

**Steven J. Timko**  
Executive Director

**Bill Bruno**  
Assistant Director

**Kim DeGraw-Cole**  
Assistant Director

**John J. DuBois**  
Assistant Director

**Larry L. White**  
Assistant Director

**Colleen E. Maguire**  
Director of Finance

---

## PART TWO OF FREQUENTLY ASKED QUESTIONS ABOUT ELIGIBILITY RULES AND BYLAWS

The last edition we looked at pages 39-48, those bylaws that deal with the Eligibility of Student Athletes. The transfer rule was discussed in length and one of the features of that rule is that there are no appeals or waivers, regardless of reason.

Q. Are there any rules/bylaws that NJSIAA allows a waiver to be granted?

A. Yes, the NJSIAA Constitution and Bylaws allows a school/parent to submit an Eligibility Waiver Request Form for our age, credit and semesters rule.

Q. How does that process work?

A. The Eligibility Waiver Request Form must be downloaded from the NJSIAA website, [www.njsiaa.org](http://www.njsiaa.org), click on Resources, click on Student Eligibility Forms, and then click on Eligibility Waiver Request Form. This form needs to be filled out in its entirety and along with any/all written documentation to support the waiver request must be sent into NJSIAA prior to the spot season(s) in which the waiver is being asked.

Q. Are there parameters around the request for a waiver?

A. Yes. The guiding parameter for granting a waiver for our age, credit and/or semesters rule is that **circumstances beyond the student's control is why he/she has aged out, was not able to meet the credit standards for fall, winter and spring sports, or will not be able to attain 4 consecutive years of athletic eligibility/8 consecutive semesters.**

Q. What kind of "circumstances beyond a student's control" meets the criteria?

A. Two examples come to mind right away – 1) a student is in a serious car crash and due to the injuries sustained is not able to compete and even go to school/receive homebound instruction. Due to this situation, he/she was not able to get the 15 credits needed by the end of the first semester to be eligible for a spring sport – 2) the student has a medical condition that has prevented the student athlete from competing and attending school (such as above). This has caused the student athlete to "age out" according to NJSIAA age rule. However, an injury per se, which causes a student athlete to miss a sport seasons is not necessarily "circumstances beyond the student's control." Injuries are part of sports and if this were allowed, we would be allowing "red shirting," which is what the NCAA allows. The above two examples are most common but not the only situations that a waiver might be granted.

Q. Who looks at, reads and makes a decision about these waiver requests?

A. NJSIAA has a two committee process that handles these requests. The Eligibility Committee, a 9-person panel consisting of Athletic Directors, Principals and Superintendents, reads the submissions and makes a determination to grant or deny the waiver request(s). The NJSIAA liaison to that committee serves as the facilitator and when the meeting is over, he calls the schools to inform them of the decision. If the EC grants the waiver, the student athlete is eligible immediately. If the waiver is denied, the school/parent(s)/guardian(s) may request an appeal. If so, the matter is turned over to the Eligibility Appeals Committee, a 14-person panel consisting of Executive Committee members of NJSIAA. Members of the EAC Committee will then meet and conduct a hearing, with NJSIAA counsel acting as the hearing officer.

Q. When does this happen?

A. In August around the middle of the month, (@15<sup>th</sup>), the Eligibility Committee meets here at NJSIAA to read the submissions for fall sport's waivers. If denied, the EAC will conduct hearings early in September to hear any appeals so that any cases overturned by the EAC, the student athlete will be deemed eligible with most of the season remaining to be played. This process is then played out in two-month periods – October EC reads the cases for winter sports; November EAC handles appeals. The most important piece of this whole “puzzle” is the schools identifying student athletes who are in jeopardy of being ineligible for age, credits, and/or semester's rules and then submitting the documentation early enough in the cycle that the case can be scheduled accordingly.

Q. Are there any other factors other than “circumstances beyond a student's control” that the EC considers?

A. Yes. The Eligibility Committee will look at the sport and if it is a contact sport they will take that into consideration when an age or semesters rule waiver is being sought. They will also look at the level of play of that student athlete, meaning how many years of varsity sports has the student athlete played. The committee has even searched through the social media outlets to ascertain if the student athlete is an average player or a “game changer.”

Q. You spoke of two cases that tend to be granted. Are there others?

A. One universal situation comes to mind (but even then it is not an “always”). We often get cases that involve a foreign student that 1) due to the foreign country educational system starting a year behind/after than US educational system, and then 2) the school system here retains the student a year, generally due to the language difficulty, or has the student audit classes. This usually results in an age waiver request (but it could also show up as a semesters/credit case). Sometimes these are granted (when there is more than sufficient documentation to support a grant of the waiver); other times they are not. These cases will normally be appealed.

Q. Where can I find the dates of the Eligibility Committee meetings?

A. They are on Calendar of Events on our website.

Q. Same for the EAC?

A. Yes.

Q. Are there any other waivers that NJSIAA grants without going through this process?

A. Yes. By rule, or by clarification, 1) **CL 4, top of page 42** (seniors passing at the end of third marking period); 2) **CL 4 bottom of page 42, top of page 43** (student does not fail a course/withdraws passing but can't make required credits – foreign student/out-of-state student can't make our credit standards); 3) **CL 4 page 45 (6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> graders turning 16 prior to September 1 – getting 4 years of athletic eligibility)**; 4) **CL 5 page 42** (May 1 – 22.5 credits at end of 3<sup>rd</sup> marking period – 9<sup>th</sup>, 10<sup>th</sup>, and 11<sup>th</sup> graders); 5) **Letter F. Page 43 Handicapped/Classified Students.**

Closing remarks: NJSIAA understands the difficult job it is when it comes to identifying these student athletes who may be eligible for a possible waiver but yet they do not appear on your “radar screen.” Perhaps it is because Guidance is not aware of our rules/policies as they pertain to age, credits, and semesters. May be the student athlete has not identified himself/herself as a student athlete. Whatever the case may be, please call and ask if it is a possible waiver situation. Ask for Bill Bruno – no, just kidding. Bu the key is the request must come in well in advance of the monthly meeting of the

Eligibility Committee meeting so that it can be scheduled on the agenda and then scheduled for EAC if that is the decision by the school and/or parents/guardians.