

**Western State College of Colorado
Intercollegiate Athletic Committee**

Transfer Release Appeal Process

The Transfer Release Appeal Process is in place to provide all parties involved a fair and objective opportunity to resolve the issues as per Bylaw 14.5 of the Division II NCAA manual. This appeal process goes before a sub-committee of the Intercollegiate Athletic Committee. The Intercollegiate Athletic Committee is comprised of the Faculty Athletics Representative (chair of the committee), Athletic Director, Assistant Athletic Director, Senior Woman Administrator, five faculty appointed by the Faculty Senate, and four students chosen by the Student Government Association (two male and two female), each with a cumulative 2.5 or better g.p.a. The Athletic Director, Assistant Athletic Director, and the Senior Woman Administrator have a nonvoting advisory role only. A quorum of the committee will be more than 50 percent of the voting members. The sub-committee of the Intercollegiate Athletic Committee is the Faculty Athletics Representative, five faculty appointed by the Faculty Senate, and four students chosen by the Student Government Association.

The procedures for the appeal process are as follows:

- In the event that a student-athlete is denied a release by Western State College, the Athletic Director or designee must inform the student-athlete in writing within 14 calendar days of that denial. At that time the student-athlete must be given a copy of the appeal procedures. (Bylaw 14.5.5.3.10 (c))
- If the student-athlete decides to appeal he/she must submit a “Notice of Intent to Appeal” in writing to the Compliance Coordinator.
- The Compliance Coordinator then informs the Athletic Director and the Faculty Athletics Representative of the request for an appeal. At this time the FAR, as the chair of the committee, will contact the committee members to set a date for the appeal. This will be conducted within a reasonable amount of time. It may take longer to assemble this committee during the summer months or during vacation periods.
- Once the date and time have been set, the student-athlete has the option of being present for the meeting or choosing a telephone conference call for the meeting.
- The student-athlete and the coach/athletic department administrator may choose to have one person present with him/her. The person accompanying the student-athlete or the coach/athletic department administrator is present at the meeting as an observer only; no comments may be addressed to the sub-committee. All statements made to the sub-committee must originate from the student-athlete or the coach/athletic department administrator.
- The presenter’s statements may be recorded for absent committee members or for a permanent record of the meeting.
- The Chair of the Intercollegiate Athletic Committee will introduce all parties present and explain the purpose of the appeal. The sub-committee may invite the Compliance Coordinator, the Athletic Director, and/or the Senior Woman Administrator to the

meeting to explain NCAA by-laws and answer questions from the sub-committee. The sub-committee will meet with the student-athlete, who will have the opportunity to present his/her basis for the appeal. The coach will not be present during this phase of the process. The sub-committee will also meet with the coach or Athletic Department administrator who will present his/her basis for denial of the transfer request. The student-athlete will not be present during this phase of the process. If sub-committee members need to ask questions they will have an opportunity to do so at the end of each presenter's statements. No set order to invite presenters to the meeting is established. Once all presenters have completed their portion of the meeting and have been excused, some preliminary discussion may occur. The sub-committee will consider the information represented and arrive at a decision. The student-athlete, the coach, and the athletic director will be informed of the decision in writing.

- The decision of the Intercollegiate Athletic Committee is final.

This appeal process was approved by the NCAA in the Fall of 2003 at the completion of a student appeal and was modified Spring 2004 to accommodate suggestions by the NCAA in the Fall of 2003. (Changes were to allow one other person with the student-athlete and coach/administrator and to have the AD and SWA not on the appeals sub-committee.)

