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NCAA institutes new transfer rule

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The National Collegiate Athletic Association has approved a new transfer rule, one that appears to give athletes more control over their fates at a time when the NCAA is facing questions about its commitment to athletes' rights.

But the policy was written such that in some circumstances, players could risk losing their scholarships at the whim of an institution.

"This was forced because of public, media and legal pressure ... It's easy for the NCAA to take a victory lap even though this should have happened years ago," said Dave Ridpath, president of the Drake Group, which promotes academic integrity in college sports. "It's a win for the athlete even though it does not go far enough."

Earlier this month, in what the NCAA called an "expected next step," it allowed all athletes in Division I to transfer out of their programs without permission -- all they would need to do is inform their college or university they intended to do so. The players would then be added to a national database and any coach could contact them. Some athletes in the more high-profile sports still need to sit out a year upon transferring, per NCAA rules.

Before, athletes required the go-ahead from their college or university to leave and seek out new scholarships. This led to some coaches intentionally obstructing the departures of some talented players, experts say.

While this move does remove some autonomy from the institution, it could leave athletes vulnerable. If athletes have given notice they want out, a university could cancel their scholarship at the end of the semester in which they notified the university.

As *SB Nation* noted [in a recent column](#) ^[1], this would be discretionary for the institution, with some of the more mediocre players possibly being shortchanged if they change their mind and decide they won't transfer: "If a former five-star recruit wants to browse other schools, his current program probably won't nix his scholarship. If a middling three-star who's been fighting for a spot on the two-deep does, maybe the school will."

But the NCAA's conferences can also adopt their own procedures around transfers, essentially rendering the rule change, which takes effect in October, moot if they wanted. Ridpath said this was "too restrictive."

The conference that sponsored the new transfer rules, the Big 12, indicated that allowing the institution to nix a scholarship was an issue of fairness. It was supported by a number of NCAA panels, including the Division I Student-Athlete Advisory Committee.

In Division II, an athlete must still get permission to transfer; that's not so in Division III.

"In fairness to the transfer student-athlete's teammates, coaching staff and overall team dynamic, the Division I SAAC felt that a student-athlete should not be able to give notification, search for other opportunities, then return to their institution if dissatisfied with their options with no repercussions," Noah Knight, the committee chair, said in a recent statement. [2]

Jon Solomon, director of the Aspen Institute's Sports and Society program, said that the move was a "healthy step." Too many coaches, he said, were blocking players simply to protect their own interests and those of their programs.

He said that while the impact of this shift can't be predicted, likely the less-talented players would be more at risk when they want to transfer because an institution might not hesitate to cancel their scholarship.

The NCAA's transfer rules have been both under fire and under legal scrutiny for some time, particularly the requirement that Division I athletes in some high-profile sports such as men's basketball and football sit out a year after transferring. There was some talk of changing this policy, though not all together removing it, The Associated Press reported [3].

The rule has been tried in court. A former punter for Northern Illinois University [4], Peter Deppe, sued the NCAA in 2016 after he tried to transfer but found himself forced to take the one-year break.

A federal appeals court recently ruled [5] in his case that this was legal. The association had argued a rule change would "undermine amateur character of college athletics" -- a model the NCAA desperately tries to preserve -- and the U.S. Court of Appeals for the Seventh Circuit agreed.

Solomon criticized the NCAA for this piece of its policy.

"The NCAA and its schools still can't come up with public rationale as to why athletes in some sports can transfer and play immediately while athletes in other sports must sit out a year when they transfer," Solomon said. "We know the answer ... they often carry immense value for the athletic department and the university."

In addition to the transfer rules, the NCAA recently changed its policy around redshirting, the practice of sitting out of play for a season but still receiving scholarship money. Now an athlete can still participate in four games without burning his or her red shirt, a popular move among both players and coaches.

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[1] <https://www.sbnation.com/college-football/2018/6/19/17481492/ncaa-transfer-rule-changes-2018>

[2] <http://www.ncaa.org/about/resources/media-center/news/autonomy-conferences-adjust-aid-rules>

[3] <http://www.chicagotribune.com/sports/college/ct-spt-ncaa-reform-20180531-story.html>

[4] <https://www.insidehighered.com/college/147703/northern-illinois-university>

[5] http://www.espn.com/espn/story/_/id/23907927/7th-us-circuit-court-appeals-backs-ncaa-transfer-rule-requiring-year-off