# NDT Appeals Committee Report

NDT Meeting at Wichita State NDT – 3-22-18

## Eligibility Appeal #1 – Hybrid Waiver

### Basis for Appeal

Under the Hybrid Waiver Exception, two schools applied to allow their debaters to compete as a team at this year’s NDT. The application was in the form of a letter from the director of one of the schools, identifying efforts made to meet the hybrid criteria in the NDT Standing Rules.

### Pertinent Rules

#### Hybrid Exception Waiver (Rule II.A.2)

A. Team eligibility: Hybrid Exception Waiver: An intra-district hybrid team composed of two debaters from two different schools may petition the NDT Committee Chair for a waiver from the Appeals Committee of Standing Rule II.A.1.(b) to participate in District Qualification for the NDT if:

a. Two-thirds of the member schools of the District in question vote to approve participation of the team in question, AND

b. The hybrid team meets all of the following criteria:

(1) The individual hybrid team has 24 preliminary rounds of varsity or open collegiate competition TOGETHER on the topic over 4 tournaments with at least 6 teams from 4 different schools.

(2) The schools represented by the individual debaters historically and currently operate a joint program demonstrated by, but not limited to, a shared budget, coaching staff, travel, and meetings/practices.

(3) The schools for the debaters are traditionally represented as the same "program" for the purposes of competition, either by competing under one school name or consistent representation as the hybrid, unless prevented from doing so by individual tournament registration or tabulation procedures.

(4) The ability for at least one program of the two schools represented to participate in intercollegiate competitive debate would be jeopardized without the combination of resources, documented by either the lack of an official coaching/director position within the educational institution, a program budget of less than $3000 excluding coaching/judging compensation, or a lack of an established/recognized debate program in either a department or student organization.

(5) One student in the hybrid team is the ONLY Open collegiate debater from their college.

(6) A hybrid team provides evidence of substantial program development efforts at one or both of the team member’s home institutions.

c. The submission to the NDT Committee Chair must be made by the February 1st immediately preceding the NDT in which the team wishes to participate, and will be forwarded by the Committee Chair to the Appeals Committee.  The Appeals Committee will respond within one week of the submission of the request for the waiver.

B. These rules do not overrule any other eligibility requirements in number of rounds or tournaments attended for determining bids. Districts may make additional considerations or constraints on the participation of hybrids at their qualifier tournaments.  The validity of any hybrid team qualifying for the NDT may be challenged through the normal petition process with the Appeals Subcommittee of the NDT as outlined in the Standing Rules of the NDT Committee, Section IV (Rules of Procedure) if it can be substantiated that such a partnership is in violation of the above criteria.  Otherwise, a team granted such a waiver is considered eligible to compete in the NDT if they qualify through the District Qualification process and will count towards the total number of teams in the District for purposes of Bid Allocation.

C. Intra-district schools in such a hybrid must BOTH have either an institutional membership in the AFA or have a director who has an individual membership in the AFAand mustpay NDT dues for BOTH schools. (This is not a JOINT membership).  The qualification of such a hybrid teams would count against the total number of qualifying teams for BOTH schools.

D.  Schools may only petition for this exemption a maximum of 5 times. Schools may no longer petition for the waiver after qualifying for the NDT through this process

### Decision

#### Denied, Unanimous

The committee unanimously denied the Hybrid Waiver Exception in this instance on the basis that not all of the criteria had been met. In prior waiver cases, the Committee determined documentation from the second program was necessary to verify that criteria were met. As such, the Committee requested:

“additional documentation, from a letter from a [school] faculty member or administrator (department chair, dean, or other person a debate program would report to) that verifies and documents:

a) That "intercollegiate competitive debate would be jeopardized without the combination of resources, documented by either the lack of an official coaching/director position within the educational institution, a program budget of less than $3000 excluding coaching/judging compensation, or a lack of an established/recognized debate program in either a department or student organization."

b) That the [school] student involved is the only open debater at their school,

c) "Substantial program development efforts" at [school].”

The later documentation received was from a philosophy professor at the school, with a familiarity with debate and speech. The letter did verify both the lack of a debate program, and that an administrator who was contacted was not aware of other student debaters at the school. With regards to program development, the author indicated: “What I can say is that I’ve been told that [student] has spoken about his involvement with debate to one of his professors, and that this professor was interested in how what he was doing could contribute to the curriculum.”

The Committee did not think that this sufficiently demonstrated “substantial program development efforts” at the school. In the past, when waivers have been granted, such evidence has been provided. In those instances, evidence of such efforts included documentation regarding generating student interest, organizing debates, discussing debate programming with school administrators, and attempts to secure funding streams. It was not clear to the Committee that the efforts made in this instance were substantial, or necessarily program development, efforts.

* Committee members – Brovero (7), Feldman (1), Hester (6), Katsulas (AFAE) , Repko (5)

### Prior Waivers

For reference, in the prior instances in which a Hybrid Exception Waiver was granted, applicants had detailed the following:

#### Case 1

School A had been in communication with School B's honors program about starting a debate team and had applied for grant funds to work on starting a debate program at the other school.

#### Case 2

The Dean of Students from the community college cited instances of the student organizing in-class debates, setting up meetings with faculty members as an ambassador for debate, and meeting with other students to form a non-official debate club.

#### Case 3

The Chair of the African American Studies Department in which the fledgling debate program was housed detailed the logistical support and money they had budgeted for the program, they had that they were working on applying for university matching funds and external grants, and they had begun networking and recruiting at the high school level (both locally via local league and through other urban debate leagues throughout the country).

## Eligibility Appeal #2 – Second Round Win-Loss Record

### Basis for Appeal

A team was applying for a second round, but their record on Tabroom indicated they were two wins below the 50% prelim requirement. They appealed to establish their eligibility on the basis that 2 of their losses should not count toward their “team” record because two of those losses were incurred when one of the debaters was debating alone due to the partner’s illness. The appeal argued that in numerous places throughout the NDT rules, eligibility is established as a team, and as they were not debating together in those two debates, they should not count against their prelim record for eligibility.

### Pertinent Rules

#### Team is composed of two debaters (Rule II.A.1.b):

1. Schools who have an institutional membership in the AFA, or whose director has an individual membership in the AFA, and who are subscribers to the NDT may qualify up to three teams of two student-debaters for participation in the National Tournament through three selection processes: First Round At-Large selection, District Qualification and Second Round At-Large selection. A maximum of seventy-eight (78) teams shall qualify for participation in the National Debate Tournament as follows: sixteen (16) through the First Round At-Large selection, forty-six (46) teams through the District process, and the remaining teams through the Second Round At-Large process. A maximum of six subscribing schools may qualify a third team of two student-debaters for participation in the National Tournament through Second Round At-Large selection: these teams must follow the current procedures for selection, and must meet the 50% or greater preliminary win-loss requirement for Second Round At-Large Bids. However, notwithstanding the foregoing

a. Any student in compliance with the eligibility definitions of the AFA Debate Program and Debate Tournament Standards is eligible to represent his or her school, except that no student who has previously served as a judge at the NDT shall be eligible to participate as a debater.

b. A team is composed of two eligible debaters from a single subscribing institution. Any team of students from a subscribing institution who qualify for the NDT and who are restricted from attending the tournament by state or municipal travel restrictions shall be allowed to attend as an unaffiliated team, barring any objections from their subscribing institution. [Adopted 3-23-2017 in force for the 2018 NDT]

#### Reporting “team’s” record (Rule II.C.2.c.2)

2. The following regulations govern awarding of At-Large bids:

a. Selection of At-Large participants shall be determined by the voting membership of the National Committee with the exception of the NDT Tournament Director. National Committee members shall rank for At-Large selection a number of teams (excluding their own teams containing a student they have previously coached) double the number of awardable bids for the First Round At-Large and triple the number for Second Round At-Large. All other teams shall be given the next rank. On an agreed date all voting members of the Committee will telephone the NDT Tournament Director and inform him or her of their rankings.

b. The NDT Tournament Director will sum each team's total after dropping high and low ranks (using the average of all other ranks for a member's own team) and award the bids to the lowest ranked teams. If a tie results among the top positions (i.e., the last bid in the given At-Large round), the NDT Tournament Director shall drop an additional high and low ranks for the teams involved down to eight total ranks. If a tie still exists the NDT Tournament Director shall re-rank the teams involved in the tie based on the original ranked relationships of each committee member (except the member(s) with teams involved). If a tie still exists, then each member (except with teams involved) shall be telephoned and given the opportunity to re-rank the tied teams, after re-evaluating the respective credentials.

c. Second Round At-Large process.

(1) Any teams not selected for participation in the NDT through the First Round At-Large or district processes may apply for a Second Round At-Large bid.

(2) All teams selected through the Second Round At-Large process must have a 50% or greater preliminary round win-loss record in rounds on the fall CEDA topic or its NDT topic parallel immediately prior to the District tournament or at the time of submission for second round bids. The team's record for every tournament attended prior to submission must be reported on the application form.

(3) Teams submitting Second Round At-Large applications may include a paragraph of explanation concerning extenuating circumstances.

(4) Unless a school has received two bids in the First Round At-Large process, participation in the district process shall be a prerequisite for receipt of a Second Round At-Large selection. Participation in the district process is defined as:

a. both members of a team debating in at least 50% of the preliminary rounds at a tournament component;

b. in districts that allow a limited-number of teams from each school participating in the tournament component, submission to rankings as part of the district process that determines district-eligible teams and being ranked as ineligible;

c. receiving one of the allocated district bid slots as determined by the district.

### Decision

#### Approved, Unanimous

The committee unanimously voted that the team was eligible to participate in the Second Round At-Large process, on the basis that the language refers to a “team’s” record and a team is composed of two debaters.

However, it was noted that the language likely warrants clarification, as in some instances maverick rounds have probably counted for the purposes of meeting eligibility round or win-loss requirements, and there have been other instances in which teams have withdrawn from tournaments (as opposed to having mavericks debate) due to concerns that lost maverick rounds would count against a team’s second round eligibility.

* Committee members – Brovero (7), Feldman (1), Hester (6), Katsulas (AFAE), Repko (5)