

Form Name: NJCAA Committee Proposal Submission Form
Submission Time: March 19, 2026 10:38 am
Browser: Chrome 146.0.0.0 / Windows
IP Address: 76.248.76.97
Unique ID: 1443199864

NJCAA Committee Proposal Submission Form

Your Name Jeff White

Email jwhite@njcaa.org

Submitting Committee Appeals

Proposal Title/Topic Appealing an NJCAA National Office Ruling

Type of Proposal Bylaw Change

Proposed Effective Date of Proposal August 1, 2026

Rationale for Proposal We propose adding this text to reduce possible gamesmanship within the appeal process. As currently written, member institutions may believe it is acceptable to file an appeal, delay enforcement of sanctions, and allow a student-athlete to participate, and then withdraw the appeal if/when serving the suspension is no longer a concern.

Please specify the NJCAA Handbook section(s) affected Bylaws, Article VIII

Article VIII

PROCEDURES FOR APPEAL

Section 1. General Information

A. Methods of Challenge: Procedures set forth in this Article are the sole methods for challenging the decisions of the NJCAA National Office.

1. Consent: As a condition of membership in the NJCAA, member colleges consent to be bound by the provisions of this and all other articles of these bylaws.

2. Litigation:

a. Prohibition: Member colleges and student-athletes may not institute a suit at law or in equity, nor seek injunction or restraining order concerning any dispute or controversy involving the NJCAA enforcement or interpretation of bylaws, rules, regulations, or sanctions.

b. Penalties: Member colleges which institute legal action against the NJCAA may be subject to payment of attorney fees and court costs, expulsion, sanctions, penalties, fines, probation, or other penalties as determined by the Board of Regents of the NJCAA.

B. Standing: Only member colleges may challenge the interpretation and enforcement of the bylaws, rules and regulations of the

NJCAA. No coach, student-athlete, booster club, or other entity affiliated directly or indirectly with the member college shall have any standing.

Section 2. First Interpretation of NJCAA National Office

A. First Interpretation: The NJCAA National Office shall make all decisions in the first instance concerning challenges and/or questions of interpretation and enforcement of the bylaws, rules, and regulations of the NJCAA in accordance with the procedures listed below.

B. Effective Date and Enforcement: The written decision of the first interpretation of the NJCAA National Office shall be effective and enforced immediately, However, member colleges may delay enforcement of any sanction or penalty during the pendency of any appeal of the initial decision made by the National Office initiated within the provisions of this Article. Member colleges may not delay sanctions unless and until the NJCAA National Office confirms receipt of the appeal file referenced in Article VIII, Section 3.E and payment of the appeal fee found in Article VIII, Section 3.G. The delay in enforcement applies only to appeals made to the NJCAA Appeals Committee.

Section 3. Submit to Appeals Committee

A. Standing: Only a member college affected by a decision of the NJCAA National Office may appeal that decision to the Board of Regents Appeal Committee of the NJCAA.

B. Composition and Terms: Members of the Appeal Committee shall serve renewable one-year terms with no term limits.

C. Sanctioning: The Appeal Committee may establish an alternate sanction in accordance with Article I, Section 4.A.2. of the NJCAA Bylaws. The sanction may be decreased, increased or affirmed. Review by the Committee does not automatically require an alternative sanction.

D. Voting and Decision: The voting and decision processes for all appeals is outlined below.

47 | Page

1. A majority vote is required to overturn the decision of the National Office.
2. A vote not meeting the majority will be denied.
3. Majority shall mean the majority of all the members on the virtual session of the Appeal Committee.
4. When determining the process to vote on any given appeal including, but not limited to, the timing of the vote, the Presiding Officer may consider extenuating circumstances such as the date, time, and location of the next scheduled contest.
5. The Chair of the Appeal Committee/Presiding Officer shall only vote if necessary to break a tie.
6. The final decision of the Board of Regents Appeal Committee shall be due to the appealing member college within twelve (12) calendar days from the date the appealing college's appeal is reviewed by the Board of Regents Appeal Committee.
7. The decision of the Appeal Committee is the final ruling of the Board of Regents.

E. Appeal Request: To properly request an appeal, the member college's request must conform to the following requirements:

1. Request must be in writing and signed by the member College President,
2. Request must be sent to the NJCAA Compliance Department, compliance@njcaa.org, with a copy sent to the Regional Director and Board of Regents member for the region of the appealing college.
3. NJCAA Compliance must receive the appeal request within twelve (12) calendar days from the date of the written decision issued by the NJCAA National Office, and
4. Member college's appeal file must contain a detailed description of the college's basis for appeal, to include:
 - a. Name and address of member college presenting challenge/questions,
 - b. Name and address of any other member college involved or directly affected by the challenge/question,
 - c. Any background facts involved in the challenge/question,
 - d. The material factual basis involved in the challenge/question,
 - e. The jurisdictional basis involved in the challenge/question,
 - f. Citation of bylaws, policies, rules, and regulations involved in

the challenge,

g. Any other relevant documentation supporting the challenge/question, and

h. Description must list specific reason(s) the member college contends support reversal of the ruling of the NJCAA National Office.

5. NJCAA National Office Duties Upon Appeal: The NJCAA National Office shall forward the appealing college's written presentation along with their own written information and case file to each of the members of the Board of Regents Appeal Committee as soon as practicable. The NJCAA National Office case file shall include:

a. The decision of the NJCAA National Office,

b. The jurisdictional basis for the decision,

c. Citations of any and all NJCAA bylaws, policies, rules, and regulations involved in the decision, and

d. Any other matter or documentation deemed material by the NJCAA National Office.

6. The NJCAA National Office shall provide the appealing college a complete copy of all materials submitted to the Board of Regents Appeal Committee, including the college's written presentation and all written information and the case file provided by the NJCAA National Office. Materials shall be sent to the member college president and athletic director electronically by email contemporaneously with materials distributed to members of the Board of Regents Appeal Committee.

F. Appeal Process: The appeal process is as follows.

1. Virtual Session: The Appeal Committee shall meet via a virtual session on Thursday's at 3 p.m. ET, unless the National Office is otherwise closed for Federal holidays, force majeure acts, or the National Convention.

a. The NJCAA National Office will automatically schedule appeals based upon the day and time of the submission of the

48 | Page

appeal fee and appeal file. For purposes of this bylaw the NJCAA National Office defines the start of the week as Monday and the end of the week as Sunday.

b. The Appeal Committee shall review any appeal received prior to Tuesday 11:59 PM ET of the then current week on Thursday of the current week.

2. Virtual Session Process: The virtual session shall be conducted as follows:

a. Presiding Officer: The Board of Regents Board Chair or their designee shall act as presiding officer at the appeal.

b. Appealing College Chooses Not to Participate In the Virtual Session: The appealing college is not required to participate in the virtual session.

- i. If the appealing college chooses not to participate, the Appeal Committee will continue with the virtual session, review all materials submitted, and vote utilizing a process determined by the Presiding Officer (per Article VIII, Section 3.D.4.)
- c. **Appealing College Chooses to Participate In the Virtual Session**
If the appealing college does participate, they must adhere to the process outlined below.
 - i. **Representation:** During the virtual session, the member college may only be represented by an employee of the college, and any student-athletes involved may only be represented by an employee of the college.
 - ii. Legal counsel may be present and may advise the college representative but may not present information directly to the Board of Regents Appeal Committee during the virtual session.
- d. **Presentation of Evidence:** Both the appealing college and the NJCAA National Office may present evidence subject to the following procedure:
 - i. First, the appealing college has the right to present all evidence, including witness statement and other documents.
 - ii. Next, the NJCAA National Office has the right to present all evidence, including witness statements and other documents.
 - iii. Upon conclusion of the presentation of evidence, all members of the Appeal Committee may question the representatives from the appealing college and the NJCAA National Office, respectively.
 - iv. The appealing college cannot question the NJCAA National Office, and vice versa.
 - v. The appeal Committee shall excuse the respective representatives once they have concluded questioning the representatives.
- e. **Recording of Proceedings:** All proceedings occurring during the virtual session shall be audio and/or video recorded.
- G. **Costs:** Member colleges that wish to appeal an official ruling made by the NJCAA National Office must submit a non-refundable payment of \$1,000.00. The appeal will not be processed and the timeline to submit an appeal will not toll if the fee is not submitted. Please email accountspayable@njcaa.org to pay the appeal fee.
- H. **Conflict of Interest:** To avoid an actual, potential or the appearance of a conflict, NJCAA Board of Regents members shall absent themselves during any substantive discussion and recuse themselves from any appeal vote involving:
 - 1. A college at which they are currently employed.
 - 2. A member college within their respective region.

3. A member college at which the committee member has been employed within the past five (5) years

Proposed NJCAA Handbook Language

Article VIII

APPEALING AN NJCAA NATIONAL OFFICE RULING

1. General Information

A. Methods of Challenge: The standards and obligations set forth in this Article and the corresponding procedures set forth in the NJCAA Policy manual are the sole standards, obligations, and procedures for challenging any decision made by the NJCAA National Office.[JW1.1]

1. Consent: As a condition of membership in the NJCAA, member institutions consent to be bound by the provisions of this and all other articles of these bylaws and all other NJCAA governing documents[JW2.1].

2. Litigation:

a. Prohibition: Member institutions and student-athletes may not institute a suit at law or in equity, nor seek injunction or restraining order concerning any dispute or controversy involving the NJCAA enforcement or interpretation of bylaws, rules, regulations, or sanctions.

b. Penalties: Member institutions which institute legal action against the NJCAA are subject to payment of attorney fees and court costs[JW3.1] and may also face expulsion, suspension, sanctions, fines, probation, or other sanctions as determined by the Board of Regents of the NJCAA.

B. Standing: Only member institutions may challenge the interpretation and enforcement of the bylaws, rules and regulations of the NJCAA. No coach, student-athlete, booster club, or other entity affiliated directly or indirectly with the member institution shall have any standing.

2. First Interpretation of NJCAA National Office

A. First Interpretation: The NJCAA National Office shall make all decisions in the first instance concerning challenges and/or questions of interpretation and enforcement of the bylaws, rules, and regulations of the NJCAA in accordance with the procedures listed below.

B. Effective Date and Enforcement: The written decision of the first interpretation of the NJCAA National Office shall be effective and enforced immediately, however, member institutions may delay enforcement of any sanction during the pendency of any appeal of the initial decision made by the National Office initiated within the provisions of this Article. Member institutions may not delay sanctions unless and until the NJCAA National Office confirms receipt of the appeal file referenced in Article VIII, Section 3.E and payment of the appeal fee found in Article VIII, Section 3.G. The delay in enforcement applies only to appeals made to the NJCAA Appeals Committee.

C. Withdrawal of Appeal: A member institution may withdraw an appeal if they have not delayed the enforcement of sanctions. Once a member institution delays enforcement of sanctions, they

may not withdraw the appeal. [JW4.1]

3. □ Submit to Appeals Committee

A. □ Appeal Request and Procedure: The process to request an appeal and the appeal procedures are set forth in the NJCAA Policy Manual.

B. □ Sanctioning: The Appeal Committee may establish an alternate sanction. The sanction may be decreased, increased or affirmed. Review by the Committee does not automatically require an alternative sanction.

C. □ Voting and Decision: The voting and decision processes for all appeals are outlined below.

1. □ A majority vote is required to overturn the decision of the National Office.

2. □ A vote not meeting the majority will be denied.

3. □ Majority shall mean the majority of all the members on the virtual session of the Appeal Committee.

4. □ When determining the process to vote on any given appeal including, but not limited to, the timing of the vote, the Presiding Officer may consider extenuating circumstances such as the date, time, and location of the next scheduled contest.

5. □ The Chair of the Appeal Committee/Presiding Officer shall only vote if necessary to break a tie.

6. □ The final decision of the Board of Regents Appeal Committee shall be due to the appealing member institution within twelve (12) calendar days from the date the appealing institution's appeal is reviewed by the Board of Regents Appeal Committee.

7. □ The decision of the Appeal Committee is the final ruling of the Board of Regents.

8. □ Any member institution affected by a decision of the NJCAA Board of Regents Appeal Committee may appeal that decision, the sole method of which shall be arbitration. The arbitration process is set forth in the NJCAA Policy Manual.

D. □ Costs: Member institutions that wish to appeal an official ruling made by the NJCAA National Office must submit a non-refundable payment of \$1,000.00. The appeal will not be processed and the timeline to submit an appeal will not toll if the fee is not submitted. Please email accountspayable@njcaa.org to pay the appeal fee.

E. □ Conflict of Interest: To avoid an actual, potential or the appearance of a conflict, NJCAA Board of Regents members shall absent themselves during any substantive discussion and recuse themselves from any appeal vote involving:

1. □ A institution at which they are currently employed;

2. □ A member institution within their respective region; or

3. □ A member institution at which the committee member has been employed within the past five (5) years.

Please include any additional notes for your proposal. (Optional)

The Processes have been removed from the bylaws in Article VIII and will be placed in the Policy Manual.

Please attach any supporting documentation here. (Optional)

<https://njcaa.formstack.com/admin/download/file/19301078659>

Article VIII
APPEALING AN NJCAA NATIONAL OFFICE RULING

1. General Information

A. Methods of Challenge: The standards and obligations set forth in this Article and the corresponding procedures set forth in the NJCAA Policy manual are the sole standards, obligations, and procedures for challenging any decision made by the NJCAA National Office.

1. Consent: As a condition of membership in the NJCAA, member institutions consent to be bound by the provisions of this and all other articles of these bylaws **and all other NJCAA governing documents.**

2. Litigation:

a. Prohibition: Member institutions and student-athletes may not institute a suit at law or in equity, nor seek injunction or restraining order concerning any dispute or controversy involving the NJCAA enforcement or interpretation of bylaws, rules, regulations, or sanctions.

b. Penalties: Member institutions which institute legal action against the NJCAA **are subject to payment of attorney fees and court costs** and may also face expulsion, suspension, sanctions, fines, probation, or other sanctions as determined by the Board of Regents of the NJCAA.

B. Standing: Only member institutions may challenge the interpretation and enforcement of the bylaws, rules and regulations of the NJCAA. No coach, student-athlete, booster club, or other entity affiliated directly or indirectly with the member institution shall have any standing.

2. First Interpretation of NJCAA National Office

A. First Interpretation: The NJCAA National Office shall make all decisions in the first instance concerning challenges and/or questions of interpretation and enforcement of the bylaws, rules, and regulations of the NJCAA in accordance with the procedures listed below.

B. Effective Date and Enforcement: The written decision of the first interpretation of the NJCAA National Office shall be effective and enforced immediately, however, member institutions may delay enforcement of any sanction during the pendency of any appeal of the initial decision made by the National Office initiated within the provisions of this Article. Member institutions may not delay sanctions unless

and until the NJCAA National Office confirms receipt of the appeal file referenced in Article VIII, Section 3.E and payment of the appeal fee found in Article VIII, Section 3.G. The delay in enforcement applies only to appeals made to the NJCAA Appeals Committee.

- C. **Withdrawal of Appeal:** A member institution may withdraw an appeal if they have not delayed the enforcement of sanctions. Once a member institution delays enforcement of sanctions, they may not withdraw the appeal.

3. Submit to Appeals Committee

- A. Appeal Request and Procedure: The process to request an appeal and the appeal procedures are set forth in the NJCAA Policy Manual.
- B. Sanctioning: The Appeal Committee may establish an alternate sanction. The sanction may be decreased, increased or affirmed. Review by the Committee does not automatically require an alternative sanction.
- C. Voting and Decision: The voting and decision processes for all appeals are outlined below.
 1. A majority vote is required to overturn the decision of the National Office.
 2. A vote not meeting the majority will be denied.
 3. Majority shall mean the majority of all the members on the virtual session of the Appeal Committee.
 4. When determining the process to vote on any given appeal including, but not limited to, the timing of the vote, the Presiding Officer may consider extenuating circumstances such as the date, time, and location of the next scheduled contest.
 5. The Chair of the Appeal Committee/Presiding Officer shall only vote if necessary to break a tie.
 6. The final decision of the Board of Regents Appeal Committee shall be due to the appealing member institution within twelve (12) calendar days from the date the appealing institution's appeal is reviewed by the Board of Regents Appeal Committee.
 7. The decision of the Appeal Committee is the final ruling of the Board of Regents.

8. Any member institution affected by a decision of the NJCAA Board of Regents Appeal Committee may appeal that decision, the sole method of which shall be arbitration. The arbitration process is set forth in the NJCAA Policy Manual.

- D. Costs: Member institutions that wish to appeal an official ruling made by the NJCAA National Office must submit a non-refundable payment of \$1,000.00. The appeal will not be processed and the timeline to submit an appeal will not toll if the fee is not submitted. Please email accountspayable@njcaa.org to pay the appeal fee.
- E. Conflict of Interest: To avoid an actual, potential or the appearance of a conflict, NJCAA Board of Regents members shall absent themselves during any substantive discussion and recuse themselves from any appeal vote involving:
1. A institution at which they are currently employed;
 2. A member institution within their respective region; or
 3. A member institution at which the committee member has been employed within the past five (5) years.