

**ADMINISTRATIVE REVIEW SUBCOMMITTEE WAIVER APPLICATION
PURSUANT TO NCAA CONSTITUTIONS 5.4.1.4 (Division I)
and 5.4.1.7 (Divisions II and III)**

Waiver application must be received within three weeks of desired action.

This application must be completed before the Administrative Review Subcommittee will process the request. The Administrative Review Subcommittee will only consider an appeal of the application of NCAA legislation when no other committee, subcommittee or conference has the authority to act. In addition to the required information, it is the responsibility of the institution to submit any information that it believes is relevant to the consideration of the waiver request at the time the waiver request is submitted. The subcommittee may also request additional pertinent information prior to the final consideration of this case. Please review the Administrative Review Subcommittee policies and procedures prior to submitting this application.

The philosophy of the Administrative Review Subcommittee is to review requests to waive the normal application of the legislation while considering the following to determine if relief is appropriate;

- 1. The purpose or intent of the legislation.**
- 2. The involvement and the overall welfare of the student-athlete.**
- 3. A competitive or recruiting advantage.**

Mail completed requests to Laura Wurtz, associate director of student-athlete reinstatement, at the national office or fax to 317/917-6881. **Typed requests are preferred.**

Please type or print.

1. Applicant institution: _____ Division: _____

2. Person(s)/ group name: _____

3. Please indicate whether the student is a prospective or an enrolled student-athlete.

Prospective student-athlete: _____ Sport(s) _____

Enrolled student-athlete: _____ Sport(s) _____

Was the student recruited? (See Bylaw 13.02.11.1) Yes _____ No _____

Date of initial collegiate enrollment: _____ Full time or part time?(circle one)

Date of initial collegiate full-time enrollment at applicant institution (if different): _____

4. If the institution has contacted NCAA staff regarding the issue of the waiver request, please list the following:

a. NCAA staff person: _____

b. Date(s) of conversation: _____

5. List in chronological order the student-athlete's or prospective student-athlete's educational and participation history (include full-time and part-time enrollment).

Academic Year/Term	Institution	Part Time	Full Time	Two-Year College (check)	Four-Year Institution (check)	Practiced ? (check)	Received Athletics Aid? (check)	Competed? (check)

6. Cite of applicable legislation and/or interpretation that the institution requests be waived: _____

7. Facts/background information: _____

8. Reason(s) for requesting appeal/extraordinary circumstances: _____

9. *If the circumstances of a case involve transfers, injury, illness, learning disability, transfer for academic reasons, reliance on misinformation or financial hardship as mitigation, or the institution is requesting relief from the departure/return restrictions or replacement of a graduate assistant coach, please comply with the checklist found on page three.*

10. Signatures for institutional submission (any two of the following):

Please note that by submitting and approving this application, the institution acknowledges that the legislation cited by the institution is applicable and that all interpretative issues have been resolved.

Chief Executive Officer Director of Athletics Faculty Athletics Representative

11. Signatures for conference submission (both of the following required):

Please note that by submitting and approving this application, the institution and conference acknowledge that the legislation cited is applicable and that all interpretative issues have been resolved.

Commissioner/Executive Director Conference Officer

12. Signature of NCAA (sub)committee chair or member:

(Sub) Committee Chair (Sub) Committee Member

13. Primary contact person: _____
Name/Position (please print) Telephone number

e-mail: _____

14. Please list any ARS cases that applicant has determined to be relevant to this request:

CHECK LIST FOR ADMINISTRATIVE REVIEW SUBCOMMITTEE CASES

The Administrative Review Subcommittees have issued the following information standards:

Division I institutions: Academic transcripts are required for waivers of the transfer requirements (NCAA Bylaw 14.5) and requests to receive a sixth year of athletics aid (NCAA Bylaws 15.01 and 15.3.1).

In cases involving **NCAA Bylaw 16.8.1.2.1 (Departure/Return Expense Restrictions)**, the institution must document whether the following circumstances exist (10/99, 7/01).

- _____ Extreme cost savings that would result from leaving before the permissible departure or beyond the return time with a comparison of cost savings conducted on the same day; or
- _____ Limited availability of flights as a result of the institution's location, to the degree that the team is forced to leave before the allotted time; and
- _____ Whether the involved student-athletes will be missing additional class time.

If an institution claims that a student-athlete has compromised his or her eligibility through **misinformation provided by an institutional of NCAA staff member**, the following information must be provided (10/99).

_____ A written statement of explanation summarizing the information given to the student-athlete from the person or persons responsible for or alleged to have provided the erroneous information.

_____ If available, contemporaneous documentation demonstrating the misinformation (e.g., notes, phone logs).

_____ A written statement from the student-athlete demonstrating whether the athlete relied in good faith upon the erroneous information to his or her detriment. The statement should include a chronology of events relating to the case.

- If the applicant institution would benefit as a result of its own misadvice to a student-athlete (e.g., a waiver is granted based on misadvice), the institution's chief executive officer will be informed by a letter that includes a chronology of the actions of the individual who provided the misadvice.

In cases involving **injury or illness as mitigation**, the following information must be included (10/99).

_____ Written documentation from the professional who diagnosed the condition of the student-athlete or the student-athlete's family member.

_____ Where appropriate, the institution must provide contemporaneous medical documentation from the treating professional.

_____ The involved student-athlete must provide a written statement explaining the need for relief from the legislation.

In cases involving **financial hardship as mitigation**, the following information must be included (10/99).

_____ Documentation substantiating the financial difficulty (e.g., bankruptcy, layoff, death in family).

_____ Demonstration that the financial hardship has a direct link to warranting relief from the legislation (e.g. student-athlete was forced to transfer to work and support family).

In cases involving a student-athlete with a **learning disability**, which is relevant to the desired relief, the following documentation must be included (10/00).

_____ A copy of the student-athlete's professional diagnosis (e.g., psychological assessment, psychoeducational evaluation, physician's statement).

_____ A statement from the student-athlete regarding his or her disability and its relation to the desired request for relief.

_____ In a transfer situation, the applicant institution must demonstrate that the student-athlete needed accommodations that were unavailable at the previous institution and are available at the applicant institution.

DIVISION I: In cases involving a request to replace a **graduate assistant coach** with an individual who is not enrolled in applicant institution's program, the following documentation must be included (10/02).

_____ Objective documentation from the admissions office or dean of the graduate program that the prospective graduate assistant coach has been admitted or will be admitted at the next earliest admission and,

_____ Documentation should be included outlining the circumstances that caused the previous graduate assistant coach to leave prior to the conclusion of his or her natural term.

In cases involving a student-athlete who has **transferred for academic reasons** and would like to waive the residence requirement, the following documentation must be included (10/00).

_____ The institution to which the student-athlete is transferring shall provide documentation indicating that it offers the desired program and that the student-athlete has completed the necessary prerequisite courses for admission into the program.

_____ Provide documentation that the student-athlete has the necessary credit hours to meet satisfactory-progress requirements at the institution.

_____ If transferring due to an academic program being discontinued and the student-athlete does not meet the one-time transfer exception, a letter from the dean or appropriate academic authority at the discontinued academic program institution documenting that the program has in fact been discontinued.

DIVISIONS II and III: In cases involving a waiver request of NCAA Bylaw 14.2.2.1 (Use of a Semester or Quarter), the following documentation must be included (07/01).

_____ Documentation of the institution's mistake or misadvisement from the appropriate institutional authority.

_____ Documentation that the institution considered the student-athlete to be enrolled part-time.

_____ Statement from the student-athlete.

DIVISIONS I and II: In cases involving a student-athlete **who transfers to enroll in graduate school and does not meet the one-time transfer exception**, the following information must be included (10/00).

- Transfers due to injury or illness; must meet information standard for injury or illness as mitigation.
- Transfers for financial hardship reasons; must meet the information standard for financial hardship.
- Transfers for discontinued sports program and or the original institution did not sponsor a sports program; must document that student-athlete's previous institution could have applied the discontinued or nonsponsored sport exception but instead used the one-time transfer exception.

DIVISION III: Please note that the Division III subcommittee directed the staff to deny all cases involving graduate transfer requests.