

NCS ELIGIBILITY COMMITTEE MINUTES

DATE: TUESDAY, DECEMBER 7, 2010

Facilitator: Dr. Bob Vieth, Chair

LOCATION: NORTH COAST SECTION OFFICE – UPSTAIRS MEETING ROOM

12925 Alcosta Blvd., Suite 8

San Ramon, CA 94583

925.866.8400

TIME: 9:30 AM

AGENDA TOPIC	Committee Recommendations				PURPOSE	DISCUSSION LEADER	ACTION
	SAC	A/C COMM	ELIG COMM	EXEC COMM			
I. ROLL CALL AND INTRODUCTIONS					I	Bob Vieth	Roll Call performed.
II. MINUTES OF THE FEBRUARY 23, 2010 MEETING					R, D, A	Bob Vieth	Approved 11-0-0
III. PUBLIC COMMENTS Pursuant to Education Code 33353.2 (C), any person wishing to speak on any item on the agenda, or comment on the policies and practices of the North Coast Section, CIF, will be heard at this time.					I	Bob Vieth	No Public Input.
IV. NEW BUSINESS							
1. CIF							
A. Revision of CIF 207 Waiver					I	Gil Lemmon	Discussion and Information
B. Revision of CIF 206 Waiver					I	Gil Lemmon	Discussion and Information
C. Revision of CIF 207 – Boarding School Students					I	Gil Lemmon	Discussion and Information
D. Lowest Performing Schools – Transfer Consideration					I	Gil Lemmon	Discussion and Information
E. Revision of Bylaw 201: Standards of Eligibility					R, D, A	Bob Vieth	Approved 13-0-0
F. CIF Eligibility Data – 2007-2010					I	Gil Lemmon	Reviewed
G. CIF Hearing Information Data – 2007-2010					I	Gil Lemmon	Reviewed
H. Legal Counsel Expenses					I	Gil Lemmon	Reviewed
I. Requirement of non-league affiliate schools to attend annual Eligibility Workshop					R, D, A	Bob Vieth	Approved 13-0-0

AGENDA TOPIC	Committee Recommendations				PURPOSE	DISCUSSION LEADER	ACTION
	SAC	A/C COMM	ELIG COMM	EXEC COMM			
2. NCS							
A. Review of NCS Report of Waivers and Appeals for the 2009-10 school year					I	Gil Lemmon	Reviewed
B. The Committee will review two hardship cases – one denial and one approval provided at the meeting					I	Gil Lemmon	Reviewed and Discussed
C. Closing of Ursuline High School – How should transfer be handled?					R, D, A	Gil Lemmon	Approved 13-0-0
V. OLD BUSINESS							
1. CIF Bylaw 219 – Penalties including Forfeiture					R, D, A	Bob Vieth	Approved 13-0-0
VI. REPORTS FROM ATTENDING LEAGUES AND NCS STAFF							
1. Leagues					I	Bob Vieth	Discussion
2. NCS Commissioner of Athletics a. International Student Exchange b. Use of an investigator c. Home Schooled Students – Eligibility d. Who is eligible at a school?					I	Gil Lemmon	Report
VII. OTHER TOPICS					I	Bob Vieth	None
VIII. ADJOURNMENT					P	Bob Vieth	
IX. LUNCH					A		

D = Discussion, P = Participation, A = Action, I = Information only, R = Review/prior topic, C = Consent

NORTH COAST SECTION
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San Ramon, CA 94583
(925) 263-2110 Fax (925) 263-2120

TO: Members of the Eligibility Committee and League Commissioners (FYI)
FROM: Gil Lemmon, Commissioner of Athletics
DATE: February 13, 2011
SUBJECT: **Eligibility Committee Meeting**
Tuesday, December 7, 2010: 9:30 am - 12:00 pm
NCS Alcosta Office, 12925 Alcosta Blvd., Suite 8, San Ramon, CA 94583

I. Roll Call

Present

<u>Name</u>	<u>Affiliation</u>
Dr. Bob Vieth	San Marin HS, MCAL
Randy Booker	Piedmont HS, BSAL
Bill Branca	Dublin HS, DFAL
Mark Corti	California HS, EBAL
Sam Cuddeback	Drew School, BAC
Bill Gaebler	Berkeley HS, ACCAL
Craig Kinser	Retired, CMC
Dave Lonn	McKinleyville HS, HDNL
Theresa McEwen	San Lorenzo HS, HAAL
Sean Moffatt	Washington HS, MVAL
Mike Panas	Retired, NBL
Tim Rhyan	Deer Valley HS, BVAL
Paul Tuohy	Sonoma Valley HS, SCL

Absent

<u>Name</u>	<u>Affiliation</u>
Josh Frechette	Marin Academy, BAC

Guest

<u>Name</u>	<u>Affiliation</u>
Graham Rutherford	Cardinal Newman

II. Approval of Minutes of February 23, 2010 meeting

PASSED 11-0-0

Motion to approve the minutes of February 23, 2010.

Motion: Sam Cuddeback, BAC

Second: Paul Tuohy, SCL

III. Public Comment

No person was present to speak on any item on the agenda, or comment on the policies and practices of the North Coast Section, CIF, will be heard at this time.

IV. NEW BUSINESS

1. CIF

A. Revision of the CIF 207 Waiver language

The committee reviewed the CIF 207 waiver language making general comments regarding the current rule. Generally the committee is satisfied with the language and believes that the more restrictive transfer language is making a difference in the movement of students for athletic purposes. Some revisions will be made to the form and shared with the committee at the next meeting.

- B. Revision of the CIF 206 Waiver language
The committee reviewed the CIF 206 waiver language and comments by Brad Thomas, Athletic Director at Alameda High School. Commissioner Lemmon will alter the form slightly for next year and will give consideration to sending a copy of the email confirmation to the enrolling school by the former school.
- C. Revision of CIF 207 – Boarding School Students
Commissioner Lemmon shared the results of the meeting with boarding school administrators and the CIF. The committee is agreeable to language that is fair to all students and schools. Rules should not be considered that give boarding schools an opportunity to secure transfers to athletic reasons, as has happen in the Southern and Central Coast Sections.
- D. Lowest Performing Schools – Transfer Considerations (Romero Bill)
The committee recommended that any transfer from an underperforming school should only be considered for a waiver of the transfer rules if they transfer within the district first, where possible. The committee also questioned if the California Department of Education will support the CIF language. Commissioner Lemmon will bring back any revised language as the process of establishing this bylaw proceeds.

Proposed Section Commissioner Language

Bylaw 207.B (3) – Underperforming Schools

A student, at any grade level, may transfer from an underperforming school, as defined by the State Department of Education without limitation upon receipt of a valid 207 Form. Any student transferring under the provisions of this Bylaw must meet all other applicable transfer guidelines [see Bylaws 203, 204, 205, 207.B (1), 210]. Students may not receive unlimited eligibility if there is evidence the transfer is athletically motivated, or if there is evidence of pre-enrollment contact (see Bylaw 207.C). All requests for athletic transfer eligibility (207) must be accompanied by a copy of their district-approved transfer documentation/form under the applicable district guidelines. Students transferring under the provisions of Bylaw 207.B (3) may transfer to a public school, including a charter school, that is or is not on the list of underperforming schools, as long as the school to which a student transfers has a higher API than the student’s current school. The school to which the student transfers must be the closest public or charter school to the residence of the student and to the parent(s)/guardians(s)/caregiver(s) with whom the student was living when the student established residential eligibility at the underperforming school. To obtain athletic eligibility at a school other than the closest public or charter school, a student must apply for, and be granted, a hardship waiver pursuant to CIF Bylaw 208.

Bylaw 207.B (2): Hardship Waivers (Becomes Bylaw 207.B (3))

- E. Revision of CIF Bylaw 201: Standards of Eligibility
PASSED 13-0-0
Motion to support the Southern Section proposal that new language be added to CIF 201 that recognizes that any student who becomes ineligible under the rules of another state cannot gain eligibility by transferring to a CIF member school.

Note under CIF 201

****The CIF recognizes that any student, who becomes ineligible under the rules of another state, cannot gain eligibility by transfer to a CIF member school, until the terms of that period of ineligibility have been served.***

Motion: David Lonn, HDNL

Second: Craig Kinser, CMC

- F. CIF Eligibility Data
The 2007-2010 CIF Eligibility data was reviewed.
- G. CIF Hearing Information Data – 2007-2010
The 2007-2010 CIF Hearing data was reviewed.

H. Legal Counsel Expenses

Commissioner Lemmon shared the CIF legal costs in recent years since the last three years have escalated due to the new eligibility transfer policies. The legal costs are still higher compared to prior to the current eligibility rules, but have diminished since the 2007-08 school year.

I. Requirement of non-league affiliate schools to attend annual Eligibility Workshop

PASSED 13-0-0

Motion to require non-league affiliate schools to attend annual Eligibility Workshop meetings.

Motion: Mike Panas, NBL

Second: Theresa McEwen, HAAL

2. **NCS**

A. Review of NCS Report of Waivers and Appeals for the 2010-11 School Year

The committee reviewed the statistical numbers of the current year waivers and appeals. The number of waivers are up but the number of appeals are down.

B. Review of Two Hardship Cases

The Committee reviewed several hardship cases.

C. Closing of Ursuline High School

PASSED 13-0-0

Motion to approve the following transfer guidelines concerning the closing of Ursuline High School.

Closing of Ursuline High School

1. Any current Ursuline freshman, sophomore or junior student who chooses to enroll in Cardinal Newman High School will be granted unlimited transfer eligibility without the need for the completion of transfer paperwork.
2. Any current Ursuline freshman, sophomore or junior student who does not enroll at Cardinal Newman High School for the 2011-2012 school year and chooses to transfer to another school will have their transfer eligibility considered under CIF Bylaw 207. Paperwork must be filed with the NCS Office according to the CIF 207 procedures.
 - a. First time transfers prior to their 3rd consecutive semester of attendance will receive unlimited eligibility, as long as all other CIF and NCS rules are followed.
 - b. Students who have not participated on any athletic teams, at any level, for the previous 12-calendar months will be granted unlimited eligibility as long as all other CIF and NCS rules are followed.
 - c. Students who are transferring for the second time or are beyond their third consecutive semester at the time of the transfer can be considered for a hardship exemption. The closing of a school will be considered a hardship, however, all other CIF and NCS rules apply. If the hardship is denied then the student may receive limited eligibility.
 - i. Hardship approvals are limited to the restrictions of CIF Bylaw 206.B.(3). Any student transferring from Ursuline who wishes to have a hardship exemption may attend their school of residence, another private school or a charter school in their school of residence attendance area.
3. Any transfers under item two will not be approved if there is any violation of CIF 510. There can be no athletic motivation, prima facie evidence of an athletically motivated transfer, influence of any enrolling school by either coaches, asst. coaches, volunteer coaches, family member of any paid or unpaid coaches, former athletes, current athletes, booster club member members, school students, former school students, alumni, teachers and other employees, coaches who become employed, active applicants for coaching positions, etc. as listed in CIF 510.
4. All other parameters of NCS and CIF rules and regulations must be followed.

Motion: Mark Corti, EBAL

Second: Bill Branca, DFAL

V. OLD BUSINESS

1. CIF Bylaw 219 – Penalties including Forfeiture

PASSED 13-0-0

Motion to alter the language to NCS Bylaw 219 AND 1103 – Penalties including Forfeiture

Revision of NCS Bylaw 219 – Penalties ~~Including Forfeiture~~ for Playing an Ineligible Athlete(s)

219. PROCEDURES AND PENALTIES FOR PLAYING AN INELIGIBLE ATHLETE INCLUDING FORFEITURE

*The following procedures, p*Penalties and remedies described below are designed to be progressive based on the nature and severity of the alleged violation. Subsequent violations after an initial determination would subject the offending school to further disciplinary action up to an including expulsion from the CIF.

A. Penalty for Use of an Ineligible Participant

1. When a student, who is not eligible in accordance with NCS and/or CIF bylaws, represents an NCS school in CIF competition (interscholastic contests {games, matches, meets, etc.}) or the school otherwise violates NCS and/or CIF Bylaws, the school shall immediately:
 - a. Forfeit all contests in which the violation occurred,
 - b. Report the violation(s) and forfeiture(s) to:
 - 1) Its league
 - 2) Schools against which the violation occurred
 - 3) NCS Commissioner
 - c. Send written notice of the violation(s) and forfeiture(s) to:
 - 1) Its league
 - 2) Schools against which the violation occurred
 - 3) NCS Commissioner
 - d. Recommend to its league one or more of the penalties/remedies listed in 219.A.5.

H: 2. APPEAL OF THE REQUIRED FORFEITURE OF ALL GAMES DUE TO THE PARTICIATION OF AN INELIGIBLE STUDENT

- a. A CIF school, CIF member league, CIF Section, NCS Commissioner of Athletics, affected students, and/or parents of affected students may appeal the required forfeiture of all games in which an ineligible student participated by writing a letter of appeal to the NCS Section Commissioner with copies to the principals of both schools and to the league commissioner(s). The NCS Commissioner or his/her designee will review the evidence, compare the evidence to the criterion and render a decision on the appeal.
- b. Any party to the initial appeal may appeal the Section Commissioner's decision to the North Coast Section Eligibility Committee that will assign a three-person hearing panel or a single hearing officer to conduct a hearing. The three-person hearing panel or single hearing office may affirm, deny, reduce, or increase the number of games that must be forfeited as determined by the Section Commissioner.
- c. The hearing shall be conducted in accordance with the procedure stated in the North Coast Section Appellate Procedures Handbook. The appellant must pay a fee of \$150 to the North Coast Section to cover the costs of conducting the hearing. The hearing panel shall make its determination by evaluating the evidence presented and applying the following criterion:
- d. Criterion for waiving the penalty of forfeiture:
Clear documented evidence must be provided which proves that the participation of the ineligible player did not impact the outcome of the contest.

- e. Appeals of forfeitures due to the participation of an ineligible player may only be granted after the offending school has fulfilled the requirements of NCS Bylaw 219.A.1.a-d.

3. APPEAL TO THE NORTH COAST SECTION OF A LEAGUE'S DETERMINATION OF APPROPRIATE SCHOOL REMEDIES FOR USE OF AN INELIGIBLE STUDENT

A CIF member school, CIF member league, CIF Section, NCS Commissioner of Athletics, affected students, or parents of affected students may appeal the league's decision on appropriate school remedies for use of an ineligible student to the NCS Eligibility Committee. The NCS Eligibility Committee will assign a three-person hearing panel or a single hearing officer who will review the action of the league and may affirm, deny, reduce, or increase the remedies ordered by the school's league.

- a. Criteria for appealing all remedies (other than forfeiture of all games in which the ineligible student participated) listed in NCS Student Eligibility Bylaw 219.A.4.
- b. The hearing will be conducted in accordance with the guidelines in the North Coast Section Appellate Procedures Handbook.
- c. An appeal of an NCS league's final determination of a remedy applicable to a member school which was represented in CIF competition by a student who was not eligible in accordance with NCS and/or CIF Bylaws shall be filed with the NCS Office in writing and shall detail the nature of the appeal and outline the position as to why the league's determination or remedy is in error or why an appeal to the Section level is necessary at this time.
- d. The hearing panel or a single hearing officer shall make its determination by evaluating the evidence presented and applying the guidelines found in the **North Coast Section Appellate Procedures Handbook**.

4. Penalties/Remedies for Violations of NCS and/or CIF Bylaws

- a. The team shall be placed on probation (indicating the conditions of the probation).
- b. The school shall be placed on probation (indicating the conditions of the probation).
- c. The school shall conduct a self-evaluation of its procedures, recommend appropriate improvements in the procedures, implement the improvements and submit a written report to the school's league and the NCS Eligibility Committee.
- d. The school shall pay a consultation fee (equal to the consultant's daily wage or \$150 whichever is greater and round trip mileage at the Section's regular rate) to be used to fund a mandatory in-service program for selected members of the school's staff and administration.
- e. The school's team(s) shall be suspended from post-season competition, not to exceed one calendar year.
- f. The school's team shall be suspended from its league for the balance of the season.
- g. The school, in the event of repeated violations, shall post a \$300 bond with the league. The bond will be placed in the league account. It will be returned to the school after two calendar years have elapsed without an additional eligibility violation.
- h. The school shall be suspended from post-season participation in all sports, not to exceed one calendar year.
- i. The school shall be suspended from its league for the balance of the season.
- j. The school shall be suspended from participation in its league for a period of time not to exceed one calendar year.
- k. The school shall be recommended for expulsion from the California Interscholastic Federation.

5. Failure of School Administration to Submit the Proper Paperwork

In the case where it is determined that an ineligible player competed due to the failure of the school administration to submit the proper paper work which would have granted immediate *limited or unlimited* eligibility, the school would only be forced to forfeit the initial game won or tied that the student in question played.

(NCS Board of Managers 1/23/09)

6. Suspension

If a student is suspended from high school, the student is ineligible during the period of suspension. When the student returns to the school, the period of ineligibility is determined by the principal.

(NCS Board of Managers 4-27-09)

1103. Penalty for Violations of NCS and/or CIF Bylaws OTHER THAN Use of an Ineligible Participant

The penalties and proceedings as set forth in this section are to be applied by league committees of North Coast Section, CIF when applicable, or by the Section Commissioner, or his/her designee, when the alleged infraction(s) do not fall under the jurisdiction of the league.

A. Forfeit of League Contest

Should a school's team or teams fail to participate in any of its contests as per the league schedule, its action would represent a breach of the implied contract and the school would be further guilty of breaking its faith with the member schools of its league and the North Coast Section, C.I.F. Member schools are expected to make every reasonable effort to fulfill their varsity schedule.

1. League contests that are canceled for legitimate administrative cause by mutual agreement of the competing schools with authority granted by the respective league(s) would not be subject to sanctions or penalty. Examples of reasons for cause are listed below:
 - a. Inadequate sign-ups of students to field a team. Schools are expected to encourage additional students to participate, but should notify the league one week after the starting date of practice if they are unable to field a team.
 - b. Loss of an adequate number of participating students due to the imposition of school disciplinary action.
 - c. Loss of an adequate number of participating students due to scholastic ineligibility.
 - d. Student and spectator safety due to unforeseen circumstances such as travel conditions or field conditions.
 - e. School, *state* or national tragedies or emergencies (ex. the death of a student or teacher at the school, *State of Emergency by the Governor of California* or a Homeland Security Red Alert).
2. League contests that are forfeited due to actions of intent or neglect that creates a competitive advantage for the school forfeiting the contests or a disadvantage to the other schools in the league shall be subject to sanctions and penalties. Examples of actions of intent or neglect are listed below:
 - a. Over-scheduling to exceed the maximum number of contests permitted by NCS rules.
 - b. Cancellation due to travel inconvenience or lack of travel preparation.
 - c. Over-scheduling by making conflicting commitments for the same time period.

FIRST OFFENSE

- a. Forfeitures of contest(s) in which the offending school did not compete shall count as contests played against the final season record,
- b. Exclusion from participation in the league's post-season championship (playoff) competition in that sport for a period of one year from the date of determination of the violation,
- c. Exclusion from participation in NCS post-season championship competition in the specific sport in which the school did not fulfill its league scheduling

responsibility for a period of one year from the date of determination of the violation.

SECOND OFFENSE WITHIN THREE SCHOOL YEARS OF THE FIRST OFFENSE (Items above plus):

- a. The school will be placed on probation with the conditions of probation to be determined by the *member league*. Failure to follow all NCS and CIF rules during the term of probation *may subject the school to THIRD OFFENSE PENALTIES*.
- b. Exclusion from participation in the league's post-season championship (playoff) competition in the specific sport(s) for a minimum of two years or more as determined by the league.
- c. Possible suspension from the league and any other NCS league in the specific sport(s) for a period of time to be determined by the *league*.

THIRD OFFENSE WITHIN FIVE SCHOOL YEARS OF THE FIRST OFFENSE (Items above plus):

- a. Possible placement on non-league affiliated membership status for a period of time to be determined by the *league*.
3. The actions of the league in all matters stated above would be subject to appeal to the NCS ~~President Board of Managers~~. *A NCS member school, NCS Commissioner of Athletics, affected students, or parents of affected students may appeal a league hearing panel's decision on appropriate school remedies for violation of CIF or NCS rules or regulations other than the use of an ineligible student to the NCS President. The NCS President will assign a three-person hearing panel or a single hearing officer who will review the action of the league a formal hearing and may affirm, deny, reduce, or increase the remedies ordered by the school's league hearing panel.*
- a. *An appeal of a league hearing panel shall be filed with the NCS Office in writing and shall detail the nature of the appeal and outline the position as to why the league hearing panel determination or remedy is in error or why an appeal to the NCS President is necessary at this time.*
 - b. *The appeal must be submitted to the Section President within 20 working days of the decision by the league.*
 - c. *The hearing will be conducted in accordance with the guidelines in the North Coast Section Appellate Procedures Handbook.*
 - d. *The hearing panel or a single hearing officer shall make its determination by evaluating the evidence presented and applying the guidelines found in the North Coast Section Appellate Procedures Handbook.*

B. For Violations that are Self-Reported by the Offending School

When a school violates NCS and/or CIF Bylaws, and self-reports the violation *within a 10 working day period of time*, the school shall immediately:

- a. Report the violation to:
 - 1) Its league
 - 2) Schools against which the violation occurred
 - 3) And the NCS Commissioner
- b. Send written notice of the violation(s) to:
 - 1) Its league
 - 2) Schools against which the violation occurred
 - 3) And the NCS Commissioner
- c. Recommend to its league one or more of the penalties/remedies listed in 221.6.
- d. **League Responsibilities for Self-Reported Violations by the Offending School**
For violations that are self-reported by the offending school, the school's league shall review the circumstances of the school's violation and its recommended penalties/remedies. The league will determine which of the stated penalties/remedies (NCS Constitution and General Bylaw 221.6) shall be implemented except when the bylaw specifically states the penalties for violation of that bylaw. In those cases the

penalties required in the bylaw are the minimum consequences. The league may increase the mandated penalties but the league may not reduce or waive the mandated penalties.

1. When allowed in the bylaws, the league has the authority to affirm, deny, reduce or increase the penalties/remedies recommended by the school, based upon the following criteria:
 - a) Does the school's action appropriately address the severity of the violation and, if appropriate, violations repeated within four calendar years of the last violation?
 - b) Does the school's action cause remediation of the problem to preclude violations in the future?
 - c) Does the school's action address problems that caused or led to the violation?
 - d) Does the school's recommendation recognize its diminished culpability in cases where the student or his/her family or legal guardian intentionally provided fraudulent information?

C. *For Violations that are Not Self-Reported by the Offending School*

For violations that are not self-reported by the offending school, or are alleged charges reported by another school the NCS Commissioner or his/her designee shall review and investigate the alleged infractions and/or violations of CIF and NCS bylaws. Offended schools must report the alleged infractions within 10 working days of the alleged event.

a. Procedures for review, investigation of alleged infractions

1. ***The Commissioner or his/her designee shall investigate and collect all pertinent documentation, reports, pictures, etc. from all involved parties regarding the alleged infractions.***
2. ***Develop a decision letter outlining all findings and listing of any penalties as listed in 221.6.***
3. ***The Commissioner or his/her designee shall have the authority to revise their decision if new information is presented that in the opinion of the Commissioner or his/her designee changes the decision and penalties.***

b. The party penalized in any decision by the Commissioner or his/her designee shall have the right to appeal the decision.

c. Appeal of Decisions of a League or NCS Commissioner or his/her designee
A NCS member school, NCS member league, NCS Commissioner of Athletics, affected students, or parents of affected students may appeal a league hearing panel's decision or the NCS Commissioner's or his/her designees' decision on appropriate school remedies for violation of CIF or NCS rules or regulations other than the use of an ineligible student to the NCS President. The NCS President will assign a three-person hearing panel or a single hearing officer who will review the action of the league or NCS Commissioner or his/her designee at a formal hearing and may affirm, deny, reduce, or increase the remedies ordered by the school's league hearing panel or the NCS Commissioner or his/her designee.

1. ***An appeal of a league hearing panel or NCS Commissioner's or his/her designees' decision shall be filed with the NCS Office in writing and shall detail the nature of the appeal and outline the position as to why the league hearing panel or NCS Commissioner's or his/her designees' determination or remedy is in error or why an appeal to the NCS President is necessary at this time.***
2. ***The appeal must be submitted to the Section President within 20 working days of the decision by the Commissioner or his/her designee.***
3. ***The hearing will be conducted in accordance with the guidelines in the North Coast Section Appellate Procedures Handbook.***
4. ***The hearing panel or a single hearing officer shall make its determination by evaluating the evidence presented and applying the guidelines found in the North Coast Section Appellate Procedures Handbook.***

D. NORTH COAST SECTION APPEALS INVOLVING MATTERS OTHER THAN STUDENT ELIGIBILITY OR SECTION PLAYOFFS

A. Procedure for appealing rulings on matters other than student eligibility or section playoffs pursuant to CIF and/or NCS bylaws to an NCS Hearing Panel.

1. **Request for Review of a Ruling**

- a. The request shall be submitted to the NCS President, or the President-elect in the President's absence, within 30 calendar days of the league's decision. Fax and/or email copies of the request shall be sent to the NCS Commissioner and to all parties to the league proceedings. The request for review and must set forth, in ordinary and concise language, the following:
- 1) The facts which led to the decision that is being appealed, including the record of any lower level proceeding, if any,
 - 2) The exact nature of the decision including a copy of such decision, if one exists,
 - 3) The reasons the appellant believes the lower decision is in error, including citations to laws and rules that are applicable,
 - 4) The names, addresses, and home and office phone numbers of parties known to have knowledge of the matter, who the hearing panel might want to call to testify,
 - 5) The exact nature of the relief requested, and
 - 6) A recommended time and place for a hearing, if any.

2. **Appeals Procedures**

The NCS appeals procedures are found in the **NCS Appellate Procedures Handbook** that is available from the North Coast Section office or on the NCS website (www.cifnsc.org).

3. **Request for Shortening of Time**

- a. If the appellant believes that the period of time allowed to pass before a hearing need be held is too long and would render irreparable harm to the appellant, then the request should also set forth:
- 1) A request for a hearing not later than a stated date and,
 - 2) The facts upon which such a request is made.

4. **New evidence**

- a. If new evidence is introduced at an appeal, the new evidence must be sent back to the league of jurisdiction prior to the NCS appeals body making a decision.

5. **Effective Date of Decision - Stay of Execution**

- a. The decision shall become effective immediately, unless:
- 1) A stay of execution is granted.
 - 2) The hearing panel orders that it shall become effective retroactively.
- b. A stay of execution may be included in the decision.

6. **Reconsideration**

- a. The hearing panel of the NCS may order a reconsideration of all or part of the case on its own volition or on petition of any party with proper standing. The power to order a reconsideration shall expire ten (10) days after the mailing of the decision, or at the termination of a stay of execution of not to exceed ten (10) days which the hearing panel may grant for the purpose of filing a petition for reconsideration. If no action is taken on the petition within the time allowed for ordering reconsideration the petition shall be deemed denied.
- b. The hearing panel may reconsider the case on all the pertinent parts of the record and such additional evidence and argument as may be permitted.

Motion: Mike Panas, NBL

Second: Sean Moffatt, MVAL

VI. REPORT FROM ATTENDING LEAGUES AND NCS STAFF

1. League Reports

No information was shared by individual leagues.

2. Commissioner of Athletics Report

Commissioner Lemmon reported on the following topics:

- a. International Student Exchange – Some CIF approved foreign exchange programs have been put on probation and students participating in these programs may only have limited athletic eligibility.
- b. Use of an investigator - North Coast Section may employ for the purposes of eligibility determination the use of investigator as approved by the State CIF. To date no such request has been made by NCS staff.
- c. Home Schooled Students – Reminder that home schooled students who do not meet the parameters under CIF 306 are not eligible at CIF member schools.
- d. Who is eligible at a school? Only 9-12 students who currently attend a CIF member school are eligible to practice or compete for the school. The only exceptions are under CIF/NCS Bylaws 303, 304 and 306.

VII. OTHER TOPICS

None

VIII. ADJOURNMENT