

4-4 TRANSFERS

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AGENDA

- Permission to Contact Requirements
- 4-4 Transfer Legislation
- Case Studies
- Transfer Tracers
- Certifying International Transfers

PERMISSION TO CONTACT

GENERAL RULE

- Prior to making contact with a SA at another NCAA or NAIA institution, written permission to contact must be granted by the previous institution.
- It is not required to obtain permission to contact from international institutions or other domestic institutions who are not affiliated with the NCAA or NAIA.

NCAA Bylaw 13.1.1.2

EXCEPTIONS

- It is not necessary to obtain written permission to contact for the following four-year college SAs:
 - If the SA has been withdrawn from the previous four-year institution for at least one academic year; OR
 - SA's previous institution has been placed on probation that precludes participation in postseason competition for the duration of the SA's eligibility.

Bylaws 13.1.1.2.2 and 13.1.1.2.3

PERMISSION TO CONTACT

- If permission to contact is granted, all recruiting rules immediately apply.
- If permission to contact is not granted, the second institution may not encourage the transfer, and;
 - If the SA transfers, the SA may not receive athletically related aid during the first academic year of enrollment.

Bylaw 13.1.1.2

HEARING OPPORTUNITY

- If permission to contact is denied, the institution must inform SA in writing within 14 calendar days from receipt of SA's written request of the opportunity to appeal, including a copy of the appeal policies and procedures.
- Appeal must be held within 30 calendar days of receiving SA's request for the hearing.
- Hearing must be conducted by an institutional group outside of the athletics department.

Bylaw 13.1.1.2.1

4-4 TRANSFER LEGISLATION

GENERAL RULE

- A transfer student from a four-year institution must serve an academic year in residence prior to competing for the certifying institution.

Bylaw 14.5.5.1

ELIGIBILITY FOR AID AND PRACTICE

- If the SA attended the previous four-year institution for at least one academic year, he/she is eligible for financial aid and practice at the certifying institution.
- If the SA attended the previous four-year institution for less than one academic year and is a partial qualifier or nonqualifier, receipt of financial aid and practice is governed by Bylaw 14.3.
 - These SAs are NOT eligible to use any transfer exceptions to be immediately eligible!

Bylaws 14.5.5.1.1 and 14.5.5.1.2

TRANSFER EXCEPTIONS

- In order to use any of the four-year transfer exceptions:
 - SA must not be under disciplinary suspension at the previous four-year institution;
 - SA must not have competed during the segment that concludes with the NCAA championship at the previous four-year institution; AND
 - SA must not have an unfulfilled residency requirement at the previous four-year institution.
 - Exception: Return to original institution without participation.

Bylaws 14.5.1.1, 14.5.5.3 and 14.5.5.4

ONE-TIME TRANSFER EXCEPTION

- SA must meet all of the following conditions:
 - SA cannot have previously transferred from a four-year institution.
 - Exception: SA may still use the one-time transfer exception if in the previous transfer SA used the discontinued/nonsponsored sport exception or the previous transfer was due to loss of regional accreditation.
 - SA must be in good academic standing, meeting progress-toward-degree requirements at the previous four-year institution at time of transfer, and academically eligible to return to the previous institution.

Bylaw 14.5.5.3.9

ONE-TIME TRANSFER EXCEPTION

- Conditions, cont'd:
 - SA's previous institution must certify in writing that it has no objection to the transfer residence requirement being waived.
 - Not required to obtain certification from non-NCAA and non-NAIA institutions; and
 - If denied, SA must be provided a hearing opportunity.

Bylaw 14.5.5.3.9

ONE-TIME TRANSFER EXCEPTION

- Conditions, cont'd:
 - If SA has only one season remaining or two semesters/three quarters or fewer left to complete his/her eligibility and has not earned a baccalaureate degree, SA must have an average of 12 credit hours of transferrable degree credit for each full-time term attended with a 2.000 GPA in those credits.

Bylaw 14.5.5.3.9

DISCONTINUED/NONSPONSORED SPORT EXCEPTION

- SA must meet one of the following conditions:
 - SA's original four-year institution dropped, or has made a public announcement of its intentions to drop, SA's sport;
OR
 - SA's original four-year institution never sponsored the sport, provided SA has never transferred from any other institution that offered the sport.

Bylaw 14.5.5.3.5

TWO-YEAR NONPARTICIPATION OR MINIMAL PARTICIPATION EXCEPTION

- SA may be immediately eligible, provided:
 - For a consecutive two-year period prior to SA's participation in countable athletically related activity at the certifying institution:
 - SA has not competed AND has not participated in other countable athletically related activity beyond a 14-day consecutive calendar day period; OR
 - SA has not participated in organized noncollegiate amateur competition while enrolled as a full-time student.
 - The two-year period may not include any time prior to SA's initial collegiate enrollment.

Bylaw 14.5.5.3.6

RETURN TO ORIGINAL INSTITUTION WITHOUT PARTICIPATION OR MINIMAL PARTICIPATION EXCEPTION

- SA may be immediately eligible, provided:
 - SA enrolls at a second four-year institution;
 - Does not compete;
 - Does not participate in any countable athletically related activity in the sport at the second institution beyond a 14-day consecutive period; AND
 - Returns to the original institution.
- SA may use this exception even if he or she has an unfulfilled residency requirement at the second institution.

Bylaw 14.5.5.3.7

NONRECRUITED STUDENT EXCEPTION

- SA must meet all of the following conditions:
 - SA was not recruited by the certifying institution (Bylaw 13.02.10.1);
 - SA has not received athletics aid; AND
 - SA has not competed for any previous institution and has not participated in countable athletically related activity beyond a 14-day consecutive period.

Bylaw 14.5.5.3.8

ADDITIONAL EXCEPTIONS

- Educational Exchange Exception - Bylaw 14.5.5.3.1.
- Exchange Student Exception - Bylaw 14.5.5.3.2.
- Discontinued Academic Program Exception - Bylaw 14.5.5.3.3.
- Military Service, Religious Mission Exception - Bylaw 14.5.5.3.4.

WAIVERS

- If SA does not meet a legislated transfer exception, SA must have an approved NCAA Division II Committee for Legislative Relief (CLR) waiver in order to be immediately eligible for competition.
- CLR waivers will be discussed during the Committee for Legislative Relief/Student-Athlete Reinstatement session at 4:45-5:45 p.m. today.

CASE STUDIES

CASE STUDY NO. 1
MIKE

MIKE – BASKETBALL

Facts:

- Mike initially enrolled at an NAIA institution in fall 2013 and attended full time for the 2013-14 academic year.
- Mike was a qualifier coming out of high school and is in good academic standing at the NAIA institution.
- Completed 15 hours fall 2013, six hours during J-Term and six hours of credit, three remedial, in spring 2014.
- Mike contacted basketball coach about transferring for fall 2014.

MIKE – BASKETBALL

- What is the first thing you need to have from Mike?
 - Permission to contact.
- Assuming we receive permission to contact what is our next step?
 - Complete preliminary eligibility certification.
 - Review completed transfer tracer form and transcript(s).
 - Admissible to the institution.
 - Determine amateurism certification.
 - Apply general transfer rule.
 - Four-year college transfers must serve a year in residency unless they meet one of the four-year college transfer exceptions.

MIKE – BASKETBALL

- Can Mike use an exception to the residency requirement?
 - Yes, Mike completed one academic year of attendance so he does not have an unfulfilled residency requirement.
 - May practice and receive athletics aid regardless of qualification status at the time of initial full-time enrollment.
- What exception might Mike meet?
 - What type of transfer is Mike?
 - 4-4 Transfer.
- One-time transfer exception.

Bylaw 14.5.5.1.1

WHAT'S NEXT

Is Mike eligible for competition?

- Mike meets the one-time transfer exception.
- Did Mike meet the six-hour requirement?
 - No, while he earned six credits in spring 2014, three hours were remedial and did not transfer in per institutional policy.
- When would Mike be eligible to compete?
 - Spring 2015 if he completes six hours of academic credit during the 2014 fall term.

Is there anything the DII institution can do to assist Mike?

- May file a progress-toward-degree waiver of the six-hour requirement for transfer students per Bylaw 14.4.3.1.1.

MIKE – BASKETBALL

NEW facts:

- Institution discovers that Mike is not going to earn six hours in spring 2014.
- Enrolled part time at a two-year college for one term.
- Completed six hours of transferrable credit at the two-year college.

MIKE - BASKETBALL

Is he eligible, now?

- No. The six hours of transferrable degree credit must be earned during the last full-time term of enrollment.

TRANSFER STUDENT - SIX HOUR REQUIREMENT

To be eligible for competition an SA must complete six hours of academic credit the preceding academic term of full-time enrollment.

For the purposes of certifying eligibility for transfer students per Bylaw 14.4.3.1(a), the six hours must be transferable degree credit.

Bylaws 14.4.3.1 and 14.4.3.1.1

CASE STUDY NO. 2 JENNIFER

JENNIFER- SOFTBALL

Facts:

- Attended and competed at a DI institution for the 2012-13 academic year.
- In spring 2013, Jennifer was placed on academic suspension and declared not in good academic standing at the DI institution.
- Jennifer was meeting all progress-toward-degree requirements on departure from the DI institution at the end of spring 2013.
- Jennifer enrolled full time at a DII institution in fall 2013 and spring 2014 where she served a year in residence because she did not meet the one-time transfer exception.
- Jennifer wants to transfer to another DII institution fall 2014.
- First DII institution does not object to the one-time transfer exception.

JENNIFER- SOFTBALL

- What needs to occur once notified that SA is transferring?
- Preliminary certification.
 - Obtain permission to contact.
 - Review transfer tracer and transcript(s).
 - Admissible to the institution.
 - Use of transfer exception.
 - Meeting six-hour requirement.
 - Determine amateurism certification.
 - Apply general transfer rule.

JENNIFER- SOFTBALL

Can Jennifer use a transfer exception?

- No, Jennifer is a 4-4-4 transfer.
- Even though she did not use the one-time transfer previously, SAs are only able to use it if they have not transferred previously from a four-year institution.*

* Unless SA used the discontinued/nonsponsored sport exception [Bylaw 14.5.5.3.5] or the residence requirement exceptions[Bylaw 14.8.2.1].

JENNIFER- SOFTBALL

NEW Facts:

- Jennifer transferred from a DI institution to a DII institution that was located 500 miles from her home in fall 2013.
- She served a year in residence during 2013-14 because she did not meet the one-time transfer exception by leaving the DI institution academically ineligible.
- Jennifer's mother is diagnosed with cancer and she wants to transfer to another DII institution that is only 90 miles from her home in fall 2014.
- Jennifer is in good academic standing, meeting progress-toward-degree requirements and the DII institution supports the transfer.

QUESTIONS TO ASK

How do these new facts change Jennifer's case?

- Jennifer is still a 4-4-4 transfer that does not meet any of the transfer exceptions; however,
- The institution may file a Committee for Legislative Relief (CLR) waiver on behalf of the SA.
 - Assertions of injury/illness.
 - Nature of the injury/illness and dependency of family member on SA.
 - SA's responsibilities related to care of family member.
 - Chronology of events.
 - Terminal illnesses.

CASE STUDY NO. 3 MARC

MARC – FOOTBALL

Facts:

- Nonqualifier out of high school.
- Initially enrolled at a DII institution fall 2013 and attended for two full-time terms.
- He wants to transfer to your institution fall 2014 and his current institution has no objection.

MARC – FOOTBALL

- What needs to occur once notified that SA is transferring?
- Preliminary certification.
 - Obtain permission to contact.
 - Review transfer tracer and transcript(s).
 - Admissible to the institution.
 - Use of transfer exception.
 - Meeting six-hour requirement.
 - Determine amateurism certification.
 - Apply general transfer rule.

Marc – Transfer Evaluation

| Fall 2013 | Credits | Grade | Spring 2014 | Credits | Grade |
|-----------------------|---------|-------|--------------------|---------|-------|
| Algebra I* | 3 | B | English 101* | 3 | F |
| World History* | 3 | B | Health/First Aid * | 2 | D |
| Spanish I* | 3 | C | Sociology 110* | 3 | B |
| Intro to College Life | 2 | A | Fine Arts* | 3 | C |
| Swim Aerobics* | 1 | A | Coaching Basics* | 1 | A |
| | | | Beg. Weights* | 1 | B |

Classes marked with an asterisk (*) are transferable and those shaded in yellow are not accepted toward any baccalaureate program.

QUESTIONS TO ASK

Is Marc immediately eligible for athletics aid and practice?

- Yes. After one year of attendance, Marc may receive financial aid and practice, regardless of his qualification status.

Is he eligible for competition? How?

- Yes. If he was meeting progress toward degree and in good academic standing at the time of transfer.
- He could use a one-time transfer exception if the previous institution does not object to the use of the exception.
- He would be able to transfer in six-degree credit hours from his last full-time term (spring 2014).

MARC – FOOTBALL

NEW Facts:

- Partial-qualifier out of high school.
- Initially enrolled at a DII institution spring 2014, attended for one full-time term.
- Wants to transfer to your institution fall 2014.

QUESTIONS TO ASK

Is SA eligible for athletics aid and practice?

- As a partial-qualifier, Marc would be eligible to receive aid and practice. [Bylaw 14.3.2.1.1]

Is he eligible for competition?

- No. Marc was a partial-qualifier and attended the four-year institution for less than one academic year, he must serve a year in residence prior to being eligible for competition.

CASE STUDY NO. 4

NICK

NICK – SWIMMING

Facts:

- Nick initially enrolled at a DI institution in the fall 2012.
- The university did not sponsor the sport of swimming, but Nick did compete on their club team during the 2012-13 academic year.
- Nick transferred to a DI institution for the 2013-14 academic year and did not participate in athletics.
- He wants to transfer to your institution in fall 2014 and compete.

NICK – SWIMMING

- What needs to occur once notified that SA is transferring?
- Preliminary certification.
 - Obtain permission to contact.
 - Review transfer tracer and transcript(s).
 - Admissible to the institution.
 - Use of transfer exception.
 - Meeting six-hour requirement.
 - Determine amateurism certification.
 - Apply general transfer rule.

WHAT DO YOU NEED TO KNOW?

Does he qualify for an exception? If so, which one(s)?

- The two-year nonparticipation or minimal participation exception (Bylaw 14.5.5.3.6), would consider club team competition to be participation in the sport.
- Nick is a 4-4-4 transfer that would have met the discontinued/nonsponsored sport exception at the previous institution.
 - February 10, 2003, Official Interpretation.
- Nick is eligible to use the one-time transfer exception.

NICK- SWIMMING

New Facts:

- Nick initially enrolled at a DII institution in fall 2012 as a highly recruited prospect and was an All-Conference selection during the 2012-13 and 2013-14 academic years.
- Nick is in good academic standing and meeting progress-toward-degree requirements.
- Wants to transfer to your institution, a top competitor, fall 2014.
- The DII institution objects to Nick being granted an exception to the transfer residence requirement.

HEARING OPPORTUNITY

- If a request for release is denied, the institution must inform SA in writing within 14 calendar days from receipt of SA's written request of the opportunity to appeal, including a copy of the hearing policies and procedures.
- Hearing must be conducted by an institutional group outside of the athletics department.
- Appeal must be held within 30 calendar days of receiving SA's request for the hearing.

Bylaw 14.5.5.3.9-(c)

NICK- SWIMMING

- Nick is successful in his appeal, what happens next?
- Review transfer tracer and transcript(s).
 - Admissible to the institution.
 - Use of transfer exception.
 - Meeting six-hour requirement.
- Determine amateurism certification.
- Apply general transfer rule.
 - Meets one-time transfer exception.
 - What about conference requirements?
 - Intra-conference transfer policy for basketball only.
 - Nick is immediately eligible.

TRANSFER TRACERS

TRANSFER TRACERS

- What information do you have to know in order to certify a transfer student-athlete?
- Let's build a transfer tracer!

BEST PRACTICES

BEST PRACTICES

- Conduct a preliminary eligibility certification prior to the student-athlete triggering transfer status.
- Establish written policies and procedures for conducting transfer eligibility certifications.
 - Involve compliance committee, admissions and registrar.
 - Communicate policies to appropriate coaches and staff.
 - Evaluate policies and procedures annually.
- Educate coaching staff members regularly on the transfer rules.

BEST PRACTICES

- Avoid relying solely on the information contained within the transfer release information form from the previous institution.
 - SA historical questionnaire, confirming information on tracer.
- Make sure there is an amateurism certification done by the NCAA Eligibility Center.
 - Follow up on the amateurism status after certification and prior to enrollment.
- Exhaust all avenues for relief when unique and extenuating circumstances exist.

INTERNATIONAL TRANSFERS

GENERAL RULE

Institutional Responsibility

- Institutions must certify that SAs are eligible for competition.
- This includes the certification of transfer eligibility.

Bylaw 14.01.1

GENERAL RULE, CONT'D

- A transfer student from a foreign collegiate institution (college, university or two-year college) is subject to the one-year residence requirement in Bylaw 14.5.5.1.
- Even if the foreign institution appears to be equivalent to a domestic two-year institution, the SA must follow 4-4 transfer legislation.

Bylaw 14.5.1.4

ANALYSIS OF INTERNATIONAL TRANSFERS

- Did the SA enroll in a collegiate institution?
- Definition of a collegiate institution includes an institution of higher education that is located in a foreign country.

Bylaw 14.02.3

ANALYSIS OF INTERNATIONAL TRANSFERS

What is an "Institution of Higher Education?"

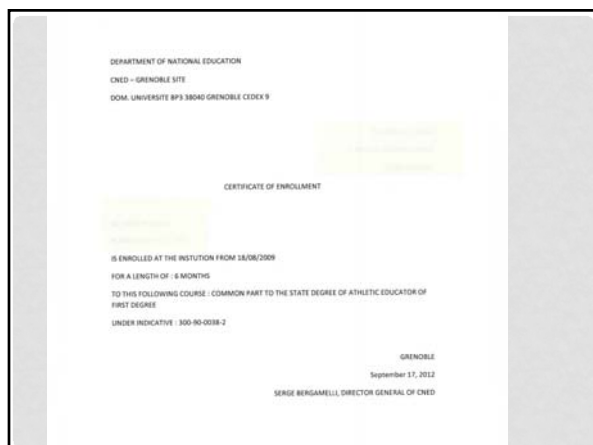
- Any criteria from the international program?
 - Is it accredited?
 - Does it offer at least a one-year program of studies?
 - Does it conduct an intercollegiate athletics program?
- Where does it fall on the educational timeline?
 - After completion of secondary school?
 - Is it required for admission to university?

ANALYSIS OF INTERNATIONAL TRANSFERS

- Was the SA enrolled full time?
 - Does the program define full-time enrollment?
 - Does the program define a standard course of study for an academic year?
 - Does it identify the number of credit hours attempted and/or completed by the SA?
- How many full-time terms of enrollment?
 - Does the international program define an academic term?
 - Conversion of transfer credits to determine status.

INTERNATIONAL TRANSFERS CASE STUDY NO. 1: ZACH

- Zach is a men's tennis PSA from Liberia.
- Completed secondary school in June 2011.
- During 2011-12, Zach attended the Education Ministry's Department of Youth and Sports.
- Completed a coaching certificate program.
- This is a full-time, one-year program.



INTERNATIONAL TRANSFERS CASE STUDY NO. 1: ZACH

Is the Department of Youth and Sports a collegiate institution?

- The one-year coaching certificate program occurs after secondary school.
- No other certificates are offered by this program.
- It is not a requirement for entrance into university.
- Advisory Opinion: The coaching certificate program is not a collegiate institution. Zach should be treated like an incoming PSA.

INTERNATIONAL TRANSFERS CASE STUDY NO. 2: WENDY

- Wendy is a gymnastics PSA from France.
- She completed secondary school in 2011.
- During 2011-12, she was enrolled in a French National Center for Distance Education (CNED) program.
- This program satisfies the definition of a collegiate institution.

DEPARTMENT OF EDUCATION

CNED
Centre National d'Enseignement à Distance

Academic year 2011-2012

School work from July 1st, 2011 until July 17, 2012

Student: _____

Grade: Bachelor in Communication - 1st Year

| Class | Number of homeworks (1) | Student Average | Grades | Class Average | Lowest Average | Highest Average |
|---|-------------------------------|--------------------|-----------|------------------|-------------------|--------------------|
| Corporate Management | 3 | 13.00 | 08 10 15 | 14.13 | 0.00 | 18.33 |
| General Economics and Law | 3 | 17.33 | 12 18 17 | 12.58 | 0.00 | 15.00 |
| Communication Workshop | 2 | 11 | | 11.13 | 0.00 | 20.00 |
| Communication Production | 3 | | | 11.68 | 1.00 | 20.00 |
| Communication and 3rd actors | 2 | 11.00 | 12 10 | 11.11 | 2.00 | 20.00 |
| Counseling and Relationship with the Companies | 2 | | N/A | 11.63 | 0.00 | 18.00 |
| Operational Surveillance | 3 | 11.00 | 14 14 17 | 12.37 | 0.00 | 19.00 |
| Communication Project | 2 | 13.50 | 14 13 | 13.25 | 0.00 | 15.00 |
| Message Analysis and Production | 2 | 13.00 | 15 13 | 10.86 | 0.00 | 20.00 |
| Marketing and Communication English | 3 | 15.00 | 17 16 17 | 12.20 | 0.00 | 18.00 |
| | 3 | 15.50 | 15 18 N/A | 13.46 | 0.00 | 20.00 |

(1) Number of homeworks to be done during the year
 "N/A" = not graded "1" homework to be done "12" homework being corrected "14" Enclosed
 "16" Tutoring
 "18" correction requested by the student "14" Simplified class "18" Exemplary "16" out of
 none
 Decision of the class council. Admitted into next grade
 Date: July 16, 2012

INTERNATIONAL TRANSFERS CASE STUDY NO. 2: WENDY

For how many academic terms was Wendy enrolled full time?

- The CNED program does not define academic terms.
- Completed 11 "topics" between July 1, 2011, and July 17, 2012.
- Her institution will award 30 semester hours of credit.
- Advisory Opinion = Wendy is a transfer SA who has been enrolled full time for two academic terms.

INTERNATIONAL TRANSFERS

- Resources:
 - International admissions officers.
 - Credential evaluation companies.
 - NCAA staff: advisory opinion.
 - NCAA International Student Records Committee.

QUESTIONS?
