

Policies and Procedures

40 – Eligibility

Policy Number:	40.20
Name:	Eligibility Policy: Interpretations, Appeals and Amendment Procedures
Origin:	Eligibility Committee
Approved:	
Approval Process:	Board of Directors
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40.20.1 INTERPRETATION OF ELIGIBILITY RULES

A member institution may request an interpretation of an Eligibility Rule via its Director of Athletics or designate responsible for eligibility.

40.20.1.1 Procedure for Request

A member institution requiring an interpretation of a U SPORTS Eligibility Rule shall direct an e-mail request for same to the Eligibility Review Officer (ERO) of its Regional Association, detailing the information required to enable an interpretation to be issued. The member must include the respective policy number within the subject line of the e-mail.

In those instances when the request for interpretation originates from the same school as that of the ERO, the e-mail request shall be directed to the U SPORTS Office Representative for consideration.

40.20.1.2 Eligibility Review Officer's Duty

As soon as possible, but within 5 working days of the receipt of such an e-mail request, the ERO or their designate shall issue via e-mail an interpretation of the U SPORTS eligibility rule to the requesting individual at the member institution, and provide a copy of same for confirmation by the U SPORTS Office representative. A copy of the summary of the confirmed decision shall be provided to the ERO and the requesting member.

In those instances when the request for interpretation originates from the same school as that of the ERO and is considered by the U SPORTS Office Representative, a copy of the interpretation shall be provided for confirmation to any one of the other ERO's.

40.20.1.3 Review of Ruling of Eligibility Review Officer or U SPORTS Office Representative

A member institution who is affected by the decision of the ERO or U SPORTS Office Representative may request a final and binding review of that decision by the Eligibility Committee. Such a request must be directed, by e-mail, to the U SPORTS Office Representative. Upon receipt of a request for review, the Eligibility Committee (less the ERO who participated in the initial decision) shall forthwith consider the request and issue, as soon as possible but within 5 clear working days, a written decision that shall either uphold or revise the decision.

40.20.1.4 Appeals of Decision of the Eligibility Committee

Although final and binding, a member may appeal a reviewed decision of the Eligibility Committee on procedural grounds and in accordance with U SPORTS Appeal Policy 90.40.

40.20.2 RELIEF OF ELIGIBILITY RULES

A member institution may seek relief from any U SPORTS eligibility rule, on behalf of an athlete, for compassionate reasons.

40.20.2.1 Procedures for Request

The request for relief shall be forwarded via e-mail by the Director of Athletics or their designate, and shall be directed to the U SPORTS Office Representative responsible for eligibility, who in turn will distribute the request to the Eligibility Committee. The request shall set out fully the grounds upon which relief is sought, and shall include all of the following:

- a letter of support from the respective Athletic Director and/or coach
- a letter of request from the respective student-athlete
- any supporting medical information or documentation
- game or event reports if appropriate
- a copy of the student's academic transcript(s)
- in the case of requests for relief of the transfer rule, the school must obtain a signed copy of "Athlete Eligibility Verification (transfer students)" form (40.30.3.3.1.3)
- other documents which support the request
- the student-athlete's contact addresses and e-mail addresses

Any documentation that cannot be provided in electronic format can be faxed or mailed to the U SPORTS office.

Member institutions must submit the request and all supporting documentation at least 3 clear business days in advance of an Eligibility Committee conference call. The Eligibility Committee will schedule 4 conference calls in September (weekly), 2 conference calls in October (bi-weekly), and one conference call in each remaining month. Additional conference calls may be convened at the discretion of the Committee.

Upon receiving such request, U SPORTS will invoice the institution for a non-refundable administrative fee of 2019-20: \$350, 2020-21: \$500. The fee would be used to offset the costs of each conference call that would involve the Eligibility Committee, the respective institution, and the respective athlete(s).

40.20.2.2 Student Participation

Student-athletes are encouraged to participate in the hearing of their compassionate appeal and are required to complete the Student-Athlete Notice of Hearing Form (40.20.2.3).

40.20.2.3 Student-Athlete Notice of Hearing Form

A Student-Athlete Notice of Hearing Form will be provided to the institution & student-athlete when his/her hearing date has been determined.

40.20.2.4 Confidentiality

Where the facts supporting a request are of a highly confidential and sensitive nature, the written request shall be marked "Confidential" and only the U SPORTS Office Representative responsible for eligibility shall review its content. The U SPORTS Office Representative responsible for eligibility shall make a recommendation to the Eligibility Committee as to the disposition of the request. U SPORTS shall make every effort to preserve the confidentiality of a request under this sub-section.

40.20.2.5 Ruling of Request

The Eligibility Committee will consider the request and render a decision.

In those instances when a request for relief originates from the same school as that of an Eligibility Committee member, the member shall inform the Committee of his / her designate (in accordance with the respective Conference regulations) that will participate in the consideration of the request and the rendering of a decision.

The decision of the Eligibility Committee shall be final and binding, and will be distributed to all Member Association Athletic Directors and the respective Regional Association Judicial Review Committee or equivalent (confidential requests excepted).

40.20.2.6 Relief of Eligibility Rules (Participation Thresholds)

If a student-athlete suffers a season-ending injury after surpassing current eligibility thresholds outlined in rule 40.10.4.1, they may submit a compassionate appeal, using Season-Ending Injury Form (40.20.2.7) to regain eligibility under the following parameters:

- The maximum number of competitions that will be allowed in order to consider a season-ending injury appeal will be 25% of their conference schedule (excluding exhibition & playoffs);
 - i) within the sports of cross-country running, field hockey, rugby, wrestling, track & field, and swimming, the season-ending injury appeal will be considered when the injury is sustained in the same game or event that results in the student-athlete exceeding participation thresholds that result in the charging of one year of eligibility.
 - ii) within all sports, the season-ending injury application will no longer be considered once the student-athlete has participated at the Conference and/or National Championship.
- Such appeals can only be forwarded upon the conclusion of the competitive season and prior to the completion of the academic year the injury is sustained; for appeals submitted in a subsequent academic year, a \$150 fee is applied and will be reviewed by the Eligibility Committee.
- If a student-athlete was not part of a school's program in the academic year in which they submit their appeal, they cannot apply for this appeal.
- A student-athlete who may have lost one semester of school because of the injury should be able to demonstrate academic success by completing half (½) the regular 18 credit hour requirements.
- A student-athlete who has his/her season-ending injury application upheld will still remain subject to the traditional transfer rule if they attend a different institution in the academic year immediately following the year he/she sustained the season-ending injury

40.20.2.7 Season-Ending Injury Form - Request to Regain a Year of Eligibility

An electronic copy of this form will be available at <http://www.usports.ca>

40.20.3 AMENDMENTS TO ELIGIBILITY RULES

40.20.3.1 General

Directors of Athletics and coaches should engender respect for the local, provincial and national rules and policies under which interuniversity sport is conducted. If it is felt that Eligibility Rules are not realistic or viable, then a request for an amendment to an Eligibility Rule may be initiated.

40.20.3.2 Sport Specific Eligibility Rules

U SPORTS provides the opportunity for each of its recognized sports to have sport specific Eligibility Rules, which are applicable only to this sport provided that they do not violate U SPORTS Eligibility Rules.

40.20.3.3 Procedure for Request

- 40.20.3.3.1. A request for a change or amendment of an Eligibility Rule shall be in writing and accompanied by rationale.
- 40.20.3.3.2. All requests for changes or amendments to Eligibility Rules shall be considered by the Eligibility Committee. Proposed changes to sport-specific Eligibility Rules must initially

be reviewed by the appropriate U SPORTS Sport Technical Sub-Committee (or Coaches Association, if applicable) who will forward the proposed change to the U SPORTS Office with a request to circulate the information to the Eligibility Committee. The Eligibility Committee shall review all proposed changes and amendments to Eligibility Rules and make its recommendations to the Board of Directors.

- 40.20.3.3.3 A request for a change or amendment shall be submitted far enough ahead of the scheduled sport event to allow time to review and act to affect a useful change.

40.20.4 VIOLATIONS OF ELIGIBILITY RULES

40.20.4.1 Procedures for Dealing with Complaints relating to Violations of Eligibility Rules

A complaint relating to a violation of an Eligibility Rules shall be dealt with in accordance with Policy 90.30.

- 40.20.4.2 Eligibility infractions which are the result of breaching minimum standards for academic course loads will be given eight (8) days from the date the infraction occurred to correct without penalty. If the infraction is not corrected, then the “date of the infraction” is in fact the date the infraction occurred.