The Ripple Effects of COVID-19 on NCAA Athletics and Eligibility

BY LYNETTE PACZKOWSKI • AUGUST 31, 2020

In early August, the National Collegiate Athletic Association (NCAA) Board of Governors issued requirements for fall sports, simultaneously directing its member schools and conferences to meet these requirements in order to conduct NCAA fall sports and each of its three divisions to determine its ability to meet those requirements to conduct fall championships.

Those requirements include, among others, that:

1. All fall sports activity (preseason, regular season, and postseason) must follow the return-to-sport guidelines from the NCAA Sport Science Institute. If and as the guidelines change, schools must follow any modifications.
2. All student-athletes must be allowed to opt out of participation due to concerns about contracting COVID-19, with schools required to honor their scholarship commitments to those student-athletes.
3. Each division must determine eligibility accommodations for student-athletes who opt out of participating this fall or for those whose seasons are canceled or cut short due to COVID-19.
4. Member schools, in conjunction with existing insurance standards, must cover COVID-19 related medical expenses for student-athletes to prevent out-of-pocket expenses for college athletes and their families.
5. The divisions must determine whether their respective fall sports seasons and NCAA championships should occur this year.

Divisions II and III almost immediately canceled fall sports championships. Division I has announced that it will work to host fall sport championships in the spring of 2021 for sports including men's and women's cross country, men's and women's soccer, women's volleyball, men's water polo, field hockey and FCS football. Six of the 10 FBS football conferences, however, are scheduled to play a fall season, including the ACC, Big 12, SEC, AAC, Conference USA, and Sun Belt. The FBS College Football Playoff's selection committee similarly announced its rankings release and selection dates.

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Division I approved a blanket waiver granting all fall sport student-athletes an additional year of eligibility and an additional year to complete it. Division II approved a prohibition on reducing or canceling athletics aid for any student-athlete who, by October 1, chooses not to participate during the 2020-21 academic year and extended the application of the previously approved extension of eligibility waiver (two semesters/three quarters). Division III recommended member schools not compete in the fall, requires schools that decide to compete in the fall to review existing health care cost coverage with student-athletes to help them make an informed decision about participation, requires schools to inform student-athletes of the risk classification of their sports according to the Resocialization of Collegiate Sport: Action Plan Considerations and provide information about how the school is complying with the Resocialization of Collegiate Sport: Developing Standards for Practice and Competition, and clarified that, for the 2020-21 academic year, all full-time enrolled student-athletes who opt out will get a two-semester/three-quarter extension of their eligibility.

CLIENT TIP

Like the decision of whether and how to allow students to return to campus, decisions regarding participation in athletics requires careful consideration. Schools should pay close attention to scholarship commitments and waiver and eligibility requirements for its student-athletes. Additionally, schools should follow the guidance and recommendations of the NCAA Sport Science Institute (Resocialization of Collegiate Sport: Developing Standards for Practice and Competition), including daily self-health checks, appropriate use of face coverings and social distancing during training, competition and outside of athletics, testing strategies for all athletics activities, and adherence to public health standards set by each school's state and local community.

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