# Amendment: Medical Waiver for 11th Semester/6th Year

March 2019, NDT Meeting

AMENDMENT SUMMARY:Allow for an Appeal based on Medical Hardship for a 6th year of eligibility.

AMENDMENT RATIONALE: Appeals committee seeks guidance. AFA Rules allow for exception, but Appeals Committee has no Standing Rule allowance for the exception. We’ve previously agreed that the AFA rule allows exception, but that the NDT Standing Rules do not have a mechanism for Appeals to grant that exception.

Given growing awareness of chronic illness, mental health, and the cost of additional semesters without the ability to focus on academics fully, in addition to the real world unavoidable realities of severe illness, there is growing need to consider exceptions to the 5 year rule for health. The previous semester based rules allowed more flexibility to students in these scenarios, but a student attending 3 tournaments in a year would have used a full year of eligibility per AFA rules.

See Notes at bottom for the not past “60%” of semester question.

# Current Rule

**Rule II: PARTICIPANT QUALIFICATION. In compliance with Article VI, Sections E and F of the NDT Charter:**

A. GENERAL REGULATIONS.

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]

c. The composition of any team qualifying for the National Debate Tournament must remain intact. If one member should, for any reason, be unable to fulfill the commitment, the subscriber loses its invitation for that team.

d. A debater may qualify for and attend the NDT a maximum of four times.

e. For the purpose of determining eligibility to participate at the National Debate Tournament, the number of time blocks in which a student has competed will include all intercollegiate debate competition. The counting of years of eligibility shall begin in the fall of 1996.

f. In addition to AFA eligibility standards, participation in any debate tournament in more than ten semesters renders a debater ineligible to attend the NDT.

g. To be an eligible debater for the National Debate Tournament, a student must provide, by February 8th to the NDT committee chair, an official document from appropriate university officials verifying that he/she is registered as an undergraduate **degree-seeking** student and is in good standing at the school, for which he/she is participating, as of February 1st immediately preceding the NDT in which he/she wishes to participate. **The degree-seeking requirement does not apply to any student enrolled in a junior college or a community college.**The Chair of the NDT Committee shall promptly notify the applying program director of any application which does not meet the above criteria. The program director may then appeal the eligibility of the debaters by contacting, and submitting all relevant documentation to, the NDT Committee Chair not later than one week from the date of notification. The appeal will then be forwarded to the Appeals Committee. The Appeals Committee may conduct the appeal by means of telephone calls, email or conference calls. The Appeals Committee may grant an exemption when the student's school provides written documentation explaining why a student may be officially enrolled but may not be in good standing, for example, if the university/college defines "in good standing" by criteria other than satisfactory academic performance.

h. Within two weeks of the conclusion of the tournament each year, all students who received one of the top ten speaker awards or who participated in the quarterfinal round of the tournament shall submit an official document similar to that specified in rule “g” above, attesting to their enrollment in good standing as of the date the tournament concluded.  The NDT Chair shall promptly report to the membership the results of the verification process.  Violations of the duty to verify eligibility may be subject to review and sanction by the NDT governing bodies.

i. No school which has refused or neglected to pay any fees or assessments associated with past national debate tournaments shall be allowed to register teams for the tournament, and no individual who has refused or neglected to pay fees or assessments associated with past tournaments will be allowed to attend or serve as a judge at the NDT.

**Rule VII: EVALUATION AND APPEAL PROCEDURES.**

C. Procedure for Appeal of Operational Decisions. The following govern review under Article VI, Section B of the Charter:

1. Eligibility and Participation Decisions. Decisions in preparation for the tournament with regard to Standing Rules II and III shall be handled before the start of the tournament.

a. Emergency procedure.

(1) All such appeals must be communicated to the Chair of the National Committee three days prior to the first day of the tournament competition. In consultation with the Director, the Chair will determine if the matter can be reviewed after all parties arrive at the tournament site or if an email conference and/or conference call is required.

(2) The Chair shall then bring the matter before the Subcommittee on Appeals whose Chair shall be responsible for gathering whatever information is necessary to review the appeal.

(3) Through a meeting, email conference, or conference call which includes the appellant, the Director, and any involved parties if those parties so desire, the Subcommittee shall reach a decision. The decision of the Subcommittee is final for the National Tournament operation.

b. Appeal of the Subcommittee Decision. If either the Director or the appellant wish the decision of the Subcommittee reviewed after the tournament, the procedures of Standing Rule VII.C.3. will be followed.

# Proposed Amendment:

**Rule II: PARTICIPANT QUALIFICATION. In compliance with Article VI, Sections E and F of the NDT Charter:**

A. GENERAL REGULATIONS.

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]

c. The composition of any team qualifying for the National Debate Tournament must remain intact. If one member should, for any reason, be unable to fulfill the commitment, the subscriber loses its invitation for that team.

d. A debater may qualify for and attend the NDT a maximum of four times.

e. For the purpose of determining eligibility to participate at the National Debate Tournament, the number of time blocks in which a student has competed will include all intercollegiate debate competition. The counting of years of eligibility shall begin in the fall of 1996.

f. In addition to AFA eligibility standards, participation in any debate tournament in more than ten semesters or five academic years renders a debater ineligible to attend the NDT unless a student is granted a medical waiver for one semester or year of debate participation through the Subcommittee on Appeals as per Rule II. A. 1. j below.

g. To be an eligible debater for the National Debate Tournament, a student must provide, by February 8th to the NDT committee chair, an official document from appropriate university officials verifying that he/she is registered as an undergraduate **degree-seeking** student and is in good standing at the school, for which he/she is participating, as of February 1st immediately preceding the NDT in which he/she wishes to participate. **The degree-seeking requirement does not apply to any student enrolled in a junior college or a community college.**The Chair of the NDT Committee shall promptly notify the applying program director of any application which does not meet the above criteria. The program director may then appeal the eligibility of the debaters by contacting, and submitting all relevant documentation to, the NDT Committee Chair not later than one week from the date of notification. The appeal will then be forwarded to the Appeals Committee. The Appeals Committee may conduct the appeal by means of telephone calls, email or conference calls. The Appeals Committee may grant an exemption when the student's school provides written documentation explaining why a student may be officially enrolled but may not be in good standing, for example, if the university/college defines "in good standing" by criteria other than satisfactory academic performance.

h. Within two weeks of the conclusion of the tournament each year, all students who received one of the top ten speaker awards or who participated in the quarterfinal round of the tournament shall submit an official document similar to that specified in rule “g” above, attesting to their enrollment in good standing as of the date the tournament concluded.  The NDT Chair shall promptly report to the membership the results of the verification process.  Violations of the duty to verify eligibility may be subject to review and sanction by the NDT governing bodies.

i. No school which has refused or neglected to pay any fees or assessments associated with past national debate tournaments shall be allowed to register teams for the tournament, and no individual who has refused or neglected to pay fees or assessments associated with past tournaments will be allowed to attend or serve as a judge at the NDT.

j. A medical waiver request to the Subcommittee on Appeals for one additional semester or year of eligibility may be requested if: (1) a student has not competed previously in the NDT in more than 3 years, and (2) if the student did not compete in an intercollegiate tournament past the sixtieth percent (60%) census point of the Fall Semester or First Quarter, or no later than Feb 8th in the Spring Semester or respective quarter, for a period of enrollment in their undergraduate career, and (3) the student transcript indicates that the period of enrollment either does not academically count for their undergraduate career or was retroactively withdrawn for medical reasons approved by their institution.

1. This appeal requires both Academic Documentation and Medical Documentation to be evaluated.

2. Academic Documentation requires a minimum of a student’s official college transcript with an indication of a “Leave of Absence” (also known as “Total Withdrawal”, “Matriculation of Maintenance”, or other documented institutional term for non-continuous enrollment within the institution) indicated for the semester or year that is the period of enrollment for the basis of the Appeal. The student may supplement this documentation by providing a copy of their original LOA request or approval within their institution to clarify transcript notations, which may include institutional forms, letters, or electronic communications. Supplemental documentation must be clearly dated and no later than the sixtieth percent (60%) census point of the Fall Semester or First Quarter or no later than Feb 8th in the Spring Semester or respective quarter or period of enrollment. The total number of days of Leave of Absence or approved non-matriculation/enrollment documented in the transcript, request, or approval may not exceed 180 days.

3. Medical Documentation requires either a copy of the original medical documentation submitted for the Leave of Absence AND the original institutional communication approving this documentation for leave during the period of enrollment, OR the student may submit original medical documentation from during the period of enrollment the Leave of Absence took place AND a current institutional letter indicating the Leave of Absence of was approved.

4. A student requesting a medical waiver cannot have been enrolled in any other institution of higher education during the period of Leave of Absence or non-matriculation identified in their appeal.

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a. Emergency procedure.

(1) All such appeals must be communicated to the Chair of the National Committee three days prior to the first day of the tournament competition. In consultation with the Director, the Chair will determine if the matter can be reviewed after all parties arrive at the tournament site or if an email conference and/or conference call is required.

(2) The Chair shall then bring the matter before the Subcommittee on Appeals whose Chair shall be responsible for gathering whatever information is necessary to review the appeal.

(3) Through a meeting, email conference, or conference call which includes the appellant, the Director, and any involved parties if those parties so desire, the Subcommittee shall reach a decision. The decision of the Subcommittee is final for the National Tournament operation.

(4) In the case of a Medical Waiver request as per Rule II. A. 1. J, additional care should be taken to maintain both Privacy and Confidentiality of student records as additional FERPA and HIPAA compliance may be required. In cases of a Medical Waiver request, the Chair of the National Committee should facilitate direct communication between the student requesting the Medical Waiver and the Chair of the Subcommittee on Appeals. The Chair of the Subcommittee on Appeals will directly instruct the student on the method to provide the Subcommittee with required documentation, and may request additional documentation from the student to verify institutional compliance and Leave of Absence dates. All members of the Subcommittee on Appeals are expected to maintain strictness standards for student privacy in evaluating the request. The report of the Subcommittee on Appeals to the NDT Committee shall only indicate if there was a medical waiver requested and if it was approved on denied for eligibility.

b. Appeal of the Subcommittee Decision. If either the Director or the appellant wish the decision of the Subcommittee reviewed after the tournament, the procedures of Standing Rule VII.C.3. will be followed.

# Notes:

Why the weird 60% thing for Fall???

Federal funds compliance requirement. There are actual reporting rules for Title IV funds that standardize leave compliance to some extent across institutions. **Title IV funds** include Direct Subsidized/Unsubsidized Loan, Direct Graduate PLUS Loan, Direct PLUS Loan, Federal Pell Grant, Federal Supplemental Educational Opportunity Grant (SEOG), and Federal Perkins Loan. Individual institutions may have different terms for what they call these leaves, or they may have different policies for requesting the leave, but the “census date”, fund returns, and the 60% period of enrollment are the laws all those policies are designed to meet.

Your institution has to count a student as 100% attended at the 60% of the term mark. Therefore, a student who competes past the 60% mark for the term (eg: a 15 week term would mean a student could not have participated past the 9th week of the semester. If a school begins the first day of class around Aug 10th, that would put the cut off around Oct 15, give or take a Fll Break. A school that starts around Sep 4th would have through the first week in November.) This conveniently would put the cut off for most programs as never including Wake or other November tournaments. It also would accurately reflect the circumstances for an appeal – GSU, Kentucky, Harvard with Harvard putting them at having burned the year/semester.

Information for Federal Aid Professional website, under the Federal Student Aid website for the DOE.

<https://ifap.ed.gov/fsahandbook/attachments/1011Vol5Ch2.pdf>

Feb 8 is obviously the NDT’s own compliance cut off in Spring.