



**NCAA DIVISION II COMMITTEE FOR LEGISLATIVE RELIEF  
INFORMATION STANDARDS, GUIDELINES AND DIRECTIVES  
(Updated April 2021)**

The NCAA Division II Committee for Legislative Relief, formerly the NCAA Division II Management Council Administrative Review Subcommittee, was created in 1993 as a response to the NCAA membership's desire for more rules flexibility. This group was originally established as a subcommittee of the NCAA Division II Management Council to review the application of legislation in cases where the circumstances are extraordinary in nature (NCAA Division II Bylaw 5.4.1.7). In January 2008, the Division II Management Council and the NCAA Division II Presidents Council agreed to establish a free-standing committee to fulfill this role. The equivalent waiver committees in Divisions I and III are the NCAA Division I Legislative Council Subcommittee for Legislative Relief, formerly the NCAA Division I Management Council Administrative Review Subcommittee, and the NCAA Division III Management Council Subcommittee for Legislative Relief, formerly the NCAA Division III Management Council Administrative Review Subcommittee.

**Bylaw 14.**

**Participation in Organized Competition Before Initial Collegiate Enrollment [NCAA Division II Bylaw 14.2.4.2] – Information Standards and Guidelines.**

Effective August 1, 2010, and thereafter (for individuals who are issued a final amateurism certification by the NCAA Eligibility Center on or after April 1, 2010), the following guidelines shall be used by the NCAA staff and the Committee for Legislative Relief (hereinafter referred to as committee) when considering an institution's request to grant relief of the application of Bylaw 14.2.4.2 (participation in organized competition or training prior to initial collegiate enrollment).

These guidelines shall apply to all situations when an individual who does not enroll in a collegiate institution as a full-time student in the regular academic term, that begins immediately after a one-year time period (the next opportunity to enroll after the one calendar year period has elapsed) following his or her high school graduation and participates in organized competition involving amateur or professional teams.

The primary analysis for such waiver requests will focus on the circumstances outside of the individual or institution's control (e.g., specific event that necessitated the delay such as the injury, illness or death of a family member) surrounding the individual's delayed collegiate enrollment. Specifically, the staff and committee will evaluate the duration of time that the mitigation impacted the student-athlete's ability to enroll (e.g., chronology of events); what circumstances have changed related to the specific event (e.g., how has situation improved or changed); and whether or not the student-athlete initially enrolled at his or her first opportunity after the mitigation was remedied.

**1. Analysis for providing full relief for season of competition and year in residence.**

- a. Participation in Minimal Amount of Competition. The individual's situation should be assessed to determine the number of contests or dates of competition that the individual participated in during each calendar year after the one-year grace period and prior to initial full-time collegiate enrollment.

If it is determined that the individual has participated in two contests or dates of competition, or 20 percent or less than the contest or dates of competition limits set forth in Bylaw 17 in his or her sport during each calendar year of participation, full relief for the season of competition and academic year in residence may be granted. See the 20-percent calculation page included in this document for contests or dates of competition limits set forth in Bylaw 17. This analysis may be applied regardless of the individual's mitigation for delaying collegiate enrollment.

If an individual cannot verify the exact number of contests or dates of competition in a calendar year in which he or she triggered the application of the rule, the staff or committee may not provide relief under this guideline.

Relief shall only be provided if participation in such competition would have been permissible under the NCAA amateurism rules at the time.

- b. Actual or Averaging Method. Staff and the committee may apply the minimal amount of competition guideline to each individual calendar year of an individual's participation during the delay, or to the average of the total number of contests or dates of competition an individual participated in during the entire delay period. Staff and the committee shall use whichever method benefits the individual.
- 2. Caliber of Competition.** An institution that asserts relief should be provided based on the caliber of competition (e.g., low level competition, elite level competition) that subjected the individual to the legislation shall not, in itself, warrant relief.
- 3. Early High School Graduation.** An individual who graduates one or more years early from high school, based on the expected date of graduation for his or her high school class, shall be subject to the use of a season of competition and serve a year in residence if the individual delays collegiate enrollment and participates in an activity or activities that trigger the application of the rule. Waivers involving assertions that relief should be provided based on an individual graduating earlier than expected from high school shall not, in itself, warrant relief.

**4. Assertions Involving Diversion from Country's Normal Academic Path to High School Graduation.**

- a. Guidelines for Assertions of Diversion from Country's Normal Academic Path. If an institution asserts that an individual diverted from his or her country's normal academic path to high school graduation, staff and the committee shall review the individual's home educational system and analyze the circumstances that caused the individual to divert from his or her country's normal academic path to high school graduation. Such requests shall be reviewed on a case-by-case basis.
- b. Business and Technology Educational Council coursework. During the October 2008 NCAA International Student Records Committee meeting, it was determined that effective August 1, 2011 (for prospective student-athletes enrolling on or after August 1, 2011), Business and Technology Educational Council coursework would be considered a category-three document and will not advance a prospective student-athlete's high school graduation date even if he or she advances in the structure within the prescribed timeframe. This change was enacted following questions from the membership related to very few courses, offered through the Business and Technology Educational Council, meeting the NCAA definition of core course (making them nonapplicable to initial eligibility requirements). Since its October 2008 meeting, the staff has communicated this change to the membership (e.g., International Student Records Committee meeting report, regional rules seminars, AMA Education on Demand video, NCAA Guide to International Academic Standards for Athletics Eligibility). Such requests shall be reviewed on a case-by-case basis.

**5. Bylaw 14.2.4.2.1.3.1 (exception to the academic year in residence requirement for transfer student-athletes) and Assertions of Misinformation, Lack of Information and Institutional Error.**

- Guidelines Involving Bylaw 14.2.4.2.1.3.1 (exception to the academic year-in-residence requirement for transfer student-athletes) and Assertions of Misinformation, Lack of Information and Institutional Error.

Bylaw 14.2.4.2.1.3.1 provides an exception to the academic year-in-residence requirement for a two-year or four-year college transfer student-athlete who is subject to the organized competition prior to enrollment legislation provided the student-athlete satisfies specific academic provisions. If an institution provides misinformation, a lack of information, or commits an error when certifying the eligibility of a transfer student-athlete who is subject to the organized competition prior to enrollment legislation, the request will be analyzed using the committee's October 1999 guidelines for transfer waiver requests:

- (1) In cases in which a student-athlete is provided academic information without consideration of athletics, when provided from an appropriate academic source and the student-athlete could have otherwise been eligible, relief should be provided.
- (2) In cases in which the student-athlete relied in good faith on the academic misinformation and, had correct information been provided, it was determined that the student-athlete could have met the necessary transfer requirements, but for the misinformation, he or she could have been eligible, relief should be provided.
- (3) In cases in which the misinformation provided by the previous four-year institution led to the student-athlete being ineligible and applicant institution can document that the student-athlete would have been eligible had he or she attended applicant institution directly, relief should be provided (e.g., 2-4-4 transfer).
- (4) In situations involving misinformation, if the student-athlete is not eligible at any Division II institution, regardless of the misinformation received, the request should be denied provided the request for relief is based solely on the misinformation.
- (5) In situations in which a student-athlete is initially misinformed about his or her eligibility status (e.g., informed he or she will be eligible) but is properly informed that he or she is not eligible prior to the student-athlete triggering transfer status to the certifying institution, the request should be denied provided the request for relief is based solely on the misinformation.
- (6) The committee noted that in cases where the misinformation cannot be documented and absent other extenuating circumstances, relief should be denied.

**6. Assertions Involving All Other Extenuating Circumstances.**

- a. Guidelines for Assertions Involving Extenuating Circumstances Beyond Control of Individual. Staff and the committee may grant full or partial relief for the season of competition and/or the academic year in residence when an institution asserts extenuating circumstances beyond the control of the individual that are supported by objective documentation. In reaching a decision, the committee shall review the intent of Bylaw 14.2.4.2 and the complete record (totality of circumstances) to determine if there is a sufficient basis to grant relief.

The following extenuating circumstances that are considered to be beyond the control of an individual that **may** warrant relief of the legislation, include, but are not limited to:

- (1) Medical hardships. Situations clearly supported by contemporaneous medical documentation that establish the individual delayed collegiate enrollment as a result of an incapacitating physical injury or illness involving the individual or a member of the individual's immediate family;
- (2) Natural disasters. For example: earthquakes, floods;
- (3) War. Situations where a war is occurring in the locale of the individual's residence;
- (4) Extreme financial difficulties. An institution that asserts that extreme financial difficulties as a result of a specific event (e.g., layoff, death in the family) experienced by the student-athlete, or by an individual on whom the student-athlete is legally dependent, which resulted in a delay in collegiate enrollment after high school graduation shall provide objective documentation (e.g., decree of bankruptcy, proof of termination). Such an event shall be beyond the control of the individual, or the person on whom the individual is legally dependent.

b. Guidelines Involving Extenuating Circumstances Within Control of Individual. The following extenuating circumstances that are considered to be within the control of an individual, **shall not**, in itself, warrant relief of the legislation, include, but are not limited to:

- (1) Lack of knowledge regarding the legislation. An institution that asserts relief should be provided because institutional personnel or the individual had a lack of knowledge regarding the legislation shall not, in itself, warrant relief. This guideline applies to recruited and nonrecruited student-athletes. The committee noted the legislation requires institutions to notify recruited prospective student-athletes of the organized competition rule at the earliest practical opportunity after recruitment begins, but not later than the day prior to the prospective student-athlete's signed acceptance of the national letter of intent or institution's written offer of admission and/or financial aid (Bylaw 14.2.4.2.3);
- (2) Failure to enroll in college due to academic deficiencies, disciplinary reasons or incarceration. An institution that asserts relief should be provided because of an individual's inability to initially enroll in a collegiate institution after high school graduation for failure to meet

academic requirements, disciplinary reasons or incarceration culminating in or resulting from a conviction; and

- (3) Misinformation or a lack of information provided from institutional personnel. An institution that asserts relief should be provided because of misinformation or lack of information that was provided from institutional personnel to the prospective student-athlete during the recruitment process (except for waivers involving Bylaw 14.2.4.2.1.3.1).

These guidelines are intended to provide guidance to the staff and the committee, with the understanding that both entities may use discretion in the application of these guidelines. Further, exceptions to these guidelines may be applied by the staff and the committee when warranted by the totality of the circumstances of a specific case.

**NCAA Division II Bylaw 14.2.4.2 – 20% Calculation of Contests and Dates of Competition  
(See Figure 17-1 in the NCAA Manual for Maximum Numbers of Contests and Dates of  
Competition for Each Sport).**

| <b>Sport</b>                         | <b>Contests*</b> | <b>Dates of Competition*</b> |
|--------------------------------------|------------------|------------------------------|
| Baseball                             | 10               |                              |
| Basketball                           | 6                |                              |
| Beach Volleyball                     |                  | 4                            |
| Bowling, Women's                     |                  | 7                            |
| Cross Country                        |                  | 2                            |
| Equestrian                           |                  | 3                            |
| Fencing                              |                  | 3                            |
| Field Hockey                         | 5                |                              |
| Football                             | 3                |                              |
| Golf                                 |                  | 5                            |
| Gymnastics                           |                  | 3                            |
| Ice Hockey, Men's                    | 7                |                              |
| Ice Hockey, Women's                  | 7                |                              |
| Lacrosse                             |                  | 4                            |
| Rifle                                |                  | 4                            |
| Rowing, Women's                      |                  | 4                            |
| Rugby, Women's                       |                  | 4                            |
| Skiing                               |                  | 4 (Alpine)<br>4 (Nordic)     |
| Soccer                               | 5                |                              |
| Softball                             | 12               |                              |
| Swimming and Diving                  |                  | 4                            |
| Tennis                               |                  | 5                            |
| Track and Field (Indoor and Outdoor) |                  | 4                            |
| Triathlon, Women's                   |                  | 2                            |
| Volleyball, Men's                    |                  | 7                            |
| Volleyball, Women's                  |                  | 6                            |
| Water Polo                           |                  | 5                            |
| Wrestling                            |                  | 4                            |

\* When calculating the maximum number of contests and dates of competition for purposes of these guidelines, the totals have been rounded up to the next whole number.

## **Transfer Year-in-Residence Legislation [Bylaw 14.5] – Information Standards, Guidelines and Directives.**

In May 2020, the Committee for Legislative Relief granted the NCAA staff authority to exercise discretion and sensitivity in evaluating cases involving a student-athlete transferring to a Division II institution due to the COVID-19 pandemic, specifically when the prescribed outcome of the guidelines or case precedent impact the health or safety of the student-athlete.

### **1. Assertions of Misinformation.**

- a. Guidelines for Assertions of Misinformation. During its July 2004 and April 2008 meetings, the committee reviewed case precedent and affirmed the continued application of the October 1999 information standards in cases involving assertions of misinformation. The committee also affirmed that the staff should continue to include consideration of other factors including student-athlete well-being, competitive advantage, fairness, academic record, the intent of the legislation and circumstances outside the control of the student-athlete and/or institution presented by the request. The committee reviewed whether relief is appropriate for circumstances when the sources of academic misadvisement are coaching staff members from a two-year institution, an NCAA institution or a National Association of Intercollegiate Athletics institution. The committee clarified that an NAIA institution, two-year institution or high school coach are not appropriate sources when assertions are made of academic misinformation from a coaching staff member, and absent additional mitigating circumstances, these requests may not warrant relief from the transfer legislation. Additionally, the committee clarified that a student-athlete's initial-eligibility status is a relevant factor to be considered when reviewing 2-4 transfer cases.

The committee approved the following guidelines in regards to assertions of misinformation:

- (1) In cases in which a student-athlete is provided academic information without consideration of athletics, when provided from an appropriate academic source and the student-athlete could have otherwise been eligible, relief should be provided.
- (2) In cases in which the misinformation provided by the previous four-year institution led to the student-athlete being ineligible and applicant institution can document that the student-athlete would have been eligible had he or she attended applicant institution directly, relief should be provided (e.g., 2-4-4 transfer).



- (3) In cases in which the student-athlete relied in good faith on the academic misinformation and, had correct information been provided, it was determined that the student-athlete could have met the necessary transfer requirements, but for the misinformation, he or she could have been eligible and relief should be provided.
- (4) In situations involving misinformation, if the student-athlete is not eligible at any Division II institution, regardless of the misinformation received, the request should be denied provided the request for relief is based solely on the misinformation.

During its January 2004 meeting, the committee issued a directive that in cases where the misinformation cannot be documented and absent other extenuating circumstances, relief should be denied.

- b. Information Standards for Assertions of Misinformation. During its April 2008 meeting, the staff presented a report on cases involving misinformation or inaccurate advice from institutional administrators and proposed new informational standards for these types of waivers. The committee determined that if an institution is claiming misinformation as a mitigating circumstance, the following must be included in the request:

- (1) The institution must submit a written statement of explanation from the person or persons responsible for or accused of providing erroneous information, which summarizes the information given to the student-athlete.
- (2) If available, contemporaneous documentation demonstrating the misadvice (e.g., notes, phone logs, etc.).
- (3) Written statement from the student-athlete in question demonstrating whether the student-athlete, in good faith, relied on the erroneous information to his or her detriment. The statement should also include a chronology of events.

The committee required that if the applicant institution benefits (waiver request is granted) as a result of misinformation, a lack of information or institutional error in which a student-athlete is detrimentally impacted by the actions of institutional personnel, then the chancellor or president of the applicant institution will be notified by letter from the staff detailing the chronology of the institution's or individual's actions. A member of the staff or committee may call an institution's chancellor or president to provide notice regarding the institution's plans to prevent future instances of misinformation or error when an institution has

submitted multiple waiver requests involving misinformation, a lack of information or institutional error that has detrimentally impacted a student-athlete.

## 2. Directive for Assertions Involving Injury/Illness.

- a. Guidelines for Assertions of Injury/Illness. The committee reviewed case precedent and affirmed the October 1999 information standards for assertions of injury or illness. The committee also approved the following guidelines:
  - (1) If the institution is unable to provide documentation to substantiate the injury or illness, the case should be denied.
  - (2) If the institution does provide documentation substantiating the injury or illness and the injury or illness necessitated the transfer, the case should be granted.
  - (3) If the institution provides documentation substantiating an injury or illness but the injury or illness is ancillary to the facts and, thus, does not relate to the need to transfer, the case should be denied.
- b. During its March 2018 teleconference, the committee reviewed case precedent submitted for student-athletes that involved an asserted injury or illness to the student-athlete or the student-athlete's relative or legal guardian as the primary basis for relief. The committee reviewed the common circumstances submitted for such waiver requests and instructed the staff to continue reviewing such requests on a case-by-case basis. In addition, the committee noted relief of the transfer year-in-residence legislation should be considered when the following circumstances are appropriately documented:
  - (1) Nature of injury or illness. Staff should consider relief of the legislation for circumstances involving a medically documented debilitating injury or illness (including mental illness) to a student-athlete's relative or legal guardian creating dependency on the student-athlete;
  - (2) Student-athlete's responsibilities related to the care of the relative or legal guardian. Staff should consider relief of the legislation when the student-athlete can demonstrate he or she is providing ongoing, care-giving responsibilities to the relative or legal guardian who is injured or ill. Additionally, the applicant institution must be within a 100-mile radius of the student-athlete's injured or ill relative or legal guardian's home;

- (3) Chronology of events. Staff should consider relief of the legislation when the chronology of events supports the necessity for the student-athlete to transfer. The student-athlete must transfer within or immediately after the academic year once becoming aware of the injured or ill relative or legal guardian's diagnosis, change in medical condition or family circumstances; and
  - (4) Terminal illnesses. The committee has instructed staff to review requests on a case-by-case basis involving an injury or illness to a relative or legal guardian who has been diagnosed and documented as terminal (i.e., individual has less than a year to live) but does not meet the requirements of the previous guidelines.
- c. Information Standards for Assertions of Injury/Illness. The committee adopted the following standards for situations in which a waiver of legislation is requested and the mitigation provided by the institution involves an injury or illness:
- (1) The institution must submit written documentation from the professional who diagnosed the relative or legal guardian's condition;
  - (2) Where appropriate, the institution must provide contemporaneous medical documentation from the treating professional;
  - (3) A letter from the student-athlete explaining the need for relief from the legislation; and
  - (4) The institution must submit a statement from the director of athletics and the head coach confirming the student-athlete will be permitted to depart from the team in order to fulfill care responsibilities for the injured or ill relative or legal guardian and ensuring the coaching staff is supportive of the student-athlete's departure from the team.

### **3. Assertions of Financial Hardship.**

- a. Guidelines for Assertions of Financial Hardship. During its January 2004 meeting, the committee reviewed case precedent and affirmed the October 2000 guideline for assertions of financial hardship to deny requests involving a transfer for financial reasons in which the documentation provided does not meet the information standards. Further, the committee indicated that the information standards should require the financial hardship to be a result of a specific incident. The committee noted that when a student-athlete's transfer is the result of a specific event causing a financial hardship and supporting objective documentation is provided, relief from the transfer year in residence may be

considered. Lastly, the committee directed the staff to deny any case involving a transfer for financial reasons in which the documentation is unavailable to meet the information standards.

- b. Information Standards for Assertions of Financial Hardship. During its May 27, 2020, videoconference, the committee revised the October 2009 information standards for situations where the institution requests a waiver of the transfer year-in-residence requirement when the student-athlete's transfer was necessitated by financial considerations, due to the student-athlete's or immediate family member's financial difficulties:
- (1) The institution must submit documentation of the cause of the financial hardship (e.g., bankruptcy, lay-off, illness, reduction or cancellation of athletics aid).
  - (2) The institution must demonstrate that the financial difficulty has a direct link to warranting relief from the legislation (e.g., student-athlete is forced to transfer to work and support family).
  - (3) Detailed chronology of events related to the financial hardship. For example (this is not an exhaustive list):
    - (a) Date of hardship onset.
    - (b) Date student-athlete became aware of the hardship.
    - (c) Date student-athlete initiated transfer process from original institution (e.g., requested permission to contact).
    - (d) What circumstances, if any, have changed related to the financial hardship?
  - (4) Cost of attendance at previous institution and applicant institution.
  - (5) Actions, if any, student-athlete took to remain at the original institution (e.g., update Free Application for Federal Student Aid, apply for additional student aid).
  - (6) Documentation demonstrating student-athlete's total financial aid situation at the previous institution and applicant institution (e.g., loans student-athlete was eligible for, loans student-athlete accepted, amount of athletics aid, other financial aid).

- (7) Contributions student-athlete's immediate family member or legal guardian paid toward student-athlete's education at the previous institution and applicant institution, if any.
- (8) Student-athlete's responsibilities, if any, related to providing financial support for his or her family.
- (9) A written statement from the previous institution detailing the reason(s) why the student-athlete indicated he or she is transferring from the previous institution.
- (10) Student-athlete's academic status at the time of departure from the previous institution (e.g., good academic standing and progress-toward-degree requirements).
- (11) Student-athlete's anticipated graduation date from applicant institution.
- (12) Statement from the previous institution indicating whether the financial hardship was outside of the student-athlete's control (e.g., coaches decision, violation of team rules) in cases where the student-athlete's athletics aid was reduced or nonrenewed at the previous institution.
- (13) Other factors influencing the student-athlete's decision to transfer (e.g., playing time, coaching change, pursuit of different academic degree program).

#### **4. Assertions of Academic and Athletics Reasons.**

- a. Guidelines for Assertions of Academic and Athletics Reasons. During its March 2015 meeting, the committee reviewed case precedent and affirmed the continued application of the October 2000 academic and athletics guidelines regarding transfer waiver requests. The committee specifically noted that the staff should continue to deny requests for transfers due to athletics reasons (e.g., a coaching change, lack of playing time) absent any other mitigation.
- b. During its March 2021 videoconference, the committee reviewed case precedent that involved four-year college student-athletes transferring for reasons unrelated to athletics. The committee reviewed the common circumstances submitted for such waiver requests and instructed staff to continue reviewing such requests on a case-by-case basis. In addition, the committee noted relief of the transfer year-in-residence legislation should be considered under the following circumstances:
  - (1) Student-athlete transferred for reasons unrelated to athletics; and

- (2) Applicant institution provides written documentation from the previous institution confirming the nature of the contact or communication, if any, between the student-athlete and previous institution's athletics department.
- c. Directive for Assertions of Academic Reasons. The committee directed the staff to deny cases under the following asserted academic reasons:
- (1) Student-athlete transfers because the degree program does not meet his or her academic expectations.
  - (2) The institution or the student-athlete is unable to provide documentation supporting the transfer for academic reasons.
  - (3) The student-athlete transferred for academic reasons on more than one occasion.
  - (4) The student-athlete transferred to change majors.

**5. Assertions that a Student-Athlete was "Run Off" by Previous Institution.**

During its May 27, 2020, videoconference, the Committee for Legislative Relief revised the relief that can be provided for waivers involving Bylaw 14.5.5 (transfer regulations) in which an institution asserts that the student-athlete was "run off" by his or her previous institution.

- a. Information Standards for Assertions of "Run Off." The committee adopted the following information standards for transfers asserting run off:
- (1) Documentation demonstrating that the student-athlete would not have had the opportunity to return to the previous institution's team for reasons outside the control of the student-athlete. Documentation demonstrating that athletically related financial aid was not renewed for reasons outside the control of the student-athlete can be provided to support the assertion that a student-athlete was not able to return to the previous institution's team.
  - (2) A written statement from applicant institution indicating that the student-athlete is in good academic standing and meets all progress-toward-degree requirements at applicant institution.
  - (3) If the student has one season of competition remaining in his or her sport, or two full-time semesters or three full-time quarters or fewer remaining in which to complete his or her eligibility and who has not earned a

baccalaureate degree, the institution must show that the student-athlete has satisfactorily completed an average of 12-semester or 12-quarter hours of transferrable degree credit acceptable toward any baccalaureate degree program at the certifying institution for each full-time attendance, at any collegiate institution, with a cumulative minimum grade-point average of 2.000 in transferable degree credits. (Effective immediately, for student-athletes transferring for the 2019-20 academic year.)

- (4) A written statement from the previous institution detailing the reason(s) why the student-athlete indicated he or she is transferring from the previous institution and that the student-athlete departed the previous institution in good academic standing and meeting all progress-toward-degree requirements.

b. Guidelines for Assertions of "Run Off."

- (1) In cases in which a student-athlete is run off by the previous institution, relief should be provided if the student-athlete was otherwise eligible for use of the one-time transfer exception but could not use the exception due to a previous transfer (e.g., 4-4-4 transfer).
- (2) If applicant institution is unable to document that the student-athlete was run off by his or her previous institution, or if the previous institution does not support the waiver request, the case should be denied.
- (3) The nonrenewal of athletically-related financial aid should not, in and of itself, be a circumstance which warrants relief.

c. Information Standards for Assertions of "Run Off" due to COVID-19.

During its May 12, 2020, videoconference, the Committee for Legislative Relief established guidelines to provide relief for waivers involving Bylaw 14.5.5 (transfer regulations) in which an institution asserts that the student-athlete was "run off" by his or her previous institution for reasons related to COVID-19.

- (1) Information Standards for Assertions of "Run Off" Related to COVID-19.  
The committee adopted the following information standards for transfers asserting run off related to COVID-19:
  - a. Documentation demonstrating that athletically related financial aid was either reduced or not renewed for reasons related to COVID-19. (Effective immediately, for student-athletes transferring in

response to COVID-19 for the 2020-21 academic year, and thereafter.)

- b. A written statement from the previous institution detailing the reason(s) why the student-athlete indicated he or she is transferring from the previous institution and that the student-athlete departed the previous institution in good academic standing and meeting progress-toward-degree requirements. Please note, for Division II transfer student-athletes, the Division II Administrative Committee approved a blanket waiver of the progress-toward-degree requirements for the 2019-20 academic year.
- c. If the student has one season of competition remaining in his or her sport, or two full-time semesters or three full-time quarters or fewer remaining in which to complete his or her eligibility and who has not earned a baccalaureate degree, the institution must provide documentation demonstrating that the student-athlete was enrolled in the courses necessary entering spring 2020 (spring 2020 semester or winter/spring 2020 quarter) to satisfactorily complete an average of 12-semester or 12-quarter hours of transferrable degree credit acceptable toward any baccalaureate degree program at the certifying institution for each full-time attendance, at any collegiate institution, with a cumulative minimum grade-point average of 2.000 in transferable degree credits. (Effective immediately, for student-athletes transferring in response to COVID-19 for the 2020-21 academic year, and thereafter.)

(2) Guidelines for Assertions of "Run Off" Related to COVID-19.

- If applicant institution is able to demonstrate that the student-athlete would have had the opportunity to return to the previous institution, and was otherwise eligible for use of the one-time transfer exception but could not use the exception due to a previous transfer (e.g., 4-4-4 transfer) and the student-athlete was unable to return for reasons related to COVID-19, the case should be approved.



**6. Transfer-Residency Requirement Due to Institutional Denial of Transfer Release.**

- Directive for Requests Involving Institutional Denial of Transfer Release.
  - (1) In October 2002, the committee reaffirmed its 1996 directive regarding waiver requests of the one-time transfer legislation when an NCAA institution has denied a one-time transfer release to a student-athlete. The committee did not believe it should overturn these types of decisions and that the staff should deny these cases during the staff's first review of the case on behalf of the committee.
  - (2) During its September 2012 meeting, the committee revised the directive to specify that when an NAIA institution has denied a student-athlete use of the one-time transfer exception on transfer to a NCAA institution, the staff should review waiver requests on a case-by-case basis to determine if there is a sufficient mitigation to provide relief.
  - (3) During its May 27, 2020, videoconference, the committee revised the directive to specify that when the previous institution changes its original position on the use of the one-time transfer exception or the waiver request, the case should be approved.

**7. Assertions Involving Diagnosed Education-Impacting Disabilities.**

- a. Guidelines for Assertions Involving Diagnosed Education-Impacting Disabilities.  
(NOTE: For academic eligibility purposes, the NCAA defines a disability as a current impairment that has a substantial educational impact on a student's academic performance and requires accommodation.)

During its October 2000 meeting, the staff provided the committee with an overview of cases processed where an education-impacting disability was included in the request. The staff informed the committee that it has reviewed two main types of cases: (1) the education-impacting disability resulted in the need for relief; and (2) the education-impacting disability is not a direct factor in the request for relief.

- b. Information Standards for Assertions Involving Diagnosed Education-Impacting Disabilities. In its March 2014 meeting, the committee updated the information standards for these types of waivers. The information standards are as follows:
  - (1) The institution must submit current, signed documentation of the diagnosis (including test data) and/or recommendations from the treating professional (e.g., medical doctor, clinical psychologist, other qualified individual). If specific circumstances of the case indicate that this

requirement is unnecessary, a prior diagnosis may be acceptable. (NOTE: The staff or committee reserves the right to request a second opinion or diagnosis.)

- (2) If appropriate, the applicant institution should provide contemporaneous documentation from an individual who is qualified and licensed to diagnose and treat (e.g., psychiatrist, psychologist) the student-athlete with a mental health disorder (e.g., depression, anxiety, post-traumatic stress disorder).
- (3) The institution must submit a written statement from the student-athlete that addresses the impact of the diagnosed disability on his or her academic performance and its relation to the desired request for relief.
- (4) If the student-athlete has voluntarily disclosed to the office of disability services, the institution must provide documentation of the specific accommodations or academic adjustments granted to provide access to the student-athlete. This summary must include accommodations provided by the institution with respect to the student-athlete's disability, as well as academic and other support services provided and any institutional accommodations related to adjustments of minimum performance requirements. If the institution offers any accommodations with respect to the student-athlete's athletics responsibilities, those should be indicated as well.
- (5) In a transfer situation, the applicant institution should provide documentation demonstrating that the student-athlete with an education-impacting disability needed support services and/or treatment that was unavailable and/or inadequate at the previous institution but available at the applicant institution.

## **8. Competition in Year-of-Transfer Legislation Directive.**

- Directive for Requests Involving Competition in Year-in Transfer (NCAA Division II Bylaw 14.5.5.4).

- (1) In September 2017, the Committee for Legislative Relief directed the NCAA staff to review waiver requests on a case-by-case basis to determine if there is sufficient mitigation to provide relief. The committee noted the institution must provide documentation demonstrating reasons outside of the student-athlete's control necessitating the transfer as well as extraordinary circumstances warranting relief of the competition in year-of-transfer legislation.

- (2) The committee directed the staff to deny requests due to athletics reasons (e.g., a coaching change, lack of playing time) or lack of knowledge of the legislation absent any other mitigation.