

**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;**

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

**Fax completed requests to Vanessa Fuchs, associate director of membership services, at the national office to 317/917-6881.** Typed requests are preferred.

**Please type or print.**

1. Applicant institution/ conference: \_\_\_\_\_ 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 by applicant? (See Bylaw 13.02.11.1) Yes \_\_\_\_\_ No \_\_\_\_\_

Date of initial full-time collegiate enrollment: \_\_\_\_\_

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: \_\_\_\_\_  
\_\_\_\_\_

**Please note that legible academic transcripts are required to be submitted for waivers of the transfer requirements (NCAA Bylaw 14.5).**

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. If the conference is submitting this request, 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:

\_\_\_\_\_  
\_\_\_\_\_

**For waivers involving student-athletes who are currently enrolled at the applicant institution or will be transferring from or to the applicant institution, please have the student-athlete complete the following:**

**Buckley Statement.** I give my consent to disclose to authorized representatives of this institution, its athletics conference (if any) and the NCAA any documents or information pertaining to my NCAA eligibility. Additionally, I give my consent to the NCAA to disclose my name and personally identifiable information from my education records to a third party (including but not limited to the media) as necessary to explain the NCAA's decision regarding this waiver request without such disclosure constituting a violation of my rights under the Family Educational Rights and Privacy Act.

Signature (student-athlete): \_\_\_\_\_

Date: \_\_\_\_\_

**CHECK LIST FOR ADMINISTRATIVE REVIEW SUBCOMMITTEE CASES**

**Please review all of the ARS waiver guidelines currently available on the NCAA Web site ([www.ncaa.org](http://www.ncaa.org))**

**Academic transcripts are required to be submitted for waivers of the transfer requirements (NCAA Bylaw 14.5).**

In cases involving **NCAA Bylaw 16.8.1.2.1 (Departure/Return Expense Restrictions)**, the institution must document whether the following circumstances exist (06/06). Please see guidelines for additional information.

- \_\_\_\_\_ Minimal to no missed class time AND minimal to no missed campus time, even if scheduled class time is not being missed in excess of the 48-hour/ 36-hour period;
- \_\_\_\_\_ 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

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 progress towards degree 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.

In cases involving a student-athlete who is transferring to a Division III institution and seeking a waiver for Bylaw 14.1.9 (graduate student/ postbaccalaureate participation), member institutions will need to demonstrate, at a minimum, a student-athlete's compelling and exemplary academic success by:

- \_\_\_\_\_ Providing supporting documentation that the student-athlete graduated ahead of schedule and continued/maintained his or her education as a full-time student rather than having "breaks" (e.g., part time) in enrollment for no reason/circumstances beyond his or her control; and
- \_\_\_\_\_ The student-athlete's excellent collegiate academic record.

*Based on the NCAA Division III Presidents Council's direction, the subcommittee has determined that waiver requests solely based on the unavailability of the student-athlete's graduate-degree program at the previous institution will not result in waiver relief. Further, waiver requests solely based on the student's nonparticipation in athletics prior to transferring to an NCAA Division III graduate school will not result in waiver relief. (04/06)*

In cases involving assertions regarding another member institution's or conference's conduct or actions as a basis for relief, the following ARS policy will be applied (07/03).

If an applicant institution or conference includes statements or assertions regarding another member institution's or conference's conduct or actions as a basis for relief, the applicant institution will be required to submit all application materials and supporting documentation to the member institution( s) or conference cited as part of the allegations. The applicant must give the member institution(s) 10 business days for the chief executive officer, director of athletics, faculty athletics representative, senior woman administrator or in the case of a conference, the commissioner, to respond in writing to the subcommittee and provide a copy of the response to the applicant. The response will be included in the application materials for review. If the application materials involve a specific student-athlete(s), the staff is unable to provide applicant's application materials or supporting documentation to another member institution without a written release from the student-athlete(s) according to federal law (i.e., Federal Educational Rights and Privacy Act)."