

*State of North Carolina
Office of the Governor*

*Roy Cooper
Governor*

August 9, 2023

*20301 Mail Service Center
Raleigh, N.C. 27699-0301*

The Hon. Charlie Baker, President
National Collegiate Athletic Association
700 W. Washington Street
P.O. Box 7110
Indianapolis, IN 46206-6222

Dear President Baker:

I write today concerning the NCAA's recent decision to deny Devontez "Tez" Walker's transfer request to the University of North Carolina-Chapel Hill (UNC). This is the first time I have taken such an action, but this is an unusual and compelling case amidst the backdrop of all the major changes happening in the NCAA. Having worked with you when you served as Governor of Massachusetts, I know that you are up for the challenges that lie ahead. Here are the facts as I know them.

Tez is a student-athlete from Charlotte, North Carolina. The NCAA is denying the necessary waiver he needs to transfer to our state's flagship public university as it considers Tez to be a "two-time transfer" despite granting similar transfers over the previous three years. For reasons I will share below, I urge the NCAA to reconsider this denial and grant Tez immediate eligibility to participate as a student-athlete at UNC.

First, the NCAA's prohibition on two-time transfers has largely been waived over the last three years due to the challenges caused by the pandemic. Tez's student-athlete career has certainly been marred by COVID-19, and this should inform the NCAA's decision given the unprecedented relief and flexibility provided to other student-athletes by the NCAA staff. He enrolled at North Carolina Central University following a deferment due to injury, but his first and only season at NC Central was cancelled by COVID-19 during the 2020-2021 academic year. His decision to play at Kent State, which is the only school at which he had a chance to play, was a direct result of the COVID-19 pandemic and should be taken into consideration.

Second, the NCAA's denial of Tez's transfer waiver is based on a directive that was changed *after* he had already enrolled at UNC. Tez was two days into spring classes at UNC when the NCAA changed the guidelines on two-time transfers on January 11, 2023. Tez and other student-athletes like him deserve to be grandfathered into the rules that existed previously.

In June 2023, Kent State, filed a proactive transfer waiver on Tez's behalf related to reasons of health requesting that he be granted relief from the residence requirement and be immediately eligible at UNC. Two days after the waiver was filed, the NCAA removed the rule which allowed Kent State to seek relief from the NCAA manual. Even though the waiver was filed

in advance of the NCAA's decision to make the rule change, Kent State's waiver was subsequently cancelled by the NCAA staff without being reviewed.

Third, there is a good argument that Tez is not a "two-time transfer" at all. He's only played football for one school, Kent State. Although he initially committed to East Tennessee State University, he deferred due to a devastating injury and ultimately enrolled at NC Central where the football season was cancelled. He played two seasons at Kent State before coming home to UNC to be closer to family. Having played football at only one school, that should qualify as one transfer.


Most importantly, Tez's primary reason for his transfer request is so that he can be closer to his family and specifically his ailing grandmother. As lifelong fans of college sports, the stories we care about the most are about student-athletes and their families sharing in the athletic journey together. For most student-athletes, college sports will be the end of their athletic career and sharing that experience with the families that have loved and supported them is the among the most important outcomes that the NCAA can help to foster.

Tez's grandmother lives 500 miles from Kent State but is just a two-hour drive from Chapel Hill. Recognizing all that he has been through to get to this point in his career, it would be a shame if the NCAA would deny his desire to be closer to her in her illness and to share his athletic journey with her.

During your service as Governor of Massachusetts, I admired your dogged pursuit of commonsense solutions to our thorniest problems. In your current service leading the NCAA, I have great hope that you will be able to bring that same thoughtful and balanced approach to the rapidly evolving world of college sports. I realize this is one of hundreds of decisions you need to make, but nothing could be bigger or more important to Tez than the opportunity to get one of the finest university educations in the country at UNC and to compete in front of his family in Carolina Blue. I ask for your reconsideration of this decision.

With kind regards I am,

Very truly yours,

A handwritten signature in black ink that reads "Roy Cooper". The signature is written in a cursive, flowing style.

Roy Cooper

RAC/sm/ll