



**REPORT OF THE
NCAA DIVISION II COMMITTEE FOR LEGISLATIVE RELIEF
SEPTEMBER 23, 2019, TELECONFERENCE**

ACTION ITEMS.

1. Legislative item.

- **None.**

2. Nonlegislative items.

- **Legislative referral to the NCAA Division II Committee on Student-Athlete Reinstatement – final semester waivers.**
 - (1) Recommendation. That the NCAA Division II Management Council refer a review of NCAA Division II Bylaws 14.1.7.1.7.3 (practice or competition – final semester/quarter) and 14.4.3.2.2.1 (exception – final academic year of degree program) to the Division II Committee on Student-Athlete Reinstatement for consideration of a transition in authority.
 - (2) Effective date. Immediate.
 - (3) Rationale. The NCAA Division II Committee for Legislation Relief requests that the Committee on Student-Athlete Reinstatement review Bylaws 14.1.7.1.7.3 (practice or competition – final semester/quarter) and 14.4.3.2.2.1 (exception – final academic year of degree program) and consider whether the Committee on Student-Athlete Reinstatement should have purview over the legislation. For both exceptions, a student-athlete forfeits eligibility in all sports unless the student-athlete completes degree requirements during that specified time and is eligible to receive their diploma on the institution's next degree-granting date. Currently, waivers of this bylaw are processed as legislative relief waivers; however, the Committee for Legislative Relief does not generally have the purview to restore eligibility once forfeited.
 - (4) Estimated budget impact. None.
 - (5) Student-athlete impact. None.

INFORMATIONAL ITEMS.

- 1. Review of Committee for Legislative Relief cases decided from February 1 through July 31, 2019, by the NCAA staff and committee.** The committee reviewed cases decided by staff and the committee from February 1 through July 31, 2019. A total of 88 cases were

submitted in Division II and 71 cases were decided by the staff during this time period. Of the 71 cases decided, staff approved 57 cases, 20 of which were approved with conditions. Two of the 71 cases were approved based on the totality of the circumstances. Additionally, the staff denied 11 cases, two of which were appealed to the committee. The committee affirmed the staff decision in both cases. The committee also affirmed the staff decision in two cases approved on the totality of the circumstances.

2. **Review of 2020 NCAA Convention Division II proposals.** Staff provided a review of the 13 proposals that will be presented for a membership vote at the upcoming Convention. None of the proposals are expected to impact legislative relief waiver volume.
3. **Review of the Division II legislative relief case write-up process.** The committee received an update from staff regarding the legislative relief waiver case write-up process that was implemented during the 2018-19 academic year. The committee affirmed the process to continue as written.
4. **Update on the NCAA Division I Committee for Legislative Relief guidelines.** The committee received an update on the Division I Committee for Legislative Relief guidelines updated in May 2019. Revisions included: (1) Moving away from asking the previous institution whether there is support for the waiver and instead requesting the previous institution's understanding of the reason for the transfer; (2) Increasing director of athletics involvement in the waiver process and requiring institutional statements to be provided by the director of athletics; (3) Revising the run-off guideline to assess whether there was a participation opportunity at the previous institution; and (4) Continued discussion on the injury/illness guideline, specifically surrounding issues pertaining to mental health. The Division II Committee for Legislative Relief will discuss potential changes to its guidelines on its March 2020 teleconference.
5. **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. The committee approved a reconsideration policy to specify that an institution must request a reconsideration of a staff or committee decision within 30-consecutive calendar days from the time the decision is issued in the Request/Self-Reports Online System. Additionally, the committee confirmed that case precedent should be archived after three years and documents associated with cases should be retained for seven years.
6. **Review of the committee's March 2019 teleconference report to the Management Council.** The committee reviewed and approved the March 2019 report as written.

7. **Review of April/May and July/August 2019 Management Council and NCAA Division II Presidents Council summaries of actions.** The committee reviewed the summaries of actions from the Management Council and Presidents Council April/May and July/August 2019 meetings.
8. **Review of the Division II 2019-20 priorities.** The committee received an overview of the 2019-20 Division II priorities as endorsed by the Presidents Council in August.
9. **Review of committee's roster.** The committee reviewed the updated roster.
10. **Future meeting date.** Staff noted that a teleconference is anticipated in March 2020 and additional information will be provided at a later date.

Committee Chair: Audra Kedy, Great American Conference
Staff Liaison(s): Chelsea Hooks, Academic and Membership Affairs
Angela Red, Academic and Membership Affairs

NCAA Division II Committee for Legislative Relief September 23, 2019, Teleconference	
Attendees:	
Josh Doody, Notre Dame de Namur University.	
Larry Earnesty, Millersville University of Pennsylvania.	
Ellen Fagerstrom, Minnesota State University Moorhead.	
Matthew Finley, Anderson University (South Carolina).	
Audra Kedy, Great American Conference.	
Absentees:	
None.	
Guests in Attendance:	
None.	
NCAA Staff Liaisons in Attendance:	
Chelsea Hooks.	
Other NCAA Staff Members in Attendance:	
Ashley Beaton, Maritza Jones, Jordan Lysiak, Stephanie Quigg and Karen Wolf.	