



**REPORT OF THE  
NCAA DIVISION II COMMITTEE FOR LEGISLATIVE RELIEF  
SEPTEMBER 26, 2017, TELECONFERENCE**

**ACTION ITEMS.**

**1. Legislative item.**

- **Noncontroversial Legislation – NCAA Division II Bylaw 21.8.5.4.1.1 – Committees – Division II Committees – Division II General Committees -- Committee for Legislative Relief – Composition – Term of Office – Four-Year Limit**
  - (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 21.8.5.4.1.1 (term of office) to specify that members of the NCAA Division II Committee for Legislative Relief shall be appointed or elected for one four-year term with no immediate re-election.
  - (2) Effective date. Immediate, for any individual appointed or elected to the committee on or after January 1, 2018.
  - (3) Rationale. The current term of office for the Committee for Legislative Relief is three years with an option for immediate re-appointment for a second three-year term. This change will align the committee's term limit with most other Division II committees, which will provide committee members with a consistent experience without detrimentally impacting the continuity of the committee.
  - (4) Estimated budget impact. None.
  - (5) Student-athlete impact. None.

**2. Nonlegislative item.**

- **Guidelines for Waivers Involving Bylaw 14.5.5.4 (Competition in Year of Transfer).**
  - (1) Recommendation. To establish a guideline for waivers seeking relief of Bylaw 14.5.5.4 (competition in year of transfer), as specified. [See Attachment]
  - (2) Effective date. Immediate.
  - (3) Rationale. Annually, the NCAA academic and membership affairs staff receives waivers seeking relief of the competition in year of transfer

guideline. While those waivers are generally denied based on case precedent, there is not currently a guideline to ensure consistent decisions in these cases. Establishing a guideline for competition in year of transfer legislation will allow for greater transparency in the processing of these cases as well as provide additional guidance for institutions seeking to file a waiver of this legislation.

- (4) Estimated budget impact. None.
- (5) Student-athlete impact. Institutions will be able to provide additional guidance during the legislative relief waiver process to a student-athlete who transfers at midyear and is seeking immediate eligibility.

### **INFORMATIONAL ITEMS.**

- 1. Review of Committee for Legislative Relief roster.** The committee reviewed the updated roster and noted the addition of Audra Kedy from the Great American Conference.
- 2. Review of Committee for Legislative Relief policies and procedures.** The committee reviewed its policies and procedures and noted the conflict of interest policy, reiterating the importance of committee members recusing themselves if a conflict exists.
- 3. Review of the March 2017 Committee for Legislative Relief report to the NCAA Division II Management Council.** The committee reviewed the March 2017 report and approved it as written.
- 4. Review of July/August 2017 Management Council and NCAA Division II Presidents Council summary of actions.** The committee reviewed the summary of actions from the Management Council and Presidents Council July/August 2017 meetings.
- 5. Review of the Division II 2017-18 priorities.** The committee received an overview of the 2017-18 Division II priorities as approved by the Presidents Council in August. NCAA staff noted that a membership census will be conducted in 2018, and also provided updates regarding the Division II online coaches education program and NCAA Division II Culture of Compliance Think Tank.
- 6. Review Committee for Legislative Relief cases decided from February 1 through July 31, 2017, by the NCAA staff and committee.** The committee reviewed cases decided by staff and the committee from February 1 through July 31, 2017. A total of 100 cases were submitted in Division II and 88 cases were decided by the staff during this time period. Of the 88 cases decided, staff approved 62 cases, 21 of which were approved with conditions. One of the 88 cases was approved based on the totality of the circumstances.

The committee reviewed the case approved based on totality of the circumstances and noted that the case should be archived. Additionally, the staff denied 23 cases, four of which were appealed to the committee. The committee affirmed the staff decision in two cases.

7. **Review of 2018 NCAA Convention Division II proposals.** The committee reviewed NCAA Division II Proposal No. 2018-4 (playing and practice seasons – football – preseason practice – first practice date – championship segment) and discussed the impact the proposal would have on legislative relief waivers. Specifically, it was noted that the scope of Proposal No. 2018-4 is limited to the date that football preseason practice may begin and does not address other aspects of the blanket waivers approved for the 2017 preseason (i.e., the use of footballs during walkthroughs, meetings during the three-hour break between sessions involving physical activity), which may result in waiver requests in these other aspects of preseason practice in 2018.
  
8. **Future meeting date.** Staff noted that a teleconference is anticipated in March 2018 and additional information will be provided at a later date.

*Committee Chair: Marcus Clarke, Central Intercollegiate Athletic Association*  
*Staff Liaison(s): Karen Wolf, Academic and Membership Affairs*  
*Chelsea Crawford, Academic and Membership Affairs*

<b>NCAA Division II Committee for Legislative Relief September 26, 2017, Teleconference</b>
<b>Attendees:</b>
Marcus Clarke, Central Intercollegiate Athletic Association.
Laura Clayton Eady, University of West Georgia; Gulf South Conference.
Josh Doody, Notre Dame De Namur University; Pacific West Conference.
Audra Kedy, Great American Conference.
Hayley Ross-Treadway, University of Illinois at Springfield; Great Lakes Valley Conference.
<b>Absentees:</b>
None.
<b>Guests in Attendance:</b>
None.
<b>NCAA Staff Support in Attendance:</b>
Chelsea Crawford and Karen Wolf.
<b>Other NCAA Staff Members in Attendance:</b>
Geoff Bentzel and Madison Haesy.



## Competition in Year-of-Transfer Legislation Directive

Directive for Requests Involving Competition in Year-of-Transfer (NCAA Division II Bylaw 14.5.5.4).

1. In September 2017, the NCAA Division II Committee for Legislative Relief directed the NCAA staff to review waiver requests on a case-by-case basis to determine if there is sufficient mitigation to provide relief. The committee noted the institution must provide documentation demonstrating reasons outside of the student-athlete's control necessitating the transfer as well as extraordinary circumstances warranting relief of the competition in year-of-transfer legislation.
2. The committee directed the staff to deny requests due to athletics reasons (e.g., a coaching change, lack of playing time) or lack of knowledge of the legislation absent any other mitigation.