

A G E N D A

National Collegiate Athletic Association

Division II Committee for Legislative Relief Teleconference

Toll-free dial-in number: 877-336-1831
Access code: 3272185

September 9, 2011
1 p.m. Eastern time

1. Welcome and introductions. (Kathleen Heitzman)
 - NCAA Division II Committee for Legislative Relief roster. [Supplement No. 1]
2. Review of April 2011 Committee for Legislative Relief report to NCAA Division II Management Council. [Supplement No. 2] (Heitzman)
3. Review the July 2011 NCAA Division II Management Council and NCAA Division II Presidents Council summary of actions. [Supplement No. 3] (Jennifer Fraser)
4. Review Committee for Legislative Relief cases decided from February 1, 2011, through July 31, 2011, by the NCAA staff and committee. [Supplement No. 4] (Kelly Brooks)
 - Review of cases approved based on totality of the circumstances. [Supplement No. 5]
5. Review of 2012 NCAA Convention proposals potentially impacting Committee for Legislative Relief. [Supplement No. 6] (Brooks)
6. Review of NCAA Bylaw 14.2.4.2. (Brooks)
 - a. Review of cases decided from March 1, 2011 through July 31, 2011. [Supplement No. 7]
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 - b. NCAA International Student Records Committee update. (Steve Clar)

- c. Review of June 2011 interpretation regarding diversion from the normal academic path in countries with multitier education systems. [Supplement No. 8]
 - d. Review of July 2011 split-file interpretation. [Supplement No. 9]
- 7. Review of transfer legislation. (Brooks)
 - a. Review of current Division II transfer exceptions. [Supplement No. 10]
 - b. Review of Division II 4-4-4 transfer case precedent. [Supplement No. 11]
 - c. Division I run-off precedent. [Supplement No. 12]
- 8. Review of Committee for Legislative Relief policies and procedures. [Supplement No. 13] (Heitzman)
- 9. Future meetings.
 - March 2012, Indianapolis.
- 10. Other business.
- 11. Adjournment.

**REPORT OF THE
NCAA DIVISION II COMMITTEE FOR LEGISLATIVE RELIEF
SEPTEMBER 9, 2011, TELECONFERENCE**

ACTION ITEMS.

1. **Legislative Items.**
 - None.
2. **Nonlegislative Items.**
 - None.

INFORMATIONAL ITEMS.

1. **Review of NCAA Staff and NCAA Division II Committee for Legislative Relief Decisions.** The NCAA Division II Committee for Legislative Relief reviewed cases decided by the NCAA staff and the committee from February 1, 2011, through July 31, 2011. A total of 92 cases were reviewed by the staff. Staff approved 51 cases, 21 of which were approved with conditions. Twenty cases were approved based on the totality of the circumstances. The staff denied 41 cases, 13 of which were appealed to the Committee for Legislative Relief. The committee affirmed the staff decision in nine cases and overturned the staff decision on four occasions. No blanket waivers were issued during this period.
2. **Review of NCAA Staff and Committee for Legislative Relief Decisions on NCAA Bylaw 14.2.4.2 Cases.** There were a total of 28 cases received from March 1, 2011, through July 31, 2011. Of that total, 19 cases were decided before July 31, 2011. The remaining nine cases are still under review. Eight cases were approved by the staff, six of those cases were approved with conditions. The staff denied 11 cases, three of which were appealed to the Committee for Legislative Relief. The committee affirmed the staff decision in all cases.
3. **Discussion of Bylaw 14.2.4.2 Cases that Involve a Diversion from the Prescribed Academic Path.** The committee received an update on the June 22, 2011, and June 29, 2011, official interpretations impacting a prospective student-athlete whose delay in enrollment occurs after completing a tier in a multitier 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) and a prospective student-athlete who completes subsequent tier in a multitier educational system

subsequent to the completion of the tier by the prospective student-athlete's class. The committee noted that these interpretations provide the prospective student-athletes that which was intended by the legislation and will decrease the number of prospective student-athletes who are subject to the delayed enrollment legislation and subsequent seek relief via the waiver process.

4. **Discussion of Transfer Legislation.** The committee reviewed the current Division II transfer exceptions, Division II 4-4-4 transfer case precedent and 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 also discussed the 4-4-4 transfer student-athlete who most recently transferred from an institution that did not sponsor the student-athlete's sport. The committee directed the staff to draft guidelines to provide guidance in reviewing cases of this nature. Further, the committee discussed 4-4-4 transfer who choose not to participate at the most recent institution and requested that the staff provide a historical perspective of the two-year nonparticipation exception.

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