

## **Application of the NCAA Division I Council Subcommittee for Legislative Relief 4-4 Transfer Directive**

On the recommendation of the NCAA Division I Leadership Council Transfer Issues Subcommittee, the NCAA Division I Board of Directors ratified an amendment to the NCAA Division I Council Subcommittee for Legislative Relief policies to specify that immediate eligibility no longer be provided for 4-4 undergraduate student-athletes who are not eligible to use a transfer exception. Instead, a one-year extension of the five-year clock for mitigating circumstances may be provided and any mitigation will continue to be evaluated under the current Subcommittee for Legislative Relief waiver policies and guidelines. This change is effective for all undergraduate transfers seeking immediate eligibility during the 2015-16 academic year and thereafter.

The following questions and answers are designed to assist the NCAA Division I membership with the application of legislation related to the 4-4 transfer directive.

**Question No. 1:** Is immediate eligibility an option for any 4-4 undergraduate transfer student-athlete who is not eligible to use the one-time transfer exception or any other transfer exception?

**Answer:** No. If an undergraduate student-athlete is not eligible to use a transfer exception (e.g., participates in a sport that is not eligible to use the one-time transfer, 4-4-4 transfer, etc.), an institution may seek a waiver to extend the student-athlete's eligibility clock as immediate eligibility as a form of relief is not available.

**Question No. 2:** Must an institution determine that the student-athlete needs an extension of his or her eligibility clock prior to seeking a waiver for an extension?

**Answer:** No. Even though the student-athlete may not need an extension of his or her eligibility clock at the time of transfer, an institution may still proactively file an extension waiver request to determine whether the student-athlete will receive an extension of his or her clock to use in a later year, if necessary.

**Question No. 3:** Must an institution file a legislative relief waiver seeking an extension of the student-athlete's five-year eligibility clock at the time of the student-athlete's transfer?

**Answer:** No. An extension waiver may be filed at the time of transfer or in future academic years during the student-athlete's enrollment. However, institutions should be mindful that contemporaneous documentation may

be required to comply with Subcommittee for Legislative Relief guidelines regardless of when the waiver is submitted.

**Question No. 4:** The student-athlete transferred and enrolled at my institution prior to the 2015 fall term. Is immediate eligibility an option for the student-athlete?

**Answer:** No. Any student-athlete seeking immediate eligibility for the 2015-16 academic year, and thereafter, regardless of when they enrolled (i.e., 2015 spring term), is not eligible to receive immediate eligibility and may request an extension of the student-athlete's clock.

**Question No. 5:** How do I know if I should file an NCAA Division I Committee on Student-Athlete Reinstatement extension request or a Subcommittee for Legislative Relief waiver request?

**Answer:** If the student-athlete has two or fewer denied participation opportunities and one of the denied participation opportunities will be, or is a result of a transfer year in residence, then the institution should file a Subcommittee for Legislative Relief waiver.