

**REPORT OF THE JUNE 9-11, 2008,
NCAA DIVISION I ACADEMICS/ELIGIBILITY/COMPLIANCE CABINET**

ACTION ITEM.

- **Legislative – Request for Legislative Action by the NCAA Division I Management Council Administrative Committee.** (See the Attachment for the full text of the proposal forwarded to the Management Council Administrative Committee as noncontroversial legislation.)

❖ **NCAA Proposal No. 2008-7 – Eligibility – Education-Impacting Disabilities.**

- (1) Recommendation. The NCAA Division I Academics/Eligibility/Compliance Cabinet recommends that the Management Council Administrative Committee approve and forward noncontroversial legislation to the NCAA Division I Board of Directors for adoption to establish a definition of "education-impacting disability" as a current impairment that has a substantial educational impact on a student's academic performance and requires accommodation, and to replace all references to "learning disabilities" to "education-impacting disabilities."
- (2) Effective Date. Immediate.
- (3) Rationale. Currently, there is no working definition of "disability" in NCAA legislation, and the term "learning disabilities" does not reflect actual practices of accommodating all disabilities that impact a student's ability to learn. This proposal broadens the scope of accommodations and waivers to include all handicapping conditions and disorders that impact academic performance, including physical impairments (e.g., hearing loss). The NCAA's emphasis on providing accommodations for individuals with learning disabilities would not change as a result of this proposal. Rather, the proposal would ensure that the actual practice of accommodating education-impacting disabilities is codified in the legislation. This change is requested as noncontroversial legislation, inasmuch as broader consultation and debate are unlikely to improve the proposal in any substantial way, significant disagreement or alternative points of view will not be generated and there does not appear to be a significant impact on existing legislation or proposed legislation. In addition, it is important to have the legislation in place for the 2008-09 academic year for a consistent application in relation to various accommodation and waiver policies and procedures.
- (4) Budget Impact. None.

- (5) Impact on Student-Athlete's Time. None.

INFORMATIONAL ITEMS.

1. **Legislative – Cabinet Sponsored Proposals for the 2008-09 Legislative Cycle.** (The full text of these proposals, including rationale statements, will be available through the NCAA Legislative Services Database for the internet (LSDBi) and in the NCAA Division I Publication of Proposed Legislation by August 15, 2008, and the NCAA Division I Official Notice by November 15, 2008.)
 - a. **NCAA Bylaw 13.02.11 – Recruiting – Definitions and Applications – Prospective Student-Athlete and Bylaw 13.02.11.1 – Application.** The cabinet sponsored legislation to specify that an individual shall no longer be considered a prospective student-athlete when he or she officially registers and enrolls in an institution's summer term prior to initial enrollment in a regular term and attends class; and that such an individual shall not be subject to the contact limitations in Bylaw 13 as they relate to contact by the certifying institution and may be considered a student-athlete for purposes of Bylaw 16. With the adoption of Proposal No. 2007-44, any individual who is enrolled in the institution's summer term prior to his or her initial full-time enrollment at the certifying institution may be provided academic support services and may use the institution's training room facilities without having signed a National Letter of Intent (NLI). In addition, in football and basketball, any individual who is enrolled in the institution's summer term prior to his or her initial full-time enrollment at the certifying institution may engage in voluntary summer workouts conducted by an institution's strength and conditioning coach regardless of whether the individual has signed an NLI or is receiving athletically related financial aid during the summer term. Although these individuals have not signed an NLI or are not receiving summer financial aid, they are no longer being recruited by the institution and are now afforded the same access to institutional facilities and services as individuals who have signed an NLI or are receiving summer financial aid. Accordingly, they should also be afforded the benefits of being treated as student-athletes for purposes of Bylaw 16 and the institutions at which they are enrolled should not be subject to the contact restrictions of Bylaw 13.
 - b. **Bylaw 13.6.3 – Recruiting – Official Paid Visit – Requirements for Visit – Amateurism Certification Questionnaire and Bylaw 13.9.1 – NCAA Eligibility Center Registration and Institutional Request List.** The cabinet modified a previously sponsored proposal for the 2008-09 legislative cycle, which

would specify that an institution shall not provide an official visit to a high school, preparatory school or transfer prospective student-athlete, who is subject to the amateurism certification process, until he or she completes the amateurism certification questionnaire with the Eligibility Center. The cabinet modified the proposal to also specify that an institution shall not provide a prospective student-athlete (including a prospective transfer student-athlete who is subject to the amateurism certification process) a written offer of athletically related financial aid until he or she has completed the amateurism certification questionnaire with the Eligibility Center. Requiring that a prospective student-athlete complete the amateurism certification questionnaire prior to allowing an institution to provide a written offer of athletically related financial aid, will ensure that the Eligibility Center will be able to begin the certification process at an earlier date for those prospective student-athletes who have not taken or will not take an official visit and will help ease case volume in the summer or even after the start of the academic year when competition is pending.

- c. **Bylaw 14.1.8.2 – Eligibility – General Eligibility Requirements – Full-Time Enrollment – Requirement for Competition.** The cabinet sponsored legislation to specify that enrollment in a nontraditional course (e.g., distance-learning, correspondence, extension, Internet courses, independent study or any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) offered by the certifying institution may be used to satisfy the full-time enrollment requirement for competition, provided the following conditions are met:

- (1) Evaluation of the student's work in the course is conducted by the appropriate academic authorities in accordance with the certifying institution's established academic policies;
- (2) The course is available to any student at the certifying institution;
- (3) Enrollment in the course occurs within the institution's regular enrollment periods (preregistration or drop-add period) in accordance with the institution's academic calendar and applicable policies and procedures;
- (4) The course is conducted during the institution's regular academic schedule (term time) in accordance with the institution's academic calendar and applicable policies and procedures;
- (5) The course involves regular interaction with the instructor (in person or electronically);

- (6) The institution uses a conventional grading scale consistent with similar courses offered by the institution and in accordance with applicable policies and procedures; and
- (7) The course is acceptable for degree credit (no remedial or noncredit courses) and is reflected on the student's official academic record.

After extensive review of traditional and nontraditional courses, the NCAA Division I Academics/Eligibility/Compliance Cabinet Subcommittee on Continuing Eligibility defined traditional courses as those involving regular in-person, classroom-based instruction. Nontraditional courses were defined as those involving little or no classroom-based instruction (e.g., distance-learning, correspondence, extension, Internet courses, independent study and any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student). Technological trends within postsecondary instruction require a modernization of the language used to refer to various methods of course delivery. Generally, a student-athlete should be permitted to use nontraditional courses to satisfy the full-time enrollment requirement, provided the institution considers enrollment in such a course as regular course enrollment for all students; however, this proposal establishes minimum standards that must be met in order for nontraditional courses to be used. The cabinet noted recent concerns expressed by the National Association of Academic Advisors for Athletics (N4A) regarding the unique challenges related to providing academic support services to student-athletes enrolled in nontraditional coursework and directed the NCAA staff to work with N4A to identify model practices during 2008-09 to be distributed to the Division I membership prior to the effective date of this proposal.

- d. **Bylaw 14.2.3.2 – Eligibility – Seasons of Competition: Five Year Rule – Criteria for Determining Season of Competition – Delayed Enrollment – Women's Volleyball.** The cabinet sponsored legislation to specify that, in women's volleyball, a student-athlete who does not initially enroll full time in a collegiate institution within one year following the high school graduation date of the student-athlete's class (as determined by the first year of high school enrollment or the international equivalent) and participates in organized volleyball events after the one-year period, shall be charged with a season of intercollegiate competition for each year of participation and shall fulfill an academic year in residence on matriculation at the certifying institution before being eligible to represent the institution in intercollegiate competition. There is support among members of the American Volleyball Coaches Association (AVCA) for this legislation to address concerns regarding the current organized competition

legislation. It is becoming increasingly more common for women's volleyball prospective student-athletes to intentionally delay initial collegiate enrollment in order to compete and train at an elite level. Under the current legislation, these prospective student-athletes may delay enrollment until age 21, training and competing for three to four years before entering college. This proposal simply adds women's volleyball to the legislation by which tennis and swimming and diving have addressed similar concerns.

- e. **Bylaw 14.3.1.2.1.2 – Eligibility – Freshman Academic Requirements – Core Curriculum Time Limitation – Students with Education-Impacting Disabilities.** The cabinet sponsored legislation to specify that if a prospective student-athlete with a diagnosed education-impacting disability graduates from high school within the core-curriculum time limitation, he or she may use up to three core courses completed after high school graduation to satisfy the core-curriculum or minimum grade-point average requirements or both. Current legislation permits a prospective student-athlete with a diagnosed education-impacting disability to use all core courses up to the individual's initial full-time enrollment at a Division I institution to satisfy the core-curriculum or minimum grade-point average requirements or both. This proposal will provide a more consistent application of the core-curriculum time limitation legislation for all prospective student-athletes, while still providing a reasonable accommodation for individuals with diagnosed education-impacting disabilities. This proposal also will serve to protect the well-being of prospective student-athletes with education-impacted disabilities, particularly those individuals who require accommodations to complete their coursework, by limiting the number of core courses they are completing in a short amount of time. Pursuant to current initial-eligibility waiver policies and procedures, consideration may be given to all courses taken by a prospective student-athlete with an education-impacted disability up to initial full-time enrollment. Such consideration would continue under this proposed change to the legislation.
- f. **Bylaw 14.4.3.4 – Eligibility – Progress-Toward-Degree Requirements – Regulations for Administration of Progress Toward Degree – Nontraditional Courses.** The cabinet sponsored legislation to specify that nontraditional courses (e.g., distance-learning, correspondence, extension, Internet courses, independent study and any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) completed at a four-year institution other than the certifying institution may be used to meet credit-hour requirements and percentage-of-degree requirements, provided the following conditions are met:

- (1) Evaluation of the student's work in the course is conducted by the appropriate academic authorities in accordance with the offering institution's established academic policies;
- (2) The course is available to any student at the certifying institution;
- (3) Enrollment in the course occurs within the institution's regular enrollment periods (preregistration or drop-add period) in accordance with the institution's academic calendar and applicable policies and procedures;
- (4) The course involves regular interaction with the instructor (in person or electronically);
- (5) The offering institution uses a conventional grading scale consistent with similar courses offered by the institution and in accordance with applicable policies and procedures; and
- (6) The course is acceptable for degree credit (no remedial or noncredit courses) and is reflected on the student's official academic record at the certifying institution.

After extensive review of traditional and nontraditional courses, the Subcommittee on Continuing Eligibility defined traditional courses as those involving regular in-person, classroom-based instruction. Nontraditional courses were defined as those involving little or no classroom-based instruction (e.g., distance-learning, correspondence, extension, Internet courses, independent study and any other course or credit that is not earned in a typical face-to-face classroom environment with regular in-person interaction between the instructor and the student). Technological trends within postsecondary instruction require a modernization of the language used to refer to various methods of course delivery. Generally, a student-athlete should be permitted to use nontraditional courses from any four-year institution to satisfy progress-toward-degree requirements, provided they are accepted by the certifying institution and satisfy graduation requirements for all students at the certifying institution. It is important to respect institutional discretion and authority in setting course content and curriculum and to trust institutional integrity with regard to use of nontraditional courses. However, this proposal establishes minimum standards that must be met in order for nontraditional courses to be used.

- g. Bylaw 14.5.5.3 – Eligibility – Transfer Regulations – Four-Year College Transfers – Competition in Year of Transfer -- Tennis.** The cabinet sponsored

legislation to specify that a four-year transfer student-athlete who enrolls at the certifying institution midyear after having received athletically related financial aid at the previous institution during the same academic year shall not be eligible for intercollegiate competition until the ensuing academic year. There is support among members of the Intercollegiate Tennis Association (ITA) for this legislation to limit the ability of a midyear tennis transfer student-athlete to compete for two four-year institutions in the same academic year if the student-athlete received athletically related financial aid at the first institution. Current legislation precludes a student-athlete from engaging in competition at two different institutions in the championship segment of an academic year. In tennis, the season of competition is typically divided into two segments, but the ITA is concerned about the difficulty some institutions have in replacing a player midyear. Further, the proposal encourages and promotes more careful consideration by the coach and the student-athlete during the recruiting process and helps to solidify the commitment by both parties.

2. Nonlegislative.

- a. NCAA Division I Amateurism Fact-Finding Committee Policies and Procedures.** The cabinet approved revisions to the Amateurism Fact-Finding Committee's policies and procedures manual. The revisions were primarily editorial in nature and related to the transition from the NCAA Initial-Eligibility Clearinghouse to the Eligibility Center.
- b. Policy for Documentation of Education-Impacting Disabilities for Initial-Eligibility Purposes.** The cabinet approved modifications to the policy for documentation of disabilities for initial-eligibility purposes. The approved policy is as follows:
 - (1) There must be a clear statement of the prospective student-athlete's disability/disorder, either in the special education paperwork, 504 Plan or in the private clinical evaluation;
 - (2) The documentation provided [e.g., Individualized Education Plan (IEP), Individualized Transition Plan, Summary of Performance, 504 Plan, triennial review or private evaluation] must be from the prospective student-athlete's high school years (grades nine through 12, or postgraduate);
 - (3) The documentation must indicate the types of accommodations/modifications needed for the prospective student-athlete. If the student

graduated from a private school, this information must be included on the school's letterhead; and

- (4) The prospective student-athlete must provide assessment documentation that indicates the current educational impact of the disability (even if the test scores are several years old).

There have been several significant changes in federal disability laws that affect the type and timeline of documentation for students once they graduate from high school. For example, school systems are not required to re-evaluate students through formal testing prior to graduation. Instead, they may produce a summary of performance as a transition tool. Also, schools may opt to rewrite an IEP every three years instead of annually. These changes have made it increasingly difficult to evaluate education-impacting disability requests. The modifications to the requirements for documenting an education-impacting disability will assist NCAA staff in evaluating disability status consistent with federal law.

c. Policy for Documentation of Education-Impacting Disabilities for Enrolled Student-Athletes. The cabinet approved revisions to the policy for documenting the disability status of enrolled student-athletes to require the following documentation to be provided when evaluating waiver applications submitted by institutions on behalf of student-athletes with education-impacting disabilities:

- (1) If requesting a less than full-time enrollment waiver for a student-athlete with an education-impacting disability, written documentation from an appropriate institutional academic authority (e.g., registrar) that the institution has defined the student-athlete's full-time enrollment to be less than 12 hours to compensate for the student-athlete's disability.
- (2) A written copy of the institution's policies and curriculum guidelines applicable to all students with education-impacting disabilities. (Note: The committee or subcommittee on progress-toward-degree waivers will not consider appeals in cases in which the institution does not have an established written policy.)
- (3) A summary of support services and other accommodations provided by the applicant institution designed to assist student-athletes with education-impacting disabilities, in general, and the student-athlete for whom the waiver is being sought, in particular. This summary normally would be expected to include accommodations provided by the institution with respect to the student-athlete's athletics responsibilities, as well as the academic and

other support services provided and any institutional accommodations related to adjustments of minimum performance requirements.

- (4) Full and complete documentation of the student-athlete's education-impacting disability including:
 - (a) A current diagnosis of the disability, including the results of specific measures or tests, which formed the basis of the diagnoses. If specific circumstances of the case indicate that this requirement is unnecessary, a prior diagnosis may be acceptable. (Note: The NCAA staff, committee or subcommittee reserves the right to request a second opinion or diagnosis.)
 - (b) A copy of the student-athlete's IEP, if applicable.
- (5) Contemporaneous medical documentation provided by an individual who is qualified and licensed to diagnose and treat the particular illness (e.g., psychiatrist, psychologist) must be submitted on behalf of student-athletes with psychological or mental health issues (e.g. depression, bipolar disorder).

Critically important to the underlying philosophical basis for accommodating students with education-impacting disabilities is the accountability of member institutions to meet the needs of such students beyond assistance with athletics eligibility. Additional documentation requirements increase institutional accountability.

d. Revision of Progress-Toward-Degree Waiver Policies and Procedures. The cabinet approved revisions to the progress-toward-degree waiver policies and procedures as follows:

- (1) An institution filing a progress-toward-degree waiver for a student-athlete with an education-impacting disability must identify if it previously filed a disability initial-eligibility waiver request for the same student-athlete.
- (2) If the institution previously submitted a disability initial-eligibility waiver request for the student-athlete, the institution must provide a summary of the support services and/or accommodations that the student-athlete has used at the institution. If the support services and/or accommodations provided differ from the support services and/or accommodations that were described in the student-athlete's initial-eligibility waiver request, the institution must provide

a written statement explaining why the support services and/or accommodations changed. If the student-athlete did not use any support services and/or accommodations, the institution must provide a statement explaining why the student-athlete did not use available support services and/or accommodations.

Critically important to the underlying philosophical basis for accommodating students with education-impacting disabilities is the accountability of member institutions to meet the needs of such students beyond assistance with athletics eligibility. Requiring the abovementioned additional information for situations in which a previous disability initial-eligibility waiver request was submitted increases institutional accountability.

- e. **Use of Repeated Courses for Initial-Eligibility Purposes.** The cabinet received a report from the NCAA Division I Academics/Eligibility/Compliance Cabinet Subcommittee on Initial-Eligibility Issues regarding its discussion of the use of repeated courses, including the use of credit-recovery programs by prospective student-athletes for initial-eligibility purposes. In such programs, a prospective student-athlete who fails a course may be permitted to retake the final exam or submit assignments that were failed during the first attempt. The grade is "recovered" without requiring the prospective student-athlete to repeat the entire course curriculum. Because there is no current research data on the number of courses repeated by prospective student-athletes, a research-based decision to amend the current legislation is not possible at this time. For this reason, the Eligibility Center staff will continue to identify a prospective student-athlete's academic credentials for review in instances in which the individual has repeated courses to significantly improve his or her core-course grade-point average. Additionally, the Eligibility Center staff will identify a prospective student-athlete's academic credentials for review in instances in which a course is repeated more than one academic year after the individual's initial attempt of the course, in instances in which a prospective student-athlete attempts to repeat a course more than once during his or her high school career, and instances in which a prospective student-athlete has repeated more than two courses during any one academic year (including summer school) and more than eight courses during his or her high school career. If a prospective student-athlete's academic record is reviewed based on any identifier, an institution will be required to provide documented evidence (e.g., official board of education or other appropriate governing body's policy) of the high school policy on repeated courses. The Subcommittee on Initial-Eligibility Issues recommended that the NCAA research staff and/or the Eligibility Center staff collect data on the use of repeated courses, including the use of credit-recovery programs for future consideration in any

recommendation to amend the current legislation. Further, the Subcommittee on Initial-Eligibility Issues recommended that the NCAA Division I Academics Cabinet develop principles regarding the use of repeated courses (e.g., same seat time, curriculum, assessment) and the application of the legislation related to repeated courses to credit-recovery programs.

- f. Use of Nontraditional Courses for Initial-Eligibility Purposes.** The cabinet received a report from the Subcommittee on Initial-Eligibility Issues related to its discussion of the use of nontraditional course work (e.g., courses taught via the Internet, distance learning, correspondence and similar means) for initial eligibility purposes. The Subcommittee on Initial-Eligibility Issues discussed the increased use of nontraditional methods of instruction in secondary schools, particularly in light of the requirement that prospective-student-athletes complete 16 core courses, effective for those initially enrolling full time at a collegiate institution on or after August 1, 2008. The Subcommittee on Initial-Eligibility Issues recommended that the Academics Cabinet review this issue. In its review, the Academics Cabinet should consider an emphasis on the nontraditional course legislation, and amending policies to include the establishment of baseline standards of quality for nontraditional courses and secondary school programs.
- g. Discussion Related to Providing Athletically Related Financial Aid to Nonqualifiers.** The cabinet received a report from the Subcommittee on Initial-Eligibility Issues regarding the concept of providing athletically related financial aid to nonqualifiers in their first academic year in residence. The Subcommittee on Initial-Eligibility Issues forwarded this concept to the Academics Cabinet and the NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet. The Subcommittee on Initial-Eligibility Issues discussed potential rationale to support the concept, including the advantages of providing nonqualifiers earlier access to member institutions, reduced reliance on two-year institutions as an alternative and increased institutional accountability through the NCAA Division I Academic Performance Program (APP), which may encourage institutions to provide aid only to those individuals who are likely to be academically successful at the institution. Other factors to consider include possible increased administrative and financial burdens, the potential effect on institutions or conferences that have rules that preclude or limit the participation of nonqualifiers, current maximum grant-in-aid limits and the well-being of student-athletes who are underprepared for the rigors and expectations of a four-year institution.
- h. Women's Basketball Counter Reduction Concept.** The cabinet received a report from the NCAA Division I Academics/Eligibility/Compliance Cabinet

Subcommittee on Financial Aid regarding its continued review of a concept developed by the NCAA Division I Women's Basketball Committee related to reducing the annual institutional limit on the total number of counters in women's basketball and possibly increasing the team financial aid limits in other identified women's sports. Additional data and information was reviewed, including the average number of women's basketball counters per institution, whether those counters are fully funded (e.g., awarded a full grant-in-aid), and a listing of all women's sports sponsorship numbers and information relating to the impact this concept may have on gender-equity initiatives. The Subcommittee on Financial Aid also reviewed the positions of the NCAA Division I Women's Basketball Issues Committee and the Women's Basketball Coaches Association (WBCA) related to this concept. Neither entity supports the concept. They believe that the women's basketball community should explore other avenues in order to increase parity and further develop women's basketball. The Subcommittee on Financial Aid agreed that the current financial aid limitation for women's basketball is appropriate and encouraged additional discussion by the appropriate governance committees related to the strategies for further developing women's basketball.

- i. **NCAA Presidential Task Force on the Future of Division I Intercollegiate Athletics – Recommendations Related to Financial Aid Hearing Opportunity Legislation.** The cabinet received a report from the Subcommittee on Financial Aid regarding its continued review of recommendations related to the financial aid hearing opportunity legislation. The Subcommittee on Financial Aid reviewed feedback from the NCAA Division I Student-Athlete Advisory Committee and determined that no legislative changes were necessary at this time. The Subcommittee on Financial Aid directed the NCAA staff to develop best practices related to the application of the financial aid hearing opportunity legislation. Specifically, the Subcommittee on Financial Aid provided the NCAA staff with specific concepts for institutions to consider when reviewing financial aid hearing opportunity policies and procedures (e.g., prior to the hearing, during the hearing and after the hearing).
- j. **Recommendation Related to Increasing the Women's Softball Maximum Institutional Grant-in-Aid Limitation.** The cabinet received a report from the Subcommittee on Financial Aid regarding its review of a recommendation developed by the National Fastpitch Coaches Association related to increasing the maximum institutional grant-in-aid limitation for softball from 12 to 14. The Subcommittee on Financial Aid did not support the recommendation. Specifically, concerns were expressed regarding the impact on competitive equity and recruiting if the maximum limitation were increased. The Subcommittee on Financial Aid has recommended that the Awards, Benefits, Expenses and

Financial Aid Cabinet exam the maximum institutional grant-in-aid limitations for all sports.

- k. Bylaw 15.3.3.1 – One-Year Period – Exception – Midyear Enrollment After Signing a National Letter of Intent.** The cabinet received a report from the Subcommittee on Financial Aid regarding its review of an issue referred by the NCAA Division I Legislative Review/Interpretations Committee and the Collegiate Commissioners Association Compliance Administrators (CCACA) advisory group related to developing an exception to Bylaw 15.3.3.1 (one-year period) for prospective student-athletes who have signed an NLI for the upcoming academic year to be awarded institutionally related financial aid in the current academic year if the prospective student-athlete enrolls early at the certifying institution (e.g., midyear of the academic year during which he or she signed the NLI).

The Subcommittee on Financial Aid developed a model that would create an exception to Bylaw 15.3.3.1 (one-year period) to permit an institution to provide athletically-related financial aid to an incoming student-athlete who has signed an NLI during the early signing period and enrolls in the academic year prior to the period of the award set forth in the NLI or the accompanying institutional financial aid agreement.

The Subcommittee on Financial Aid will forward this model to the National Letter of Intent Policy and Review Committee for consideration during its June 16 meeting. The following points related to this specific model were identified for that committee's consideration:

- (1) Whether the athletically related financial aid provided during the term(s) (e.g., spring term) prior to the period of the award outlined in the financial aid agreement that accompanied the NLI must be provided in an amount equal to the athletically related financial aid that will be provided during each term of the ensuing academic year or may be awarded in any amount (Bylaw 15.3.3.2-regular academic year versus. summer term).
- (2) Whether creating this exception to the one-year period would lead to increased pressure on prospective student-athletes to enroll early.

In developing this model, the Subcommittee on Financial Aid noted that, for example, a prospective student-athlete may sign an NLI during the early signing period in November, but graduate early from high school and enroll at the certifying institution during the spring semester. This student-athlete, if permitted

to receive institutional athletically related financial aid, would be part of the APP cohort for the spring term. Additionally, although current legislation does not preclude an institution from providing other types of institutional aid to a student-athlete who signs an NLI and enrolls early, the Subcommittee on Financial Aid believes that this exception may be warranted. Further, any athletically related financial aid awarded to such a student-athlete would be subject to all other regulations regarding the provision of athletics aid (e.g., institutional team limits, five permissible years of unearned aid during the six-year period).

- I. Application of Contact Limitations of Bylaw 13 and Benefits of Bylaw 16 to Walk-Ons who Enroll in Summer Courses Prior to Initial Full-Time Enrollment in a Regular Term.** The cabinet received a report from the NCAA Division I Academics/Eligibility/Compliance Cabinet Subcommittee on Recruiting regarding its discussion of the continued application of recruiting contact restrictions on walk-on prospective-student-athletes who, due to the adoption of Proposal No. 2007-44, are able to access the institution's training room and academic support services and, in football and basketball, participate in voluntary summer workouts conducted by the institution's strength and conditioning coach. The Subcommittee on Recruiting recommended that the NCAA Division I Management Council Administrative Review Subcommittee grant a blanket waiver for the 2008 summer to specify that an individual is no longer considered a prospective student-athlete when he or she officially registers and enrolls in an institution's summer term prior to initial enrollment in a regular term and attends class, and that such an individual shall not be subject to the contact limitations in Bylaw 13 as they relate to contact by the certifying institution and may be considered a student-athlete for purposes of Bylaw 16.
- m. Employment of Volleyball Coaches at Camps or Clinics During a Quiet Period.** The cabinet received a report from the Subcommittee on Recruiting concerning its review of a request by the AVCA to review a legislative concept that would preclude employment of women's volleyball coaches at noninstitutional camps or clinics, another institution's camps or clinics or off-campus camps or clinics during a quiet period. The women's volleyball coaching community has expressed strong concerns that employment of women's volleyball staff members in such camps or clinics during quiet periods provides preferential access to prospective student-athletes, which results in potential recruiting advantages. The Subcommittee on Recruiting noted that the requested legislative change would potentially limit coaches' ability to supplement their incomes. Additionally, the Subcommittee on Recruiting suggested that the AVCA obtain feedback from more volleyball programs, including from coaches who are not members of the AVCA, to more fully assess the level of support for the concept

among Division I coaches. Finally, the Subcommittee on Recruiting recommended that the AVCA obtain feedback from other coaches associations to consider whether this legislative concept should be expanded to other sports.

- n. **Legislative Concepts Forwarded by the Intercollegiate Women's Lacrosse Coaches Association (IWLCA).** The cabinet received a report from the Subcommittee on Recruiting related to a request by the IWLCA to review several legislative concepts designed to address their concern that many prospective student-athletes make commitments too early in the recruiting process, thereby resulting in undue pressure both on prospective student-athletes and coaches. The Subcommittee on Recruiting agreed that special attention to this issue is warranted, but declined to recommend that the cabinet sponsor any of the concepts as legislative proposals for the 2008-09 legislative cycle. Specifically, the Subcommittee on Recruiting expressed concern about the feasibility of monitoring rules compliance with some of the legislative concepts (e.g., identifying which recruiting telephone calls were prearranged, ensuring that coaches only evaluate senior prospective student-athletes during specified recruiting periods) and the fact that the legislative concepts were specific to women's lacrosse. The Subcommittee on Recruiting suggested that the IWLCA obtain feedback from other coaches associations to determine whether the concepts should be considered for other sports. The Subcommittee on Recruiting was generally supportive of a concept, for all sports, that would establish a specific date before which an institution would not be permitted to make any offer of athletics aid. Additionally, the Subcommittee on Recruiting suggested that feedback be obtained from the Student-Athlete Advisory Committee on these legislative concepts.
- o. **Women's Basketball Coaches Association Recommendation Related to the Permissible Number of Off-Campus Recruiters.** The cabinet received a report from the Subcommittee on Recruiting concerning its review of a legislative concept forwarded to it by the WBCA that would eliminate the requirement that a coach who is replaced by another in the limit on the number of coaches who may engage in off-campus recruiting at any one time, must return to campus prior to engaging in additional recruiting activities. The Subcommittee on Recruiting did not support the concept, noting that such a change would likely not lead to cost savings for institutions due to the fact that it would permit all coaches to be off campus at the same time. Further, the Subcommittee on Recruiting noted that the legislation was amended in 2005 to afford the flexibility that currently exists. Finally, the Subcommittee on Recruiting expressed concern that this change could result in no coaches being available on campus to address the needs of an institution's current student-athletes.

- p. Voluntary Summer Conditioning Activities and Medical Expenses for All Sports.** The cabinet received a report from the Subcommittee on Recruiting related to its discussion of a legislative concept to permit incoming prospective student-athletes in all sports to engage in voluntary summer conditioning activities and receive medical expenses in a manner consistent with the current legislation for basketball and football. The Subcommittee on Recruiting noted it originally opposed Proposal No. 2007-44, which, in part, allowed additional basketball and football student-athletes (e.g., walk-ons) to engage in voluntary summer conditioning. The principal reason for the Subcommittee on Recruiting's opposition is the possible increase to the demands on athletics staff members in the affected areas (e.g., athletics training staff).
- q. Use of Video E-mail in the Recruiting Process.** The cabinet received a report from the Subcommittee on Recruiting regarding its review of a position of the NCAA staff that the use of video e-mail by coaches in the recruiting process is impermissible. The Subcommittee on Recruiting agreed with the NCAA staff position and did not support asking the cabinet to sponsor legislation to permit the use of video e-mails.
- r. Appearance of Coaches in a Documentary Detailing the Career of a High School Coach.** The cabinet received a report from the Subcommittee on Recruiting regarding its review of a position of the NCAA staff that a coach's appearance in a documentary detailing the career of a high school coach would be impermissible pursuant to Bylaw 13.10.3 (radio/tv show). The Subcommittee on Recruiting believed the described scenario to be outside the scope of legislation. Further, the Subcommittee on Recruiting did not believe that such an appearance would lead to unfair recruiting advantages for the involved coaches. The Subcommittee on Recruiting requests that the Legislative Review/Interpretations Committee consider issuing an interpretation to state that such an arrangement would be permissible.
- s. Final Report of the NCAA Division I Academics/Eligibility/Compliance Cabinet Transfer Issues Ad Hoc Group.** The cabinet received a final report of the Transfer Issues Ad Hoc Group and noted that the Academics Cabinet will receive the report for its review and discussion for possible action.
- t. NCAA Division I Committee on Student-Athlete Reinstatement Policies and Procedures.** The cabinet received a report from the Committee on Student-Athlete Reinstatement regarding its approval of several changes to its policies and procedures. The Committee on Student-Athlete Reinstatement approved a change to permit the option for a student-athlete reinstatement request for any violation to

be based on a written appeal if the institution and the reinstatement staff mutually agree. In reaching this decision, the Committee on Student-Athlete Reinstatement evaluated the appeals procedures of other various committees, discussed the benefits associated with having the student-athlete and institution participate via teleconference and feedback from the CCACA, which indicated support for written appeals provided the option was not limited to specific violations.

- u. Effect of Waiver Decisions on Reinstatement Outcomes.** The cabinet received a report from the Committee on Student-Athlete Reinstatement regarding its discussion on the effect various waiver decisions should have on reinstatement outcomes. The Committee on Student-Athlete Reinstatement considered interaction between the reinstatement staff and NCAA staff who work with the Administrative Review Subcommittee and the NCAA Division I Progress-Toward-Degree Waiver Committee to be valuable in determining the proper outcome of a student-athlete reinstatement case. Additionally, the Committee on Student-Athlete Reinstatement discussed whether missed practice and competition while awaiting an Administrative Review Subcommittee or progress-toward-degree waiver decision should continue to count toward fulfilling a reinstatement withholding condition. The Committee on Student-Athlete Reinstatement determined that the procedure is within the student-first philosophy and that it should continue. The Committee on Student-Athlete Reinstatement noted that the procedure should be limited to instances in which the Administrative Review Subcommittee or progress-toward-degree waiver is granted, since a student-athlete must be otherwise eligible to fulfill a withholding condition. Blanket waivers are not available for this application.

The Committee on Student-Athlete Reinstatement reviewed and approved the following guidelines for consultation with NCAA staff who works with the Administrative Review Subcommittee and the Progress-Toward-Degree Waiver Committee:

- (1) The reinstatement staff may consult and take into consideration decisions rendered by NCAA staff who works with the Administrative Review Subcommittee and the Progress-Toward-Degree Waiver Committee. The reinstatement staff; however, is not bound by the Administrative Review Subcommittee or progress-toward-degree waiver outcomes.
- (2) In reviewing a reinstatement case involving a violation, the reinstatement staff may consult with NCAA staff who works with the Administrative Review Subcommittee and the Progress-Toward-Degree Waiver Committee

and consider whether a waiver filed prior to the violation could have made the activities permissible.

- (3) Missed practice and competition while awaiting an Administrative Review Subcommittee or progress-toward-degree waiver decision may count toward fulfilling a reinstatement withholding condition provided:

- (a) The missed practices or competitions are only counted from the date that the Administrative Review Subcommittee or progress-toward-degree waiver request is received by the NCAA; and
- (b) The waiver is granted and renders the student-athlete immediately eligible for practice and competition, as applicable.

v. **Review of NCAA Amateurism Certification Process and Prescribed Penalties.** The cabinet received a report from the Committee on Student-Athlete Reinstatement regarding its review of the current schedule of prescribed penalties used for the amateurism certification process. At its December 2007 meeting, the Committee on Student-Athlete Reinstatement reviewed cases in which the only violation involved receipt of prize money in an amount less than \$300 and flexibility as been provided to certify the prospective student-athletes as eligible. The flexibility was approved to address the anticipated volume of cases during the first year of implementation of the amateurism certification process. The Committee on Student-Athlete Reinstatement directed the reinstatement staff to track the volume of amateurism certification cases in this category and report back to the Committee on Student-Athlete Reinstatement. The Committee on Student-Athlete Reinstatement further advised the reinstatement staff to discontinue providing relief from repayment and withholding in such cases beginning with prospective student-athletes initially enrolling at an NCAA Division I or II institution in the 2009-10 academic year and thereafter.

w. **Competition and Practice Prior to Certification of Amateur Status.** The cabinet received a report from the Committee on Student-Athlete Reinstatement regarding its review of case precedent involving situations in which a student-athlete has been permitted to participate in practice (beyond a temporary certification period) and competition prior to receiving final amateurism certification from the Eligibility Center. In general, a student-athlete who practiced or competed prior to being certified because he or she did not register or request final certification and was subsequently certified without the need for follow up, may receive some relief from normal withholding conditions, as may a student-athlete whose participation history triggers the application of a legislative

penalty (e.g., competition after 21st birthday). A student-athlete who practices or competes prior to certification and subsequently is found to have violated an amateurism regulation that leads to a reinstatement penalty will be subject to the normal reinstatement withholding conditions, in addition to the applicable legislative penalties. The Committee on Student-Athlete Reinstatement affirmed the reinstatement staff's application of these guidelines.

- x. **Pre-Enrollment Contract Violations.** The cabinet received a report from the Committee on Student-Athlete Reinstatement regarding its review of an updated contract violations chart and outcomes for pre-enrollment violations involving a signed agreement to play professional athletics. The Committee on Student-Athlete Reinstatement discussed the significance of contract violations, as well as whether appropriate distinctions have been made by the reinstatement staff as demonstrated in case precedent. The Committee on Student-Athlete Reinstatement confirmed that the reinstatement staff is appropriately evaluating and assessing reinstatement outcomes for contract violations.
- y. **Major Junior A Ice Hockey Contract Violations.** The cabinet received a report from the Committee on Student-Athlete Reinstatement regarding its review of recent case precedent and the application of prescribed penalties to contract agreements signed with Major Junior A ice hockey teams prior to initial collegiate enrollment. The Committee on Student-Athlete Reinstatement reviewed recent cases in which the reinstatement staff had reached a more flexible decision and noted the signing of a contract was the only amateurism violation. The Committee on Student-Athlete Reinstatement gave direction consistent with amateurism principles and previous directives. The Committee on Student-Athlete Reinstatement continues to be concerned about the culture of Major Junior A ice hockey and instructed the reinstatement staff to continue to track such contract violations and explore educational efforts for prospective student-athletes.
- z. **Baseball Agents/Advisors.** The cabinet received a report from the Committee on Student-Athlete Reinstatement regarding its meeting with representatives from the amateurism certification staff of the Eligibility Center and the NCAA Agents, Gambling and Amateurism Staff to gain better insight into the advisor and agent culture in baseball. During the 2007-08 academic year, the reinstatement staff and Committee on Student-Athlete Reinstatement heard several baseball cases that included violations of the agent legislation, specifically Bylaws 12.3.1.1 (representation for future negotiations) and 12.3.1.2 (benefits from prospective agents). In most cases, the violations of Bylaw 12.3.1.1 are verbal agreements with an agent or advisor. It appears that advisors commonly form early

relationships with prospective student-athletes and their families and often provide information to them regarding a possible career in professional athletics. As presented in the cases reviewed and through ongoing research, there is evidence that some individuals go beyond their roles as advisors and act in an agent capacity in violation of NCAA amateurism legislation. In addition, discussions occurred regarding the issue of student-athletes and prospective student-athletes not paying the market rate for advisor services. While the Committee on Student-Athlete Reinstatement agreed the reinstatement staff should continue with its current analysis regarding reinstatement requests for baseball agent/advisor violations, the Committee on Student-Athlete Reinstatement requested that the reinstatement staff continue to track and report on these issues.

- aa. Recruiting Violations.** The cabinet received a report from the Committee on Student-Athlete Reinstatement regarding its discussion related to recruiting violations. The Committee on Student-Athlete Reinstatement contemplated recommending changes regarding recruiting violations, including a formalized process for communicating with NCAA enforcement staff, a requirement of notification to a prospective student-athlete when a recruiting violation occurs, a change in recruiting legislation establishing that some violations make a prospective student-athlete ineligible to be recruited and increased penalties within the reinstatement process for recruiting violations. Prior to recommending specific changes, the Committee on Student-Athlete Reinstatement plans to create a discussion document to share with various constituencies and seek feedback regarding the possible recommended changes.
- bb. Academic Fraud/Academic Misconduct.** The cabinet received a report from the Committee on Student-Athlete Reinstatement regarding its discussion related to academic fraud and academic misconduct. During its December 2007 meeting, the Committee on Student-Athlete Reinstatement established the starting point for future cases involving academic misconduct at permanent ineligibility. The Committee on Student-Athlete Reinstatement continued discussion regarding violations in which a student-athlete was knowingly involved in arranging for fraudulent academic credit or false transcripts [Bylaw 10.1-(b)]. The Committee on Student-Athlete Reinstatement confirmed that, as with previous academic fraud/misconduct cases, the reinstatement staff has the ability to provide relief based on mitigating circumstances. The Committee on Student-Athlete Reinstatement discussed several issues, including factors to consider as mitigation in future Bylaw 10.1-(b) requests, the weight of the institution's findings regarding academic fraud/misconduct in the case analysis and situations in which academic misconduct occurs but is not reported on campus via the judiciary

process, but results in an NCAA violation. The Committee on Student-Athlete Reinstatement recognizes and respects that, throughout the membership, violations of campus academic fraud/misconduct policies are adjudicated differently. However, due to the significance of this area as a bedrock principle of the Association and in the interest of academic integrity and competitive equity, the Committee on Student-Athlete Reinstatement reaffirmed the significance of the policy that NCAA reinstatement guidelines should not dictate the outcome of a campus judiciary process. The Committee on Student-Athlete Reinstatement specified that all institutional proceedings must be concluded prior to an institution submitting a request for reinstatement whenever possible. In addition, the Committee on Student-Athlete Reinstatement asked the reinstatement staff to review the use of the phrase "academic misconduct" rather than "academic fraud" as the more appropriate terminology for violations in this area, noting that such terminology is consistent with how most institutions/faculty address these situations.

cc. False and Misleading Information and Incomplete and Inaccurate Information from Student-Athletes. The cabinet received a report from the Committee on Student-Athlete Reinstatement regarding its review of the ethical conduct provisions related to student-athletes providing false and misleading information [Bylaw 10.1-(d)] or incomplete and inaccurate information [Bylaw 10.2-(j)] to the NCAA, the Eligibility Center or a member institution. During its December 2007 meeting, the Committee on Student-Athlete Reinstatement reviewed and amended a guideline relating to Bylaw 10.1-(d) to withhold the student-athlete from a minimum of 50 percent of the season to a maximum of permanently ineligible. During its May 2008 meeting, the Committee on Student-Athlete Reinstatement reaffirmed the established guideline and specifically indicated that significant consideration should be given to the following factors:

- (1) Whether the student-athlete acted actively and deliberately to conceal, omit or provide inaccurate or false information;
- (2) Whether the student-athlete had multiple opportunities to correct or provide the information; and
- (3) Whether the student-athlete provided the information to the NCAA enforcement staff or amateurism certification staff.

dd. Application of the 50-Percent Threshold in Withholding Conditions. The cabinet received a report from the Committee on Student-Athlete Reinstatement regarding its review of the application of the 50-percent threshold guideline that is

applied to Bylaw 14 cases involving limited participation by a student-athlete while ineligible for the entire season due to not meeting academic requirements (e.g., initial-eligibility or progress-toward-degree waiver requirements) or a transfer year in residence. The reinstatement staff has applied the 50-percent threshold in situations in which the student-athlete's competition while ineligible does not exceed 50 percent of the season's contests or dates of competition and the competition does not extend into the second half of the season. The Committee on Student-Athlete Reinstatement directed the reinstatement staff to continue to apply the 50-percent threshold specific to the first half of the season requirement. Additionally, the Committee on Student-Athlete Reinstatement determined that the reinstatement staff should assess the student-athlete's culpability as part of the analysis of whether the application of the 50-percent threshold is appropriate.

- ee. Practice Beyond 30 Days Pending Staff Decision or Appeal Involving Five-Year Extension Requests.** The cabinet received a report from the Committee on Student-Athlete Reinstatement regarding its discussion of whether the 30-day practice period while awaiting a decision for an extension and whether a request to change the legislation is warranted. The discussion related to the health and safety of the student-athlete, the prioritization of the reinstatement staff's workload, the timing of the five-year extension request and the delay of the waiver decision. The Committee on Student-Athlete Reinstatement determined that no change should be made to the legislation.
- ff. Valuation of Impermissible Benefits.** The cabinet received a report from the Committee on Student-Athlete Reinstatement regarding its evaluation of its existing standard related to calculating the value of an impermissible benefit.

 - (1) Impermissible Transportation. In the past, the reinstatement staff has required repayment of impermissible transportation at the current rate specified in the guidelines (either the individual institution's mileage rate or the current Internal Revenue Service standard business mileage rate). The Committee on Student-Athlete Reinstatement determined the current mileage reimbursement rate allowed by the institution for mileage expense (institutional rate) should be used when calculating the value of impermissible transportation.
 - (2) Impermissible Housing. The Committee on Student-Athlete Reinstatement determined the value of a standard institutional room (e.g., dorm, residence hall) should be used to calculate the value of an impermissible housing benefit when available and appropriate.

- (3) Impermissible Books. The Committee on Student-Athlete Reinstatement confirmed that the institution should use the value of the original book purchase price to determine the repayment value of the impermissible benefit.
 - (4) Sideline Passes. The Committee on Student-Athlete Reinstatement directed the reinstatement staff to continue calculating the value of a sideline pass at the value of the highest ticket value sold for that specific institutional contest at the specific venue.
- gg. Repayment Plan Policy.** The cabinet received a report from the Committee on Student-Athlete Reinstatement regarding its re-examination of the impact of the policy regarding defaults on repayment plans within the context of a small percentage of defaults that occur. Currently, a student-athlete's inability to satisfy the provisions of the agreement results in the reinstatement staff not entering into future repayment plans with the institution for a period of four years. The Committee on Student-Athlete Reinstatement discussed whether it is more appropriate to limit the four-year ban to only the involved sport, given the benefit of participation was directly attributed to the student-athlete's sport. However, given the success of the current practice and the interest in maintaining minimal default situations, the Committee on Student-Athlete Reinstatement directed the reinstatement staff to maintain the current repayment plan guideline.
- hh. Hardship Waivers – Clarification of "Incapacitating" Injury or Illness.** The cabinet received a report from the Committee on Student-Athlete Reinstatement regarding its discussion of the term "incapacitating" as it is used in the medical hardship legislation. The Committee on Student-Athlete Reinstatement directed the reinstatement staff to seek feedback from the NCAA staff regarding the intent of the legislation related to the ability of a student-athlete's capacity to return to competition, practice or team-related activities and propose appropriate modifications, as necessary. The need for continuing education of the membership concerning the definition of "incapacitating" was noted.
- ii. Use of Community Service as a Reinstatement Condition.** The cabinet received a report from the Committee on Student-Athlete Reinstatement regarding its discussion or the use of community service as a condition of reinstatement. The Committee on Student-Athlete Reinstatement continued discussions of the current committee reinstatement guideline allowing for use of community service as a condition of reinstatement. In rare instances, community service has been imposed as a condition of reinstatement for situations in which the student-athlete received no financial benefit, gained no competitive advantage and the student-

athlete had minimal culpability. The Committee on Student-Athlete Reinstatement supported the continued use of community service in limited circumstances as a condition of reinstatement.

jj. Review and Approval of NCAA Compliance Forms. The cabinet reviewed and approved final changes to the 2008-09 compliance forms. The forms will be posted to the NCAA Web site by July 1.

kk. Transition to the Reorganized NCAA Division I Governance Structure. The cabinet began discussions related to ensuring a seamless transition of issues to the cabinets of the reorganized Division I governance structure.

- (1) The cabinet received a report from the Subcommittee on Initial-Eligibility Issues in which it identified the following agenda items to be transitioned to the Academics Cabinet:
 - (a) Monitor the effect of the new 16 core-course requirement (e.g., on Academic Progress Rate and Graduation Success Rate).
 - (b) Continue to monitor prospective student-athletes who receive waivers and early academic certification to ensure the academic outcomes of waiver recipients are not significantly different from the academic outcomes of qualifiers.
 - (c) Research available data to ensure that the initial-eligibility index is appropriate (e.g., indicative of a 50-percent graduation rate or better).
 - (d) Continue to monitor the work of the NCAA Foreign Students Records Committee to ensure that the new grading scales developed for core courses in specified countries are effective and fair.
 - (e) Monitor research related to repeat coursework for use in meeting initial-eligibility requirements and develop principles regarding the permissibility of repeat courses (e.g., same seat time, curriculum, assessment) and the application of the repeat courses legislation to credit-recovery programs.
 - (f) Consider potential legislation to limit the number of core courses a prospective student-athlete may complete in an academic year for initial-eligibility purposes.

- (g) Monitor research related to nontraditional coursework for use in meeting initial-eligibility requirements and develop baseline standards to assess nontraditional courses and programs.
 - (h) Continue to discuss potential legislation to permit institutions to provide athletically related financial aid to nonqualifiers in their first academic year in residence (also referred to the Awards, Benefits, Expenses and Financial Aid Cabinet).
 - (i) Consider initial-eligibility waiver policies and procedures related to prospective student-athletes with education- impacting disabilities to ensure institutional accountability and to facilitate academic success postenrollment.
- (2) The cabinet received a report from the Subcommittee on Recruiting in which it listed, in order of significance, the following previously identified core principles it considers when reviewing legislative proposals or other recruiting issues:
- (a) Adherence to the principle governing recruiting set forth in NCAA Constitution 2.11. Specifically, that the recruiting process involves a balancing of the interests of prospective student-athletes, their educational institutions and the Association's member institutions and that recruiting regulations be designed to promote equity among member institutions in its recruiting of prospective student-athletes and to shield them from undue pressures that may interfere with the scholastic or athletics interests of the prospective student-athletes or their educational institutions.
 - (b) Commitment to student-athlete well-being and coaches' quality of life (e.g., time commitment) issues.
 - (c) Ensure legislation is written in a simple, clear and direct manner.
 - (d) Consideration of cost implications to institutions.
 - (e) Consideration of whether sport-specific legislative proposals can be expanded to include other sports.
 - (f) Consideration of the amount of time legislation has been in effect in order to assess the full impact before supporting a legislative change to the same bylaws.

- (g) Ensure, whenever possible, feedback has been solicited from appropriate external groups (e.g., coaches associations, national governing bodies) on issues, particularly when reviewing legislative proposals that are sport specific.
- (h) Examine potential unintended consequences when reviewing legislation, particularly proposals designated as noncontroversial or emergency.
- (i) Consideration of flexibility with regard to issues involving communication (e.g., telephone calls, written and electronic correspondence, contacts) with prospective student-athletes who have signed an NLI (or for those institutions not using the NLI, a written offer of financial aid and/or offer of admission); and
- (j) Consideration of legislative proposals that focus recruiting practices on scholastic activities.

In addition to the guiding principles, the Subcommittee on Recruiting identified the following agenda items to be transitioned to the NCAA Division I Recruiting Cabinet:

- (k) Pending additional information from the AVCA, continued review of a legislative concept that would preclude employment of women's volleyball coaches at noninstitutional camps or clinics, another institution's camps or clinics or off-campus camps or clinics during a quiet period.
 - (l) Pending additional information from the IWLCA, continued review of several legislative concepts designed to address the concern that many prospective student-athletes make commitments too early in the recruiting process.
- (3) The Subcommittee on Financial Aid identified the following agenda items to be transitioned to the Awards, Benefits, Expenses and Financial Aid Cabinet:
- (a) Multiyear athletics awards/presumption of renewal concept.
 - (b) Issues related to the individual limit on the receipt of financial aid, including cost of attendance.

- (c) Requirements for financial aid hearing opportunities.
 - (d) Continued review of the guide to financial aid; and
 - (e) Examination of maximum institutional grant-in-aid limitations by sport.
- (4) The NCAA Division I Academics/Eligibility/Compliance Cabinet Subcommittee on Agents and Amateurism identified the following areas/topics to be transitioned to the Amateurism Cabinet:
- (a) Review of issues related to agents and advisors.
 - (b) Professional sports counseling panels.
 - (c) General Amateurism and Eligibility Form for International and Select Student-Athletes.
 - (d) Bylaw 12 educational sessions for new Amateurism Cabinet members.
 - (e) Discussion of issues related to the receipt of prize money; and
 - (f) The use of student-athlete likenesses and the involvement of student-athletes in promotional activities.
- (5) The Subcommittee on Continuing-Eligibility identified the following areas/topics to be transitioned to the Academics Cabinet:
- (a) Development of best practices to provide academic support services to student-athletes enrolled in nontraditional coursework.
 - (b) Review of all legislation related to international competition (e.g., less than full-time enrollment, counting of terms).
 - (c) Clarification of Bylaw 14.4.3.1.5 – designation of degree program.
 - (d) Review waivers of institutional policy.
- (6) The cabinet referred the final report of the Transfer Issues Ad Hoc Group for consideration by the Academics Cabinet.

11. Committee Appointments and Reappointments. The cabinet approved the following committee appointments and reappointments:

- (1) Amateurism Fact-Finding Committee.
 - (a) Anthony Archbald, Western Athletic Conference (effective immediately).
 - (b) Stephen Robertello, Washington State University.
 - (c) Leslie Claybrook, Rice University.
 - (d) Jill Redmond, Dartmouth College.
 - (e) Milo Peck Jr., Fairfield University.
- (2) Foreign Student Records Committee.
 - (a) Robert Watkins, University of Texas, Austin.
 - (b) Donald Delgado, California Polytechnic State University.
 - (c) Karen Lukas, International Education Services of Minnesota.
 - (d) James Frey, Educational Credential Evaluations, Inc.
- (3) Progress-Toward-Degree Waiver Committee.
 - Chris Helms, Virginia Polytechnic Institute & State University.
- (4) Committee on Student-Athlete Reinstatement.
 - David Wells, University of Mississippi.

Cabinet Chair: Carolyn Callahan, University of Virginia, Atlantic Coast Conference
Cabinet Liaisons: Julie Cromer, Membership Services
Lynn Holzman, Membership Services