



Case Summary

General Case Information

Case Number	Case Type	Sub Case Type	Release to Database
1052845	Interpretation Request	Recruiting - Bylaw 13	No

Division	Sport(s)
I	

Legislative Cite(s)

13.5.2.5 - Visiting Two or More Institutions.
13.6.7.1.1 - Meals and Lodging While in Transit.

Status Information

Status	Status Date	Status Level	Status Level Type
Resolved	05/22/2019	Staff	Bylaw Team Meeting

Conditions

Rationale

Interpretation:: It is permissible for the institution to cover meal expenses while in transit for a prospective student-athlete while in transit from Institution No. 1 to Institution No. 2. However, the second institution may not pay the same meal expenses (e.g., duplication of expenses) while the PSA is in transit. Institution No. 2 and Institution No. 3 are responsible for covering meal expenses while the PSA is in transit to their campus. The intent of the legislation is to assist the PSA with expenses while in transit to and from an official visit to the campus the PSA is actually visiting. The legislation pertaining to split cost for transportation does not extend to meals and lodging while in transit. Please note that it is permissible for Institution No. 1 to reimburse a student-athlete for expenses incurred while in transit to and from Institution No. 1 for purposes of the official visit, provided there is no duplication of expenses received from Institution No. 2.

Case Summary

Specific Case Information

Describe the interpretive request

An international prospective student-athlete took 3 official visits to 3 different NCAA Division I schools on the same trip to the US. While it is permissible to provide meals in transit to the PSA, we are seeking clarification as to whether UTEP can pay for meals in transit to the other schools for her official visits. UTEP was the first school she visited and subsequently visited the other 2 schools afterward. She eventually chose UTEP and is currently enrolled full-time. The head track coach is asking if UTEP can pay for some of her meals in the airport while she was traveling to the other 2 schools for her official visits. We are not sure if the provisions of 13.6.7.1.1 are specific to each institution's official visit, or if UTEP is able to pay for the additional meals in transit to another institution. If UTEP cannot pay for all meals in transit, would it be permissible for the 3 schools to split the cost evenly for all meals/transportation in transit? Please advise.

Provide the conference analysis of the interpretive request.

Provide the institution's analysis of the interpretive request.



Case Summary

General Case Information

Case Number	Case Type	Sub Case Type	Release to Database
1042710	Interpretation Request	Awards and Benefits - Bylaw 16	No

Division	Sport(s)
I	

Legislative Cite(s)

16.5.2.4 - Meals Incidental to Participation.
16.5.2.3 - Training Table Meals.
16.11.2.1 - General Rule.

Status Information

Status	Status Date	Status Level	Status Level Type
Resolved	01/16/2019	Staff	Bylaw Team Meeting

Conditions

Rationale

Interpretation:: A training table meal cannot be considered a meal incidental to participation.

Because the student-athlete did not pay for the meal, a violation of Division I Bylaw 16.11.2.1 occurred.

Case Summary

Specific Case Information

Describe the interpretive request

A football walk-on student-athlete, [REDACTED], had participated in training table meals without paying during the Fall semester. When speaking with the director of football operations, they wanted to define the meal for the walk-on as a "meal incidental to participation". However, this training table meal was only available to scholarship student-athletes (and deducted from their scholarship check) and no other walk-ons were permitted to participate in the meal. Is this scenario permissible under the "meals incidental" legislation or is this a violation?

Provide the conference analysis of the interpretive request.

Conference had concerns about this training table meal being available only to [REDACTED]. Also, the walk-on SA did not have to pay for the meal while all other scholarship student-athletes did, and no other walk-ons had access to this meal.

Provide the institution's analysis of the interpretive request.

While the legislation allows for flexibility with meals incidental to participation, we are not sure if this can apply to the specific scenario with training table meals. We have some concerns about the possible extra benefit only given to [REDACTED] in this case.



Institution: University of Texas at El Paso
Case Type: Interpretation Request

Division: I

Case ID: 1061041
Date: 06/21/2019

General Information

Institution Information

Institution or Conference University of Texas at El Paso

Division of Institution I

Conference Conference USA

Phone Number 915/747-5347

Academic year related to this request 2019-20

Sub Case Types

Please check all the Interpretation Request sub-case types and conditions that apply

Amateurism - Bylaw 12

Legislation Related to this Request

Provide cite(s) of applicable legislation, educational column or interpretation	Type	Division	ID	Text
	Bylaw	I	12.8.2.1	Athletics Competition.
	Interpretation	I		Progress-toward-degree and transfer requirements for a student-athlete who competes while enrolled less than full-time during a term (I) Permissible.
	Bylaw	I	16.8.1	Nonrecognized College.
	Bylaw	I	12.8.2.2	Procedures.
	Bylaw	I	15.5.11.2.1	Institutional Responsibility.
	Bylaw	I	14.01.1	Bona Fide International Exchange Student Exception.
	Bylaw	I	14.5.1.5.1	Incoming-Student Participation -- Summer Prior to Initial Full-Time Enrollment at the Certifying Institution.
	Bylaw	I	17.29.1.4.1	Intercollegiate Competition.
	Bylaw	I	12.02.6(12.02.5 current)	Squad-List Form.
	Bylaw	I	12.10.2	

One sentence statement that describes the interpretive issue.

Did a student-athlete who was not enrolled full-time and only practiced at his JUCO institutions trigger the start of his five-year clock?

Case Prioritization Information

Do the circumstances of this request require urgent review (within the next two business days)? No

Case Information

Case Information

All Requests

Describe the interpretive request

Our main question is whether or not the five-year clock begins for a student-athlete who is attending a JUCO school less than full-time, but practices with his JUCO football team. A sub-issue to this question, is whether the phrase "represents the institution in intercollegiate athletics", in bylaw 12.8.2.1, includes participation in practice on a JUCO intercollegiate athletics team. Specifically, a football student-athlete at our institution first enrolled in junior college part-time in the Summer of 2014 at his first institution and then transferred to his second junior college for the Fall of 2014 where he was also enrolled part-time. He did participate in summer activities and practice respectively at the two junior colleges but at no point was he enrolled full-time or did he compete. In the Spring of 2015 he left his second institution and was not enrolled anywhere. In the fall of 2015 the student-athlete enrolled in his third junior college. At the third college he was enrolled full-time and competed in the Fall of 2015. Just based on full-time enrollment status, his five-year clock would have started in the Fall of 2015. However, bylaw 12.8.2.1 states that a student-athlete who is not full-time enrolled will start his five-year clock when the "individual represents the institution in intercollegiate athletics". Our interpretation is that representing an institution in intercollegiate athletics only happens when a student-athlete participates in intercollegiate competition. The student-athlete did not do any of the three actions which bylaw 12.02.6 describes as intercollegiate competition, (he did not represent the institution in outside competition, he did not compete in the institution's uniform or any other apparel, and he did not compete and receive competition related expenses). Additionally, the title of bylaw 12.8.2.1 is "Athletics Competition", which indicates to us that bylaw 12.8.2.1 only considers "representing the institution in intercollegiate athletics" to be an act that happens during competition. Finally, the only non-archived interpretation that references bylaw 12.8.2.1 refers only to representing the institution in intercollegiate competition, further leaving us to understand that the triggering of a student-athlete's five-year clock under bylaw 12.8.2.1 only happens after participation in intercollegiate competition. While our interpretation is that the phrase "representing the institution in intercollegiate athletics" refers to "in competition" and not "in competition or practice", we are seeking clarification on this bylaw because there are other bylaws that are a bit more explicit as to whether they are referring to competition, practice or both. For example, bylaws 12.10.1, 12.10.2, 14.01.1, 14.5.1.5.1, and 17.29.1.4.1 use the language "represent the institution in intercollegiate competition, bylaw 16.8.1 uses the language "represent the institution in practice and competition", while bylaws 12.8.2.2 and 15.5.11.2.1(c) similarly use the ambiguous language of "represent the institution in intercollegiate athletics". In summation, our interpretation of our student-athlete's eligibility status is that his five-year clock did not start until Fall of 2015 because he has less than full-time enrollment prior to Fall of 2015 and he did not trigger the start of his five-year clock via bylaw 12.8.2.1 because he did not represent the institutions he attended less than full-time in 2014 in intercollegiate athletics due to the fact that he was only a practice player and did not participate in intercollegiate competition.

Have you previously contacted any NCAA staff regarding this request? No

Have the institution and conference communicated regarding this request? No

Case Documentation

(Maximum individual file size is 10MB.) Upload each document individually.

Recommended Documentation

If necessary

Provide any documentation related to the interpretive request

Case Contacts and Submission

Select Contacts for this Case

Primary Contact Jacob Heuett (jjheuett@utep.edu) Phone: 915-747-6783 Cell: 253-486-9450

Secondary Contact David Kooger (dkooger@utep.edu) Phone: 915-747-8024

Additional Case Contacts

Additional contacts with a valid email address from the conference or member institution will receive selected e-mails related to the case.

Email Delivery First Name Last Name Title E-mail Address

Terms and Conditions

Disclaimer Terms and Conditions

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Agreement by Jacob Heuett on 06/14/2019

Activity After Case Submission

Responses to Requests for Additional Information



Institution: University of Texas at El Paso
Case Type: Interpretation Request

Division: I

Case ID: 1049251
Date: 06/21/2019

General Information

Institution Information

Institution or Conference University of Texas at El Paso

Division of Institution I

Conference Conference USA

Phone Number 915/747-5347

Academic year related to this request 2018-19

Sub Case Types

Please check all the Interpretation Request sub-case types and conditions that apply

Recruiting - Bylaw 13

Legislation Related to this Request

Provide cite(s) of applicable legislation,
educational column or interpretation

Type	Division	ID	Text
Bylaw	I	13.8.2	Material Benefits.
Bylaw	I	13.02.13	Prospective Student-Athlete.

One sentence statement that describes the
interpretive issue.

A volleyball Coach would like to give tangible material with institution's insignia items to international club and college coaches for promotional purposes.

Case Prioritization Information

Do the circumstances of this request require
urgent review (within the next two business
days)?

No

Case Information

Case Information

All Requests

Describe the interpretive request

A volleyball coach would like to take UTEP items, including t-shirts, lanyards, pens, and hats, and give them to club and 4-year college coaches of athletes who are 20 years and older during his recruiting trip to Europe. When speaking with the coach he said none of these items will be given to prospective student-athletes and the purpose would be to promote UTEP. Our interpretation is that this would be permissible because these coaches are not high school/college preparatory/two-year college coaches responsible for teaching or directing an activity in which a prospective student-athlete is involved, based on the definition of bylaw 13.8.1. Would this be permissible if the athletes do not meet the definition of prospective student-athletes per bylaw 13.02.13 or would this result in a violation?

Have you previously contacted any NCAA staff regarding this request? No

Have the institution and conference communicated regarding this request? No

Page 3 - Case Documentation

Case Documentation

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Recommended Documentation

If necessary

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Agreement by Victoria Castanon on 02/25/2019

Activity After Case Submission

Responses to Requests for Additional Information



Institution: University of Texas at El Paso
Case Type: Interpretation Request

Division: I

Case ID: 1052845
Date: 06/21/2019

General Information

Institution Information

Institution or Conference University of Texas at El Paso

Division of Institution I

Conference Conference USA

Phone Number 915/747-5347

Academic year related to this request 2018-19

Sub Case Types

Please check all the Interpretation Request sub-case types and conditions that apply

Recruiting - Bylaw 13

Legislation Related to this Request

Provide cite(s) of applicable legislation,
educational column or interpretation

Type	Division	ID	Text
Bylaw	I	13.5.2.5	Visiting Two or More Institutions.
Bylaw	I	13.6.7.1.1	Meals and Lodging While in Transit.

One sentence statement that describes the
interpretive issue.

Interpretative request regarding providing food in transit between official visits to multiple institutions.

Case Prioritization Information

Do the circumstances of this request require
urgent review (within the next two business
days)? No

Case Information

Case Information

All Requests

Describe the interpretive request

An international prospective student-athlete took 3 official visits to 3 different NCAA Division I schools on the same trip to the US. While it is permissible to provide meals in transit to the PSA, we are seeking clarification as to whether UTEP can pay for meals in transit to the other schools for her official visits. UTEP was the first school she visited and subsequently visited the other 2 schools afterward. She eventually chose UTEP and is currently enrolled full-time. The head track coach is asking if UTEP can pay for some of her meals in the airport while she was traveling to the other 2 schools for her official visits. We are not sure if the provisions of 13.6.7.1.1 are specific to each institution's official visit, or if UTEP is able to pay for the additional meals in transit to another institution. If UTEP cannot pay for all meals in transit, would it be permissible for the 3 schools to split the cost evenly for all meals/transportation in transit? Please advise.

Have you previously contacted any NCAA staff regarding this request? No

Have the institution and conference communicated regarding this request? No

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Recommended Documentation

If necessary

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Agreement by David Kooger on 05/08/2019

Activity After Case Submission

Responses to Requests for Additional Information



Case Summary

General Case Information

Case Number	Case Type	Sub Case Type	Release to Database
1052570	Interpretation Request	Recruiting - Bylaw 13	No

Division	Sport(s)
I	

Legislative Cite(s)

13.12.1.7.1 - General Rule.
13.02.14.1 - Recruited Prospective Student-Athlete.

Status Information

Status	Status Date	Status Level	Status Level Type
Resolved	04/11/2019	Staff	Individual

Conditions

Rationale

Interpretation:: This arrangement appears to be impermissible mainly for two reasons. First, the cost of the UTSA fees and tournament fees are given as a benefit to the prospects. These costs would need to be included in the cost of your camp. Further, the benefit is not being provided to all campers and is only being provided to some campers.

Case Summary

Specific Case Information

Describe the interpretive request

The UTEP tennis team will be having a camp this summer staffed by current UTEP tennis players, and the assistant coach. The camp will be held at the El Paso Tennis Club, where the team holds weekly practices. The United States Tennis Association (USTA) would like to advertise a USTA membership for first time members only and they will be reimbursed by the USTA as well as a paid entry fee to one USTA Junior Tournament to those who sign up for the camp. The USTA will be providing these inclusions to those who sign up for the camp. Our interpretation is that this would be permissible because UTEP is not providing this to only prospective student-athletes who are athletic award winners or any individual being recruited by the institution per Bylaw 13.02.14.1, and such promotions will be published and available on an equal basis to all who qualify, based on the definition of bylaw 13.12.1.7.1. Would this be permissible if USTA provided this benefit to attendees of the camp on their own without the involvement of the UTEP tennis team?

Provide the conference analysis of the interpretive request.

Provide the institution's analysis of the interpretive request.



Institution: University of Texas at El Paso
Case Type: Interpretation Request

Division: I

Case ID: 1052570
Date: 06/21/2019

General Information

Institution Information

Institution or Conference University of Texas at El Paso

Division of Institution I

Conference Conference USA

Phone Number 915/747-5347

Academic year related to this request 2018-19

Sub Case Types

Please check all the Interpretation Request sub-case types and conditions that apply

Recruiting - Bylaw 13

Legislation Related to this Request

Provide cite(s) of applicable legislation,
educational column or interpretation

Type	Division	ID	Text
Bylaw	I	13.12.1.7.1	General Rule.
Bylaw	I	13.02.14.1	Recruited Prospective Student-Athlete.

One sentence statement that describes the
interpretive issue.

The United States Tennis Association would like to provide their own benefits to all attendees of the UTEP tennis camp.

Case Prioritization Information

Do the circumstances of this request require
urgent review (within the next two business
days)? No

Case Information

Case Information

All Requests

Describe the interpretive request

The UTEP tennis team will be having a camp this summer staffed by current UTEP tennis players, and the assistant coach. The camp will be held at the El Paso Tennis Club, where the team holds weekly practices. The United States Tennis Association (USTA) would like to advertise a USTA membership for first time members only and they will be reimbursed by the USTA as well as a paid entry fee to one USTA Junior Tournament to those who sign up for the camp. The USTA will be providing these inclusions to those who sign up for the camp. Our interpretation is that this would be permissible because UTEP is not providing this to only prospective student-athletes who are athletic award winners or any individual being recruited by the institution per Bylaw 13.02.14.1, and such promotions will be published and available on an equal basis to all who qualify, based on the definition of bylaw 13.12.1.7.1. Would this be permissible if USTA provided this benefit to attendees of the camp on their own without the involvement of the UTEP tennis team?

Have you previously contacted any NCAA staff regarding this request? No

Have the institution and conference communicated regarding this request? No

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Case Documentation

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Recommended Documentation

If necessary

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Agreement by Victoria Castanon on 04/08/2019

Activity After Case Submission

Responses to Requests for Additional Information

1) Discount not included in cost?



Case Summary

General Case Information

Case Number	Case Type	Sub Case Type	Release to Database
1050807	Interpretation Request	Athletics Personnel - Bylaw 11 Recruiting - Bylaw 13	No

Division
I

Sport(s)

Legislative Cite(s)

- Managers Coaching Outside Teams that Include Current Student-Athletes (I)
- Employment of Student-Athlete as a Coach (I/III)
- 11.01.7 - Manager.
- 13.1.2.3 - General Restrictions -- Staff Members and Governing Board.

Status Information

Status	Status Date	Status Level	Status Level Type
Resolved	03/07/2019	Staff	Bylaw Team Meeting

Conditions

Rationale

Interpretation:: The conditions outlined in the November 12, 2003 interpretation would also apply to a manager. Therefore, it would be permissible for a manager to serve as a coach provided he or she does not engage in recruiting activities (e.g. conduct evaluations for the institution's coaching staff, engage in recruiting conversations on behalf of the institution, report back to institution's coaching staff) while serving in that capacity.

Case Summary

Specific Case Information

Describe the interpretive request

A current student manager for the UTEP men's basketball program is requesting to work and coach at a tournament that involves all JUCO athletes. He has worked this tournament before he became a manager at UTEP. Given the legislation of 13.1.2.3 and the referenced interpretation, is it permissible for the manager to work and coach at the tournament. The tournament is during the summer and although involves JUCO athletes, it is more of a nonscholastic tournament. Please advise.

Provide the conference analysis of the interpretive request.

Provide the institution's analysis of the interpretive request.



Institution: University of Texas at El Paso
Case Type: Interpretation Request

Division: I

Case ID: 1050807
Date: 06/21/2019

General Information

Institution Information

Institution or Conference University of Texas at El Paso

Division of Institution I

Conference Conference USA

Phone Number 915/747-5347

Academic year related to this request 2018-19

Sub Case Types

Please check all the Interpretation Request sub-case types and conditions that apply

Athletics Personnel - Bylaw 11

Recruiting - Bylaw 13

Legislation Related to this Request

Provide cite(s) of applicable legislation,
educational column or interpretation

Type	Division ID	Text
Interpretation	I	Managers Coaching Outside Teams that Include Current Student-Athletes (I)
Interpretation	I	Employment of Student-Athlete as a Coach (I/III)
Bylaw	I 11.01.7	Manager.
Bylaw	I 13.1.2.3	General Restrictions -- Staff Members and Governing Board.

One sentence statement that describes the interpretive issue. May a manager coach a team made up of JUCO basketball athletes?

Case Prioritization Information

Do the circumstances of this request require urgent review (within the next two business days)? No

Case Information

Case Information

All Requests

Describe the interpretive request: A current student manager for the UTEP men's basketball program is requesting to work and coach at a tournament that involves all JUCO athletes. He has worked this tournament before he became a manager at UTEP. Given the legislation of 13.1.2.3 and the referenced interpretation, is it permissible for the manager to work and coach at the tournament. The tournament is during the summer and although involves JUCO athletes, it is more of a nonscholastic tournament. Please advise.

Have you previously contacted any NCAA staff regarding this request? No

Have the institution and conference communicated regarding this request? No

Page 3 - Case Documentation

Case Documentation

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Recommended Documentation

If necessary

Provide any documentation related to the interpretive request

Page 4 - Case Contacts and Submission

Case Contacts and Submission

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Agreement by David Kooger on 03/01/2019

Activity After Case Submission

Responses to Requests for Additional Information



Case Summary

General Case Information

Case Number	Case Type	Sub Case Type	Release to Database
1049251	Interpretation Request	Recruiting - Bylaw 13	No

Division	Sport(s)
I	

Legislative Cite(s)

13.8.2 - Material Benefits.
13.02.13 - Prospective Student-Athlete.

Status Information

Status	Status Date	Status Level	Status Level Type
Resolved	03/12/2019	Staff	Bylaw Team Meeting

Conditions

Rationale

Interpretation:: Generally, international students are considered prospective student-athletes for purposes of Bylaws 13.2 (Offers and Inducements) and 13.8.2 (Material Benefits). Therefore, it is not permissible for an institution's coach to provide material benefits to an international student's coach as this goes against the intent of recruiting legislation.

Case Summary

Specific Case Information

Describe the interpretive request

A volleyball coach would like to take UTEP items, including t-shirts, lanyards, pens, and hats, and give them to club and 4-year college coaches of athletes who are 20 years and older during his recruiting trip to Europe. When speaking with the coach he said none of these items will be given to prospective student-athletes and the purpose would be to promote UTEP. Our interpretation is that this would be permissible because these coaches are not high school/college preparatory/two-year college coaches responsible for teaching or directing an activity in which a prospective student-athlete is involved, based on the definition of bylaw 13.8.1. Would this be permissible if the athletes do not meet the definition of prospective student-athletes per bylaw 13.02.13 or would this result in a violation?

Provide the conference analysis of the interpretive request.

Provide the institution's analysis of the interpretive request.



Case Summary

General Case Information

Case Number	Case Type	Sub Case Type	Release to Database
1046722	Interpretation Request	Amateurism - Bylaw 12	No

Division	Sport(s)
I	

Legislative Cite(s)
12.7.3.1 - Content and Purpose.

Status Information

Status	Status Date	Status Level	Status Level Type
Resolved	02/08/2019	Staff	Bylaw Team Member Consult

Conditions

Rationale

Interpretation:: In consultation with our Sports Science Institute and Drug Free Sport, a signed Consent Form from school A, would be in force until the next Consent Form was signed at school B, whether the signing occurred immediately upon transfer, or the next compliance year.

Case Summary

Specific Case Information

Describe the interpretive request A 4-year midyear transfer enrolled at UTEP for the Spring 2019 semester. He signed the NCAA Drug Consent Form at his previous institution for the 2018-19 season. Does he need to sign a new NCAA Drug Consent Form prior to practicing or can we use the form from the previous institution and keep on file?

Provide the conference analysis of the interpretive request. Wasn't sure how to apply the legislation and suggested we ask NCAA for an interpretation.

Provide the institution's analysis of the interpretive request. Since the form is not school specific, we believe it would be permissible to use the previously signed form.