

2010-11 NCAA®

DIVISION I MANUAL

EFFECTIVE
AUGUST 1, 2010

CONSTITUTION
OPERATING BYLAWS
ADMINISTRATIVE BYLAWS



- (c) The recipient, if recruited, is subject to NCAA transfer provisions pursuant to Bylaw 14.5.2-(h), unless admission to the institution as a full-time student is denied; *(Revised: 4/26/01)*
- (d) During the summer term or orientation period, the recipient shall not engage in any countable athletically related activities except for those activities specifically permitted in Bylaw 17 (see Bylaws 17.1.1 and 17.1.1.1); and *(Revised: 3/14/05)*
- (e) Summer coursework is not used for the purpose of completing initial-eligibility or continuing-eligibility (transfer eligibility, progress toward degree) requirements. However, the hours earned during the summer prior to initial full-time enrollment at the certifying institution may be used to satisfy the applicable progress-toward-degree requirements in following years (see Bylaw 14.4.3). *(Revised: 6/21/01, 3/10/04)*

15.2.8.2 Separate Award Required. It is necessary to make an additional award for a summer term, inasmuch as a member institution is limited to the award of financial aid for a period not in excess of one academic year.

15.2.8.3 Branch School. An institution may not provide a student-athlete with financial aid to attend a summer session at a branch campus of the institution.

15.2.8.4 Olympic Waivers. Waivers of the restriction that financial aid may be used only to attend the awarding institution's summer term or summer school may be approved by the Legislative Council Subcommittee for Legislative Relief for member institutions that have summer terms or summer schools curtailed because of the use of their facilities for the Olympic Games. *(Revised: 11/1/07 effective 8/1/08)*

15.3 TERMS AND CONDITIONS OF AWARDING INSTITUTIONAL FINANCIAL AID

15.3.1 Eligibility of Student-Athletes for Financial Aid. Institutional financial aid may be awarded for any term during which a student-athlete is in regular attendance as an undergraduate with eligibility remaining under Bylaw 14.2, or within six years after initial enrollment in a collegiate institution (provided the student does not receive such aid for more than five years during that period), or as a graduate eligible under Bylaw 14.1.9.

15.3.1.1 Applicable Requirements. A student-athlete must meet applicable NCAA (see Bylaw 14), conference and institutional regulations to be eligible for institutional financial aid (see Bylaws 15.01.5 and 15.01.6). A violation of this bylaw that relates only to a violation of a conference rule shall be considered an institutional violation per Constitution 2.8.1; however, such a violation shall not affect the student-athlete's eligibility. *(Revised: 10/27/06)*

15.3.1.2 Withdrawal from Institution. A student-athlete who withdraws from the institution may not receive financial aid during the remainder of the term.

15.3.1.3 Retroactive Financial Aid. Institutional financial aid awarded to an enrolled student-athlete after the first day of classes in any term may not exceed the remaining room and board charges and educational expenses for that term and may not be made retroactive to the beginning of that term.

15.3.1.4 Institutional Financial Aid to Professional Athlete. It is permissible to award institutional financial aid to a student-athlete who is under contract to or currently receiving compensation from a professional sports organization in the same sport, provided the student-athlete has completed his or her four seasons of competition, the student-athlete receives no more than five years of unearned aid and such aid is received within six years after initial collegiate enrollment. A professional athlete in one sport may represent a member institution in a different sport and may receive institutional financial assistance in the second sport. *(Revised: 8/11/98, 4/26/01, 4/27/06 effective 8/1/06)*

15.3.1.4.1 Exception for Former Professional Athlete in the Same Sport. A former professional athlete may receive institutional financial aid in the same sport, provided the following conditions are met: *(Revised: 4/27/06 effective 8/1/06)*

- (a) The student-athlete no longer is involved in professional athletics;
- (b) The student-athlete is not receiving any remuneration from a professional sports organization; and
- (c) The student-athlete has no active contractual relationship with any professional athletics team, although the student-athlete may remain bound by an option clause [a clause in the contract that requires assignment to a particular team if the student-athlete's professional athletics career is resumed, as opposed to a clause that suspends the contractual relationship only for a specified period of time (e.g., during the academic year while the professional athletics team is not competing) and permits the contractual relationship to be reinstated by the student-athlete or the professional athletics team or organization]. *(Revised: 2/16/00)*

15.3.2 Terms of Institutional Financial Aid Award.

15.3.2.1 Conformance to Institutional and Conference Regulations. Financial aid awarded by an institution to a student-athlete shall conform to the rules and regulations of the awarding institution and of that institution's conference(s), if any. A violation of this bylaw that relates only to a violation of a conference rule

shall be considered an institutional violation per Constitution 2.8.1; however, such a violation shall not affect the student-athlete's eligibility. *(Revised: 10/27/06)*

15.3.2.2 Physical Condition of Student-Athlete. Financial aid awarded to a prospective student-athlete may not be conditioned on the recipient reporting in satisfactory physical condition. If a student-athlete has been accepted for admission and awarded financial aid, the institution shall be committed for the term of the original award, even if the student-athlete's physical condition prevents him or her from participating in intercollegiate athletics.

15.3.2.3 Written Statement Requirement. In all cases, the institutional agency making the financial aid award shall give the recipient a written statement of the amount, duration, conditions and terms of the award. The chair of the regular committee or other agency for the awarding of financial aid to students generally, or the chair's official designee, shall sign or electronically authorize (e.g., electronic signature) the written statement. The signature of the athletics director, attesting to the committee's award, does not satisfy this requirement. *(Revised: 3/10/04)*

15.3.2.4 Hearing Opportunity. The institution's regular financial aid authority shall notify the student-athlete in writing of the opportunity for a hearing when institutional financial aid based in any degree on athletics ability is to be reduced or canceled during the period of the award, or is reduced or not renewed for the following academic year. The institution shall have established reasonable procedures for promptly hearing such a request and shall not delegate the responsibility for conducting the hearing to the university's athletics department or its faculty athletics committee. The written notification of the opportunity for a hearing shall include a copy of the institution's established policies and procedures for conducting the required hearing, including the deadline by which a student-athlete must request such a hearing. *(Revised: 1/9/06 effective 8/1/06, 4/3/07, 4/23/08)*

15.3.2.4.1 Athletics Department Staff as Member of Committee. An institution's athletics department staff member may be a member of a committee (other than an athletics department or faculty athletics committee) that conducts hearings related to the nonrenewal or reduction of a student-athlete's financial aid. Under such circumstances, the athletics department staff member must be a standing member of the committee and may not serve as a member of a committee only for a specific student-athlete's hearing. *(Adopted: 4/3/07)*

15.3.3 Period of Institutional Financial Aid Award.

15.3.3.1 One-Year Period. If a student's athletics ability is considered in any degree in awarding financial aid, such aid shall neither be awarded for a period in excess of one academic year nor for a period less than one academic year (see Bylaw 15.01.5). *(Revised: 4/27/06 effective 8/1/06)*

15.3.3.1.1 Exceptions. An institution may award athletically related financial aid to a student-athlete for a period of less than one academic year only under the following circumstances: *(Adopted: 4/27/06 effective 8/1/06)*

- (a) **Midyear Enrollment.** A student-athlete whose first full-time attendance at the certifying institution, during a particular academic year occurs at midyear (e.g., the beginning of the second semester or second or third quarter of an academic year) may receive a financial aid award for the remainder of that academic year. *(Revised: 5/9/06)*
- (b) **Final Semester/Quarter.** A student-athlete may receive athletically related financial aid for less than one academic year, provided the student is in the final semester or final two quarters of his or her degree program and the institution certifies that the student is carrying (for credit) the courses necessary to complete the degree requirements.
- (c) **One-Time Exception.** One time during a student-athlete's enrollment at the certifying institution he or she may be awarded athletics aid for less than a full academic year, provided the student-athlete has been enrolled full time at the certifying institution for at least one regular academic term and has not previously received athletically related financial aid from the certifying institution. *(Revised: 5/19/09)*
- (d) **Eligibility Exhausted/Medical Noncounter.** A student-athlete who has exhausted eligibility and is exempt from counting (per Bylaw 15.5.1.6) in the institution's financial aid limit, or a student-athlete who is exempt from counting (per Bylaw 15.5.1.3) due to an injury or illness may receive athletically related financial aid for less than one academic year. If an institution awards aid under this provision, the institutional financial aid agreement shall include specific nonathletically related conditions (e.g., academic requirements) the student-athlete must satisfy in order for the aid to be renewed for the next academic term or terms. If the student-athlete satisfies the specified conditions, the institution shall award financial aid at the same amount for the next term or terms of the academic year. If the student-athlete does not satisfy the specified conditions, he or she must be provided a hearing opportunity per Bylaw 15.3.2.4. *(Adopted: 4/24/08 effective 8/1/08)*

15.3.3.1.2 Financial Aid Authority Precedent. A staff member may inform a prospective student-athlete that the athletics department will recommend to the financial aid authority that the prospective student-athlete's financial aid be renewed each year for a period of four years and may indicate that the

authority always has followed the athletics department's recommendations in the past. However, the prospective student-athlete must be informed that the renewal will not be automatic.

15.3.3.1.3 Injury or Illness Policy. It is not permissible for an institution to assure the prospective student-athlete that it automatically will continue a grant-in-aid past the one-year period if the recipient sustains an injury that prevents him or her from competing in intercollegiate athletics, but an institutional representative may inform the prospective student-athlete of the regular institutional policy related to renewal or continuation of aid past the one-year period for recipients who become ill or injured during their participation.

15.3.3.1.4 Effect of Violation. A violation of Bylaw 15.3.3.1 in which financial aid is awarded for a period of less than one academic year shall be considered an institutional violation per Constitution 2.8.1; however, the prospective student-athlete or student-athlete's eligibility shall not be affected. *(Adopted: 10/29/09)*

15.3.3.2 Regular Academic Year vs. Summer Term. An institution may award financial aid to a student-athlete for an academic year or, pursuant to the exceptions set forth in Bylaw 15.3.3.1.1, part thereof. An institution also may award financial aid for a summer term or summer-orientation period, provided the conditions of Bylaw 15.2.8 have been met. Such financial aid shall be awarded (as set forth in the written statement per Bylaw 15.3.2.3) in equal amounts for each term of the academic year. *(Revised: 4/27/06 effective 8/1/06)*

15.3.3.2.1 Summer Term as Additional Award. It is necessary to make an additional award for a summer term, inasmuch as a member institution is limited to the award of financial aid for a period not in excess of one academic year.

15.3.4 Reduction or Cancellation during Period of Award.

15.3.4.1 Increase Permitted. Institutional financial aid may be increased for any reason prior to the commencement of the period of the award. Once the period of the award begins, institutional aid may only be increased if the institution can demonstrate that such an increase is unrelated in any manner to an athletics reason. *(Adopted: 1/11/94, Revised: 2/26/03, 4/23/08)*

15.3.4.2 Reduction or Cancellation Permitted. Institutional financial aid based in any degree on athletics ability may be reduced or canceled during the period of the award if the recipient: *(Revised: 1/11/94, 1/10/95)*

- (a) Renders himself or herself ineligible for intercollegiate competition;
- (b) Fraudulently misrepresents any information on an application, letter of intent or financial aid agreement (see Bylaw 15.3.4.2.3);
- (c) Engages in serious misconduct warranting substantial disciplinary penalty (see Bylaw 15.3.4.2.4); or
- (d) Voluntarily (on his or her own initiative) withdraws from a sport at any time for personal reasons; however, the recipient's financial aid may not be awarded to another student-athlete in the academic term in which the aid was reduced or canceled. A student-athlete's request for written permission to contact another four-year collegiate institution regarding a possible transfer does not constitute a voluntary withdrawal. *(Revised: 1/10/92, 1/11/94, 1/10/95, 1/9/96, 12/13/05, 9/11/07)*

15.3.4.2.1 Timing of Reduction or Cancellation. Any reduction or cancellation of aid during the period of the award may occur only after the student-athlete has been provided an opportunity for a hearing per Bylaw 15.3.2.4. *(Adopted: 5/15/07, Revised: 4/23/08)*

15.3.4.2.2 Nonathletically Related Conditions. An institutional financial aid agreement may include nonathletically related conditions (e.g., compliance with academics policies or standards, compliance with athletics department rules or policies) by which the aid may be reduced or canceled during the period of the award. *(Adopted: 4/23/08)*

15.3.4.2.3 Fraudulent Misrepresentation. If a student-athlete is awarded institutional financial aid on the basis of declaring intention to participate in a particular sport by signing a letter of intent, application or tender, action on the part of the grantee not to participate (either by not reporting for practice or after making only token appearances as determined by the institution) would constitute fraudulent misrepresentation of information on the grantee's application, letter of intent or financial aid agreement and would permit the institution to cancel or reduce the financial aid. *(Revised: 1/11/94)*

15.3.4.2.4 Misconduct. An institution may cancel or reduce the financial aid of a student-athlete who is found to have engaged in misconduct by the university's regular student disciplinary authority, even if the loss-of-aid requirement does not apply to the student body in general. *(Revised: 1/11/94)*

15.3.4.3 Reduction or Cancellation Not Permitted. Institutional financial aid based in any degree on athletics ability may not be reduced or canceled during the period of its award: *(Adopted: 1/16/93, Revised: 1/11/94, 12/11/07)*

- (a) On the basis of a student-athlete's athletics ability, performance or contribution to a team's success;
- (b) Because of an injury, illness, or physical or mental medical condition (except as permitted pursuant to Bylaw 15.3.4.2); or *(Revised: 1/14/08)*
- (c) For any other athletics reason.

15.3.4.3.1 Athletically Related Condition Prohibition. An institution may not set forth an athletically related condition (e.g., financial aid contingent upon specified performance or playing a specific position) that would permit the institution to reduce or cancel the student-athlete's financial aid during the period of the award if the conditions are not satisfied. *(Adopted: 1/16/93, Revised: 1/11/94)*

15.3.4.3.2 Decrease Not Permitted. An institution may not decrease a prospective student-athlete's or a student-athlete's financial aid from the time the prospective student-athlete or student-athlete signs the financial aid award letter until the conclusion of the period set forth in the financial aid agreement, except under the conditions set forth in Bylaw 15.3.4.2. *(Adopted: 1/11/94, Revised: 4/2/03 effective 8/1/03)*

15.3.5 Renewals and Nonrenewals.

15.3.5.1 Institutional Obligation. The renewal of institutional financial aid based in any degree on athletics ability shall be made on or before July 1 prior to the academic year in which it is to be effective. The institution shall promptly notify in writing each student-athlete who received an award the previous academic year and who has eligibility remaining in the sport in which financial aid was awarded the previous academic year (under Bylaw 14.2) whether the grant has been renewed or not renewed for the ensuing academic year. Notification of financial aid renewals and nonrenewals must come from the institution's regular financial aid authority and not from the institution's athletics department. *(Revised: 1/10/95)*

15.3.5.2 Reconsideration of Nonrenewal. It is permissible for an institution that has notified a student-athlete that he or she will not be provided institutional financial aid for the next academic year subsequently to award financial aid to that student-athlete.

15.5 MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT

15.5.1 Counters. A student-athlete shall be a counter and included in the maximum awards limitations set forth in this bylaw under the following conditions: *(Revised: 6/10/04)*

- (a) **Athletics Aid.** A student-athlete who receives financial aid based in any degree on athletics ability shall become a counter for the year during which the student-athlete receives the financial aid; or
- (b) **Athletics Participation as a Major Criterion.** A recruited student-athlete who receives outside financial aid for which athletics participation is a major criterion (see Bylaw 15.2.6.4) shall become a counter for the year during which the student-athlete receives the aid; or
- (c) **Educational Expenses—Olympic Committee/National Governing Body.** A student-athlete who receives educational expenses awarded by the U.S. Olympic Committee or a U.S. national governing body (or, for international student-athletes, expenses awarded by the equivalent organization of a foreign country) per Bylaw 15.2.6.5 shall become a counter for the year during which the student-athlete receives the aid.

15.5.1.1 No Athletics Aid—Certification Required. A student-athlete (except for a recruited football or basketball student-athlete) who does not receive athletically related financial aid per Bylaw 15.5.1-(a) through Bylaw 15.5.1-(c) but receives institutional financial aid (as set forth in Bylaw 15.02.4.1) shall not be a counter if the faculty athletics representative and the director of financial aid that the student-athlete's financial aid have certified was granted without regard in any degree to athletics ability. The certification shall be kept on file in the office of the athletics director.

15.5.1.2 Football or Basketball, Varsity Competition. In football or basketball, a student-athlete who was recruited by the awarding institution and who receives institutional financial aid (as set forth in Bylaw 15.02.4.1) granted without regard in any degree to athletics ability does not have to be counted until the student-athlete engages in varsity intercollegiate competition (as opposed to freshman, B-team, subvarsity, intramural or club competition) in those sports. For this provision to be applicable, there shall be on file in the office of the athletics director certification by the faculty athletics representative, the admissions officer and the chair of the financial aid committee that the student's admission and financial aid were granted without regard in any degree to athletics ability. *(Revised: 1/16/93 effective 8/1/93, 1/11/94, 6/20/04)*

15.5.1.2.1 Football or Basketball—Partial Qualifier. [Note: The following bylaw applies to student-athletes who first enrolled in a collegiate institution full time prior to August 1, 2005.] In football or basketball, a student-athlete who is a partial qualifier and who was recruited by the awarding institution and who receives institutional financial aid that is not from athletics sources and that is based on financial need only shall be a counter and included in the maximum awards limitations set forth in this bylaw when the student-athlete participates in an institutional practice session or represents the institution against outside competition. *(Revised: 1/16/93 effective 8/1/93, 1/11/94)*

15.5.1.2.2 Exception—Receipt of Institutional Academic Aid Only. In football or basketball, a student-athlete who was recruited by the awarding institution and whose only source of institutional financial aid is academic aid based solely on the recipient's academic record at the certifying institution, awarded independently of athletics interests and in amounts consistent with the pattern of all such awards made by the institution, may compete without counting in the institution's financial aid team limits, provided he or she has completed at least one academic year of full-time enrollment at the certifying institution and has