



REPORT OF THE
NCAA DIVISION II COMMITTEE FOR LEGISLATIVE RELIEF
SEPTEMBER 16, 2016, TELECONFERENCE

ACTION ITEMS.

1. Legislative Items.

- None.

2. Nonlegislative Items.

- **Guidelines for Waivers Involving NCAA Bylaw 14.2.4.2 (Organized Competition Before Initial Collegiate Enrollment) and Assertions of Minimal Competition.**

- (1) Recommendation. To update the minimal competition thresholds, for the review of waiver requests seeking relief of NCAA Bylaw 14.2.4.2 (organized competition before initial collegiate enrollment) for assertions of minimal competition, as specified. Increase the minimal competition thresholds calculation from 10 percent to 20 percent of the Bylaw 17 maximum.
- (2) Effective Date. Immediate, for prospective student-athletes requesting final amateurism certification on or after April 1, 2017.
- (3) Rationale. Based on a referral from the NCAA Division II Legislation Committee, the NCAA Division II Committee for Legislative Relief reviewed the minimal competition threshold for organized competition waivers. In its discussion, the committee reviewed amateurism data from the last two academic years. Specifically, the committee noted 105 prospective student-athletes over the past two years participated in more than 10 percent but less than 20 percent of the Bylaw 17 maximum. Based on this data, the committee believed these individuals did not receive a meaningful participation opportunity, warranting the application of the organized competition legislation and the loss of an entire season.
- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. The minimal competition threshold calculation of 20 percent of the Bylaw 17 maximums will be applied consistently for all prospective student-athletes, regardless of sport.

INFORMATIONAL ITEMS.

- 1. Review Committee for Legislative Relief Cases Decided from February 1 through July 31, 2016, by the NCAA Staff and Committee.** The Committee for Legislative Relief reviewed cases decided by the NCAA staff and the committee from February 1 through July 31, 2016. A total of 181 cases were submitted in Division II, and 86 cases were decided by the staff during this time period. Of the 86 cases decided, staff approved 41 cases, 11 of which were approved with conditions. Two of the 86 cases were approved based on the totality of the circumstances. The committee reviewed the cases approved based on totality of the circumstances and noted that one of the cases should be archived. Additionally, the staff denied 22 cases, 19 of which were appealed to the committee. The committee affirmed the staff decision in 18 cases.
- 2. Review of NCAA Division II Proposals for 2017 NCAA Convention.** The committee reviewed NCAA Division II Proposal Nos. 2-3 (amateurism – competition-related expenses from an outside sponsor), 2-6 (amateurism – promotional activities -- permissible -- institutional, charitable, educational or nonprofit promotions – monetary and educational requirements), 2-7 (recruiting – contacts and evaluations – contactable prospective student-athletes – four-year college prospective student-athletes – removal of requirement to obtain permission from NAIA institution), 2-12 (financial aid – maximum limits on financial aid – team limits – institutional athletics aid only), 2-13 (financial aid – terms and conditions of awarding institutional financial aid award – one-year – limit – requirement to provide athletically related financial aid for one academic year) and 2-14 (financial aid – terms and conditions of awarding institutional financial aid – reduction and cancellation during period of award – increase permitted – increase for any reason at any time) and discussed the impact each proposal would have on legislative relief waivers. Specifically, it was noted that should the proposals be adopted, Proposal No. 2-13 may result in an increase in waiver requests and Proposal Nos. 2-3, 2-6, 2-7, 2-12 and 2-14 may result in a reduction in waiver requests in the respective areas.
- 3. Review of Committee for Legislative Relief Policies and Procedures.** The staff referenced the committee’s policies and procedures and noted the conflict of interest policy, reiterating the importance of committee members recusing themselves if a conflict exists.
- 4. Review of the March 2016 Committee for Legislative Relief Report to the NCAA Division II Management Council.** The committee reviewed the March 2016 report and approved it as written.
- 5. Review of the July/August 2016 Management Council and NCAA Division II Presidents Council Summary of Actions.** The committee received an update on the actions taken at the most recent Management Council and Presidents Council meeting that impact legislative relief.

6. **Review of NCAA GOALS Study.** NCAA research staff presented findings from the 2015 GOALS study (experiences of current student-athletes) that relate specifically to Division II.
7. **Review of Certification Data from the NCAA Eligibility Center.** The committee reviewed organized competition certification outcomes from the 2014-15 and 2015-16 certification cycles. Based on the review of the data and referral from the Division II Legislation Committee, the committee agreed to recommend an increase to the minimal threshold from 10 percent of the Bylaw 17 maximum to 20 percent. (See Nonlegislative Action Item).
8. **Discussion Regarding Competition in Year of Transfer Guideline.** The committee engaged in discussion regarding the creation of a competition in year of transfer guideline and instructed staff to create a sample guideline and revisit the matter during its March 2017 meeting.
9. **Discussion Regarding Appeal Requirements for Applicant Institutions.** The committee reviewed a recent change to the NCAA Division I Committee for Legislative Relief policies and procedure which requires Division I institutions seeking an appeal, to receive a signature from outside of the athletics department prior to submission of the appeal request. The committee agreed that a similar change was not necessary in Division II.
10. **Update Regarding the 2016-17 Division II Priorities.** The committee received an overview of the 2016-17 Division II Priorities as approved by the Division II Presidents Council in August 2016.
11. **Future Meetings.** The staff informed the committee an in-person meeting is anticipated for March 2017. Additional information will be provided to the committee at a later date.

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

NCAA Division II Committee for Legislative Relief September 16, 2016, Teleconference	
Attendees:	
	Marcus Clarke, Central Intercollegiate Athletic Association.
	Laura Clayton Eady, University of West Georgia.
	Brian Martinek, St. Mary's University (Texas).
	Hayley Ross-Treadway, University of Illinois-Springfield.
	Eric Schoh, Winona State University.
Absentees:	
	None.
Guests in Attendance:	
	None.
NCAA Staff Support in Attendance:	
	Chris Brown and Chelsea Crawford.
Other NCAA Staff Members in Attendance:	
	Lydia Bell, Jada Buckner, Terri Steeb Gronau, Maritza Jones, Tom Paskus, Stephanie Quigg Smith, Angela Tressel and Karen Wolf.