

NCAA ELIGIBILITY RULES IN JEOPARDY: KEY POINTS ON THE LESSER-KNOWN THREAT TO LONGSTANDING COLLEGE ATHLETICS PRACTICES

Insights
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On top of the *House v. NCAA* settlement that's poised to upend amateurism, recent challenges to the NCAA's eligibility rules threaten to disrupt another longstanding practice in college athletics. Most recently, a federal court ordered the NCAA not to enforce an eligibility limitation under its "Five-Year Rule" against another Power 5 student-athlete. Here is what you need to know about the recent eligibility challenges and broader implications for college athletics.

The NCAA's Five-Year Rule

The NCAA's bylaws govern who is eligible to participate in intercollegiate athletics. For example, student-athletes must meet certain academic and amateurism standards, and they must not engage in more than four seasons of intercollegiate competition in any one sport. Under the "Five-Year Rule," those four seasons must be completed within a five-year period that generally begins on the student's first day of classes at a "collegiate institution" – which includes non-NCAA institutions, such as junior colleges (JUCO).

The rule aims to encourage student-athletes to focus on their education by completing their degree in a timely manner and allows for the possibility of using a redshirt year to sit out one season without losing a year of eligibility. Now, the NCAA is facing several antitrust lawsuits from student-athletes challenging the rule due to its JUCO eligibility limitation.

Snapshot of Lawsuits Challenging the Five-Year Rule

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In various ongoing lawsuits, student-athletes claim that the JUCO eligibility limitation violates federal antitrust law because athletes at junior colleges (which are governed by the National Junior College Athletic Association rather than the NCAA) have little or no opportunities to earn name, image, and likeness (NIL) compensation.

Pavia v. NCAA and the 2025-2026 Eligibility Waiver

In December, a federal judge ruled in favor of a Vanderbilt quarterback who sued the NCAA after he was deemed ineligible to compete in a final season because the Five-Year Rule counted a JUCO football season he completed before landing at Vanderbilt. The court issued a temporary order blocking the NCAA from applying that rule to the quarterback, allowing him to play a fourth season of Division I football.

This case is still playing out in court, but in response to the injunction, the NCAA implemented a blanket waiver for the 2025-2026 academic year that granted an extra year of eligibility to student-athletes who previously competed at non-NCAA institutions for one or more years and would have otherwise exhausted their eligibility after the 2024-2025 season, so long as they meet all other eligibility requirements.

3 More Challenges to the JUCO Rule

Shortly thereafter, two baseball student-athletes brought individual suits against the NCAA seeking eligibility due to their time spent at JUCO. In both cases, the courts declined to extend eligibility, upholding the NCAA's existing rules and finding no sufficient antitrust violations or irreparable harm.

Most recently, however, a court sided with a football student-athlete at a Power 5 institution and issued a preliminary injunction ordering the NCAA not to enforce the Five-Year Rule. The student-athlete had attended a junior college and several Division I institutions before exhausting his eligibility last season. He had then transferred to another institution but was not eligible for the NCAA's 2025-2026 blanket waiver because he failed to meet the requirement of being eligible to compete for that academic year "but for" his time competing at junior college. Because his five-year eligibility window began in 2019, and he took a redshirt year, his window of eligibility would have closed after the 2023-2024 season regardless of his JUCO year.

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The federal court in New Jersey found that the Five-Year Rule likely violated antitrust laws by unfairly restricting the student-athlete's ability to compete. The court agreed with the student-athlete that junior college seasons should not count towards the eligibility clock since JUCO is governed by a separate entity, similar to high school prep schools, and that denying him eligibility would result in irreparable harm, given pending NIL opportunities reportedly worth over \$500,000.

The Broader Implications of These Decisions

These recent rulings have only furthered the uncertainty around college athletics, signaling that the NCAA may be forced to overhaul its eligibility rules for JUCO and transfer student-athletes. Any such modification would need to carefully consider the unique dynamic of college athletics, ensuring that changes do not inadvertently lead to a slippery-slope where student-athletes spend two years developing at JUCO before returning to Division I programs, potentially disrupting the level playing field the NCAA aims to maintain.

College athletics stakeholders are grappling with how to balance athlete rights, competitive equity, and institutional control. As the *House* settlement looms, eligibility challenges continue to pop up, and the NCAA seeks federal intervention, the future of college athletics is at a pivotal crossroads.

Conclusion

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