Transfer Waiver Guidelines

Recently, the NCAA issued a release concerning student-athletes who are transferring and looking for a waiver on the basis that they are returning home due to family health issues. Please speak with the Compliance Office about the likelihood of such a waiver prior to speaking with a student-athlete, and keep the following guidelines in mind:

- The school must present medical documentation of a debilitating injury or illness to a student-athlete’s immediate family member that requires ongoing medical care. The previous standard had been “life-threatening.”

- The student-athlete demonstrates he or she will be responsible for regular, ongoing caregiving responsibilities. The previous standard required the student-athlete to be the primary, day-to-day caregiver.

- The school is within a 100-mile radius of the immediate family member’s home, which demonstrates the ability for the student-athlete to provide regular, ongoing care. Previously, no distance limitation was in place.

- The school to which the student-athlete is transferring must submit a statement from the athletics director and faculty athletics representative confirming that the student-athlete will be relieved of responsibilities to the team in order to care for the injured or ill family member, and that the coaching staff will support such a departure.

These guidelines are just part of the waiver review process. Schools seeking a waiver of the transfer legislation for student-athletes with ill or injured immediate family members must submit various materials, including written medical documentation from the professional who diagnosed the condition, a letter from the student-athlete explaining the need for relief and information indicating that external third parties were not involved in the transfer.

Compliance Brain Busters

1. Prior to signing an NLI, while recruiting at a competition site a coach may speak to a parent but not the prospect.:
   - True
   - False

2. Which of the following statements is true concerning a coach attending a club players NLI signing?
   a. It is impermissible.
   b. A coach may attend so long as no other prospects are signing.
   c. A coach may attend if he/she coaches a female sport and the signing is at an all boys school.

Answers on Page 2
**SJSU Fun Facts**

San Jose State Swimming is ranked in the nation’s top 25 for the first time ever and are currently ranked #1 in the collegeswimming.com’s mid-major poll.

**Visiting a Prospect’s Institution**

**All Sports** - Visits to a prospect’s educational institution that will occur during that portion of the day when classes are being conducted for all students must receive the approval of the executive officer of the prospect’s educational institution. (Bylaw 13.1.4)

**Football and Women’s Basketball** – Coaches may visit a prospect’s educational institution on not more than one occasion during a particular week within a contact period, regardless of the number of prospects enrolled in the institution or whether any prospect is contacted on that occasion. (Bylaw 13.1.4.2)

**Men’s Basketball** – Coaches may visit a prospect’s educational institution on not more than one occasion during a particular week within a recruiting period that occurs during the academic year, regardless of the number of prospects enrolled in the institution or whether any prospect is contacted on that occasion. During the April evaluation periods, if a nonscholastic event occurs at the educational institution of a participating prospect, coaches may visit the prospect’s educational institution on not more than one occasion during a particular week. (Bylaw 13.1.4.1)

**Compliance Contacts**

Lynn Meade  
Associate Athletic Director of Compliance  
408-924-1514  
Lynn.Meade@sjsu.edu

Wendy Dunn  
Director of Compliance  
408-924-1349  
Wendy.Dunn@sjsu.edu

Nick Sterkel  
Assistant Director of Compliance  
408-924-1198  
Nick.Sterkel@sjsu.edu

Julie Stansberry  
Student Services Coordinator  
408-924-1206  
Julie.Stansberry@sjsu.edu

**Brain Buster Answers**

1. **False** – In accordance with Bylaw 13.1.6.2, a member institution is precluded from contacting a prospect prior to any athletics competition in which the prospect is a participant during the day or days of the competition. Such restrictions also would be applicable to the parents of a prospect. [NCAA Ed Column, 5/23/90]

2. **A** – Press conferences to announce a signing may be arranged independently by the prospect (or the prospect’s family), provided there is no arrangement or involvement whatsoever by the institution or boosters. [NCAA Bylaw 13.10.9.3]

**Compliance Education Sessions**

In honor of the Holidays, the Compliance Office would like to give thanks to all coaching staff members who’ve dutifully attended the mandatory Ed Sessions this semester. As a gift, we will not be conducting Rules Ed in December, not to worry, Compliance Ed Sessions will return on Jan. 15 from 2-3 PM and Jan. 17 from 9-10 AM with a special New Years Session! Cheers!

**Interpretation Questions and Answers**

**Question:** Is it permissible to pay for a flight home of a current student-athlete after a competition for Winter Break?

**Answer:** Yes, so long as the student-athlete’s ticket home does not cost more than the cost for their trip back to SJSU. Per Bylaw 16.8.1.4.1.1, if the trip costs more for the student-athlete to fly back home then the student-athlete will have to pay SJSU the difference of their flight.

**Question:** Can a sport send out an institutional Christmas postcard that includes a picture of the team to a recruit?

**Answer:** No, per Bylaw 13.4.1.1 an institution may only send an institutional postcard, provided its dimensions do not exceed 4-1/4 by 6 inches, that includes only the institution's name and logo or an athletics logo on one side when produced and it includes only handwritten information, (e.g., words, illustrations) on the opposite side when provided to the recipients.

**Question:** Can SJSU adopt underprivileged high school prospects for a Christmas toy drive?

**Answer:** No, per Bylaw 13.2.1 an institution’s staff member or booster shall not be involved, directly or indirectly, in making arrangements for or giving or offering to give any benefits to a prospect or their relatives or friends, other than expressly permitted by NCAA regulations.