCAA Eligibility Center staff regarding the amateurism certification process (ACP). The committee discussed cases where a prospective student-athlete's delay in enrollment occurs after completing a tier in a multi-tier educational system, transferring to a new secondary institution and being placed in a grade level based on institutional policy (known as "split file" cases at the NCAA Eligibility Center). The committee instructed the staff to continue monitoring split file waiver cases for its review during the fall 2011 teleconference and requested cross communication with the NCAA International Student Records Committee.
4. **Discussion of a "streamlined process" for amateurism certification process (ACP) waiver cases.** The committee discussed the efficacy of implementing a streamlined review process similar to the process Division I currently uses for delayed enrollment amateurism certification decisions. The committee indicated that it does not currently support implementing a streamlined process in Division II and would prefer that all cases be handled through the full waiver process while the legislative changes to Bylaw 14.2.4.2 (participation in organized competition before initial collegiate enrollment) are still relatively new. The committee instructed the staff to continue monitoring amateurism certification cases for consideration of a streamlined process in the future.

5. **Discussion of transfer legislation.** The committee engaged in an initial discussion regarding waiver cases involving transfer legislation. The committee requested that the staff provide examples of Division I case-precedent in situations where a student-athlete no longer has the opportunity to remain a member of the team at their previous institution (e.g. run off). The committee will review this information during its fall 2011 teleconference.
  
6. **Academic and membership affairs business practices review.** The committee received an overview of the business practices review and was encouraged by the staff to provide feedback once the review recommendations are published for membership feedback.

*Committee Chair: Kathleen Heitzman, Bloomsburg University of Pennsylvania, Pennsylvania State Athletic Conference*

*Staff Liaison(s): Amanda Conklin, Academic and Membership Affairs  
D. Kelly Brooks, Academic and Membership Affairs*