



SPORTS LAW GUIDE

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Texas Young Lawyers Association

SPORTS LAW GUIDE

PLAYER ELIGIBILITY

NCAA eligibility is based on a student-athlete's academic readiness and amateur status. Becoming a college athlete requires you to be a "student" first. It's critical to know what this means and to start learning *before* you reach campus.

- NCAA Eligibility Rules and Academic Requirements

Academic Eligibility is based on 2 requirements

- Core Course Requirement

- You must pass 16 approved NCAA Core Courses during your high school years.¹ Exact requirements vary slightly between Division 1 and Division 2 schools.

- You can check to see your high school's NCAA-approved courses here: <https://web3.ncaa.org/hsportal/exec/hsAction?hsActionSubmit=searchHighSchool>

- Core Course GPA

- Your GPA will be calculated based on your performance in core courses, not your entire high school transcript. The NCAA provides a core course worksheet to help, but meet with your high school counselor to understand the GPA you need and expectations of your coaches at the next level.²

- SAT and ACT Mandate No Longer Exists

- The NCAA stopped making the SAT and ACT mandatory in 2020.

- Note: You may still need to take them because many colleges continue to expect these scores for admission and scholarships. It's a good idea to check what each college and scholarship requires.

- There are numerous learning tools to assist you with preparing for the SAT/ACT. Reach out to your high school counselor to learn more.

- NCAA Amateurism Requirements

Your amateur status is determined by following NCAA amateurism rules, which are in place to ensure that student-athletes do not receive compensation or benefits that could jeopardize their amateur status.

¹ Core classes include English, Math, Social Sciences, Humanities, and Science. Courses include English 1-4, American literature, Creative Writing, Algebra 1-3, Geometry, Statistics, Biology, Chemistry, Physics, American History, Civics, Government, Comparative Religion, and Spanish 1-4.

² http://fs.ncaa.org/Docs/eligibility_center/Student_Resources/Core_Course_Worksheet_Instructions.pdf

- Students who are enrolling at a Division 1 or Division 2 school for the first time must obtain a final amateurism certification before becoming eligible to participate in college sports
- NIL (Name, Image, and Likeness) rules allow college athletes to earn money from endorsements and promotions while remaining amateurs. It's important to understand these rules, including state laws, to ensure you maintain your eligibility.
- These situations could impact a prospective student-athlete's amateur status:
 - Receiving prize money (beyond participation reimbursement)
 - Signing contracts or receiving benefits from agents
 - Receiving money for promoting products or services
 - Making money using their athletic ability or fame
 - Delaying full time collegiate enrollment to compete in organized sports
- NCAA Division 1 Eligibility Requirements

For high-school athletes enrolling in college full-time in 2023-24 and beyond:

- Complete 16 core courses using pass/fail grades:
 - English: 4 years
 - Math (Algebra 1 or higher): 3 years
 - Natural/Physical Science (Including 1 year of lab, if offered): 2 years
 - Social Science: 2 years
 - Additional Courses:
 - English, Math or Science: 1 year
 - English, Math, Sciences, Foreign Language, Comparative Religion or Philosophy: 4 years
- Core Course Progression: You must complete 10 core courses by the beginning of senior year, or seventh semester. Among these 10, seven must be in the subjects of English, math or natural/physical science. This is known as the 10/7 rule.
- Earn a core GPA of 2.3 or higher
- Graduate high school
- Receive final certification on your amateurism status via the NCAA Eligibility Center: <https://web3.ncaa.org/ecwr3/>

- NCAA Division 2 Eligibility Requirements

For high-school athletes enrolling in college full-time in 2023-2024 and beyond:

- Complete 16 core courses using pass/fail grades
 - English: 3 years
 - Math (Algebra 1 or higher): 2 years
 - Natural/Physical Science (Including 1 year of lab, if offered): 2 years
 - Social Science: 2 years
 - Additional Courses:
 - English, Math or Science: 3 years
 - English, Math, Sciences, Foreign Language, Comparative Religion or Philosophy: 4 years
- Earn a core course GPA of 2.2 or higher
- Graduate high school
- Receive final certification on your amateurism status via the NCAA Eligibility Center: <https://web3.ncaa.org/ecwr3/>

- NCAA Division 3 Eligibility Requirements

- Division 3 schools are responsible for setting their own academic eligibility rules. If you are going to be competing for a Division 3 institution, or if you are unsure what division level you'll be competing at, you can start with a free NCAA Profile: <https://web3.ncaa.org/ecwr3/register/PROFILE>
- If you do decide to pursue a Division 1 or Division 2 program, you can always transition to a Certification Account later.

- Junior College Eligibility Requirements

- Junior colleges simply require that a student-athlete be a high school graduate, earning an approved standard academic diploma.
- Student-athletes can also be eligible if they've completed an approved high school equivalency test, like the GED.
- More junior college eligibility rules are located at: <https://www.njcaa.org/compete/faqs>

- Potential Academic status with the NCAA

The NCAA will only review an athlete's eligibility status if the status is requested by a Division 1 or Division 2 college. The process begins after you graduate high school and complete the minimum 16 core courses with a minimum GPA average in these

courses. After the NCAA reviews your account, they assign you an “Academic Status.” Here are the statuses you could receive and what they mean:

- Final Qualifier: You meet all academic requirements and can receive an athletic scholarship your first year;
- Early Academic Qualifier: This status is based on your academic record after six semesters of high school. It means you are eligible to receive an athletic scholarship and can practice/compete with your team during your first year of full-time college enrollment. Make sure to meet with your college’s compliance office to confirm this status
- Final Non-Qualifier: You do not meet the academic requirements and are not eligible to compete or practice at the college requesting your final status.
 - You will not be eligible to receive an athletic scholarship.
- Final Partial Qualifier: This is a status for only Division 2 schools. Athletes with this status can receive an athletic scholarship and practice with the team but you are not eligible to compete your first year in college.
- Under Review: The NCAA Eligibility Center is reviewing a unique academic situation.
- Academic Redshirt: This means you will be eligible to receive an athletic scholarship and practice but will not be allowed to compete during your first year in school. Only athletes enrolling in a Division 1 school after August 1, 2016, are eligible for this status.
- Automatic Waiver Approved: This indicates that you are immediately eligible to receive an athletic scholarship, and practice/compete with your team during your first year as a full-time enrollee. Contact your college’s compliance department for more details.
- HS Decision Pending: If your high school courses are not NCAA Approved, the NCAA will likely need to make a more in-depth review of your high school classes.
- In Process: The NCAA Eligibility Center is reviewing your case. Usually, cases remain in process for no more than two business days.
- Secondary Review: On rare occasions, the NCAA will make a secondary review of your status. This will only happen with the help of your college compliance office.
- Waiver Approved: From time to time, your colleges compliance office will file for a waiver if they think you will meet one of the cases for academic waivers. This status means that the waiver has been approved.

- Waiver Denied: If your compliance office has filed for a waiver and it is denied, you will receive this status. This likely means you will not be eligible for a scholarship or to compete.
- Waiver Partially Approved (athletics aid only): If your compliance office has filed for a waiver on your behalf, it might be partially approved. This would mean you are eligible to receive an athletic scholarship but are not eligible to practice or play your first year in college.
- Waiver Partially Approved (aid and practice): If your compliance office has filed for a waiver on your behalf, this status would mean you are eligible to receive an athletic scholarship and practice, but you will not be eligible to compete your first year in college.
- NCAA eligibility rules allow student-athletes 5 years to compete athletically in 4 seasons

NCAA INFRACTIONS PROCESS (DIVISION I)

The infractions process is designed to ensure fair play and integrity among NCAA schools. This provides a brief overview of how the process works and the options available to reach a fair resolution.

- Rule Creation: Rules are proposed, conserved and adopted to uphold the NCAA values and protect the integrity of college sports
- Review and Investigation: The enforcement staff reviews information about potential violations. If investigation is needed, the enforcement staff issues a notice of inquiry and works with the school to discover the facts
 - If no Level I or Level II Violation discovered after investigation, the review ends.
- Several Potential Resolution Methods: If an infraction or violation is discovered, several resolution methods may occur:
 - Negotiated Resolution
 - Parties agree on the facts, violations, level and classification, and penalties
 - A Committee on Infractions (COI) panel reviews and approves a report compiled by the parties
 - There is no opportunity to appeal
 - Summary Disposition
 - Parties agree to the facts and level but not classification or penalties
 - Parties submit the report to a COI panel, which issues penalties and a decision

- Parties can request an expedited hearing about penalties. These penalties may be appealed
- Written Record Hearing
 - Parties have limited disagreements on the facts, violations and/or level of an allegation
 - Parties submit allegations, including the level of agreement and remaining issues, and written submissions to a COI panel
 - The COI focuses on the contested portions of the case and decides violations and penalties on the written record.
- Full Hearing
 - Reserved for limited cases based on defined factors.
 - Parties submit allegations and written submissions to a COI panel.
 - All parties review the allegations at a hearing with a COI panel
 - The COI decides violations and penalties
- Appeals
 - The Infraction Appeals Committee has the final say, affirming if there is information in the record supporting the decision and not setting aside COI decisions unless no reasonable person could have made the decision after considering the record.
- Several Infraction Resources are below:
 - Division I Enforcement Information:
<https://www.ncaa.org/sports/2021/5/11/division-i-enforcement.aspx>
 - Division I Enforcement Operating Procedures:
<https://www.ncaa.org/sports/2014/12/1/division-i-enforcement-operating-procedures.aspx>
 - Committee on Infractions Information:
<https://www.ncaa.org/sports/2013/11/17/division-i-committee-on-infractions.aspx>

NCAA INFRACTIONS PROCESS (DIVISION II)

Infractions cases at the Division II level are infrequent; however, when they do occur, all representatives of member schools are expected to cooperate fully with the NCAA enforcement staff, Division II Committee on Infractions, Division II Infractions Appeals Committee and Division II Management Council to further the objectives of the Association and its infractions program. The enforcement policies and procedures require full and complete disclosure by all school representatives of any relevant information requested during the course of an inquiry.

- Initiation and Information Gathering Process Occurs
 - The enforcement staff initiates investigations based on reliable information about potential violations. Investigative methods include interviews, document reviews, public observations, and communication with various NCAA departments.
- Documentation and Interviews
 - Interviews and document review occurs by the enforcement staff to determine if there is a violation or issue with compliance
- NCAA communicates with student-athlete and institution about results
 - The results of the investigation and potential expulsions or terminations of the investigation are shared at this stage
- Several Potential Resolution Methods: If an infraction or violation is discovered, several resolution methods may occur:
 - Negotiated Resolution
 - Parties agree on the facts, violations, level and classification, and penalties
 - A Committee on Infractions (COI) panel reviews and approves a report compiled by the parties
 - There is no opportunity to appeal
 - Summary Disposition
 - Parties agree to the facts and level but not classification or penalties
 - Parties submit the report to a COI panel, which issues penalties and a decision
 - Parties can request an expedited hearing about penalties. These penalties may be appealed
 - Written Record Hearing
 - Parties have limited disagreements on the facts, violations and/or level of an allegation

- Parties submit allegations, including the level of agreement and remaining issues, and written submissions to a COI panel
- The COI focuses on the contested portions of the case and decides violations and penalties on the written record.
- Full Hearing
 - Reserved for limited cases based on defined factors.
 - Parties submit allegations and written submissions to a COI panel.
 - All parties review the allegations at a hearing with a COI panel
- Secondary Violations
 - Matters the enforcement staff believes will only involve secondary violations will be submitted and reviewed electronically through requests and self-reports online.
 - Appeals on secondary violations may be presented to the Committee on Infractions

IMPORTANT CONSIDERATIONS FOR NIL CONTRACTS

- Texas law requires, contracts cannot extend beyond student-athlete's participation in the intercollegiate athletics program
- Texas Education Code Section 51.9246 states that no prospective student athlete can enter any arrangement with a prospective student athlete relating to the prospective student athlete's name, image, or likeness prior to their enrollment in an institution of higher education.
- Texas student-athletes are required to attend a financial literacy and life skills course during their first academic year. The course is at least five hours long and includes information on financial aid, debt management, time management, budgeting, and available academic resources
- A Texas student-athlete can obtain professional representation, including representation by an attorney licensed to practice law in Texas, for contracts or other legal matters related to NIL
- An athlete agent in Texas is defined under Section 2051.001 of the Occupations Code
- Student-Athletes must disclose NIL activities to the institution as required by the institution BEFORE signing the contract
- Student-Athletes have 10 days to resolve any conflicts with institutional contracts or agreements after disclosing the potential contract with the school.
- A student athlete cannot receive compensation for use of NIL if it is provided:

- In exchange for athletic performance or accepting an offer of admission to attend the institution
- By the institution
- In exchange for an act that occurs while the athlete is engaged in an official team activity
- Texas law requires Students cannot endorse alcohol, tobacco, e-cigarettes or any other type of nicotine delivery device, anabolic steroids, casino gambling or sports wagering, non-legal firearms, or sexually oriented business
- Without an institution's express written consent to use its facility, uniform, registered trademark, copyright-protected product, or official logo, mark, or other identifiers in connection with a NIL contract
- In conflict with institution codes of conduct and policies

NIL INFORMATION

In June 2021, the NCAA implemented a policy on name, image and likeness, or NIL, allowing student-athletes to make money from their personal brand. NIL laws vary by state, meaning your state may or may not have its own NIL regulations you must adhere to. This guide aims to simplify some of the NIL rules for high school athletes and parents involved in the recruiting process.

- What does NIL Mean?
 - Name, image and likeness (NIL) are the three elements that make up “right of publicity,” a legal concept used to prevent or allow the use of an individual to promote a product or service.
 - For example: if an athlete's photograph is taken while wearing an athletic brand, and that brand uses the photo promote their products without the athlete's consent, that athlete could claim the brand is in violation of the right of publicity.
 - The right of publicity is generally used to protect against the misuse of an individual's name, image and likeness for commercial promotion.
- What is the NCAA NIL Rule?

The NCAA's interim policy, which was passed in June 2021, has three main parts:

- Athletes can engage in NIL activities if they follow state laws where their school is located. Schools must ensure these activities comply with state law.
- Athletes in states without NIL laws can still participate in NIL activities without breaking NCAA rules.

- Athletes are allowed to seek professional service providers for their NIL activities.

Student-athletes need to report NIL activities consistent with state law or school and conference requirements to their school

- What are examples of NIL activities for student-athletes that they can now receive payment for?
 - Autographs and memorabilia
 - Camps and clinics
 - Personal appearances
 - Merchandise
 - Affiliate/ambassador roles
 - NFTs
 - Blogging
 - Podcasting
 - Public speaking
 - Music
 - Art
- What do you need to know?

NIL is an exciting opportunity for both college and high school athletes to make money, but before you dive into deals as a high school student, there are important things to keep in mind:

- State NIL Rules: Each state has its own NIL regulations, so what's allowed in one state may not be the same in another
- High School NIL Rules: Though the NCAA permits high school student-athletes to monetize their NIL, check with your high school or sports association's rules to avoid violations.
- Colleges and Conference-Specific NIL Rules: In college, you'll also need to be aware of what your college or conference allows for NIL, not just the state law.
- Know your risks: Engaging in NIL activities without considering the rules set by your state or high school sports association could jeopardize your eligibility to play college sports.
- Prioritize school and sports: Keeping up with your grades and improving your skills for college-level competition will boost your college prospects and future NIL opportunities.

- Seek guidance: Ask current college student-athletes for advice on name, image and likeness. They can connect you with NIL professionals and help you make smart choices. You can also reach out to financial management experts, educated legal professionals, industry podcasts, and NIL workshops
- Stay Informed: This area of the law is evolving quickly at the state and federal level. You need to constantly be informed of the changes state-by-state.
 - NCSA College Recruiting provides a great resource for student athletes: <https://www.ncsasports.org/name-image-likeness>
- Are colleges/universities creating their own NIL rules?
 - Yes, each school has oversight of NIL deals and the right to object to a deal if it conflicts with existing agreements.
 - Many schools are turning to companies like Opendorse and Teamworks, which offer platforms for athletes to upload their NIL contracts for the compliance department to review and approve.
- What are some good questions to ask your coaches before monetizing NIL?
 - What NIL rules are enforced by your school and conference?
 - What is NIL going to look like for me if I come to your institution?
 - How are current student-athletes monetizing their NIL?
 - What marketplaces are your current athletes using to monetize on their NIL?
 - What platform is your compliance office using to manage and approve NIL contracts?
- What is an NIL collective?
 - NIL collectives are support networks for college athletes where donors pool together money to compensate athletes for their name, image and likeness. These independent organizations generate NIL deals for athletes at specific schools while operating separately from the schools themselves.
- What's next for NIL Rules?
 - The NCAA intends to work with federal congressional legislators to replace the interim policy with a single nationwide policy, but there is no timeline on when that might happen. For now, athletes should continue to adhere to NIL rules set in their specific state.

RECRUITING STANDARDS

Schools have adopted rules to create an equal playing field in the recruiting sector that protects students and schools alike. The rules define who may be involved in the recruiting process, when recruiting may occur and the conditions under which recruiting may be conducted. Recruiting rules try to control intrusions into the lives of student-athletes.

- What is recruiting?
 - The NCAA defines recruiting as “any solicitation of prospective student-athletes or their parents by an institutional staff member or by a representative of the institution’s athletics interests for the purpose of securing a prospective student-athlete’s enrollment and ultimate participation in the institution’s intercollegiate athletics program.
- How do contacts work in recruiting?
 - A contact occurs any time a college coach says more than hello during a face-to-face contact with a college-bound student-athlete or their parents off the college’s campus.
 - There are different windows for recruitment activities:
 - What is a contact period?
 - During a contact period, college coaches may:
 - Call, write, text or email you and your family
 - Watch you compete
 - Visit your high school
 - Have face-to-face contact with you and your family
 - Remember, division, sport, and grade level determines recruiting activities. Be sure to check!
 - What is an evaluation period?
 - During an evaluation period, college coaches may:
 - Call, write, text or email you and your family
 - Watch you compete
 - Visit your high school
 - Have face to face contact with you and your family, but only on college’s campus
 - Remember, division, sport, and grade level determines recruiting activities

- What is a quiet period?
 - During a quiet period, college coaches may:
 - Call, write, text or email you and your family
 - Have face to face contact with you and your family, but only on the college's campus
 - During a quiet period, college coaches may not:
 - Watch you compete
 - Visit your high school
 - Remember, division, sport, and grade level determines recruiting activities
- What is a dead period?
 - During a dead period, college coaches may:
 - Call, write, text or email you and your family
 - During a dead period, college coaches may not:
 - Watch you compete
 - Visit your high school
 - Have face-to-face contact with you and your family
 - Remember, division, sport, and grade level determines recruiting activities
- What is the difference between an official visit and an unofficial visit?
 - What is an official visit?
 - An official visit is any visit to a college or university campus by you and your parents that is paid for by the college. The college or university may pay all or some of the following expenses:
 - Division I Official visit
 - Transportation costs to and from the college (including coach-class airfare) for the prospect and up to two additional family members
 - Reasonable expenses for meals, lodging, entertainment (\$60.00 per day) and complimentary admissions to a home athletics contest for you and up to four additional family members in the locale of the member school
 - Division II Official visit
 - Transportation costs to and from the college (including coach-class airfare) for the prospect

- Reasonable expenses for meals, entertainment, and complimentary admissions (up to five) to a home athletics contest in the locale of the member school
- Relatives and/or legal guardians of the prospect may stay in the same room (lodging) as the prospect, but the institution may not pay costs associated with any additional occupants
- Division III Official visit
 - Transportation costs to and from the college (including coach-class airfare) for the prospect
 - Reasonable expenses for meals, entertainment, and complimentary admissions to a home athletics contest in the locale of the member school
 - Relatives and/or legal guardians of the prospect may also be provided lodging, but the institution may not pay costs associated with any additional occupants such as other siblings or relatives
- What is an unofficial visit?
 - An unofficial visit is a visit by you and your parents to a college campus paid for by you or your parents.
 - The only expense you may receive from the college is three complimentary admissions (for Division I) or five complimentary admissions (for Division II) to a home athletics contest.
 - You may make as many unofficial visits as you like and may take those visits at any time.
 - The only time you cannot talk with a coach during an unofficial visit is during a dead period.
- What are the Division I and II Recruiting Calendars and Guides?
 - Recruiting calendars by sport are located here:
<https://www.ncaa.org/sports/2018/5/8/division-i-and-ii-recruiting-calendars.aspx>
- What is a Division I and II signing date?
 - There are deadlines for students to sign with a particular school for sports. Typically, football and basketball have separate deadlines than other sports.
 - There is usually an early signing period for Division I Basketball in November and a regular signing period for Division I Basketball in April

- There is usually an early signing period for Division I Football in December and a regular signing period for Division I and II Football in February
- All other Division I and II sports typically sign by mid-November each year
- Some of these deadlines depend on institution policies and when a student signs could impact scholarships.

LIABILITIES FOR SPORTS INJURIES

Injuries are an unfortunate reality of sports. But when an athlete suffers a career-ending or life-altering injury, questions arise about accountability. Below are a few important points for every athlete to be aware of after an injury.

- The Concept of Liability in Sport Law
 - Liability in sports law is the legal responsibility for the consequences of actions in a sporting context. It involves determining who is legally accountable for injuries sustained during sport activities.
 - In sports injury cases, establishing liability often revolves around issues like negligence, assumption of risk, and risks associated with a sport.
- Key Liability concepts in sports injury cases
 - When trying to figure out who's to blame in sports injury situations, there are a few important legal concepts to consider:
 - Negligence: This happens when an injury results from inadequate supervision, faulty equipment, or unsafe playing conditions—liability may be established
 - Assumption of Risk: Participants often assume inherent risks of a sport. However, this does not always absolve entities from liability due to negligence or reckless behavior
 - Product Liability: Sometimes injuries happen because something used in the sport was faulty or dangerous. If something like this causes an injury, the folks who made it, shared it around or sold it might be responsible for it.
 - Negligence
 - Negligence plays a role in determining liability. Negligence refers to a party's failure to exercise reasonable care, leading to harm or injury to another.
 - A coach, training staff, or other supervisor could be "negligent" and result in consequences in the legal landscape of sports law
 - When a duty of care is breached, and an injured party suffers significant injuries, the concept of negligence comes to the forefront.

- Establishing negligence is often the first step in litigation regarding sports injuries, as it forms the basis of for determining liability and seeking compensation.
- Assumption of Risk
 - Assumption of risk is pretty important to determine who's responsible in sports injury cases.
 - Assumption of risk means you take on the normal dangers and risks that come with a given sport. This does not mean other people can just ignore their responsibility to keep things safe and try to stop injuries from happening.
 - By deciding to join in, players of a sport are agreeing they know there are risks of getting hurt when playing a sport. In fact, unfortunately it is seen as "just part of the game."
 - While players may agree they might get hurt doing what's typical for the game, they don't sign up for getting injured because someone didn't do what they were supposed to do or was careless.
- Product Liability
 - Product liability comes from the idea that gear or products used in sports that aren't safe or have some issues.
 - For these types of cases, the person who got injured needs to show three things:
 - There was something wrong with what they were using
 - They were using it like they were supposed to (or in a way anyone could expect) when they got injured
 - The problem with the product directly led to them getting hurt
- Determining fault in sports injury
 - How negligence is proven
 - A person owed a duty of care to the injured player
 - Duty was breached due to the defendant's action or inaction
 - The breach directly caused the injuries and the injuries resulted in damages
 - Comparative and contributory negligence in sports
 - Comparative negligence is a key legal concept in sports where the court determines each party's degree of fault. If the injured party is found partially at fault, their compensation may be reduced accordingly.
 - Contributory negligence, is a defense used by the defendant to argue that the injured party's own negligence contributed to the injury.

- This defense, if successful, can keep a party from receiving any compensation.

TITLE IX

- What is Title IX?
 - No person in the U.S. shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance
 - Applies to all colleges, both public and private.
- How is Title IX applied to athletics?
 - Participation: Title IX requires that women and men be provided equal opportunities in sports. Does not require identical sports, but equal opportunities to play
 - Scholarships: Title IX requires female and male student-athletes receive athletics scholarships proportional to their participation; and
 - Other benefits: equal treatment of male and female athletes in providing equipment scheduling practice/games, travel and daily allowances, access to tutoring, coaching, locker rooms, and other opportunities
- Is there someone at each institution who would know about Title IX?
 - While Title IX is a shared responsibility, federal funds provide for at least one employee to oversee compliance efforts.
 - Institutions must investigate any gender discrimination complaints

TRANSGENDER STUDENT-ATHLETE ELIGIBILITY REVIEW PROCEDURES

Recent changes to the transgender student-athlete participation policy were made to incorporate sport-by-sport eligibility requirements that align with the Olympic movement. These vary by fall sports, winter sports, and spring sports.

- Eligibility Documentation and Review Procedure for Transgender Student-Athlete Participation
 - The eligibility requirements for a trans man to compete allow for competing in the sport. However, note that the use of NCAA banned substances, like testosterone, may require submission of a medical exception request on behalf of the student-athlete before competing.

- Medical exceptions procedures and considerations include:
 - Consider non-banned medications for the treatment of conditions
 - Request the Medical Exception before competing with the banned substance in the system and a positive drug-test
 - Maintain documents that support use of banned medication in the medical records on campus.
 - Request a medical exception after a positive test for the substance and provide documents if requested by the NCAA
 - A review and communication related to whether medical exception is granted will occur.
- A trans woman can be eligible to compete in an NCAA women's sport if the student-athlete's school submits the following:
 - NCAA Transgender-Athlete Eligibility Review Form; and
 - Form is here:
https://ncaaorg.s3.amazonaws.com/inclusion/lgbtq/SSI_TransgenderSAEligibilityReviewForm.pdf
 - Requires information from school contact and treating medical professional attestations
 - Evidence of Serum Testosterone Level.
 - Laboratory results demonstrating a one-time total serum testosterone level that is within the allowable levels for the sport in which the student-athlete plans to compete. Additionally, submitted laboratory results must be within four weeks (28 days) prior to the applicable competition date (e.g., student-athlete's first contest of each playing season segment or championship selection date).
- How and When to Send Documentation
 - Annual submission requirements
 - The NCAA must receive all required documentation at least one week prior to the student-athlete's first competition in the applicable playing season segment (traditional and nontraditional) for the applicable sport.
 - Multi-Sport Student-Athlete. Where a student-athlete intends to compete in more than one sport, submission of annual eligibility documentation will occur at least twice per academic year. Typically, this will occur (1) Prior to the student-athlete's initial competition in the fall term; and (2) Prior to the

student-athlete's initial competition in a different sport in the following academic term.

- For example, cross country and/or indoor and outdoor track and field student-athlete.
- NCAA Championship submission requirements
 - NCAA must obtain all required documentation from the school at least once a week for the first championship selection date in the applicable sport.
 - To receive a timely eligibility determination, all the above documentation must be completed and faxed by the student-athlete's school to the NCAA at (317)-917-6989.
- Review of Documentation and Eligibility Determination.
 - Documentation submitted pursuant to these transgender student-athlete eligibility review procedures will be reviewed by, and corresponding eligibility determinations will be made by, the CSMAS Medical Review Panel.
- Medical Exceptions reminder.
 - These procedures do not replace or change the requirements related to the NCAA Medical Exception Documentation Reporting Form which must be separately submitted by the school and approved by the NCAA before any student-athlete using any anabolic agent, hormone and metabolic modulator, or peptide hormone, growth factor, related substances and mimetics is allowed to participate in competition. requirements.
- Communications and School Contact
 - As part of its completion of an NCAA Transgender Student Athlete Eligibility Review Form a school will have the opportunity to designate a school contact. All communications related to the transgender student-athlete eligibility review will be directed to the identified school contact. In recognition of the sensitive nature of the information to be exchanged, we encourage each school to consider the needs and expectations of the school and the student-athlete when identifying an appropriate school contact.
- Reconsideration
 - The NCAA will deliver eligibility determinations to the school contact identified in the NCAA Transgender Student-Athlete Eligibility Review Form. If the student-athlete is determined to be ineligible for competition, additional documentation (e.g., updated total serum testosterone lab results) may be submitted for reconsideration provided it occurs in a timeframe consistent with applicable policy requirements

- Privacy Considerations
 - Certain information shared as part of these eligibility review procedures may constitute protected information as the same is described in applicable state, federal and international privacy regulations. We encourage schools to consult with legal, risk management and other applicable campus personnel as necessary before submitting eligibility information to evaluate and confirm, as necessary, the applicability of any such laws and related requirements.

RESOURCES

NCSA College Recruiting:

<https://www.ncsasports.org/ncaa-eligibility-center/eligibility-requirements>

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