

**ELIGIBILITY RULES  
OF THE  
NATIONAL JUNIOR COLLEGE  
ATHLETIC ASSOCIATION  
P.O. Box 7305  
Colorado Springs, CO 80933-7305**

**2004-2005**

**TABLE OF CONTENTS**

**Article V — Eligibility Rules**

Section 1 General Information .....	2
Section 2 Certified Sports of the NJCAA.....	2
Section 3 Requirements for Entering Student-Athletes.....	3
Section 4 Requirements for Athletic Eligibility .....	3
Section 5 Eligibility of Student Who Withdraws from Classes.....	5
Section 6 Eighteen Calendar Month Non-College Attendance .....	6
Section 7 Number of Seasons a Student Can Participate.....	6
Section 8 Hardship .....	6
Section 9 Physical Examination .....	6
Section 10 Transfer Rules .....	6
Section 11 Rules Governing the Amateur Status of Students .....	7
Section 12 Adding and Deleting Participants on Eligibility Forms.....	9
Section 13 Certifying the Eligibility Form .....	10
Section 14 Scrimmage Definition.....	12
Section 15 Club Team .....	12
Section 16 Student Participation in All-Star and Open Competition .....	12
Section 17 Penalty for Violation of Eligibility Rules.....	13
Section 18 Eligibility Rule Changes.....	13
Section 19 Sports Procedures .....	14

**Article VI — NJCAA Policy Statements**

Section 1 High School Tryouts/Auditions.....	16
Section 2 Participation of Fall Tournament Qualifiers in Spring National Championships.....	16
Section 3 Substitutions for National Championship.....	16
Section 4 NJCAA Competition in Regional and Post Season Play .....	16
Section 5 Alumni Game .....	17
Section 6 Post Season Competition .....	17
Section 7 Safety .....	17
Section 8 Telephone Inquiries to the National Office .....	17
Section 9 Athletic Scholarship for Divisional Play .....	17
Section 10 Practice Limits .....	17
Section 11 Housing Guideline.....	17

**Article VII — Procedures of Appeal**

Section 1 General .....	18
Section 2 Authority of the National Office .....	18
Section 3 Appeal to the Executive Committee .....	19
Section 4 Arbitration .....	20

## ARTICLE V

### ELIGIBILITY RULES 2004-2005

#### Section 1. GENERAL INFORMATION

- A. All NJCAA Rules of Eligibility will become effective as of August 1, 2004.
- B. A member college must be in good standing with the NJCAA and its own conference to enter a team or an individual in an activity sponsored by the NJCAA.
- C. Students participating on an intercollegiate level in any one of the certified sports of the NJCAA shall conform to the requirements of the Rules of Eligibility, the rules and regulations of the conference with which the college is affiliated, and also the rules of the college at which the students are attending and participating.
- D. Ineligible students shall not be allowed to dress for any contest.
- E. Students who falsify any academic and/or athletic participation record shall be ineligible for further competition in an NJCAA member college at any time.
- F. Colleges having an intercollegiate athletic program above the Junior/Community College level, shall not be allowed to participate in any of the certified sports of the NJCAA.
- G. The word "term" as used within the Eligibility Rules, refers to quarter, semester or trimester, whichever applies as the official unit of class attendance at a college. Summer sessions shall also be considered as a term of college. Institutions using a modified administrative term, i.e. unit credits, quarter term with semester credits, etc. will be evaluated and an interpretation entered in the Casebook.
- H. A student-athletes grade point average will be determined by dividing the accumulated quality points by the corresponding credit hours at each institution of attendance.  
**NOTE:** Passing and satisfactory grades may be computed as "C" grades.
- I. **REMEDIAL/DEVELOPMENTAL STUDIES**
  1. Students who earn an A, B, or C or an equivalent grade in which the state/institution uses as a passing grade in a remedial/developmental course, cannot repeat that course and have it count toward eligibility. Furthermore, students cannot take a remedial/developmental course which is lower than a prerequisite to the one they have successfully passed and have it count toward eligibility.
  2. Credit hours in remedial/developmental courses will count toward eligibility for a second season of participation if the student has successfully exited the course.

#### Section 2. CERTIFIED SPORTS OF THE NJCAA

Fall Baseball, Spring Baseball, Basketball, Bowling, Cross Country, Football, Fall Golf, Spring Golf, Ice Hockey, Indoor Track and Field, Fall Lacrosse, Spring Lacrosse, Marathon, Outdoor Track and Field, Fall Softball/Fast Pitch, Spring Softball/Fast Pitch, Fall Soccer, Spring Soccer, Swimming, Fall Tennis, Spring Tennis, Fall Volleyball, Spring Volleyball and Wrestling.

- A. An NJCAA National Championship Tournament is defined by having both 40 teams and 7 regions participating within the division of the sport. **(Note: Effective date August 1, 2004)**
- B. An NJCAA National Invitational Tournament is defined by having both 20 teams and 5 regions participating within the division of the sport. **(Note: Effective date August 1, 2004)**
- C. A post-season championship may be held by a sport with a minimum of eight participating teams within that sport. The title of the championship must receive the approval of the NJCAA Executive Committee at the prior year's annual meeting. **(Effective date August 1, 2004)**
- D. **Effective date August 1, 2004)**

##### TEAM SPORTS

Baseball  
Basketball  
Football  
Ice hockey  
Lacrosse  
Soccer  
Softball  
Volleyball

##### COMBINED SPORTS

Swimming/Diving  
Wrestling

##### INDIVIDUAL SPORTS

Cross country  
Golf  
Tennis  
Track & Field  
Bowling

The following minimum number of member colleges and regions are needed to support viable divisional play.

TEAM SPORTS

2 Divisions=150  
teams & 10 regions

3 Divisions=275  
teams & 16 regions

COMBINED SPORTS

Defined as those  
conducting the championship  
in the same event.

INDIVIDUAL SPORTS

2 Divisions =100 teams  
& 10 regions

3 Divisions =200 teams  
& 16 regions

**Section 3. REQUIREMENTS FOR ENTERING STUDENT-ATHLETES**

- A. Students must be high school graduate or one who has received a high school equivalency diploma or has been certified as having passed a national test such as the General Education Development Test (GED). High school must be accredited or recognized by the Department of Education within that state.
- B. Non-high school graduates can establish eligibility for athletic participation by completing one term of college work passing twelve credits with a 1.75 GPA or higher. This term must be taken after the student's high school class has graduated.
- C. Non-high school graduates who have earned sufficient credit for high school graduation status can establish eligibility for athletic participation by completing one term of college work passing twelve credits with a 1.75 GPA or higher. This term can be completed before the student's high school class has graduated.
- D. Students classified under Section 3.b. or 3.c. above, may be added to the eligibility roster after completion of the requirements in the respective Section. (May not be added until the term is over.)
- E. Students who are completing high school and are simultaneously enrolled in twelve or more credits at a college are eligible for athletic participation with the completion of the NJCAA High School Waiver Form (Form 3-e). This form must be signed by the student's high school Principal and the College President. This provision is applicable to only those students whose high school class has not graduated at the time of college enrollment. **USE FORM 3-e.**

**Section 4. REQUIREMENTS FOR ATHLETIC ELIGIBILITY**

The following rules shall be used to determine a student's eligibility for athletic competition in any one of the certified sports of the NJCAA. **THIS ENTIRE SECTION MUST BE READ BEFORE A STUDENT'S ELIGIBILITY STATUS CAN BE DETERMINED.**

- A. Student-athlete must be making satisfactory progress within an approved college program or course as listed in the college catalog.
- B. Students must be in regular attendance within fifteen (15) calendar days from the beginning of classes of the term in which the students choose to participate. This fifteen (15) day rule can apply to the starting date of a mini- session within a regular session and shall be a published date in the college catalog or schedule of classes for that term. A student enrolling in a mini-session must have enrolled within fifteen (15) calendar days of the beginning of the term in which that mini-session is offered. The mini-session must begin prior to the date of the first contest and have a common ending date with the regular term. Students that do not conform to this rule are ineligible throughout the remainder of the term.
- C. Students must maintain enrollment in twelve (12) or more credit hours of college work as listed in the college catalog during each term of athletic participation. Students that drop below twelve (12) credit hours become immediately ineligible for athletic participation.

**QUARTER ELIGIBILITY**

- D. Prior to the last official date to register for the second full-time quarter, as published in the college catalog, a student must have passed twelve (12) quarter hours with a 1.75 GPA or higher.
  - E. Prior to the last official date to register for the third full-time quarter, and all subsequent quarters thereafter, as published in the college catalog, a student must satisfy one of the following four (4) requirements to be eligible for the upcoming quarter:
    - 1. Pass a minimum of twelve (12) quarter hours with a 1.75 GPA or higher during the previous quarter of full-time enrollment,
- OR**
- 2. Pass a accumulation of quarter hours equal to twelve (12) multiplied by the number of quarters in which the student was previously enrolled full-time with a GPA of 1.75 or higher.
- OR**
- 3. A first season participant must have passed a minimum accumulation of 36 credit hours with a 2.0 GPA or higher for the initial **term** of participation, regardless of previous term or other

accumulation requirements. (NOTE: This only establishes eligibility for the initial term, not subsequent terms.)

**OR**

4. A second season participant must have passed a minimum accumulation of 54 credit hours for a fall sport, 63 credit hours for a winter sport, 72 credit hours for a spring sport, with a 2.0 GPA or higher, regardless of previous term or other accumulation requirement.
- F. Prior to the second season of participation in an NJCAA certified sport, students must pass a minimum of thirty- six (36) quarter hours with a 2.00 GPA or higher. If the student has been enrolled in two (2) quarter terms or less, the second season requirement becomes twenty-eight (28) quarter hours with a 2.00 GPA or higher.  
**NOTE:** All quarters attempted beyond fifteen (15) calendar days will count, whether full-time or not, excluding summer session.

**SEMESTER ELIGIBILITY**

- D. Prior to the last official date to register for the second full-time semester, as published in the college catalog, a student must have passed twelve (12) semester hours with a 1.75 GPA or higher.
- E. Prior to the last official date to register for the third full-time semester, and all subsequent semesters thereafter, as published in the college catalog, a student must satisfy one of the following four (4) requirements to be eligible for the upcoming term:
  1. Pass a minimum of twelve (12) semester hours with a 1.75 GPA or higher during the previous semester of full-time enrollment

**OR**

2. Pass a accumulation of semester hours equal to twelve (12) multiplied by the number of semesters in which the student was previously enrolled full-time with a GPA of 1.75 or higher.

**OR**

3. A first season participant must have passed a minimum accumulation of 24 credit hours with a 2.0 GPA or higher for the initial **term** of participation, regardless of previous term or other accumulation requirements. (NOTE: This only establishes eligibility for the initial term, not subsequent terms.)

**OR**

4. A second season participant must have passed a minimum accumulation of 36 credit hours for a fall sport, 48 credit hours for a spring sport, with a 2.0 GPA or higher, regardless of previous term or other accumulation requirement.
- F. Prior to a second season of participation in an NJCAA certified sport, students must pass a minimum accumulation of twenty-four (24) semester hours with a 2.00 GPA or higher. (This is in addition to satisfying 4.d or 4.e.)
- G. Students must be enrolled full-time (twelve or more credits) at the college where they have chosen to participate when the regular season schedule of a sport begins. Students not enrolled during the term when the season begins remain ineligible throughout the season schedule unless they enroll on the first possible enrollment date following:
  1. Their release from Active Armed Services of the United States with a discharge other than dishonorable.
  2. Their return from a religious mission.
  3. Their graduation from a high school or receipt of an equivalency diploma.
  4. Their transfer from an NJCAA member college which has dropped a sport after the school year begins.  
Students that satisfy one of the four exceptions become eligible after the previous term has ended upon registration as a full time student for the new term. (Students (s) must be added to the eligibility form before participating.)
  5. A student attending a multi-campus college may, if at the campus of his/her enrollment a sport is not offered, participate in that sport at any campus within the system that offers said sport.
- H. In the following sports, students are not required to be enrolled during the fall term to be eligible to participate in the sport during the spring season unless the records are carried over into the spring season: Baseball, Bowling, Golf, Lacrosse, Softball/Fast Pitch, Softball/Slow Pitch, and Tennis. If the fall records are carried over into the spring season, all students must be enrolled full-time (twelve or more credits hours) during the fall term when the schedule begins.
- I. Students who have never been full-time at any college may become eligible for a season of participation in a sport by meeting the following conditions:
  1. The students attend the same institution at least one academic year as part-time students prior to the year of his/her participation passing at least twelve (12) credit hours with an overall grade point average of 1.75 or better during that year.

2. During each term of participation, the students must carry at least six (6) credit hours in the same institution.
3. Prior to a second season of participation in any sport, the students must pass a total of twenty four (24) credit hours with a 2.00 GPA or higher.
4. If in any term the students enroll full-time, they forfeit the privileges under this provision of the part-time eligibility rule.
5. Students who withdraw completely or to less than six (6) credit hours, become immediately ineligible.
6. Institutions who apply for this provision of the rules, must submit a transcript to establish the eligibility of the students.

**J. NJCAA POLICY - CERTIFIED DISABLED STUDENT**

An NJCAA student-athlete may be granted relief from Article V Section 4.c, 4.d, and 4.e of the NJCAA Bylaws in the instance where the following guidelines are followed. All the required information listed below must be submitted to the NJCAA National Office prior to any participation in an NJCAA certified sport.

1. A written copy of the institution's policies and curriculum guidelines applicable to all disabled students.
2. Written documentation from an appropriate institutional academic authority (e.g., registrar) that the institution has defined the student's full- time enrollment to be less than twelve (12) credit hours to compensate for the student's disability.
3. Written documentation that describes the application of the institution's policies to the student in question and documentation that indicates that institutional support and accommodation, though significant, is insufficient to address the academic needs of disabled student-athletes.
4. Full and complete documentation of the student-athlete's disability, including:
  - a. Written and signed diagnosis of the disability, including the results of specific measures or tests, which formed the basis of the diagnosis.
  - b. A copy of the student-athlete's individual education plan (IEP), if applicable.
  - c. Name, position and signature of the qualified individual issuing the diagnosis. This individual's professional credentials and relationship to the applicant's institution's athletics department must be provided. (Note: Normally, a diagnosis from an athletics department staff member will not be accepted)
  - d. A current diagnosis of the disability. If specific circumstances of the case indicate that this requirement is unnecessary, a prior diagnosis may be acceptable.
  - e. The committee reserves the right to request a second opinion or diagnosis. The cost of this diagnosis shall be borne by the institution.
5. A summary of support services and other accommodations provided by the applicant institution designed to assist the disabled student-athlete. This summary normally would be expected to include accommodations provided by the institution with respect to the student-athlete's athletics responsibilities, as well as the academic and other support services provided and any institutional accommodations related to adjustments of minimum academic performance requirements.
6. All waiver request must be signed by any two of the following: The director of athletics, the faculty athletics representative or the president/chancellor.

- K. Effective August 1, 2005.** Any participation as an individual or a team representative in organized international sports competition by a student during each 12-month period after the student's 21<sup>st</sup> birthday and prior to initial full-time enrollment in a collegiate institution shall count as one year of varsity competition in that sport. Participation in organized competition during time spent in the U.S. Armed Services shall be excepted. Would only apply to Division I and II and only affects those sports that have more than one division.

**Section 5. ELIGIBILITY OF STUDENTS WHO WITHDRAW FROM CLASSES**

The following withdrawal policy applies to students that are attending any college.

- A. Students are allowed fifteen (15) calendar days from the beginning date of classes to withdraw completely or to withdraw to less than twelve credits (part-time) and not have that term affect their future eligibility, provided they have not participated in any athletic competition. (Refer to Section 4.g)
- B. Students that have participated and withdraw within the first fifteen (15) calendar days of a particular term are not eligible for athletic participation and must re- establish their eligibility in accordance with the provisions of section 4.d or 4.e. The term in which the student participates must be considered the same as a term of full-time attendance.

**Section 6. EIGHTEEN CALENDAR MONTHS NON-COLLEGE ATTENDANCE**

- A. Students that have not been enrolled in college in twelve (12) or more credit hours (full-time) for a period of eighteen calendar months or longer shall be exempt from previous term and/or accumulation requirements as set forth in Section 4.d and 4.e. (Not Section 4.f.)
- B. Students who have served eighteen calendar months in the Armed Forces of the United States, church mission or with a recognized foreign aid service shall be exempt from Section 4.d, 4.e, and 4.f.

**NOTE:** This is a one time exemption, available only for the first full-time term after the period of non-attendance.

**Section 7. NUMBER OF SEASONS A STUDENT CAN PARTICIPATE**

- A. Students must not have previously competed during two (2) seasons in a given sport at any intercollegiate level.
- B. Participation in any fraction of any regularly scheduled contest during the collegiate year shall constitute one (1) season of participation in that sport. Participation includes entry into an athletic contest and does not include dressing for such an event.

**Section 8. HARDSHIP**

The hardship provision of the NJCAA is available to students, who are unable to complete a season of competition or did not satisfy one of the other eligibility rules as a result of an injury, illness or some type of an emergency beyond their control.

- A. Hardship #1 involves an injury or illness which results in the student's inability to complete a season. Prior to the injury or illness, a student must not have participated in more than 20 percent of the college's regular season schedule or have participated in no more than two (2) of the institution's completed events in that sport, whichever number is greater. The injury or illness must also have occurred in the first half of the schedule resulting in the athlete being incapacitated for the remainder of the season.

**NOTE:** In applying the 20 percent limitation, any competition which results in a fractional portion of an event shall be rounded to the next highest whole number, e.g., 20 percent of a 27 game basketball schedule (5.4 games) shall be considered six games. **USE HARDSHIP FORM # 1.**

- B. Hardship #2 involves cases other than those affecting a student's season of competition as specified in Section 8.a. These cases must show that there are circumstances beyond the student's control which directly result in their inability to satisfy the Rules of Eligibility. **USE HARDSHIP FORM # 2.** The 20 percent limitation still applies to participation. All requests must receive approval from the NJCAA Office of Eligibility. **NOTE:** The NJCAA cannot rule on those situations that did not occur at an NJCAA member college.

**Section 9. PHYSICAL EXAMINATION**

All student-athletes participating in any one of the NJCAA certified sports must have passed a physical examination administered by a qualified health care professional licensed to administer physical examinations, prior to the first practice for each collegiate year in which they compete.

**Section 10. TRANSFER RULE**

**A. General Provisions Which Apply to Any Transfer Student.**

- 1. Transfer students are those who have attended any college beyond the first fifteen (15) calendar days of a term or have participated in an athletic contest and at a later date enroll and attend classes at another college.
- 2. Students may not participate in the same sport during the same academic year at two different colleges. Fall participation in the sports of Baseball, Bowling, Golf, Lacrosse Softball/Fast Pitch, Softball/Slow Pitch, and Tennis shall not prevent students from competing in the same sports during the spring season of the same academic year after having transferred from another college and satisfied all the transfer provisions of the eligibility rules. An exception to this rule is: Students who transfer from a college which has dropped a sport. (Documentation of the program being dropped must be provided when submitting the eligibility.)
- 3. Students who participate in a sport before a term begins, between terms, or within the first fifteen (15) calendar days of a term and subsequently transfer before or within the first fifteen (15) calendar days of the term, must serve probation before they are eligible to participate in athletics.
- 4. Students serving probation shall not be allowed to dress for any athletic contests.
- 5. Whenever students are required to serve probation, they must be enrolled full-time (12 or more credits) at the institution where they will be participating.
- 6. To be eligible in a sport that spans over two terms, transfer students must be enrolled in twelve (12) or more credit hours (full-time) during the term when the season of that sport begins. The student must also be enrolled at the college where they have chosen to participate. There are four exceptions to this rule as found in Section 4.g.

**B. Transfers From an NJCAA Member College.**

Students transferring from an NJCAA member college are either immediately eligible upon transfer or must serve a probationary period. The following rules determine the student-athlete's eligibility status.

1. **Immediate Eligibility**--To be immediately eligible upon transfer, a student must comply with both of the following two requirements:
  - (a) Satisfy the provisions of Section 4.d. or 4.e. (Use the rule which is applicable to the transfer student.)

**AND**

- (b) Satisfy one of the following provisions numbered 1 through 5.
  - (1) The college from which the students are transferring does not have a particular sport(s). (The students are immediately eligible only in the sport which is not offered.)
  - (2) An NJCAA Waiver Form is signed by the Athletic Director and Chief Executive Administrator of the junior college from which the students are transferring. **USE FORM 10 (b) (2)**
  - (3) Students who have not participated in any sport, transfer from their first junior college to any junior college within their home district, county, or service area.
  - (4) Students enroll at the first possible opportunity in a newly established college or a college that initiates an inter- collegiate athletic program within the student's home district, county, or service area.
  - (5) The college from which the student is transferring has been placed on probation in the sport in which the student is participating. This provision does not apply to any student that is causatively involved in the problem resulting in the penalty.
2. **Probation Period**--A probationary period of sixteen (16) calendar weeks and the completion of one academic term with twelve (12) passing credit hours and a 1.75 GPA or higher is required of students who did not satisfy the academic provision of Section 4 and if any one of the provisions number 1 through 5 Section 10.b.1.(b) does not apply to their transfer. **Note:** Before a student can participate in a second season of an NJCAA certified sport, the provisions of Section 4.f must be satisfied.
3. An athletics staff member or other representative of the institution's athletics interests shall not make contact for the purpose of recruiting, with the student-athlete of another NJCAA member institution. If any athletics staff member or representative of the institution's athletic interests is contacted by a student-athlete, or a representative of his/her athletic interest, from a member institution, the contacted institution must make written or electronic, and verbal contact with the initial member institution within five (5) calendar days of contact. Contact notification will be considered made by utilizing the "contact notification" form as well as a phone mail message if direct contact cannot be made. There shall be a 10 day waiting period beginning from the date of contact notification made with the student-athlete's initial institution before any further contact of any type can occur between the student-athlete and the second institution.

**C. Transfers From a Senior College or From a Non-NJCAA Member College**

Students transferring from a Senior College or a Non-NJCAA member college are either immediately eligible upon transfer or must serve a probationary period of sixteen calendar weeks. The following rules determine the student-athlete's eligibility status.

1. **Immediate Eligibility**--To be immediately eligible, with no probation required, students must satisfy the provisions of Section 4.d or 4.e. (Use the rule which is applicable to the transfer student). **Note:** Before a student can participate in a second season of an NJCAA certified sport, the provisions of Section 4.f must be satisfied.
2. **Probation of Sixteen Calendar Weeks**--A probationary period of sixteen (16) calendar weeks and the completion of one academic term with twelve (12) passing credits and a 1.75 GPA or higher is required of students who did not satisfy the academic provisions of Section 4. Students serving this sixteen week probation period may be added to the eligibility roster at any time after satisfying the provision of the probation period. **Note:** Before a student can participate in a second season of a NJCAA certified sport, the provisions of Section 4.f. must be satisfied.

**Section 11. RULES GOVERNING THE AMATEUR STATUS OF STUDENTS**

Amateur players are those who engage in sports for the physical, mental or social benefits they derive in participation and to whom athletics is an avocation and not a source for personal financial remuneration. Whenever the amateur standing of a student is questionable and before competition begins in an activity sponsored by the NJCAA, it is the responsibility of an administrative officer

of the college where the student is enrolled to clear the status of the student in question. In determining amateur standing of students, the following guidelines have been established.

**A. Students Are Permitted To:**

1. Accept scholarships and educational grants-in-aid from their institution in accordance with the provisions of Article VIII of the bylaws of the NJCAA.
2. Officiate sport contests, providing the compensation received does not exceed the going rate for such employment.
3. Serve as coaches or instructors for compensation in a physical education class outside of their institution provided the employment is not arranged by the student-athlete's institution or a representative of its athletics interests.
4. Serve as paid supervisors of children's sports programs, such as counselors in a summer camp, or in a recreation department program. Their duties may include teaching techniques or skills in their sport, provided that any instruction is a part of the overall terms of employment (teaching and coaching shall not exceed more than half of their employed time) and not on a fee-for-lesson basis.
5. Participate in professional baseball for no more than ninety (90) days at a level no higher than Class A. If this can be confirmed by the National Association of Professional Baseball Leagues, the student shall be eligible to compete in baseball at an NJCAA member college. Any participation beyond the first ninety (90) days shall cause a student to be ineligible in the sport of baseball.
6. Participate in women's softball if the women were involved in the Professional Softball Association and have been reinstated by the appropriate amateur governing body.
7. Have their names or pictures appear in books, other publications, or films without jeopardizing their amateur status, but only under the following conditions:
  - a. Appearance in such publications or films is for the purpose of demonstrating athletic skill, analysis of a sports event, or instruction in sports.
  - b. There is no indication that the athlete expressly or implicitly endorses a commercial product or services.
  - c. The athlete is not paid.
  - d. The athlete has signed a release statement detailing the conditions under which his or her name or image may be used and has filed a copy of that statement with the institution he or she attends.

**B. Students shall not:**

1. Receive money or other forms of remuneration beyond actual expenses for participating in any athletic contest or programs with the exception of bowling and golf. (Refer to the bowling and golf sections of the NJCAA Handbook.)
2. Give lessons on a fee-for-lesson basis.
3. Be employed to teach physical education classes or coach any sport for their college.
4. Be employed or receive compensation for teaching or coaching sports skills or techniques, if the employment is arranged by the student-athlete's institution or a representative of its athletics interests.
5. Take any financial assistance, or enter into an agreement of any kind, to compete in professional athletics, with the exception of the student who participates in professional baseball for not more than ninety (90) days as provided in Section 11.a.5. Students who violate this provision shall be ineligible for participation in the sport. This includes declaring for professional draft.
6. Try out with a professional sports organization while enrolled full-time during any part of the academic year unless they have exhausted their eligibility in that sport. (This includes any time from the beginning of the fall term through the completion of the spring term, including any intervening period.) Part-time students who are not participating under the provisions of Section 4.i. may try out provided they do not receive any form of compensation other than actual expenses from the professional organization.
7. Contract in writing to be represented by an agent in the marketing of athletic ability or reputation in a sport.
8. Participate in the Major Junior A Hockey League sponsored by the CAHA.

**THE FOLLOWING SECTIONS 12 AND 13 APPLY TO COLLEGES CERTIFYING ELIGIBILITY ONLINE**

**Section 12. ADDING AND DELETING PARTICIPANTS ON ELIGIBILITY FORMS**

The eligibility status of student athletes is determined at the beginning of each season. The following rules determine when students can be supplemented or must be deleted according to their academic performance.

- A. Students that are not serving probation and are academically eligible can be supplemented on an NJCAA Eligibility Form up until the deadline dates listed below. Such students become eligible on the date of electronic submission of the eligibility form for that student/s. Forms, and/or additions submitted after the deadline date established for each sport will not be accepted. Student's submitted after the initial eligibility filing are not eligible until their submission date.

Cross Country	October 22, 2004
Soccer	October 22, 2004
Volleyball	October 22, 2004
Football	November 5, 2004
Half Marathon	November 12, 2004
Wrestling	February 18, 2005
Ice Hockey	February 18, 2005
Swimming & Diving	February 18, 2005
Indoor Track & Field	February 18, 2005
Bowling	February 18, 2005
Basketball	February 18, 2005
Lacrosse	April 22, 2005
Outdoor Track & Field	April 22, 2005
Tennis	April 22, 2005
Baseball	April 29, 2005
Fast Pitch Softball	April 29, 2005
Golf	May 6, 2005

**NOTE:** Spring sports which have qualifying tournaments in the Fall, must have their Fall eligibility form cleared 10 days prior to their Fall Qualifying Tournament.

- B. For those sports whose regular season schedule begins between terms, all students must be academically eligible from the previous term.
- C. If the regular season schedule of a sport ends before the last day of the term, all students remain eligible for post-season competition (Regional and National competition), provided full-time enrollment is maintained throughout the sport season. No additions can be made to a team's roster after the term has ended.
- D. If the regular season schedule of a sport extends past the last day of the term, the eligibility of student-athletes is determined by the following rules:
1. Students that do not satisfy the academic provisions of Section 4 at the completion of the term must be dropped from competition on or before the twentieth (20th) calendar day after the end of the given term with one exception as follows:
    - a. Colleges which operate on the trimester calendar and whose winter session ends approximately April 20, may elect to allow their athletes that do not satisfy the provisions of Section 4 at the completion of the term, to finish the season. Conversely, those colleges may not add athletes who have become eligible during the winter session. Colleges who choose this exception must designate on an NJCAA form by October 31 of that particular academic year if they are following this option. **USE FORM 12-d-1**
  2. Transfer students who have served probation or non-transfer students who have re-established their eligibility during a term of college attendance, can be supplemented to a team's roster any time after the end of the term provided all students that do not satisfy the provisions of Sections 4-d or 4-e are dropped as of the same date. This exchange must occur on or before the twentieth (20th) calendar day after the term ends and a complete eligibility form for the subsequent term must be submitted showing all eligible athletes. If students are supplemented any time following the twentieth (20th) calendar day after the end of the term, only the new entries must be submitted on an eligibility form and the next term's eligibility form will be due in accordance with Section **13.d.3**. The new entries may begin participating on the electronic submission date. Transfer students cannot be added before the full sixteen (16) calendar weeks have expired.

### Section 13. CERTIFYING THE ELIGIBILITY FORM

- A. Each college shall submit a completed NJCAA eligibility form for each of the NJCAA certified sports that the college sponsors as a varsity sport. The Eligibility Chair, Registrar or Dean, Athletic Director and student-athlete must sign the form. The student's signature on the hard copy gives the college permission to release transcripts to the NJCAA (Buckley Amendment – Public Law 93-380), and it also verifies that all information on the eligibility form pertaining to the student is correct and complete.
- B. Each NJCAA member college shall be required to submit eligibility electronically to the NJCAA. Electronic eligibility certification forms and filing process instructions can be accessed through the NJCAA web site ([www.njcaa.org/schools](http://www.njcaa.org/schools)). Refer to the instruction booklet at the back of the casebook or the online instructions.
- C. Each college shall, in addition to the electronic submission, create a hard copy of the eligibility form to be retained by the member college. The hard file must include:
- The eligibility form complete with student signatures,
  - All transcripts, transfer waivers,
  - Proof of high school graduation (GED),
  - Delayed/break in enrollment statements,
  - And any other documents certifying the student's eligibility.
- The hard copy of the eligibility form must include the appropriate administrative and student-athlete signatures and the college seal.
- D. Deadline for Electronic Submission of Eligibility Forms
1. The forms must be electronically submitted either on or before the first regularly scheduled contest or 14 calendar days after the beginning of the term in which the sport begins.
  2. If the first scheduled contest of a sport begins between terms, the eligibility form must be electronically submitted 14 calendar days from the date of the first contest.
  3. If the regular season schedule of a sport extends beyond the last day of the term and continues beyond the 20<sup>th</sup> day after the term ends, a second eligibility form for that sport is due within 14 calendar days after the beginning of the next term. Refer to Section 12.D.2.
  4. A college that does not conduct any scheduled events before a regional or national tournament, must electronically submit completed electronic eligibility forms in advance of the deadline dates established in Section 12.A.
  5. Any college failing to submit an electronic eligibility form for the entire season shall be subject to disciplinary action by the NJCAA National Office.
- E. The NJCAA National Office will annually audit 5 – 10 percent of the programs in each certified sport. If a college is selected for audit, both the college president and the athletic director will be notified by telephone and fax/email. The member college shall have 72 hours from the time of initial verbal contact to have the complete hard copy eligibility file received by the National Office. (Refer to Section 13.C). Documents must be sent via overnight, certified mail or comparable tracking means.
- F. Penalties
- 1) Late Filing
    - a) 1<sup>st</sup> Offense – Letter of reprimand to Athletic Director and College President
    - b) 2<sup>nd</sup> Offense – Probation (Refer to Section 17) for that sport if the 2<sup>nd</sup> violation occurs within one calendar year.
  - 2) Ineligible Student-Athlete –
    - a) 1<sup>st</sup> Offense - immediate probation with no post season play for the program affected. Also will mandate an audit of that program for all sports for the remainder of the academic year.
    - b) 2<sup>nd</sup> Offense - Two years probation with no post season play for the program affected for two years and an audit of that program for all sports for both academic years.
  - 3) Incomplete Documentation –
    - a) Affecting student eligibility (refer to penalty relative to ineligible athlete);
    - b) Not affecting student eligibility (refer to penalty for late submission penalties).
- G. Exceptions: Those institutions not governed under the semester or quarter academic systems must continue to manually file eligibility in accordance with Articles 12 and 13 of the NJCAA bylaws.

**THE FOLLOWING SECTIONS 12 AND 13 APPLY TO THOSE COLLEGES NOT UTILIZING THE ONLINE ELIGIBILITY FORMAT WHICH WILL BE MANDATORY AUGUST 1, 2005.**

**Section 12. ADDING AND DELETING PARTICIPANTS ON ELIGIBILITY FORMS**

The eligibility status of student athletes is determined at the beginning of each season. The following rules determine when students can be supplemented or must be deleted according to their academic performance.

- A. Students that are not serving probation and are academically eligible can be supplemented on an NJCAA Eligibility Form up until the deadline dates listed below. Such students become eligible on the postmark date which appears on the envelope for mailing the eligibility form. Forms, and/or additions postmarked after the deadline date established for each sport will not be accepted.

Cross Country	October 22, 2004
Soccer	October 22, 2004
Volleyball	October 22, 2004
Football	November 5, 2004
Half Marathon	November 12, 2004
Wrestling	February 18, 2005
Ice Hockey	February 18, 2005
Swimming & Diving	February 18, 2005
Indoor Track & Field	February 18, 2005
Bowling	February 18, 2005
Basketball	February 18, 2005
Lacrosse	April 22, 2005
Outdoor Track & Field	April 22, 2005
Tennis	April 22, 2005
Baseball	April 29, 2005
Fast Pitch Softball	April 29, 2005
Golf	May 6, 2005

**NOTE:** Spring sports which have qualifying tournaments in the Fall, must have their Fall eligibility form cleared 10 days prior to their Fall Qualifying Tournament.

- B. For those sports whose regular season schedule begins between terms, all students must be academically eligible from the previous term.
- C. If the regular season schedule of a sport ends before the last day of the term, all students remain eligible for post-season competition (Regional and National competition), provided full-time enrollment is maintained throughout the sport season. No additions can be made to a team's roster after the term has ended.
- D. If the regular season schedule of a sport extends past the last day of the term, the eligibility of student-athletes is determined by the following rules:
1. Students that do not satisfy the academic provisions of Section 4 at the completion of the term must be dropped from competition on or before the twentieth (20th) calendar day after the end of the given term with one exception as follows:
    - a. Colleges which operate on the trimester calendar and whose winter session ends approximately April 20, may elect to allow their athletes that do not satisfy the provisions of Section 4 at the completion of the term, to finish the season. Conversely, those colleges may not add athletes who have become eligible during the winter session. Colleges who choose this exception must designate on an NJCAA form by October 31 of that particular academic year if they are following this option. **USE FORM 12-d-1**
  2. Transfer students who have served probation or non-transfer students who have re-established their eligibility during a term of college attendance, can be supplemented to a team's roster any time after the end of the term provided all students that do not satisfy the provisions of Sections 4-d or 4-e are dropped as of the same date. This exchange must occur on or before the twentieth (20th) calendar day after the term ends and a complete eligibility form for the subsequent term must be submitted showing all eligible athletes. If students are supplemented any time following the twentieth (20th) calendar day after the end of the term, only the new entries must be submitted on an eligibility form and the next term's eligibility form will be due in accordance with Section **13.d.3**. The new entries may begin participating on the postmark date appearing on the envelope used for mailing the eligibility form. Transfer students cannot be added before the full sixteen (16) calendar weeks have expired.

### **Section 13. CERTIFYING THE ELIGIBILITY FORM**

- A. Each college shall submit a completed NJCAA eligibility form for each of the NJCAA certified sports that the college sponsors as a varsity sport. The Eligibility Chairman, Registrar, or Dean, and the Athletic Director must sign the form. The original form must be sent to the NJCAA office, with a copy sent to the regional director.
- B. Each eligibility form must carry the college seal.
- C. Attached to the eligibility form shall be the appropriate sports schedule, transcripts for all transfer students, and all other additional documents certifying the student's eligibility. Transcripts are not required if the student has served the probation time prior to their athletic participation at the college where they will be participating.
- D. **Deadline for Certifying Eligibility Forms**
  1. The forms must be postmarked either on or before the first regularly scheduled contest or twenty-one (21) calendar days after the beginning of the term in which the sport begins.
  2. If the first scheduled contest of a sport begins between terms, the eligibility form is due twenty-one (21) calendar days from the date of the first contest.
  3. If the regular season schedule of a sport extends past the last day of the term and continues beyond the twentieth (20th) calendar day after the term ends, a second eligibility form for that sport is due within twenty-one (21) calendar days after the beginning of the next term (Refer to Section 12-d-2.)
  4. A college that does not conduct any scheduled events before a regional or national tournament, must submit completed eligibility forms which must be approved in advance of the deadline dates established in 12.a.
  5. Any college which submits an eligibility form past the deadline shall forfeit all games played prior to the postmark date which appears on the envelope used for mailing the forms to the Regional Director and the NJCAA National Office. Any college failing to submit an eligibility form for the entire season shall be subject to disciplinary action by the NJCAA National Office.
- E. Any college whose eligibility information has not been granted final approval by the National Office of Eligibility prior to the deadline dates established in Section 12.a. will not be allowed to participate in any post season events.
- F. The NJCAA National Office may request an official transcript from any member NJCAA college.

### **Section 14. SCRIMMAGE DEFINITION**

- A. A scrimmage is a contest which is conducted to prepare a team for regular season competition. An eligibility form is not required if the scrimmage rules listed below are followed:
  1. The contest must not be a part of the official schedule as published by the intercollegiate athletic department.
  2. No awards of any kind may be given to the participants.
  3. No championship play of any kind may be carried on.

### **Section 15. CLUB TEAM**

- A. Any one of the NJCAA certified sports may be declared by the college administration as a club sport. Such declaration shall be made on an NJCAA Club Form prior to the beginning of a season schedule. Included on the form shall be a roster of the participants on the team. One copy of the form shall be sent to the Regional Director and another copy to the NJCAA Office. **USE NJCAA CLUB FORM**
- B. The NJCAA shall have no jurisdiction over a club team. A club team will not be eligible for competition at regional or national events and will not receive any NJCAA recognition.
- C. Individuals who are participating on a designated club team in the sports of bowling, cross-country, golf, indoor track and field, outdoor track and field, swimming, tennis, or wrestling may participate in Regional qualifying events or a National Championship/Invitational event provided the students satisfy NJCAA rules and regulations during the entire club schedule. Only individual performances shall be recognized (including relays) and shall not be figured into the overall team standings. An eligibility form shall be submitted to the National Office and the Regional Director in advance of the deadline dates established in Section 12.a.
- D. A college can not sponsor a club team and a varsity team in the same sport during the same academic year in an NJCAA certified sport, i.e., a team can not be a club team during the fall season and a varsity team in the spring season.
- E. Participation on a designated collegiate club team in an NJCAA certified sport shall constitute one (1) season of participation.

### **Section 16. STUDENT PARTICIPATION IN ALL-STAR AND OPEN COMPETITION**

- A. For every all-star game or international contest which a member college sponsors, an NJCAA Athletic Event Questionnaire shall be on file with the NJCAA National Office.
- B. No member college shall permit any employee to participate directly or indirectly, in the management, coaching, officiating, supervision, promotion, or player selection of an all-star team

or tem engaged in international competition unless the NJCAA Athletic Event Questionnaire is on file with the NJCAA National Office. Facilities of a member college can be made available only if the contest is filed with the NJCAA on an NJCAA Athletic Event Questionnaire.

- C. While the season of any sport is in progress, as determined by the published schedule of the college, students shall not participate in that same sport for any other team except in the following sports: bowling, golf and tennis. (Season of any sport shall include the regional and national tournaments in which the college may be participating.)
- D. Any open competition in any one of the NJCAA sponsored sports which students enter as representatives of a member college shall be listed on the published schedule of the college and the students must satisfy the NJCAA Rules of Eligibility.
- E. Students not representing the NJCAA college may participate unattached in “open” or “exhibition” competition without an NJCAA Athletic Event Questionnaire on file. A college shall not furnish any assistance (equipment, transportation, lodging or meals) for athletes to participate in such events.
- F. In order for student’s to participate in athletic events such as all-star games, an NJCAA Athletic Event Questionnaire must be on file with the NJCAA National Office.
- G. Violation of this section may subject students to disciplinary action. The penalty shall be imposed by the Office of Eligibility and may include termination of future eligibility in activities sponsored by the NJCAA.
- H. Violation of this section shall result in the offending college being placed on probation for a period of one year. The member college may not participate in any competition sponsored by the NJCAA during the probationary period.
- I. A student-athlete may participate in official tryouts/trials involving national teams sponsored by the appropriate national governing body of the US Olympic Committee. During such tryouts/trials, the student-athlete may not represent an NJCAA member college. The NJCAA college shall not furnish any assistance (equipment, transportation, lodging or meals) for student-athletes to participate in such events.

**Section 17. PENALTY FOR VIOLATION OF ELIGIBILITY RULES**

- A. A member college which uses an ineligible student, whether knowingly or not, shall forfeit all contests in which such ineligible student participated.
- B. If a member college uses an ineligible student or violates any other section of Article V, they shall in addition to the forfeiture of their athletic contests, be subject to further penalty as the National Office deems advisable under the circumstances. The maximum penalty which the Office of Eligibility may impose will be forfeiture- by the member college of the right to participate in Regional and/or NJCAA sponsored tournaments, meets and games, in one or more sports, for a period of one calendar year, commencing on the date of the last scheduled contest of the sport in which the violation occurred. During the time the penalty is in effect, the member college shall be deemed to be on athletic probation in the sport or sports covered by the penalty. At the end of the probationary period, the member college shall request that it be taken off probation. Such request shall be made in writing to the Office of Eligibility and the Executive Committee, which by majority vote, shall grant the request or continue the member college on probation for a period not to exceed one additional year. At the end of such time, the additional probationary period shall be automatically terminated. During the probationary period, neither the causative individual(s) nor the team(s) shall be eligible for regional and/or NJCAA honors.
- C. If an investigation of eligibility is initiated by a member college of the NJCAA, the costs so involved will be borne by the college which initiates the investigation if the student or students so involved are found eligible, and if found ineligible, by the college in which the students are enrolled.

**Section 18. ELIGIBILITY RULE CHANGES**

Additions, deletions, and corrections to the Rules of Eligibility shall be voted upon every year at the NJCAA Annual Meeting.

## **Section 19. Sport Procedures**

Sport procedures guidelines regulate each NJCAA certified sport.

The sport procedures include established limits.

1. Starting date for practice.
2. Starting date for games
3. Ending date for practice and/or games.
4. Number of contest allowed per season.
5. Number of scrimmages allowed per season.
6. Number of Letters of Intent per year.
7. Number of Scholarships in the sport at any given time.
8. Signing date for each sport (Letter of Intent).
9. **Division I and II member colleges:** Requiring athletic aid and the number of allowable scholarships offered to student-athletes who are not U.S. citizens or permanent resident\* athletes, be no more than one-quarter of the total number of scholarships allowed by NJCAA rules in that particular sport. \*Defined as the holder of a Green Card.

**Note: Sport Procedures for each season are listed as follows:**



- ◆ The numbers listed above are the same for each division (I, II & III), with the exception of the number of scholarships column.
  - Division I may grant the number of scholarships listed above.
  - Division II may grant the number listed above, but are limited to tuition, fees and books.
  - Division III may not offer athletic scholarships.
  - NOTE: See Article VI, Section 9 for NJCAA athletic scholarship guidelines.

\*\*\*Number in categories are separate for men and women.

\*\*Number of contests refers to regular season games only, and does not include post-season competition.

- ◆ **Division I and II member colleges:** Requiring athletic aid and the number of allowable scholarships offered to student-athletes who are not U.S. citizens or permanent resident\* athletes, be no more than one-quarter of the total number of scholarships allowed by NJCAA rules in that particular sport. \*Defined as the holder of a Green Card

An “Athletic Scholarship” is defined as any financial assistance awarded to the student/athlete, from any source, because of his/her athletic capabilities and is considered to be counter under Article V, Section 19. The Letter of Intent/Scholarship Agreement form shall be prescribed by the NJCAA and shall be in effect for one (1) academic year. An “academic year” is defined as August 1<sup>st</sup> to July 31<sup>st</sup> of the following year.

Definition of “Administered”: The financial assistance awarded to a student-athlete, regardless of source (e.g. college, booster club, foundation, civic groups, private citizen, etc.) must be officially recorded in and disbursed by the college’s office of financial aid, and business office.

## ARTICLE VI

### NJCAA POLICY STATEMENTS

#### Section 1. **HIGH SCHOOL TRYOUTS/AUDITIONS**

Before allowing a high school student to try out, a member college shall determine if tryouts are allowed by the existing State High School Activities Association regulations in the athlete's home state.

#### Section 2. **PARTICIPATION OF FALL TOURNAMENT QUALIFIERS IN SPRING NATIONAL CHAMPIONSHIPS**

A student who qualified through a Fall Tournament for participation in a Spring National Championship, may participate in the Championship provided he/she is enrolled as a full-time student at the college which he/she qualifies during the semester or quarter that the Spring National Championship is held.

#### Section 3. **SUBSTITUTIONS FOR NATIONAL CHAMPIONSHIP**

- A. Where National qualifying is done by a set standard (track, swimming, etc.) there shall be no substitution allowed.
- B. Where national qualifying is done on the basis of team play (basketball, baseball, etc.) anyone listed on the NJCAA eligibility form shall be allowed to be used as a substitute.
- C. If a student qualifies as an individual winner and is also a member of a winning team (golf medalist and a member of the winning team, top individual qualifier in cross country race and a member of the winning team, etc.) substitution shall be allowed only for team competition. No substitution shall be allowed for the individual competitor.

#### Section 4. **NJCAA COMPETITION IN REGULAR AND POST SEASON**

- A. The NJCAA will allow women to participate with men on the same team providing that the female participant or participants are otherwise qualified under NJCAA regulations and further providing that said participating college or institution does not have a women's team in such sport or category
- B. Males are not allowed to participate on women's teams in any sport.
- C. Those women listed on a men's eligibility form may participate in the men's regional/national tournament unless the National Office is notified prior to the beginning of the regular season that the student-athlete will participate in women's post-season play. This declaration must be signed by the athletics director and the student-athlete.

Section 5. **ALUMNI GAMES**

Alumni games are not considered as regular season contests of a college sport. These games shall not be figured into the college's records or statistics.

Section 6. **POST SEASON COMPETITION**

A. Once a college team begins post-season competition leading up to a National Championship, the team shall not participate in post-season competition with another organization. If a college chooses to not participate in NJCAA post-season competition, the team may participate in post-season competition with another organization, if advance notice is given to the Regional Director and the National Office. Penalty for violation of this section by an NJCAA member college shall result in the offending college being placed on probation for a period of one year. The member college may not participate in any competition sponsored by the NJCAA during the probationary period.

B. All regional post season events will be at the direction of the Regional Director.

Section 7. **SAFETY**

In any recognized sport where there is a significant risk of oral and/or facial injury, the NJCAA endorses the use of protective oral/facial equipment by the athletes.

Section 8. **TELEPHONE INQUIRIES TO THE NATIONAL OFFICE.**

Each College must designate two (2) representatives from their college that may telephone the NJCAA National Office. Only those representatives listed will be allowed access to an Office Administrator. In addition to the representatives listed, the College President may gain access.

Section 9. **ATHLETIC SCHOLARSHIP GUIDELINES FOR DIVISIONAL PLAY**

Division I - A maximum of tuition and fees, room and board, book and course related material and transportation costs one time per academic year to and from the college by direct route.

Division II - A maximum of tuition, fees, **and** books. (Division II scholarships can not include room and/or board through a fee or any other system.)

Division III - No athletic scholarship aid of any kind.

**NOTE:** Divisional play is by sport not by college program. The number of allowable scholarships for each sport in each division is listed in the sports procedures section of the NJCAA Handbook.

Section 10. The NJCAA supports the philosophical ideal of the student-athlete by recommending to all member colleges that in-season practices and contests be limited to twenty hours per week.

Section 11. Housing arrangements with any member of the coaching staff of any type are not permitted within the NJCAA. (Refer to NJCAA Casebook, Article VIII Part A Section V, Cases 1 and 5)

## **Article VII**

### **Procedures for Appeal**

#### **Section 1. GENERAL**

- A. Procedures set forth in this Article VII are the sole methods for challenge of decisions of the National Office and the Executive Committee. No member college or any of its athletes or employees can institute any suit at law or in equity or seek any court injunction or restraining order concerning any dispute or controversy involving the NJCAA enforcement or interpretation of any of the Bylaws, rules, or regulations of the NJCAA or any sanctions imposed by the NJCAA.
- B. Only member colleges may challenge the interpretation and enforcement of the Bylaws, rules, and regulations of the NJCAA and they may do so only pursuant to and in the manner set forth by the provisions of this Article VII. No individual coach, athlete, booster club, or other entity affiliated directly or indirectly with the member college shall have any standing to challenge a decision of the NJCAA.
- C. As a condition to membership in the NJCAA, each member college consents to be bound by the provisions of this Article VII. Any member college who institutes any suit at law or in equity or seeks any court injunction or restraining order against the NJCAA in connection with the interpretation or enforcement of the Bylaws, rules, and regulations of the NJCAA or sanctions imposed by the NJCAA shall be subject to sanctions, penalties, expulsion, fines, probations, or other penalties as may be prescribed by the Executive Committee of the NJCAA.

#### **Section 2. AUTHORITY OF THE NATIONAL OFFICE**

- A. All decisions concerning challenges and/or questions of the interpretation and the enforcement of the Bylaws, rules, and regulations of the NJCAA shall be made in the first instance by the NJCAA National Office.
- B. Questions concerning the interpretation or enforcement of the Bylaws, rules, and regulations shall be made in writing to the National Office. Such questions shall set forth in detail the facts giving rise to the question, including but not limited to the name and address of the member college presenting the question, the name and address of each college involved in the question, any background facts involved in the question, and the citation of the NJCAA Bylaws, rules, and regulations involved in the question. Such request for decision concerning questions must be signed by either the president of the member college posing the question or the athletic director for that college.
- C. Challenges to the interpretation or the enforcement of the NJCAA Bylaws, rules, and regulations shall set forth in detail the name and address of the member college presenting the challenge, the factual basis for the challenge, the jurisdictional basis of the challenge, citation of the Bylaws, rules, and regulations involved in the challenge, name and address of any other member college that would be affected by the challenge, and any documentation to support the challenge.
- D. The National Office shall provide its written decision concerning any such questions or challenge to the member college presenting the question or challenge and to the Regional Director for the region in which the presenting college is located. The written decision shall set forth:
  - 1. The decision of the National Office.
  - 2. The jurisdictional basis for the decision.
  - 3. The citation of the NJCAA Bylaws, rules, and regulations involved in the decision.
  - 4. Any other matter deemed appropriate by the National Office.In addition, in the event that the decision of the NJCAA affects any other member college, a copy of the written decision of the NJCAA shall be provided to such affected college and the Regional Director for the region in which the affected college is located.

In the event that upon receipt of a question or challenge from a college, the National Office determines that further information or documentation is necessary, the National Office may delay its decision until such other information or documentation is received by the National Office.

- E. The written decision of the National Office shall be effective, final, and enforced immediately, subject to the following provisions of this Article VII.

**Section 3.**

**APPEAL TO THE EXECUTIVE COMMITTEE**

- A. Any member college affected by a decision of the National Office shall have a right to appeal that decision to the Executive Committee of the NJCAA.
- B. The request for appeal must be sent to the Executive Director of the NJCAA, with a copy to the Regional Director for the region where the appealing college is located. The request for appeal to the Executive Committee must be in writing and must be received by the Executive Director within fifteen (15) calendar days from the date of the written decision by the National Office. The request for appeal must be signed by the president of the appealing college and set forth in detail the appealing college's basis for challenging the decision of the National Office. The appealing college may attach any documentation it deems appropriate to its request for appeal.
- C. The appealing college may present its appeal in writing to the Executive Committee or may request an oral hearing. Oral hearings before the Executive Committee may only be had at the time of regularly scheduled meetings of the Executive Committee and at the location determined by the Executive Committee for its meeting.
- D. In its request for appeal, the appealing college must notify the Executive Director whether the college desires an oral hearing or a written appeal. In the event the appealing college fails to notify the Executive Director of whether it desires an oral hearing on its appeal, it will be conclusively presumed that the appealing college waives such oral hearing.
- E. The appealing college's request for appeal shall set forth the factual basis for its appeal, including all defenses it deems appropriate. The appealing college shall set forth in detail each Bylaw and/or rule and regulation of the NJCAA involved in its appeal and list specific reasons why the decision of the National Office should be reversed. The National Office shall forward the appealing college's written presentation to each of the members of the Executive Committee in a reasonable and timely manner. The National Office may also provide its own written information concerning the matter to the Executive Committee members. A copy of the package of material sent to the Executive Committee members (including the appealing college's written presentation and any additional written information from the National Office) shall be sent to the appealing college by certified mail, return receipt requested, at the same time the package is sent to the Executive Committee members.
- F. In the event that an appealing college has requested an oral hearing, the hearing shall be held for the Executive Committee with the following procedures:
  - 1. The President of the Executive Committee shall act as presiding officer at the hearing. In the absence of the President, a majority of the Executive Committee members present shall select the presiding officer among themselves.
  - 2. At all oral hearings, the appealing college may be represented only by an employee of the college and the student-athlete at the oral hearing may only be represented by either an employee of the appealing college or by the student-athlete himself or herself. Either the appealing college or the student-athlete or both may have legal counsel present to advise them, but such legal counsel may not make presentation directly to the Executive Committee at the oral hearing.
  - 3. The appealing college shall present its relevant evidence (witnesses and documentation). The National Office will have the right to cross examine any witness presented by the appealing college.
  - 4. After the appealing college has presented its relevant evidence, the

- National Office shall have the right to present any relevant evidence it deems appropriate. The appealing college shall have the right to cross-examine any witness presented by the National Office.
5. All proceedings occurring during the oral hearing shall be transcribed by a certified court reporter, and the costs of such certified court reporter shall be shared equally by the appealing college and the National Office. The appealing college shall be responsible for its costs and expenses, including the costs and expenses of any witnesses presented by it, and the National Office shall be responsible for its costs and expenses, including the costs and expenses of any witnesses presented by the National Office.
  - G. In the event an appealing college withdraws its appeal after submitting a request for appeal in writing to the Executive Director, the appealing college shall be responsible for all costs incurred by the National Office in connection with the appeal to the date of withdrawal.
  - H. In the event of an oral appeal, a decision will be reached by roll call vote of the Executive Committee members present.
  - I. Decisions of the Executive Committee concerning the appeal shall be in writing. In cases where there is no oral hearing, the decision of the Executive Committee shall be due within fourteen (14) days from the date the appealing college's written presentation is received by the Executive Director of the NJCAA, as set forth above. In cases where oral hearing is had before the Executive Committee, a decision of the Executive Committee shall be due within seven (7) days after the date the said oral hearing is completed. A copy of such written decision shall be furnished to the appealing college and the Regional Director for the region in which the appealing college is located. A copy of the decision may also be furnished to any other college directly affected by the decision at the discretion of the Executive Director of the NJCAA.
  - J. Unless a majority of the total number of the members of the Executive Committee vote to overturn the decision of the National Office, the appeal will be denied. Majority shall mean the majority of all of the members of the Executive Committee, not just a majority of those members who actually vote.

**Section 4. ARBITRATION**

- A. A member college may appeal a decision of the Executive Committee. The sole method for appeal of a decision by the Executive Committee shall be by arbitration administered by the American Arbitration Association (AAA) or such other arbitration service as selected by the National Office. No suit at law or in equity, or for an injunction or a restraining order shall be instituted by a member college to overturn, set aside, or stay a decision by the Executive Committee or the National Office.
- B. Any member college appealing the decision of the Executive Committee must submit a written notice of such appeal upon the Executive Committee, through the Executive Director of the NJCAA, demanding arbitration. Such written notice must be signed by the president of the college and delivered to the Executive Director of the NJCAA no later than twenty (20) days from the date the decision of the Executive Committee which is being appealed was rendered. Such written notice shall set forth the name and address of the appealing college and the factual and legal basis for the appeal.
- C. Upon receipt of the written notice of appeal from the appealing college, the Executive Director of the NJCAA shall select an arbitration service to hear the appeal. The Executive Director shall request that the arbitration service provide a panel of three (3) potential arbitrators qualified to hear the appeal. Upon receipt of the panel of potential arbitrators, the Executive Director shall supply a copy of the same to the appealing college. The arbitrators shall be selected by the following method: The appealing college shall strike one name from the panel, thereafter the Executive Director acting on behalf of the Executive Committee shall strike one name, and this alternating procedure

shall be repeated until only one arbitrator remains from the panel. Such arbitrator selected by the foregoing method shall be the arbitrator for the appeal. The selection of the arbitrator using the foregoing method shall be completed within seven (7) days after the Executive Director has received the panel of potential arbitrators from the arbitration service.

- D . After consultation with the parties, the arbitrators shall appoint a time and date for the hearing of the appeal and cause notification of such time and date to be sent to the parties by certified or registered mail, return receipt requested, not less than five (5) days before the hearing. Appearance at the hearing waives such notice. The hearing of the appeal shall be conducted at the NJCAA offices in Colorado Springs, Colorado. The parties shall share equally the fees and costs of the arbitration service, the arbitrator, and the certified court reporter who will record the arbitration proceedings. Each party shall be responsible for the fees and costs of its own representatives and witnesses, including but not limited to the fees and costs for transportation, food, and lodging for such representatives and witnesses.
- E. The hearing shall be conducted in accordance with the following rules:
- 1 . The appealing college shall be the appellant and the NJCAA shall be the appellee.
  2. The burden of proof in said proceedings shall be on the appellant.
  3. The taking of testimony, presentation of argument and evidence, and all other procedures at the arbitration hearing shall, as far as the arbitrator deems practical, be governed by the usual rules applied in the courts of the State of Colorado.
  4. At least five (5) days prior to the hearing date, each party shall submit to the arbitrator (with a copy to the other party) a written brief containing, among other things, a statement of facts, a statement of the issues, a statement of the position of the party with respect to such issues, the argument(s) in support of such party's position, a list of potential witnesses who may be called by the party at the hearing, and a list of potential exhibits to be presented by the party at the hearing. The arbitrator for good cause may extend the time for filing the briefs.
  5. The hearing shall be opened by the arbitrator noting the date, time, and place of the hearing and the presence of the arbitrator, the parties, and their representatives. The arbitrator may ask for statements to clarify any issues involved. The appellant shall then present its evidence to support its appeal on why the decision of the Executive Committee should be overturned. Thereafter, the NJCAA shall present its evidence supporting the decision of the Executive Committee. Witnesses for each party shall submit to questions (in both direct examination and cross-examination and examination by the arbitrator). The arbitrator may receive into evidence any exhibits offered by either party.
  6. The hearing shall be recorded by a certified court reporter.
  7. The hearing may proceed in the absence of any party or its representative who, after due notice, fails to be present or fails to obtain a postponement. The arbitrator may hear and determine the appeal upon the evidence produced notwithstanding the failure of a party duly notified to appear.
  8. The arbitrator may adjourn the hearing from time to time as necessary and, on request of a party and for good cause, or upon the arbitrator's own motion, may postpone the hearing.
  9. The decision by the arbitrator shall be in writing and a copy of the same shall be delivered to each of the parties no later than thirty (30) days after the hearing is completed. The decision of the arbitrator shall be made in accordance with the Articles of Incorporation, Constitution, Bylaws, and rules and regulations of the NJCAA. The arbitrator shall not have the authority to amend, modify, or add to the

specific provisions of the Articles of Incorporation, Bylaws, or rules and regulations of the NJCAA. The arbitrator shall not have the authority to amend or change a restriction or sanction imposed by the NJCAA on the appealing college.

10. The arbitrator's decision shall be final and binding upon the parties unless the decision is procured by corruption or fraud, or the arbitrator exceeded the arbitrator's powers as set forth herein.