



DIAA Waiver Request Guidelines

The Delaware Interscholastic Athletic Association has developed a set of regulations for the purpose of preserving the educational values of interscholastic athletics, promoting fair and equitable competition, and protecting the physical well-being of the participants. Special circumstances will, at times, indicate that an exception to the established rules and regulations is appropriate. To accommodate such situations, the DIAA has adopted a waiver procedure. **In addition to the guidelines below, please refer to DIAA Regulation 1006 Section 9.0 Waiver of DIAA Rules and Regulations while preparing your waiver request.**

General Guidelines:

- Waiver requests should be filed promptly when it becomes apparent to the student, parent(s), principal, headmaster, or other affected party that a waiver will be required. It is recommended that the school and the student and parent(s) work together to complete the Waiver Request Form. The school should submit the completed waiver on behalf of the student.
- The Waiver Request Form must be signed by the principal or headmaster of the school requesting the waiver and must include a letter from the principal or headmaster indicating whether the school supports the waiver request.
- The waiver request shall contain all facts pertaining to the case. It is incumbent on the student and parent(s), with the assistance of the school, to provide sufficient documentation so that the DIAA Board can render an informed decision. Opinions and recommendations must be properly documented. Supporting materials could include medical reports, court orders, standardized test results, etc. depending on the nature of the request. **It is not the duty of the Executive Director or the DIAA Board to produce or collect information.** School personnel may call the DIAA office for assistance in completing the Waiver Request Form or for information about required supporting documentation.

Requirements for Eligibility Rule Waiver Requests

For waiver requests for eligibility rules (1008-2.0 & 1009-2.0), a complete waiver request includes the waiver form and the following required documentation:

- Official transcripts (6th Grade – current school year) and semester grades for the current school year;
- Attendance records (past 2 years);
- Letter from Principal or Head of School of the requesting school either supporting or not supporting the waiver request;
- Any documentation specifically required by the rule;
- Medical records (if applicable);
- Legal documentation (if applicable);
- IEP (if applicable); and
- Any documentation to substantiate a hardship exists.

For waiver requests involving 1008.2.4 or 1009.2.4, documentation of official withdrawal from the sending school and official registration or acceptance to the receiving school.

Requirements for Non-Eligibility Waiver Requests

For waiver requests of non-eligibility rules, the request must be in the form of a written letter or memorandum and signed by the principal or headmaster of the school. The letter or memorandum must contain sufficient data to make it possible for the DIAA Board to reach a decision without further investigation, including:

- the rule at issue;
 - why the school is requesting a waiver of the rule; and
 - the positions of other member schools that would be affected if the Board granted the request.
- The Waiver Request Form must be received by the Executive Director **at least 21 calendar days** before the next regularly scheduled meeting of the DIAA Board and include all required documentation in order to be placed on the agenda for that meeting.

2021 – 2022 DIAA Board Meeting Dates and Waiver Deadlines

| Hearing Meeting Date | Meeting Date | Deadline to Submit Waiver Request |
|----------------------|-------------------|-----------------------------------|
| June 24, 2021 | July 8, 2021 | June 17, 2021 |
| July 29, 2021 | August 12, 2021 | July 22, 2021 |
| August 26, 2021 | September 9, 2021 | August 19, 2021 |
| September 30, 2021 | October 14, 2021 | September 23, 2021 |
| October 28, 2021 | November 11, 2021 | October 21, 2021 |
| November 23, 2021 | December 9, 2021 | November 18, 2021 |
| | January 20, 2022 | <i>NO WAIVER HEARINGS</i> |
| January 27, 2022 | February 10, 2022 | January 20, 2022 |
| February 24, 2022 | March 10, 2022 | February 17, 2022 |
| March 31, 2022 | April 14, 2022 | March 24, 2022 |
| April 28, 2022 | May 12, 2022 | April 21, 2022 |
| May 26, 2022 | June 9, 2022 | May 19, 2022 |

- Once all information is received and reviewed in the DIAA Office, a hearing in front of the DIAA Board may be scheduled. The school and student will receive a scheduling letter that includes written notification of the date and time of the hearing. **The student and parent(s) must attend the meeting. A representative of the school is not required to attend.**
- Waiver hearings shall be conducted in an informal manner that affords all parties the opportunity to present all information and all relevant arguments. The **burden of proof rests on the applicant** (the student, his/her parents or guardians, principal, headmaster, or other affected party) to show extenuating circumstances warranting a waiver.
- The DIAA Board shall consider the entire record of the case in reaching its final decision. Typically, a decision will be made on a waiver request at the hearing and shall be effective immediately.