Updated

A G E N D A

National Collegiate Athletic Association

Division I Academic Cabinet

NCAA National Office
Indianapolis, Indiana

September 14-15, 2009

Pre-Meeting Teleconference.

1. Welcome and announcements.

2. Review the June report of the NCAA Division I Academic Cabinet. [Supplement No. 1] (Carolyn Callahan)

3. Updates from the Division I governance structure.

   a. NCAA Division I Board of Directors update. [Supplement No. 2] (Diane Dickman)

   b. NCAA Division I Communications and Coordination Committee update. [Supplement No. 3] (Matt Burgemeister)

   c. NCAA Division I Basketball Academic Enhancement Group update. [Supplement No. 4] (Julie Cromer)

   d. NCAA Division I Football Academic Working Group update. [Supplement No. 5 to be distributed at later date.] (Cromer)

   e. NCAA Division I Committee on Academic Performance update. [Supplement No. 6] (Dickman)

   f. Other Division I cabinets updates. [Supplement No. 7] (Burgemeister)

   g. NCAA Division I Women's Basketball Issues Committee update. [Supplement No. 8 to be distributed at later date.] (Dickman)

   h. NCAA Division I Student-Athlete Advisory Committee update. [Supplement No. 9] (Jarrett Newby)

4. Review of legislation and interpretations. [Supplement No. 10a] (Burgemeister)

- Identification of proposals for review during in-person meeting.

<u>In-Person Meeting</u>.

5. Welcome and announcements.

6. Review of legislation and interpretations. [Supplement No. 10b] (Burgemeister)

a. Legislation referred to the Academic Cabinet. [Supplement No. 10c]

Anticipated Action Item:

- **Formulate positions on six proposals in the 2009-10 legislative cycle.**

b. Legislation sponsored by the Academic Cabinet. [Supplement No. 10d]

c. Other legislation the Academic Cabinet has comment regarding. [Supplement No. 10e to be distributed at later date.]

d. Review recent interpretations of interest to the Academic Cabinet. [Supplement No. 10f]

e. Consider a legislative proposal to amend the composition of the NCAA International Student Records Committee. [Supplement No. 10g] (Dickman)

Anticipated Action Item:

- **Request the adoption of noncontroversial legislation to amend the composition of the International Student Records Committee.**

7. Continue review of initial-eligibility academic standards. (Cromer, Tom Paskus and Todd Petr)

a. Finalize goals and principles identified at June meeting. [Supplement Nos. 11a and 11b]

b. Review additional research. [Supplement No. 12]

c. Begin review of various options given goals and principles.

8. Review results of academic support services comprehensive study. [Supplement No. 13] (Cromer and Annie Kearns)

9. Discuss plan for review of two-year college transfer student-athletes. [Supplement No. 14] (Burgemeister)

10. Update on Facilitating Learning and Achieving Graduation Program (FLAG). [Supplement No. 15] (Burgemeister)

11. Review NCAA Division I Initial-Eligibility Waivers Committee policies and procedures. [Supplement No. 16] (Steve Clar and Dickman)

Anticipated Action Item:

- **Approve revision to policies and procedures granting staff authority to make decisions in all cases involving prospective student-athletes with a diagnosed education-impacting disability.**

12. Update from the NCAA Eligibility Center. [Supplement No. 17] (Gary deCastro, Todd Leyden and Lisa Mills)

13. Discuss future review of nontraditional courses for current student-athletes. [Supplement No. 18] (Callahan)

14. Updates on communications and outreach. [Supplement No. 19]

15. Review dates of future cabinet meetings. [Supplement No. 20]

    a. February 1-2, 2010; Indianapolis.

    - January 31 - Travel anytime.
    - February 1 - Meeting from 8 a.m. to 5 p.m.
    - February 2 - Meeting from 8 a.m. to noon.
      Return travel after 2 p.m.

b. June 28-29, 2010; Indianapolis.

- June 27 - Travel anytime.
- June 28 - Meeting from 8 a.m. to 5 p.m.
- June 29 - Meeting from 8 to 11 a.m.
  Return travel after noon.

16. Other business.

17. Adjournment.

NCAA Division I Academic Cabinet
September 13-15, 2009, Meeting Schedule
NCAA National Office
Indianapolis, Indiana

Meeting	Sunday, September 13	Monday, September 14	Tuesday, September 15
CABINET MEETING	Travel Only.	8 a.m. to 5 p.m. (Palmer Pierce)	8 to 11 a.m. (Palmer Pierce) (Return travel after 1 p.m.)
Breakfast		7:30 to 8 a.m. (Atrium)	7:30 to 8 a.m. (Atrium)
Lunch		Noon to 1 p.m. (Atrium)	

NCAA Division I Academic Cabinet
Roster

MAILING ADDRESS	PHONE/FAX/E-MAIL	CONFERENCE & SUBDIVISION	TERM EXPIRES
Tom Adair Faculty Athletics Representative Texas A&M University, College Station Department of Physics MS 4242 College Station, Texas 77843-4242	Phone: 979/847-9451 Fax: 979/845-2590 E-mail: adair@physics.tamu.edu **Assistant: Minnette Bilbo** **Phone: 979/847-9451** E-mail: Bilbo@physics.tamu.edu	Big 12 Conference FBS	July 2010 (eligible for reappointment)
John Bruno Faculty Athletics Representative Ohio State University 57 Psychology Building Columbus, Ohio 43210	Phone: 614/292-1770 Fax: 614/688-4733 E-mail: bruno.1@osu.edu **Assistant: Tatiana Tramel** **Phone: 614/292-6512** E-mail: tramel.2@osu.edu	Big Ten Conference FBS	July 2010 (eligible for reappointment)
Carolyn Callahan, chair Faculty Athletics Representative University of Virginia Curry School of Education 405 Emmet Street South Charlottesville, Virginia 22903	Phone: 434/924-0791 Fax: 434/924-1384 E-mail: cmc@virginia.edu **Assistant: Lisa Miller** **Phone: 434/982-2849** E-mail: lam3v@virginia.edu	Atlantic Coast Conference FBS	July 2010 (eligible for reappointment)
Kim Capriotti Faculty Athletics Representative Jacksonville University 2800 University Boulevard North Jacksonville, Florida 32211-3394	Phone: 904/256-7443 Fax: 904/256-7467 E-mail: kcaprio@ju.edu **Assistant:** **Phone:** E-mail:	Atlantic Sun Conference FCS	July 2011
Pete Carlon Director of Athletics University of Texas at Arlington 1309 West Mitchell Arlington, Texas 76013	Phone: 817/272-5039 Fax: 817/272-4115 E-mail: carlon@uta.edu **Assistant: Lorraine Palmer** **Phone: 817/272-7170** E-mail: llpalmer@uta.edu	Southland Conference FCS	July 2012
Barbara Church Senior Associate Director of Athletics Metro Atlantic Athletic Conference 712 Amboy Avenue Edison, New Jersey 08837-3554	Phone: 732/738-5455 Fax: 732/738-8310 E-mail: bchurch@maac.org **Assistant:** **Phone:** E-mail:	Metro Atlantic Athletic Conference FCS	July 2012
J. Patrick Dobel Faculty Athletic Representative Evans School of Public Affairs University of Washington Box 353055 Seattle, Washington 98109	Phone: 206/616-1680 Fax: 206/685-9044 E-mail: pdobel@u.washington.edu **Assistant:** **Phone:** E-mail:	Pacific-10 Conference FBS	July 2010 (eligible for reappointment)
David Dosser Faculty Athletics Representative East Carolina University 349 Ward Sports Medicine Building, Ficklen Drive Greenville, North Carolina 27858	Phone: 252/916-6634 Fax: 252-737-1278 E-mail: dosserd@ecu.edu **Assistant:** **Phone:** E-mail:	Conference USA FBS	July 2010 (eligible for reappointment)
Rhonda Hatcher Faculty Athletics Representative Texas Christian University 2840 West Bowie, TTC - 206 Fort Worth, Texas 76129	Phone: 817/681-7549 Fax: 817/257-7766 E-mail: R.Hatcher@tcu.edu **Assistant:** **Phone:** E-mail:	Mountain West Conference FBS	July 2010 (eligible for reappointment)

MAILING ADDRESS	PHONE/FAX/E-MAIL	CONFERENCE & SUBDIVISION	TERM EXPIRES
Herman Holt, Jr. Faculty Athletics Representative University of North Carolina, Asheville One University Heights, CPO 2010 Asheville, North Carolina 28804-3299	Phone: 828/232-5167 Fax: 828/232-5179 E-mail: hholt@unca.edu **Assistant: Brenda Henderson** **Phone: 828/251-6443** E-mail: bhenders@unca.edu	Big South Conference FCS	July 2012
Pat Howey Deputy Athletic Director University of North Carolina, Wilmington 601 South College Road Wilmington, North Carolina 28403-3297	Phone: 910/962-3767 Fax: 910/962-3002 E-mail: howeyp@uncw.edu **Assistant: Donna Cook** **Phone: 910/962-7909** E-mail: cookdw@uncw.edu	Colonial Athletic Association FCS	July 2011
Anna Taylor James Faculty Athletics Representative Texas Southern University 3100 Cleburne Street Houston, Texas 77004	Phone: 713/313-7394 Fax: 713/313-1049 E-mail: ajames@tmslaw.tsu.edu **Assistant: Jeanetta Washington** **Phone: 713/313-7158** E-mail: jwashington@tmslaw.tsu.edu	Southwestern Athletic Conference FCS	July 2011
Loretta Lamar Associate Director of Athletics/SWA U.S. Naval Academy 566 Brownson Road Annapolis, Maryland 21402-5000	Phone: 410/293-8936 Fax: 410/293-8959 E-mail: lamar@usna.edu **Assistant:** **Phone:** E-mail:	Patriot League FCS	July 2012
Warde Manuel Director of Athletics University at Buffalo Alumni Arena Buffalo, New York 14260	Phone: 716/645-3454 Fax: 716/645-3754 E-mail: wmanuel@buffalo.edu **Assistant: Val Wudyka** **Phone: 716/645-6594** E-mail: vwudyka@buffalo.edu	Mid-American Conference FBS	July 2010 (eligible for reappointment)
Jarrett Newby Student-Athlete East Carolina University 700 Willow Street Greenville, North Carolina 27858	Phone: 607/206-9000 Fax: E-mail: jarrettnewby@gmail.com	Conference USA FBS	September 2010
Mary Newton Faculty Athletics Representative Jacksonville State University 304 Brewer Hall, 700 Pelham Road North Jacksonville, Alabama 36265-1602	Phone: 256/782-5337 Fax: 256/782-5168 E-mail: mnewton@jsu.edu **Assistant:** **Phone:** E-mail:	Ohio Valley Conference FCS	July 2011
Annette O'Connor Faculty Athletics Representative LaSalle University 1900 West Olney Avenue Philadelphia, Pennsylvania 19141-1199	Phone: 215/951-1247 Fax: 215/951-1772 E-mail: oconnor@lasalle.edu **Assistant:** **Phone:** E-mail:	Atlantic 10 Conference FCS	July 2012
Jill Varnes Faculty Athletics Representative University of Florida Florida Gym 5, Stadium Road, P.O. Box 118210 Gainesville, Florida 32611-8210	Phone: 352/392-0583 ext. 1230 Fax: 352/392-1909 E-mail: jvarnes@hhp.ufl.edu **Assistant: JoAnne McLeary** **Phone: 352/392-0583 ext. 1304** E-mail: jmcleary@hhp.ufl.edu	Southeastern Conference FBS	July 2010 (eligible for reappointment)

MAILING ADDRESS	PHONE/FAX/E-MAIL	CONFERENCE & SUBDIVISION	TERM EXPIRES
Ken White Faculty Athletics Representative Utah State University 4815 Old Main Hill Logan, Utah 84322-7400	Phone: 435/797-2162 Fax: 435/797-2118 E-mail: ken.white@.usu.edu **Assistant: Jean Edwards** **Phone: 435/797-2162** E-mail: jean.edwards@usu.edu	Western Athletic Conference FBS	July 2010 (eligible for reappointment)
Nonie Wiggins Faculty Athletics Representative Arkansas State University 217 Olympic Drive, P.O. Box 910 State University, Arkansas 72467	Phone: 870/972-3385 Fax: 870/972-2954 E-mail: nwiggins@astate.edu **Assistant:** **Phone:** E-mail:	Sun Belt Conference FBS	July 2010 (eligible for reappointment)
Elaine Wise Faculty Athletics Representative University of Louisville Humanities Building 303 Belknap Campus 2301 South 3rd Street Louisville, Kentucky 40208	Phone: 502/852-7149 Fax: 502/852-0778 E-mail: elaine.wise@louisville.edu **Assistant: Cindy Saling** **Phone: 502/852-6811** E-mail: cindy.saling@louisville.edu	Big East Conference FBS	July 2010 (eligible for reappointment)
Anne Woodrick Faculty Athletics Representative University of Northern Iowa 1227 West 27th Street, Baker Hall 356 Cedar Falls, Iowa 50614	Phone: 319/273-6375 Fax: 319/273-7104 E-mail: anne.woodrick@uni.edu **Assistant: Wayne Fauchier** **Phone: 319/273-2846** E-mail: wayne.fauchier@uni.edu	Missouri Valley Conference FCS	July 2011
NCAA STAFF LIAISONS			
Matt Burgemeister Associate Director of Academic and Membership Affairs NCAA	Phone: 317/917-6656 Fax: 317/917-6845 E-mail: mburgemeister@ncaa.org **Assistant: Lynn Dickey** **Phone: 317/917-6616** E-mail: ldickey@ncaa.org		
Julie Cromer Director of Academic and Membership Affairs NCAA	Phone: 317/917-6611 Fax: 317/917-6845 E-mail: jcromer@ncaa.org **Assistant: Anne Grieger** **Phone: 317/917-6517** E-mail: agrieger@ncaa.org		
Diane Dickman Managing Director of Academic and Membership Affairs NCAA	Phone: 317/917-6621 Fax: 317/917-6865 E-mail: ddickman@ncaa.org **Assistant: Lynn Dickey** **Phone: 317/917-6616** E-mail: ldickey@ncaa.org		

NCAA Division I Academic Cabinet
Initial-Eligibility Waiver Appeals Subcommittee
Roster

MAILING ADDRESS	PHONE/FAX/E-MAIL	CONFERENCE & SUBDIVISION	TERM EXPIRES
Barbara Church Senior Associate Director of Athletics Metro Atlantic Athletic Conference 712 Amboy Avenue Edison, New Jersey 08837-3554	Phone: 732/738-5455 Fax: 732/738-8310 E-mail: bchurch@maac.org **Assistant:** **Phone:** E-mail:	Metro Atlantic Athletic Conference FCS	July 2012
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NCAA STAFF LIAISONS		
Steve Clar Associate Director of Academic and Membership Affairs NCAA	Phone: 317/917-6572 Fax: 317/917-6920 E-mail: sclar@ncaa.org **Assistant: Lula Huskey** **Phone: 317/917-6658** E-mail: lhuskey@ncaa.org	
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Alex Smith Assistant Director of Academic and Membership Affairs NCAA	Phone: 317/917-6596 Fax: 317/917-6842 E-mail: asmith@ncaa.org **Assistant: Linda Grubb** **Phone: 317/917-6670** E-mail: lgrubb@ncaa.org	

NCAA Division I Academic Cabinet
Progress-Toward-Degree Waiver Appeals Subcommittee
Roster

MAILING ADDRESS	PHONE/FAX/E-MAIL	CONFERENCE & SUBDIVISION	TERM EXPIRES
John Bruno Faculty Athletics Representative Ohio State University 57 Psychology Building Columbus, Ohio 43210	Phone: 614/292-1770 Fax: 614/688-4733 E-mail: bruno.1@osu.edu **Assistant: Tatiana Tramel** **Phone: 614/292-6512** E-mail: tramel.2@osu.edu	Big Ten Conference FBS	July 2010 (eligible for reappointment)
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NCAA STAFF LIAISONS		
Bill Regan Director of Academic and Membership Affairs NCAA	Phone: 317/917-6697 Fax: 317/917-6919 E-mail: bregan@ncaa.org **Assistant: Holly Clary** **Phone: 317/917-6608** E-mail: hclary@ncaa.org	
Katy Yurk Associate Director of Academic and Membership Affairs NCAA	Phone: 317/917-6506 Fax: 317/917-6920 E-mail: kyurk@ncaa.org **Assistant: Jessica Harbison Weaver** **Phone: 317/917-6686** E-mail: jweaver@ncaa.org	

NCAA Division I Academic Cabinet
Guiding Principles

The NCAA Division I Academic Cabinet identified guiding principles (in order of significance) for consideration when considering academic issues, making legislative proposals, and reviewing legislative proposals submitted by others:

1. Adhere to the principle governing eligibility set forth in NCAA Constitution 2.12: Eligibility requirements shall be designed to assure proper emphasis on educational objectives, to promote competitive equity among institutions and to prevent exploitation of student-athletes.

2. Adhere to the principle of sound academic standards set forth in NCAA Constitution 2.5: Intercollegiate athletics programs shall be maintained as a vital component of the educational program, and student-athletes shall be an integral part of the student-body. The admission, academic standing and academic progress of student-athletes shall be consistent with the policies and standards adopted by the institution for the student-body in general.

3. Maintain and support graduation as the primary measure of student-athlete success; preserve the "seamless" academic eligibility model and promote graduation within five years.

4. Emphasize research and data-driven decision making in the development of legislative and policy recommendations.

5. Increase student-athletes' responsibility for academic success.

6. Increase institutional responsibility to facilitate the academic success of student-athletes.

7. Commit to student-athlete well-being issues, including minimizing missed class time and balancing self-identification as students with identity as athletes.

8. Promote student-athletes' options to select from a wide range of academic degree programs and to integrate fully into the university and student-body.

9. Minimize disparate impact on low-income and minority student-athletes and prospective student-athletes.

10. Ensure legislation is written in a simple, clear and direct manner.

11. Consider 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.

12. Remain cognizant of the impact of proposals on institutional resources, including budgets, academic support professionals and other institutional staff members, including coaches.

13. When appropriate, ensure feedback has been solicited from appropriate external groups (e.g., faculty groups, academic support personnel) on issues, particularly when reviewing legislative proposals that are sport specific.

14. Consider whether or not sport-specific legislation is warranted or whether a proposed legislation can/should be expanded to other sports.

15. Examine potential unintended consequences when reviewing legislation, particularly proposals designated as noncontroversial or emergency.

REPORT OF THE NCAA DIVISON I ACADEMIC CABINET JUNE 29-30, 2009, MEETING

ACTION ITEMS.

1. Legislative Items.

- None.

2. Nonlegislative Items.

- None.

KEY ITEMS.

1. Nontraditional Courses for Initial Eligibility (NCAA Division I Academic Cabinet Priority Topic). The cabinet sponsored legislation to specify that nontraditional courses may be used to satisfy NCAA core-course requirements, provided the instructor and student have regular and ongoing access to and interaction with one another for purposes of teaching, evaluating and providing assistance to the student throughout the duration of the course, and further, that the course uses a system that permits review and validation of the student's coursework (e.g., exams, papers, assignments) and a defined normative timeline for completion of the course. Additional efforts were approved to clarify the use of credit by examination and repeat courses to meet initial-eligibility requirements and to clarify the types of documentation that will be considered in the review of nontraditional courses as part of the prospective student-athlete review process. Each of these actions are incremental steps to promote integrity within the initial-eligibility process and to help the NCAA academic and membership affairs and NCAA Eligibility Center staffs evaluate the academic records of prospective student-athletes and providers of nontraditional coursework.

2. Review of Initial-Eligibility Standards. As part of its legislated duty to manage and monitor eligibility standards, the cabinet began a review of the division's initial-eligibility requirements by drafting goals and principles to guide its future work on this issue (See Page No. 5). The cabinet welcomes membership feedback regarding these draft items and will continue its review during its September meeting.

INFORMATIONAL ITEMS.

1. Legislative Informational Items.

a. NCAA Bylaw 14.3.1.2.2 – Eligibility – Freshman Academic Requirements – Eligibility for Financial Aid, Practice and Competition – Core-Curriculum Requirements – Nontraditional Courses. The cabinet sponsored legislation to

amend the current nontraditional legislation to specify that nontraditional courses may be used to satisfy NCAA core-course requirements, provided the instructor and student have regular and ongoing access to and interaction with one another for purposes of teaching, evaluating and providing assistance to the student throughout the duration of the course; further, provided the course uses a system that permits review and validation of the student's coursework (e.g., exams, papers, assignments) and a defined normative timeline for completion of the course. Current legislation permits the use of nontraditional courses (courses taught via the Internet, distance-learning, independent-study, individualized-instruction, correspondence and other similar means) to be used to satisfy NCAA core-course requirements. This legislation was adopted in 2000 in an attempt to keep up with trends in educational technology and to streamline initial-eligibility standards. While the original intent of the legislation was to allow individuals to take advantage of increased flexibility in learning opportunities without compromising the intent of the core-curriculum legislation, it is important to clarify that there is an expectation that nontraditional courses should include interaction between the instructor and the student throughout the duration of the course. Based on feedback from the NCAA Student Records Review Committee and NCAA High School Records Committee, these legislative changes are intended to help ensure that acceptable nontraditional courses provide opportunities for students to demonstrate their work was completed in a manner consistent with the intent and design of the course curriculum. The ultimate goal of this legislation is to ensure that prospective student-athletes are prepared for college-level coursework; therefore, it is of utmost importance to ensure that individuals are enrolled in quality courses that satisfy the intent of the Association's core-curriculum requirements.

b. **Waivers Initially Considered by the Academic Cabinet.** The cabinet amended the proposal it sponsored in February to specify that the NCAA Division I Initial-Eligibility Waivers Committee and the NCAA Division I Progress-Toward-Degree Waivers Committee shall have authority to review waivers that are currently considered initially by the Academic Cabinet. The cabinet considered several types of waivers in which the waiver authority is provided directly to the cabinet with no review by the staff or a waiver committee. The cabinet agreed that, in general, all waivers should have some appeal opportunity available, which can be achieved by allowing for staff to initially review the waivers and by providing appellate jurisdiction to the appropriate waiver committees. Therefore, the cabinet amended the proposal to specify that the following waivers should be initially reviewed by the staff, with an appellate opportunity to the Progress-Toward-Degree Waivers Committee:

(1) Waivers of full-time enrollment for practice and competition, including waivers involving nontraditional academic calendars, student-athlete participation in specified international events and student-athletes with education-impacting disabilities;

(2) Fourth season of competition waivers for nonqualifiers who have not completed 80 percent of their designated degree programs at the beginning of their fifth academic years following initial, full-time collegiate enrollment; and

(3) Determinations regarding the nature of two-year college degree programs.

Further, the cabinet amended the proposal to specify that the following waivers should be initially reviewed by the staff, with an appellate opportunity to the Initial-Eligibility Waivers Committee:

- Early admissions program waivers;

The cabinet also asked staff to explore the possibility of providing additional authority to the staff to make decisions on initial-eligibility waivers involving education-impacting disabilities. Currently, the staff's authority to approve such waivers is limited. Expanding the staff's authority would allow the Initial-Eligibility Waivers Committee to serve in an appellate role, rather than as the first level of review for such waivers.

2. Nonlegislative Informational Items.

a. Nontraditional Courses Used to Meet Initial-Eligibility Requirements (Academic Cabinet Priority Topic). The cabinet began its review of nontraditional courses used to satisfy initial-eligibility requirements. In light of rapid growth and evolution within the online educational environment, the cabinet's review is intended to ensure current legislation and policies are consistent with the academic goals and purposes of the Association. The cabinet noted some issues that have been identified by the Student Records Review Committee, High School Review Committee and Eligibility Center staff as potential concerns with some nontraditional high school courses, including:

(1) Lack of interaction between instructor and student-athlete throughout the course, including when access is limited to the grading of assignments or exams;

(2) The completion of courses in a condensed timeframe (e.g., five hours, two days, one week), shorter than the guidelines published by the course provider;

(3) Completion of a large number of courses in a short timeframe (e.g., seven core courses in six weeks), often involving sequential coursework taken out of the normal progression;

(4) Repeated courses that are abbreviated or substantially different from the original course;

(5) Courses that do not yield work that can be reviewed; and

(6) Courses that lack a qualified instructor.

In addition to sponsoring the proposal regarding nontraditional courses used for initial-eligibility purposes (See Page No. 2), the cabinet requested that staff consider issuing an interpretation and/or educational column to clarify that credit earned only by examination may not be used for initial-eligibility purposes and that repeated courses must be substantially comparable, qualitatively and quantitatively, to the previously completed course in order to be used for initial-eligibility purposes. This will provide greater clarification and direction to the staff and membership regarding when a course may be considered a repeated course and also will help ensure that repeated courses provide a similar educational experience to the original course.

The cabinet also approved revisions to the Student Records Review Committee policies and procedures to clarify the types of documentation that will be considered in the prospective student-athlete review process. Specifically, the committee may consider evidence supporting the prospective student-athlete's academic record, including coursework completed by the prospective student-athlete; course syllabus; timeline for completion of the course; documentation of the specific content; course instruction methodology; instructor/student interaction; and student assessment(s). Amending the committee's policies facilitates greater scrutiny of the coursework by permitting the staff and committee to consider elements such as pacing and time to complete the course, as well as the use of a learning management system to monitor student progress.

b. **Nontraditional Courses used to meet Progress-Toward-Degree Requirements (Academic Cabinet Priority Topic).** The cabinet reviewed comments and concerns related to NCAA Proposal No. 2008-32-B, which was defeated by the NCAA Division I Legislative Council in April. The cabinet noted that, given the increasing prevalence of nontraditional course delivery within higher education and the expressed interest of the NCAA Division I Board of Directors, the use of nontraditional courses remains a priority topic for the cabinet and it will continue its work on the issue over the next academic year, with the goal of sponsoring legislation for the 2010-11 cycle.

c. **Review of Initial-Eligibility Requirements.** As part of its legislated duty to manage and monitor eligibility standards, the cabinet initiated an examination of the division's initial-eligibility requirements. As it began its review, the cabinet noted the Board of Directors' charge during the most recent revision of initial-eligibility rules was to maximize student-athlete graduation rates while minimizing disparate impact on minority and low-income students. The cabinet examined data indicating

the average academic profile of prospective student-athletes and the percentage of prospective student-athletes meeting initial-eligibility requirements have remained relatively consistent since the extended sliding scale was implemented in 2003. The cabinet also noted that a more normal distribution of standardized test scores has resulted since the extended sliding scale was adopted, eliminating the concentrated "ledge" within the distribution that previously represented prospective student-athletes earning the minimum required test scores (e.g., 820 SAT).

NCAA research consistently has shown that identification of eventual college graduates using high school academic information is best achieved with a formula based on high school grades in core academic courses in combination with ACT-SAT scores (e.g., a sliding scale model). In comparison to other methods for combining academic variables (e.g., conjunctive rules like Proposition 48), the sliding scale has been shown to minimize negative impacts on eventual minority graduates. Further, the cabinet noted that projections from NCAA data indicate that graduation rates would likely increase with an upward shift in the coordinates of the initial-eligibility sliding scale (i.e., requiring a higher grade-point average for a given test score than on the existing scale), but that the increases probably would be relatively modest. Also, such changes might result in substantial increases in adverse impact on ethnic minority student-athletes and in false negative identifications (declaring as ineligible students who likely would have graduated from college).

To offer direction to its review of Division I initial-eligibility standards, the cabinet drafted the following proposed goals for any future initial-eligibility requirements:

(1) Initial-eligibility standards should help ensure first-year student-athlete academic success, as defined by meeting NCAA progress-toward-degree eligibility standards and/or by increasing likelihood of graduation (i.e., increased likelihood after first year compared to likelihood based solely on high school preparation);

(2) Initial-eligibility standards should preserve institutional responsibility for admissions decisions, possibly including consideration of aggregate risk evaluations; and

(3) Initial-eligibility standards should encourage prospective student-athletes to balance their self-identities as students and athletes.

To further guide its review of initial-eligibility requirements, the cabinet developed the following draft principles:

(1) Initial-eligibility standards should strive to maximize first-year college academic success, putting student-athletes on track to graduate in a reasonable timeframe and minimizing false negatives and adverse impact on minority and low-income prospective student-athletes;

(2) NCAA initial-eligibility standards should represent minimally acceptable standards, with continued reliance on member institutions to make admissions decisions that are most appropriate for determining academic success locally;

(3) Review of the initial-eligibility standards should include consideration of the most recent NCAA academic data, changing secondary school standards (e.g., No Child Left Behind) and the national secondary school environment (e.g., increasing enrollment in nontraditional courses);

(4) Initial-eligibility standards should be simple and nationally applicable to ensure prospective student-athletes and high schools can readily understand any potential changes and that such changes can be applied for students throughout the United States (as well as international prospective student-athletes);

(5) Any changes should be able to be implemented with relatively minimal increased chance for operational error and little to no increased bureaucracy for member institutions and high schools;

(6) New requirements should not create or expand opportunities for misrepresentation of prospective student-athletes' academic abilities or credentials;

(7) Consideration should be given to prospective student-athletes' abilities and opportunities to meet increased standards when considering implementation time lines for new or increased requirements; and

(8) Waiver decisions under any initial-eligibility standard should be made through processes employing data-driven analysis in addition to mitigation.

The cabinet is seeking feedback from conferences and other governance entities in the establishment of these goals and priorities and also will solicit comments from various constituent groups and associations (e.g., faculty, coaches and academic support organizations) as it continues its discussion and review of potential initial-eligibility models in the coming academic year.

d. Impact of the Progress-Toward-Degree Requirements on Student-Athlete Degree Selection (Academic Cabinet Priority Topic). The cabinet conducted an initial discussion to identify topics for review when discussing the impact of NCAA progress-toward-degree requirements on student-athlete degree selection. Specifically, the cabinet noted complications in minor declarations and changes of degree programs; restricted degree program options for transfer student-athletes; and, the direct and often indirect influences of faculty, coaches, advisors and peers on individual student-athlete degree declarations. The cabinet will continue to examine these issues in the coming year and will engage in conversations with representatives from N4A and NACADA to inform its review.

e. **Academic Research and Data Collection.** The cabinet directed the staff to prioritize efforts to develop a unique NCAA identification number that will help to link student-athlete academic records and to improve data matching and tracking academic outcomes in the future. The cabinet also noted the need to balance the value of such information with the security of protected and sensitive student-athlete data and encouraged the staff to be responsive to these concerns in its related programming efforts.

f. **Student-Athlete Academic Performance Report.** The cabinet received its annual report regarding student-athlete academic performance and observed substantial increases in the average NCAA Division I Academic Progress Rate (APR) overall and in some sports, especially in baseball, men's basketball and football. The cabinet also noted that while women's basketball continues to perform at an acceptable level overall, there are some trends that warrant monitoring, including declining eligibility rates and increasing numbers of student-athletes departing institutions while academically ineligible (i.e., "0/2" in the APR). The cabinet expressed support for efforts to address the academic performance of women's basketball student-athletes and welcomes involvement in such activities.

g. **Waiver Process for Data Submission Requirements in NCAA Bylaws 14.3.1.1.1.2, 14.5.4.7.2 and 14.5.6.6.2.** The cabinet authorized the Eligibility Center to process waivers of the information submission requirements for early academic qualifiers, 2-4 and 4-2-4 transfers outlined in Bylaws 14.3.1.1.1.2, 14.5.4.7.2 and 14.5.6.6.2. Further, the cabinet specified that a flexible approach should be taken by the Eligibility Center staff when extenuating circumstances preclude an institution or student-athlete from submitting the required information. Eventually, the waiver process will be part of a Web-based system currently under development for many types of waivers, which will allow for a simple process for the membership. In the interim, the Eligibility Center staff will receive the waiver requests via e-mail, note the reasons preventing submission of required information (for future review by the cabinet), make a determination, and electronically communicate the decision to the institution. Additional information on the waiver process will be forthcoming from the Eligibility Center staff. Finally, the cabinet will receive annual reports regarding the number of waivers requested and approved for each requirement, as well as a summary of mitigation cited in the cases.

h. **Academic Performance of Student-Athletes Receiving the Waivers.** The cabinet reviewed academic performance outcomes of student-athletes who previously requested waivers of NCAA initial-eligibility, progress-toward-degree and/or transfer requirements and directed the staff to further review outcomes of student-athletes who are granted waivers and later become academically ineligible to determine if any trends emerge that would inform the review of future waivers.

i. **Academic Waiver Application Forms for 2009-2010.** The cabinet approved the 2009-10 initial-eligibility waiver and progress-toward-degree waiver application forms and policies and procedures. In a change for 2009-10, academic recovery plans now will be required for all progress-toward-degree waivers, rather than required only when requested by staff. The cabinet also directed the staff to include the NCAA identification number as a required element of initial-eligibility waivers, progress-toward-degree waivers and NCAA Division I Legislative Council Subcommittee for Legislative Relief application forms once the number is fully implemented for all student-athletes. In the interim the staff should require waiver applicants to submit the student identification number matching the student-athlete's entry in the NCAA Division I Academic Performance Program (APP) (e.g., Social Security number, campus identification number, Eligibility Center identification number). For student-athletes not included in the APR cohort, institutions may submit the identification number used on campus.

j. **Progress-Toward-Degree Waivers Citing Academic or Disciplinary Suspension**. The cabinet reviewed progress-toward-degree waiver case precedent involving academic or disciplinary suspension or dismissal as mitigation for the student-athlete's academic deficiency(ies). As with all waivers, the staff considers the size of the deficiency(ies), the student-athlete's overall academic record, the likelihood of graduation within five years of full-time enrollment, the academic recovery plan and evidence of compelling mitigation that contributed to the deficiency(ies) in its review of progress-toward degree waivers involving suspension or dismissal. The cabinet directed the staff to continue to review such cases in a manner consistent with precedent and noted that academic and disciplinary suspensions should be considered as one of many factors in the waiver process. As a result, in some instances it may be appropriate to approve a waiver when mitigation circumstances are outside the control of the student-athlete.

k. **Review of Guidelines and Process for Transfer Appeals.** The cabinet noted that many transfer waiver requests involve significant academic considerations (e.g., transferable credit hours, academic eligibility at the previous institution), but that other waivers involve competitive equity and other nonacademic elements. To pursue examination of transfer appeals policies, the cabinet agreed to appoint two members to work with representatives of the Subcommittee for Legislative Relief to identify the best avenue and guidelines to review appeals of decisions on requests to waive the division's transfer residence requirement, including consideration of academic performance.

l. **Student Records Review Committee Policies and Procedures.** The cabinet approved revisions to the Student Records Review Committee Policies and Procedures to clearly define the staff and committee's authority during the prospective student-athlete review process, to clarify the documentation necessary to validate an individual's academic credentials, and to permit the staff and committee

to reconsider the certification of a prospective student-athlete when information is obtained subsequent to the certification that indicates the certification was based on fraudulent information or activity. These updates will be incorporated into the committee's policies and procedures document and will be posted on the NCAA Web site.

m. **NCAA Division I Men's Basketball Academic Enhancement Group Report.** The cabinet reviewed the April 2009 Report of the Basketball Academic Enhancement Group. Specifically, the cabinet noted a slight increase in permissible hours of athletically related activities under the preseason practice recommendation, as well as the potential impact on academic support personnel if the summer school recommendation is adopted. Further, the cabinet discussed whether the report, in total, recommends strong enough actions to result in meaningful academic improvement among men's basketball student-athletes. Finally, the cabinet noted it expects to have an opportunity to formally review and comment on the group's final report during the cabinet's September meeting.

n. **NCAA Division I Football Academic Working Group Status Report.** The cabinet reviewed the April 2009 Football Academic Working Group Status Report and specifically noted that football student-athletes, particularly first-year student-athletes, lose a significant number of APR eligibility points during the competitive season. The cabinet generally supported the recommendation to require football student-athletes to complete eligibility requirements in the fall term in order to avoid ineligibility for the first two contests of the following season. The cabinet views this recommendation as an appropriate response to the decreased rates of eligibility demonstrated by football student-athletes overall, but especially among freshmen. Further, the cabinet expressed preliminary opposition to any avenue by which a student-athlete could reduce the two-game suspension and preferred that situations involving mitigation or extenuating circumstances be addressed appropriately through the progress-toward-degree waiver process. In addition, the cabinet is interested in further studying the impact of athletic time demands on football student-athletes as a means of identifying additional strategies to improve academic performance.

o. **Division I Membership Requirements.** The cabinet noted the NCAA Division I Leadership Council's interest in development academic criteria for Division I member institutions and anticipates a formal request for feedback later this year.

p. **Review of Bylaws and Practices for Cost Efficiencies.** The cabinet reviewed several possible concepts identified to provide cost savings to the membership and determined that most would provide little direct financial relief and possibly could jeopardize the Association's principles of sound academic standards and competitive equity. The cabinet also noted that a significant portion of institutional expenditures related to academics and eligibility are for academic support resources and, therefore, are difficult to address via legislative or policy changes.

q. Term of Cabinet Chair. The cabinet extended the term of its chair, Carolyn Callahan, Faculty Athletics Representative at the University of Virginia, through the 2009-10 academic year.

Committee Chair: Carolyn Callahan, University of Virginia, Atlantic Coast Conference
Cabinet Liaisons: Matt Burgemeister, Academic and Membership Affairs
Julie Cromer, Academic and Membership Affairs
Diane Dickman, Academic and Membership Affairs

Report of the August 6, 2009, Division I Board of Directors Meeting

Table of Contents of Key Issues

Report of the Division I Presidential Advisory Group August 3, 2009, teleconference 1

NCAA President's Report 1

Men's basketball enforcement initiative 2

Update regarding the NABC communication plan 2

Final report and recommendations of the Men's Basketball Academic Enhancement Group 3

Report of the Committee on Academic Performance 6

Division I Governance Structure Update 8

- **Update from June Cabinet meetings** 8
- **Report of the May 6 and 11, 2009, Division I Leadership Council** 8
- **Report of the July 30, 2009, Division I Legislative Council** 9

Committee on Infractions 10

AFCA/NCAA Respect Weekend 11

Report of the NCAA Division I Board of Directors meeting
August 6, 2009

1. **Opening remarks.**

BOARD ACTION: Heard from the chair regarding his thoughts on issues that should be examined as part of the Division I agenda. Those issues included:

- The need to address issues associated with the nontraditional delivery of courses relative to the eligibility of student-athletes.
- The impact of Division I initial-eligibility standards and the impact of those standards on academic support personnel.
- The proliferation of noncoaching personnel and the impact on competitive equity.
- The need to assess whether the Division's academic reform efforts are having the desired impact.
- The need to promote intercollegiate athletics in a way that promotes a healthy balance between fiscal responsibility and athletic success in an effort to assist member institutions in making decisions that are consistent with their values.

2. **Minutes of the April 30, 2009, Board of Directors meeting**. [Reference BOD Supplement No. 1.]

BOARD ACTION: Approved the minutes as distributed. (Unanimous Voice Vote.)

3. **Report of the Division I Presidential Advisory Group (PAG) August 3, 2009, teleconference.** [Reference BOD Supplement No. 2.]

BOARD ACTION: Received a report from the Division I Presidential Advisory Group's August 3, 2009, conference call and learned from its chair that the PAG discussed whether a more regionalize approach to NCAA championships could result in potential cost savings for the membership.

4. **NCAA President's report.**

BOARD ACTION: Received its quarterly report from the NCAA President in which he focused on two main topics, which are set forth below:

- While the Division has made good progress with its academic reform initiatives, it has yet to complete its work. The good news is the focus is now on improving various aspects of the initiative rather than on developing new initiatives.

- The Division must recognize the special place the sport of basketball holds among NCAA sponsored sports given its contribution to the overall welfare of the Association. It is imperative that the environment surrounding the game is healthy. Accordingly, members of the enforcement staff have been specifically assigned to help address the negative and unsavory influences impacting the game. Additionally, learned that the NCAA has established an NCAA Men's Basketball Ethics Coalition, which is a 14-member body made up of current and former coaches focused on promoting ethnic behavior, demonstrating leadership and providing peer guidance, all in the name of strengthening the sport of men's basketball.

5. News regarding a men's basketball enforcement initiative.

BOARD ACTIONS:

a. Learned from the NCAA vice president of enforcement and a member of his staff, that given the complexity of concerns surrounding men's basketball recruiting practices, they have taken a multi-faceted approach to seek to improve the overall environment surrounding the game.

b. Heard that the staff has spent a great deal of time reviewing recruiting practices in men's basketball and that by talking with coaches, there appears to be a common perception that current bylaws cannot be enforced regarding hiring practices and remuneration schemes designed to limit access to recruits.

c. Were informed that the enforcement and AMA staffs are working together to review interpretations of the current legislation and identify boundaries, with the ultimate goal of establishing a clear and unambiguous line regarding violations, thereby putting the membership on notice of a new direction by the enforcement staff.

[Note: The Board of Directors will receive a final series of recommendations from the enforcement staff at its October 29, 2009, meeting, which may include both interpretative and suggested bylaw changes. The Board will be asked to support an initiative to directly address abuses and the NABC Board and CCA members will be asked to provide support as well.]

6. Update regarding the new NABC communications plan. [Reference BOD Supplement No. 3.]

BOARD ACTIONS:

a. Received an update from the Executive Director of the NABC along with one of its members regarding that Association's efforts to develop a communications plan to help serve as a catalyst for dialogue between presidents and coaches on the campus, conference and national levels.

b. Learned that the goal of this plan is to foster improved understanding of the academic and athletic issues impacting the men's basketball program and the NABC believes this plan should result in increased respect between presidents and coaches regarding academic and athletic goals.

c. Suggested the document include a goals and objectives section and recommended that the NABC make a few edits to the plan prior to seeking the Board of Directors support.

d. Recommended that as a matter of practice, the NABC should be invited to report to the Board of Directors twice per year as a means of enhancing the level of dialogue between presidents and coaches.

7. Final report and recommendations of the Men's Basketball Academic Enhancement Group. [Reference BOD Supplement No. 4.]

BOARD ACTIONS: Received the final report of the Men's Basketball Academic Enhancement Group and heard a presentation on that group's recommendations from its chair and other group members.

a. Background and Foundation.

(1) Heard that in developing its recommendations, the working group focused on the data, which reveals that men's basketball players, as a group come to Division I institutions less prepared academically and leave Division I institutions at a higher rate than any other sport as illustrated by the fact that approximately 40 percent of entering freshmen in the sport leave their initial institutions by the end of the second year.

(2) Were informed that the group's efforts were influenced by coaches who reported that prospective and enrolled student-athletes are inundated by

unregulated third parties and who push the young men to commit early to a professional career, encourage them to a new institution, or push enrolled student-athletes to participate in summer training in locations that have no connection to the institution or to academic development.

(3) Learned that the group, mindful of the data, developed recommendations designed to achieve greater student–athlete retention by providing them with the type of skills enhancement they desire along with an opportunity for better academic preparation, learning skills and an enhanced coach-player relationship.

b. **Recommendations:** Reviewed the working group's recommendations, the terms of which are set forth below, in part, as follows:

(1) Formal Summer Retention – Focused Program to Support Academic, Athletic and Learning Skills Development.

- Each institution shall formally assess the academic preparedness of all incoming men's basketball student-athletes (including transfers) who have signed financial aid agreements using institutionally-defined criteria to identify those students who need an academic head start to put the individual on a track to predict graduation within five years of initial enrollment.

- Such student-athletes must be enrolled in a minimum of 6 credit hours and successfully complete 3 credit hours in addition to receiving institutional learning skills education.

  [NOTE: The learning skills education should address several key learning objectives that would help a student "learn how to learn".]

- In subsequent years, institutions must re-evaluate the academic performance of its student-athletes using institutionally-defined criteria to determine which students should attend summer school to achieve graduation in five years. Student-athletes not on track to graduate in five years shall be strongly encouraged to enroll in summer school and shall be provided financial aid.

- Such student-athletes must enroll in a minimum of 6 credit hours and successfully complete 6 credit hours to be considered eligible for the fall.

[NOTE: Exceptions would be provided to institutions that do not offer summer courses or that do not offer athletics aid.]

- Such student-athletes enrolled in summer schools shall be permitted to participate in organized summer athletics development activities, during an institutionally designated eight-week period. During this time, incoming or continuing men's basketball student-athletes in summer school may participate in a maximum of eight hours per week in summer athletic development, no more than two hours of which may be skill instruction. This summer development model provides an opportunity for student-athletes and coaches to work together to improve aspects of the student-athletes' individual athletics skill in a more personal structure while also building a more intimate coach/player relationship and an emotional bond to the institution.

(2) Playing and Practice Season.

- An acclimation period for on-court preseason basketball practice would begin October 1 and provide for gradual increase in on-court practice between October 1 through October 15 (with two days off each week), at which time the current 20 hours per week of on-court practice (with one day off per week) would be applicable.

- Institutions must implement policies to limit missed class time due to athletics participation.

- The maximum number of contests shall be decreased by one, thus permitting institutions to engage in a maximum of 28 regular season contests or 26 regular season contests and one qualifying regular-season multiple-team event.

- As a best practice, institutions should be strongly encouraged to participate in no more than an average of two games per week (Monday through Sunday) while classes are in session. Further, institutions should not participate in any games during the week of final examinations as defined in the institution's catalog and should not participate in more than one away-from-home regular season conference game Monday through Friday of any given week. Conference offices should monitor these practices and require documentation from institutions not meeting them prior to the beginning of the season.

(3) Impact of transferring.

- While current data indicates that two-year college basketball transfers graduate at a lesser rate than basketball student-athletes who initially enroll at a four year institution and that two-year college basketball transfers graduate at a lesser rate than their counterparts who transfer from a four-year institution, current data available for review was not adequate to allow the working group to make any definitive recommendations at this time. Therefore, the group recommended that additional data should be collected to help determine the characteristics of a successful Division I men's basketball two-year college transfer student-athlete. Data will be available later in the 2009-2010 academic year that will allow for a better assessment of the number and types of courses that two-year transfers have taken.

FURTHER BOARD ACTION:

a. Offered feedback to the group members, which included a request that within 18-months a recommendation be develop designed to improve the academic performance of transfer student-athletes and a suggestion that the report be enhanced to further articulate the incentives for institutions and student-athletes to participate in the summer retention program. Additionally, the Board suggested that this working group should stay intact to address additional basketball issues.

b. Accepted the report, introduced the report in to the Division I governance structure and charged the staff with drafting appropriate legislative proposals necessary to implement the group's recommendations. (Unanimous Voice Vote.)

[NOTE: At its October meeting, the Board will review the draft proposals and consider sponsoring them in the 2009-10 Division I legislative cycle.]

8. Report from the Committee on Academic Performance. [Reference BOD Supplement No. 5A, 5B, 5C.]

BOARD ACTIONS:

a. Received a report from the Committee on Academic Performance's July 2009, meeting and were informed that while the committee discussed the possibility of identifying other institutional representatives (e.g., chancellor/president, director of athletics) to be included within the APR portfolio, given the complexities and administrative burden associated with reporting such information, the committee did not elect to include such information at this time.

[NOTE: The committee agreed to revisit this concept in the fall of 2011, after the current Head Coaches' APR Portfolio initiative has been fully implemented and evaluated.]

b. Legislative Issues.

(1) **Proposal Number: 2009-07 – Academic Performance Program -- Definitions and Applications -- Academic Progress Rate -- Definition of Cohort.** Intent: To revise the definition of the NCAA Division I Academic Progress Rate (APR) cohort, as specified.

BOARD ACTION: Used its legislative authority to adopt this proposal as noncontroversial legislation. (Unanimous Voice Vote.)

(2) **Proposal Number: 2009-08 – Academic Performance Program -- Penalties and Rewards -- Penalties -- Determination of Penalties.** Intent: To revise the NCAA Division I Academic Performance Program (APP) penalty structure, as specified.

BOARD ACTION: Used its legislative authority to adopt this proposal as noncontroversial legislation. (Unanimous Voice Vote.)

c. Heard from the committee chair, that as a result of the APP Historical Appeals Subcommittee of the Board of Directors experience in considering an appeal, the Committee on Academic Performance, with the support of the subcommittee, is recommending:

(1) That the APP Historical Appeals Board Subcommittee shall have the authority to remand a case back to the committee to be considered in accordance with the committee's policies and procedures and in light of the subcommittee's decision regarding the specific issue(s) raised in the appeal;

(2) That the chair of the APP Historical Appeals Board Subcommittee be permitted to vote in all cases; and

(3) That the Board's chair shall have the authority to appoint substitute members to the APP Historical Appeals Subcommittee, as needed.

BOARD ACTION: Approved the revisions to the Occasion-Three and -Four Historical Penalty waivers and appeals policies and procedure as set forth above. (Unanimous Voice Vote.)

d. Were informed that the Academic Cabinet has begun its review of the division's initial–eligibility requirements by drafting goals and principles to guide its future work, and that in the year ahead, the cabinet along with the Committee on Academic Performance, plans to review the impact of the current Division I initial–eligibility standards.

9. Division I Governance Structure Update.

a. Report of the Division I Governance Substructure. [Reference BOD Supplement No. 6.]

BOARD ACTIONS:

(1) Received an update on the Division I governance substructure's efforts to support the broader Division I agenda and learned that there appears to be a high level of coordination between the Board's priorities and the initiatives being explored by the substructure. This coordination appears to be a positive outgrowth of the new governance structure.

(2) Were also informed that pursuant to the Board of Directors charge to review bylaws for potential cost savings, the cabinets have begun their review, with the plan to continue that work in September, so the councils can provide a list of priorities to the Board at its October 2009, meeting.

b. Report from the May 6 and 11, 2009, Division I Leadership Council teleconferences. [Reference BOD Supplement No. 7.]

BOARD ACTIONS:

(1) Received an update from the chair of the Leadership Council who explained that the group is continuing its work on developing proposed new Division I membership standards, with a focus on helping potential members better prepare through the transitional process so that upon becoming full Division I members, the impacted student-athletes have a full and positive experience.

(2) Learned that the Leadership Council will continue its efforts in earnest during its October 6, 2009, meeting, with the hope of completing its work over the next six to eight months so its recommendations can be reviewed by the Board during the spring of 2010. Pursuant to this timeline, supporting legislative proposal would subject to membership consideration during the 2010-11 legislative cycle.

[NOTE: During this update, it was noted the PAG suggested that the Leadership Council consider requiring Football Championship Subdivision (FCS) institutions seeking to transition to the Football Bowl Subdivision (FBS) to receive a bona fide offer of admission from a FBS conference before being permitted to begin the transition process.]

c. Report of the July 30, 2009, Division I Legislative Council. [Reference BOD Supplement No. 8.]

BOARD ACTIONS: Received a report from the chair of the Legislative Council regarding that group's July 30, 2009, conference call.

(1) Membership override request regarding Proposal Nos. 2008-46 and 2008-59.

Proposal No. 2008-46 – Playing and Practice Seasons -- Baseball -- Preseason Practice and First Contest -- Championship Segment. Intent: In baseball, to specify that in the championship segment, an institution shall not commence practice sessions prior to the Friday that is three weeks prior to the first permissible contest date for the championship segment and shall not play its first contest (game or scrimmage) with outside competition prior to the Friday in February that is 14 weeks before the Friday immediately preceding Memorial Day.

BOARD ACTIONS:

(a) Were informed that 56 member institutions submitted requests to override the Legislative Council's adoption at its April 20, 2009, meeting of Proposal No. 2008-46;

(b) Discussed the proposal and the fact that opinions on the legislation appear influenced by geography with many Northern schools opposing the proposal and Southern schools supporting it;

(c) Learned that the Legislative Council, during its July 30, 2009, conference call, voted to sustain its earlier adoption of Proposal No. 2008-46; and

(d) Took no additional legislative action, thereby allowing the override request to be considered by the Division I membership during the Division I Business Session at the 2010 NCAA Convention. (Unanimous Voice Vote.)

[NOTE: At least a 5/8 majority vote of individual active members present including conference members in the governance structure, and voting shall be required to override the legislative action taken by the Board of Directors. The vote shall be based on the principal of one institution, one vote and the vote shall be taken by roll call.]

(2) **Proposal No. 2008-59 – Division Membership -- Definitions and Applications -- Emerging Sports for Women -- Sand Volleyball.** Intent: To add sand volleyball as an emerging sport for women.

BOARD ACTIONS:

(a) Were informed that 63 member institutions submitted requests to override the Legislative Council's adoption at its April 20, 2009, meeting of Proposal No. 2008-59;

(b) Discussed the proposal and the various membership views both in support of and in opposition to the proposal;

(c) Learned that the Legislative Council during its July 30, 2009, conference call voted to sustain its earlier adoption of Proposal No. 2008-59; and

(d) Took no additional legislative action, thereby allowing the override request to be considered by the Division I membership during the Division I Business Session at the 2010 NCAA Convention. (Unanimous Voice Vote.)

10. Division I Committee on Infractions.

a. Request to sponsor legislation. [Reference BOD Supplement No. 9.]

- **Proposal No. 2009-09 – Ethical Conduct -- Unethical Conduct -- Knowingly Influencing Others To Furnish False Or Misleading Information.** Intent: To specify that knowingly influencing others to furnish the NCAA or an individual's institution false or misleading information concerning an individual's involvement in or knowledge of matters relevant to a possible violation of an NCAA regulation constitutes unethical conduct.

BOARD ACTIONS:

(a) Suggested that the proposal language be clarified to specify that the person must knowingly influence others to provide false or misleading information.

(b) Agreed to use its authority to sponsor Proposal No. 2009-09, as modified per the suggestion above, into the 2009-10 legislative cycle. (Unanimous Voice Vote.)

b. **Committee appointment.** [Reference BOD Supplement No. 10.]

BOARD ACTION: Appointed Eleanor Myers, faculty athletics representative, Temple University, Atlantic 10 Conference. (Immediate) (Unanimous Voice Vote.)

11. AFCA/NCAA Respect Weekend. [Reference BOD Supplement No. 11.]

BOARD ACTIONS:

a. Were informed that as part of the NCAA's national sportsmanship campaign, the American Football Coaches Association (AFCA) and the NCAA are partnering to hold a national "AFCA/NCAA RESPECT Weekend" the opening weekend of the 2009 football season.

b. Learned that the highlight of pregame activities will be a handshake at midfield and that all NCAA football sponsoring institutions will have an opportunity to receive the following materials:

- Banners/signage;
- Video public service announcements;
- Public address scripts;
- Video board messages; and
- Logos for use on T-shirts and other give-a-ways.

12. Report of the April 30, 2009, meeting of the NCAA Executive Committee. [Reference BOD Supplement No. 12.]

BOARD ACTIONS:

a. Were informed that during its August 6, 2009, meeting, the Executive Committee would be considering the NCAA's championship hosting policy related to sports wagering and that in Division I the Championships/Sports Management Cabinet examined the issue in June recommending that the relevant geographic area in the current policy be changed from "metropolitan" to "state." The cabinet also agreed to recommend modifying the current policy so that it would be permissible for a state that permits sports wagering to host a championship, provided the hosting sites are not predetermined.

b. Additionally, learned that since the cabinet reviewed the issue, the NCAA staff also examined the issue and is recommending that the Executive Committee adopt the following policy set forth below:

> "No pre-determined or non-predetermined session of an NCAA championship may be conducted in a ~~metropolitan area~~ state with legal wagering that is based upon single-game betting ~~the outcome of any event~~ (i.e., high school, college or professional) in a sport in which the NCAA conducts a championship."

c. Were provided an opportunity to provide feedback in advance of the Executive Committee meeting.

13. Litigation update.

BOARD ACTION: Received a report and took no action.

14. Governmental relations report. [Reference BOD Supplement No. 14.]

BOARD ACTION: Received a report and took no action.

15. Other business.

16. Future meeting dates.

a. October 29, 2009, national office, Indianapolis.

b. January 16, 2010, NCAA Convention, Atlanta, Georgia.

c. April 29, 2010, national office, Indianapolis, Indiana.

d. August 12, 2010, national office, Indianapolis, Indiana.

e. October 28, 2010, national office, Indianapolis, Indiana.

f. January 15, 2011, NCAA Convention, San Antonio, Texas.

g. April 28, 2011, national office, Indianapolis, Indiana.

h. August 11, 2011, national office, Indianapolis, Indiana.

i. October 27, 2011, national office, Indianapolis, Indiana.

17. Adjournment.

SUPPLEMENT NO. 3

REPORT OF
THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
DIVISION I COMMUNICATIONS AND COORDINATION COMMITTEE
CONFERENCE CALL

Participants: August 12, 2009

Matt Baysinger, Big Twelve Conference – (SAAC)
Grace Calhoun, Indiana University – (Awards, Benefits, Expenses and Financial Aid Cabinet)
Carolyn Callahan, University of Virginia – (Academic Cabinet)
Joseph D'Antonio, Big East Conference – (Legislative Council)
Rob Halvaks, Big West Conference – (Administration Cabinet)
Petrina Long, UCLA – (Recruiting/Athletics Personnel Cabinet)
Mike Rogers, Baylor University – (Amateurism Cabinet)
Jeff Schemmel, San Diego State University – (Championships/Sports Management Cabinet)
Beth DeBauche, NCAA – recording secretary

Damon Evans, chair of the Leadership Council was unable to participate on the call.

NCAA staff: David Berst, Matt Burgemeister, Jeremiah Carter, Julie Cromer, Diane Dickman, Kelly Groddy, Lynn Holzman, Michelle Hosick, Brad Hostetter, Kevin Lennon, Steve Mallonee, Pat McConney, Delise O'Meally, Dave Schnase, Maricela Shukie, Geoff Silver, Mark Tschaggeny, and Sharon Tufano also participated on the call.

The conference call was called to order at 2:05 p.m. by the staff liaison Beth DeBauche.

1. Welcome and opening remarks. The committee was reminded that this call marks the one year anniversary for both the committee and the new Division I governance structure. It was noted that it has been a productive first year.

2. Recap of items of significance from the June cabinet meetings and conference calls. The cabinet chairs shared meeting highlights as follows:

   a. Academic Cabinet.

   (1) Review of Initial-Eligibility Standards. As part of its legislated duty to manage and monitor eligibility standards, the Academic Cabinet began a review of the division's initial-eligibility requirements by drafting goals and principles to guide its future work on this issue. The cabinet welcomes feedback from other cabinets regarding these draft items and will continue its review during its September meeting.

   (2) Nontraditional Courses for Initial Eligibility. The cabinet sponsored legislation to specify that nontraditional courses may be used to satisfy NCAA core-

course requirements, provided the instructor and student have regular and ongoing interaction for purposes of teaching and evaluation throughout the duration of the course, the course uses a system that permits review and validation of the student's coursework, and the course has a defined timeline for completion. The cabinet will continue to examine the issue of nontraditional courses, though it is not sponsoring additional legislation in this legislative cycle.

(3) Explanation of "Academic Impact". The cabinet asked that the Legislative Council consider a policy revision that would require an explanation of the academic impact to accompany every legislative proposal. A variety of comments were offered by committee members including that such a reference may best be addressed in the rationale statement.

(4) Bylaw and Practices Review. The cabinet reviewed several possible concepts identified to provide cost savings to the membership and determined that most would provide little direct financial relief and possibly could jeopardize the Association's principles of sound academic standards and competitive equity. The cabinet also noted that a significant portion of institutional expenditures related to academics and eligibility are for academic support resources and are difficult to address via legislative or policy changes.

b. Administration Cabinet.

(1) Annual Review/Advancement of Provisional/Reclassifying Members. The cabinet reviewed the progress of 18 institutions currently in the process of reclassifying their sports programs to Division I active status. During its review, the cabinet identified consistent areas of concern regarding reclassifying institutions, including: poor academic performance rates, funding coming primarily from student fees or institutional funds outside the athletics department, financial aid budgets, athletics department staff having both coaching and administrative roles, and compliance and monitoring issues.

(2) Committee Appointments. The cabinet continued to look for ways to enhance the committee appointment process in order to ensure that all 31 multisport conferences are fairly represented, and that the cabinet is well positioned to identify the best nominees for specific committee vacancies.

(3) Governance Assessment Tool. The cabinet is working with the NCAA research staff to develop an assessment tool to determine if the new governance structure is achieving its stated goals and objectives. Members of the Communications and Coordination Committee will be asked to participate in this effort.

c. Amateurism Cabinet.

(1) Commercial Activity in Division I Intercollegiate Athletics. The cabinet reviewed the final report of the Task Force on Commercial Activity in Intercollegiate Athletics and identified several issues for further discussion at its September meeting. It is anticipated that the cabinet will review examples of various new media concepts involving the use of student-athletes' images or names in order to facilitate the discussion.

(2) Bylaw and Practices Review. At the request of the Board of Directors, the cabinet reviewed Bylaw 12 for areas of possible cost savings and agreed to continue its examination of the legislation at its September meeting. The cabinet also solicited the assistance of the National Association of Athletics Compliance (NAAC) for suggestions as to possible legislative change(s).

d. Awards, Benefits, Expenses and Financial Aid Cabinet.

(1) Review of Current Financial Aid Model. The cabinet continued its review of the current financial aid model and concluded that the financial aid rules are too complicated, and that the expansive federal and state regulation causes many financial aid professionals to feel overregulated. The cabinet formulated three hypothetical financial aid models representing a moderate change, a significant change, and a radical change to the current model. These models will be discussed further during the September meeting and broader membership feedback will be sought in the fall.

(2) Maximum Equivalency Limits – Sand Volleyball. The cabinet sponsored legislation for the 2009-10 legislative cycle related to team financial aid limits in the sport of sand volleyball.

(3) One-year Award Period. The cabinet engaged in a discussion of the current one-year period for athletics-based financial aid awards, including whether a multi-year award would be an acceptable option. The cabinet will discuss this issue further at its September meeting.

(4) Letter of Intent Limits. The cabinet is looking into which conferences have limits on the number of Letters of Intent that may be signed by prospective student-athletes in a specific sport each year. The cabinet is exploring the question of whether conferences and institutions should regulate this area or whether there should be a national standard. The cabinet will address this issue further at its September meeting.

e. Championships/Sports Management Cabinet.

(1) Championships Budget Issues. The cabinet is analyzing what the championships budget might be in the future and is drafting a letter to be sent to all sports committees requesting that each committee prioritize their budgets and run a budget analysis with five and ten percent budget decreases and increases. The sports committees will be asked to return the results of this budget exercise to the Championships/Sports Management Cabinet by the cabinet's winter meeting.

(2) Bylaw and Practices Review. The cabinet members were encouraged to think about potential changes to Bylaws 17 and 31 that might result in cost savings for the membership. The cabinet has received quality responses and plans further discussion at its September meeting.

(3) Sand Volleyball Playing and Practice Season. The cabinet discussed a proposed sand volleyball playing and practice season model and contest limitations but agreed to delay action on these items until the Legislative Council considered the membership's override request on Proposal No. 2008-59.

f. Recruiting and Athletics Personnel Cabinet.

(1) Sponsored Proposals. The cabinet sponsored 10 legislative proposals in the 2009-10 legislative cycle, including legislation regarding student assistant coaches, non-coaching staff with sport-specific responsibilities and managers.

(2) Coaching Limits and Athletics Personnel Issues. The cabinet affirmed current legislation regarding countable coaches and volunteer coaches, and agreed to further study the positions of graduate assistant coaches and non-coaching staff with sport-specific responsibilities.

(3) Recruiting Materials. The cabinet examined current legislation regarding institutional letterhead, printed media guides and audio/video materials. It sponsored legislation to set forth restrictions on institutional letterhead. The cabinet also sponsored legislation to deregulate the current restrictions on audio/video materials. The committee is considering whether the current technology being utilized for recruitment purposes has surpassed the current legislation regarding recruitment practices.

(4) Definition of Recruitment. Upon request of the Awards, Benefits, Expenses and Financial Aid Cabinet, the Recruiting and Athletics Personnel Cabinet will work to further define the word "recruitment" at its September meeting.

(5) Bylaw and Practices Review. At the direction of the Board of Directors, the cabinet engaged in an examination of Bylaws 11 and 13 and created an initial list of possible amendments and policy changes that could provide financial and operational relief to the membership. The cabinet noted that further examination and discussion would be needed prior to any actions being taken.

g. Student-Athlete Advisory Committee.

(1) Commercial Activity in Intercollegiate Athletics. SAAC reviewed the report of the Task Force on Commercial Activity in Intercollegiate Athletics and sought to identify which principles would benefit from student-athlete feedback. The SAAC is preparing information to assist student-athletes in understanding the report.

(2) Bylaw and Practices Review. The SAAC identified areas of potential cost savings that would have a minimal impact on the student-athlete experience.

(3) Findings of the Men's Basketball Academic Enhancement Group. The SAAC received the report of the Men's Basketball Academic Enhancement Group. The SAAC took no formal position on the report and will seek feedback from men's basketball student-athletes before doing so.

3. Lessons Learned – Best practices shared.

a. Update regarding request for bylaw review. The committee members were reminded to make the review of bylaws to identify potential cost savings a priority for their September cabinet agendas. This timeframe is based on the fact the staff is planning to forward a listing of cabinet-developed amendments to the councils in October. In October, the councils will be asked to develop a prioritized list of possible legislative amendments. This list will be presented to the Board at its October meeting for possible legislative sponsorship in the 2009-10 cycle. Given the legislative deadline, cabinet work not completed in September will have to be brought forward for the 2010-11 legislative cycle.

b. Successful communications strategies and meeting structure. The committee members shared practices that worked well during their meetings as follows:

(1) Recruiting Cabinet. The Recruiting Cabinet reported success with engaging its members in small group discussions regarding potential cost savings measures. The chair noted this meeting format appears to result in a higher level of dialogue and camaraderie among the members.

(2) Academic Cabinet. The Academic Cabinet indicated having success in enhancing the level of dialogue by using a small group discussion format as well. The cabinet also reported that it is continuing its practice of conducting a conference call in advance of its meeting to review governance reports and address preliminary matters. Additionally, the chair shared that she was pleased with how well the video conferencing worked, as a number of staff members joined the meeting using that method.

(3) Championships/Sports Management Cabinet. The cabinet chair noted that despite some technological difficulties, he was generally pleased with the cabinet's June conference call and mentioned that he anticipates the cabinet will try to meet via conference call in the future as their agenda allows.

(4) Amateurism Cabinet. The chair shared that he asked the cabinet members to put cell phones and handheld devices away during the meetings with the understanding he will provide the group with a scheduled break that allows for ample time to contact their offices and homes. The chair reported that the members have responded positively to this practice.

4. Brief updates from the other Division I leadership bodies.

a. Board of Directors. The committee heard that during the August Board of Directors meeting, the Board chair listed issues he views as important to the division's agenda. This list, which is set forth below, reflects much of the ongoing work of the cabinets:

(1) The need to address issues associated with the nontraditional delivery of courses relative to the eligibility of student-athletes.

(2) The impact of Division I initial-eligibility standards and the impact of those standards on academic support personnel.

(3) The proliferation of noncoaching personnel and the impact on competitive equity.

(4) The need to assess whether the Division's academic reform efforts are having the desired impact.

(5) The need to promote intercollegiate athletics in a way that promotes a healthy balance between fiscal responsibility and athletic success in an effort to assist member institutions in making decisions that are consistent with their values.

It was reported that the staff tries to keep the Board informed regarding developments from the governance substructure.

b. Leadership Council. The committee was informed that the Leadership Council's next meeting is scheduled for October 6. During that meeting, the council is expected to continue developing suggested new Division I membership standards. Additionally, the Leadership Council will seek to identify ways to enhance the level of diversity serving in the Division I governance structure. Both of these conversations are important to the Division I agenda and have potential to involve the cabinets.

c. Legislative Council. The committee learned that during a July 30 conference call, the Legislative Council sustained its prior actions in adopting Proposal No. 2008-46 Playing and Practice Seasons – Baseball – Preseason Practice and First Contest – Championship Segment and Proposal No. 2008-59 Division I Membership – Definitions and Applications – Emerging Sports for Women – Sand Volleyball, both of which were subject to override requests from the membership. Subsequently, the Board supported the Legislative Council's determination. Therefore, the matter will be considered by the Division I membership during the 2010 NCAA Convention.

Additionally, the Legislative Council chair informed the group that proposals in the 2009-10 legislative cycle will be published on August 15. He encouraged the chairs to make sure their cabinets provide detailed and constructive comments to help in the development of good legislation.

5. Collaboration zone – pilot program. The committee members were informed that the governance staff is currently working with the national office's IT staff to develop a Collaboration Zone for all the Division I councils and cabinets. This zone, which will provide separate tabs for each governance group, will allow for not only the posting of materials but for a chat room feature. The Amateurism Cabinet has agreed to serve as the pilot group for this project. A tab is also currently being created for the Communications and Coordination Committee so the chairs will have the ability to experiment with the functionality. The members were reminded that this zone is not intended to replace the general posting of information for the membership on the NCAA's Website. The chairs did not offer any objections to the 31 multisport conferences being granted access to the Division I governance.

6. Leadership succession planning. The staff noted that under the current chair rotation schedule, all chairs are scheduled to rotate in April 2010. This complete turnover of the members of the Communications and Coordination Committee will present a problem as much of the history of this group could be lost. Possible solutions that have been identified to address this transitional problem included seeking legislative relief to allow a few of the chairs to serve in their leadership role for an additional year to help stagger terms and allow additional cabinet/council members to participate on Communications and Coordination Committee conference calls. One of the challenges associated with allowing others to participate on the calls is the fact the slate of chairs must reflect the gender, ethnic, positional and subdivisional diversity of Division I. This challenge demands the cabinets and councils work together to identify a slate of chairs. Accordingly, the staff suggested the chairs determine whether they would like to serve for one more year in that role and start to identify a few representatives to serve as a possible successor. The chairs should come to the 2010 Convention meeting prepared with the names of some possible replacements so that the committee can start developing a diverse slate for the Board's consideration.

7. Authority of the chair. The committee members were briefly reminded that unless their cabinet or council took specific action to provide authority to the chair to act on behalf of the cabinet or council between meetings, the chair is not empowered to do so.

8. Reminders regarding objectives in reviewing legislative proposals. The chairs were again reminded that the September cabinet meetings play an important role in the legislative review. The chairs and staff liaisons were encouraged to provide enough detail in their reports so the legislative comments are instructive to the Legislative Council. The chairs and liaisons were asked to review Supplement No. 12, which provides instructions for the cabinets' review of proposals.

9. Student-Athlete Advisory Committee members. The committee members were informed that the Division I SAAC has selected new representatives to the cabinets to replace vacating members. These new SAAC representatives have been through a service training session and are eager to serve. The list of contact information for the SAAC members was provided to the chairs. The chairs were encouraged to actively seek to engage their SAAC representative in both meetings and social activities.

10. Meeting materials. The chairs generally reported that their members appear supportive of the national office's "green"/cost savings measure that has resulted in meeting materials being posted online. The chairs noted there appears to be a mix between members

who print off materials and those that bring their laptops to the meetings. It was suggested that the staff review supplements online in advance of meetings to ensure documents are easily readable on laptops. Further, it was noted that some cabinet members have asked that all meeting supplements be posted to the Website as one document for easier review.

11. Meeting schedule. The committee was provided the composite Division I governance meeting schedule as a point of information. Staff liaisons were encouraged to share this information broadly.

12. Plans for the 2010 NCAA Convention. The chairs expressed an interest in again attending the NCAA Convention. The staff noted that the chairs can anticipate participating in the Joint Councils/SAAC and Joint Councils/Board functions. Further, the chairs should plan to participate in programming during the Division I Issues Forum and in a meeting of the Communications and Coordination Committee. The chairs should plan on being in attendance in Atlanta on January 14-15, 2009.

13. Affiliate update. The committee briefly discussed the importance of sharing information regarding the work of their cabinets and councils with outside affiliate groups to ensure such groups are current with Division I issues. Given the governance staff's relationships with affiliate groups and its efforts to coordinate the priorities on the Division I agenda, the chairs were encouraged to let the staff know if their cabinets or councils have initiatives they want to highlight. As part of this conversation, a few of the chairs noted how helpful it was to attend one of the student-athlete leadership conferences to gain a better understanding of the student-athletes' perspective on issues. The staff agreed to provide the committee with information on the next Division I Student-Athlete Leadership Conference so that they could possibly attend.

14. Proposed future call dates. The Communications and Coordination Committee members asked that the staff check with them after the September series of cabinet meetings to determine whether their next conference call should be scheduled before the October Legislative Council meeting or after the October Board of Directors meeting.

15. Adjournment. The call was adjourned at 3:35 p.m. EDT.

# # # # #

Final Report of the Division I Men's Basketball Academic Enhancement Group (Presented to the Division I Board of Directors on August 6, 2009)

Background.

In April 2007, the NCAA Division I Board of Directors approved the formation of an NCAA Division I Men's Basketball Academic Enhancement Group, a working group composed of presidents and chancellors, head coaches, commissioners, directors of athletics and faculty athletics representatives, which was established to develop strategies to enhance academic performance and graduation rates in NCAA Division I men's basketball. Graduation rates in the sport of men's basketball are among the lowest in Division I. Overall, data reviewed reflects that men's basketball student-athletes are less prepared academically than student-athletes who participate in other sports. It was essential, therefore, that NCAA constituent groups work together to evaluate the causes and develop meaningful strategies to improve academic performance. The success of a similar group in baseball and discussions involving head basketball coaches and representatives of several governance committees and NCAA staff at the 2007 Men's Final Four supported the establishment of the Division I Men's Basketball Academic Enhancement Group as a meaningful step toward identifying solutions.

The group was provided a charge to:

1. Analyze available data, research and literature regarding the academic performance trends of Division I men's basketball student-athletes.

2. Identify characteristics and factors in the sport that may be serving to impair the academic performance of Division I men's basketball student-athletes.

3. Identify changes that would enhance academic progress and graduation rates in Division I men's basketball.

4. Submit to the Division I Board of Directors, a set of recommendations and proposals that would enhance Academic Progress Rates (APR) and graduation rates in Division I men's basketball.

5. Maintain ongoing communication with, and seek reactions from, the NCAA governance structure, and the National Association of Basketball Coaches (NABC) membership and conference offices during the course of the project.

The Division I Men's Basketball Academic Enhancement Group conducted its initial meeting in August 2007, and agreed that the project could most effectively be accomplished through the use of subcommittees. The following subcommittees were formed and charged with identifying and developing potential solutions, legislative and non-legislative, for consideration by the full group.

1. Subcommittee on Academic Preparation and Academic Support.
2. Subcommittee on Coach/Player Relationships.
3. Subcommittee on Playing and Practice Seasons.
4. Subcommittee on Transfers – Both Incoming and Outgoing.
5. Subcommittee on the 0 for 2 Phenomenon.

The subcommittees conducted several meetings, both in-person and by conference call, and developed recommendations/solutions specific to their respective areas for consideration by the full group. The group also received and considered feedback from various constituencies in the Division I governance structure. The following information sets forth the group's final recommendations.

Recommendations

1. **Initiate a Formal Summer Retention-Focused Program to Support Academic, Athletic and Learning Skills Development.**

Background and Rationale. The group supported a summer academic preparation and college acclimatization model for designated men's basketball student-athletes that includes summer school attendance and the development of learning- and athletics-skills development that involves interaction with the coaching staff. Data reviewed by the group clearly demonstrates that student-athletes who enroll in summer school, particularly early in their academic careers, tend to experience enhanced academic success during their collegiate enrollment. This finding holds for both academically at-risk and high achieving student-athletes. Contributing to this recommendation was a survey of Division I men's basketball student-athletes attending summer school, which revealed that time spent voluntarily on athletically related activities while enrolled in summer school has been approximately 12-14 hours per week.

In proposing this model, the group is not only recognizing the importance of the accrued academic benefits of summer school attendance (e.g., faster progress toward a degree), but is also focusing on the fact that retention problems drive the low APR in men's basketball. One need look no farther than to the fact that approximately 40 percent of entering freshmen in the sport have left their initial institutions by the end of the second year to understand the significance of the retention issue. One of the core messages seen in the academic literature on retention of students is that development of an institutional connection is a critically important factor in retaining students. Summer bridge programs have been shown to be particularly effective in this regard.

Coaches report that prospective and enrolled student-athletes at all levels in Division I basketball are inundated by third parties who have unregulated direct contact and who push the young men to either commit early to a professional career or to seek a new institution to pursue perceived opportunities to better display athletic talents. Pressure is also applied to enrolled student-athletes to participate in summer training for a potential professional career in locations that have no connection to the institution or to academic development. Given the critical importance of the coach/player relationship, it is fair to consider that enhancing that relationship will also enhance the connection that a student-athlete feels toward the institution. It is also clear that student-athletes in this sport desire opportunities in the summer to enhance their athletics skills. The group, in proposing a model that provides opportunities for both academic and athletic improvement, is trying to achieve greater retention of student-athletes by providing the type of skills enhancement that is desired by the athletes and coupling that opportunity with academic requirements, learning skills training and an enhanced relationship with the coaching staff. For this plan to succeed, coaches, faculty and administrators will have to work together at the local level.

The recommended model proposes a structure that is designed to encourage greater academic commitment by building connections to the institution that can encourage persistence, while also providing an opportunity for coaches and student-athletes to interact and build the coach/player relationship. While many athletics administrators and faculty members have been quick to criticize the perceived motives of coaches, the group believes coaches are key to offset the non-academic influences that now pervade the lives of student-athletes in this sport. It is anticipated that engaging in limited athletically related activities in a structured environment under the supervision of the coaching staff will not significantly impact competitive equity and should prove beneficial in establishing a stronger coach/player relationship, which in turn enhances the bond to the institution. For this model to succeed, coaches may have to modify summer recruiting practices and will have to be attentive to this need in order to effectively use this new opportunity to influence their student-athletes. Descriptions of summer athletic development opportunities and summer school academic requirements are included below to assist in understanding the practical application of this model.

a. Summer School Bridge for Designated Men's Basketball Student-Athletes.

NCAA financial aid rules now permit institutions to provide athletics aid during the summer prior to initial full-time enrollment under conditions prescribed by NCAA Bylaw 15.2.8.1.4. Further, NCAA Bylaw 15.2.8 and its subsections, outline legislation related to summer financial aid for enrolled student-athletes.

The new recommended model requires that each institution formally assess the academic preparedness of all incoming men's basketball student-athletes (including transfers) who have signed financial aid agreements for the ensuing regular academic

year, using institutionally-defined criteria to identify those who need an academic head start to put the individual on a track to predict graduation in five years of initial enrollment. The data shows that student-athletes who undergo these early institutional assessments and receive the necessary additional academic support or attend additional summer school sessions are more likely to graduate within a five-year time frame. These identified student-athletes shall be required to attend summer school in a summer bridge session prior to their initial year of regular enrollment at the certifying institution. Such incoming student-athletes shall be provided financial aid and must be enrolled in a minimum of six hours (and pass three for eligibility to compete in the first term) of acceptable degree credit in addition to receiving institutional learning skills education.

[Note: Consistent with the provisions of Bylaw 14.4.3.4.4, required hours may include remedial courses, provided the courses are prerequisites for specific courses acceptable toward any degree program.]

For subsequent summers, men's basketball student-athletes shall be reevaluated using institutionally-defined criteria to determine those who should attend summer school to achieve graduation in a five-year period. Continuing student-athletes who are not on track to graduate in five years shall be strongly encouraged to attend summer school and shall be provided financial aid if they choose to do so. Enrolling in a minimum of six hours shall be required to receive financial aid and passing six hours of acceptable degree credits shall be required for eligibility in the fall term.

The group encouraged [but did not require] that institutions use a management system "The NCAA Facilitating Learning and Achieving Graduation Program" to identify those incoming men's basketball student-athletes who should be required to attend summer school and those continuing men's basketball student-athletes who should be strongly recommended to attend summer school. This is an example of a model that provides for a dynamic assessment of student-athletes (through the identification of factors and characteristics) who are at-risk of not graduating from the institution in five years.

The group also recommended that institutions document academic assessments in the event of future consideration of penalties or waiver requests involving the Committee on Academic Performance.

b. Exceptions for Summer School.

An exception should be available to institutions that do not offer summer courses to the general student body. However, such institutions would not be able to take advantage of the summer athletic development component described later. Further,

institutions that offer summer courses, but that do not offer any athletically related financial aid (e.g., award only need-based aid) would have two options.

The first option would be to use the previously noted exception applicable to institutions that do not offer summer courses to the general student body. Institutions electing to use this option would not be required to award summer financial aid, but its men's basketball student-athletes would be prohibited from participation in summer athletics development.

A second option would be available for those institutions that wish to participate in the summer athletics development. Those institutions would be subject to the summer-aid requirement for those recruited student-athletes who are required, using institutionally-defined criteria, to attend summer school. The summer athletics development provisions of this model would be applicable to those student-athletes enrolled in the requisite minimum number of hours of acceptable degree credit and who are receiving nonathletically related financial assistance or covering their own cost of summer school.

c. Learning Skills Assessments and Education.

Institutions would be required to provide incoming men's basketball student-athletes learning skills assessments and education. The purpose of this educational program is to address several key learning objectives that would help a student "learn how to learn" and this recommendation is intended to address retention through the establishment of institutional connections. The program could start with an educational assessment that would identify a student-athlete's strengths, weaknesses, attitudes, and beliefs associated with learning. This assessment could also capture information regarding personal, medical, financial or family concerns that can compromise a student-athlete's ability to perform well academically and athletically. Institutions could work with their campus community to identify the best assessment tool to capture this information. Upon the completion of an educational assessment, institutions could establish educational activities that address motivation, attention, concentration, memory, procrastination, anxiety, stress, time management, note taking and test taking skills and learning strategies. These activities can be structured in the form of a course, seminar, individual sessions, or small group activities, and could be organized in a manner to assist coaches and academic support personnel in developing individual academic support plans that will assist the student-athletes in their transition to college and focus on career planning and "life after basketball" skills. Such education would be encouraged in future years as deemed necessary.

d. Summer Athletic Development-Retention Model.

Under current legislation, coaches and student-athletes are limited in the amount of time spent on athletics activities and the nature of those activities during the regular academic year and institutional vacation periods, including the summer. Specifically, it is not permissible for coaches and student-athletes to participate in countable athletically related activities during the summer vacation period.

The recommended model permits summer athletics development based on the view that this provides an opportunity for student-athletes and coaches to work together to improve aspects of the student-athletes' individual athletics skill in a more personal structure while also building a more intimate coach/player relationship and an emotional attachment to the institution. The focus on athletics development addresses concerns from the men's basketball community that increased one-on-one access to student-athletes to work on skills during the summer would be beneficial, but also continues to prevent full-team practice on a year-round basis. These contacts also help develop a direct bond to the institution, which is key to persistence rates.

The proposed model would permit institutions to designate an eight-week period during which incoming or continuing men's basketball student-athletes enrolled in and attending summer school (in a minimum of six credit hours) would be allowed to participate in a maximum of eight hours per week in strength and conditioning activities and a portion of that time in skill instruction conducted and supervised by the coaching staff. There would be a limit of no more than two hours of skill-related instruction. This length of time is consistent with current legislation governing athletics activities outside the playing season during the academic year. Based on current legislation, it appears eight hours per week is a reasonable balance between the academic and athletic needs of student-athletes in the summer while not imposing an undue burden on time. Similarly, while cognizant of time demand issues that also exist during the summer, this proposed model recognizes that the structured athletics training will simply replace a portion of the 12-14 hours student-athletics already spend on their own in the gym.

For comparison purposes, the identification of an eight-week period presents a consistent length of time as provided for in the football summer conditioning period. The remaining time outside the eight-week period should be designated as student-athlete discretionary time as outlined in existing legislation in which a student-athlete can only participate in athletics activities at his discretion.

[Note: Summer athletics development would be available to any entering or continuing men's basketball student-athlete who is enrolled in a minimum of six

credit hours during the summer, regardless of whether the student-athlete is required to attend such sessions.]

e. First-Term Eligibility Requirements.

The group determined that for those attending summer school and engaging in athletics development activities, a minimum number of summer school credits should be required for eligibility in the first academic term in the fall to ensure that incoming and continuing men's basketball student-athletes are making a meaningful academic commitment. A credit-hour requirement would be established such that incoming men's basketball student-athletes who are required to attend summer school must satisfactorily complete a minimum of three hours of academic credit during the summer as a prerequisite for eligibility in the first fall term. In subsequent summers, such men's basketball student-athletes who enroll in the summer term would be required to satisfactorily complete a minimum of six hours of academic credit as a prerequisite for eligibility in the ensuing fall term. As noted, this requirement also applies to incoming and continuing men's basketball student-athletes who are not required to attend summer school, but who elect to do so in order to avail himself of the athletics development benefits. A student-athlete who is not eligible for competition in the fall, based on unsuccessful completion of appropriate academic credit during the summer, would be permitted to regain eligibility at the conclusion of the fall term, provided he meets all other applicable progress-toward-degree regulations.

[Note: A nonqualifier must complete an academic year of residence before being eligible for competition; however, he would be eligible for summer financial aid and athletics summer development during the summer prior to initial full-time collegiate enrollment to aid in establishing a proper academic foundation and a tie to the institution.]

f. Status as a Student-Athlete.

Upon summer enrollment, incoming recruited men's basketball student-athletes, who have signed financial aid agreements for the ensuing regular academic year, would be considered student-athletes under all NCAA legislation. Currently, under NCAA Bylaw 13.02.11.1, these individuals are not subject to contact regulations in Bylaw 13 and are considered student-athletes only for purposes of Bylaw 16. They are considered prospective student-athletes for the remainder of Bylaw 13 and all other bylaws.

2. Proposed Playing and Practice Season Model.

The group supported the following playing and practice season model that provides for a slight reduction in the current maximum number of games, a staggered schedule for the start of team practice to acclimate to the practice season and other legislative modifications designed to minimize missed class time during the season. The group believes that the implementation of a basic scheduling philosophy with the key components listed below will reduce missed class time during the playing season and thereby promote better academic performance.

a. Preseason Conditioning and Practice.

(1) Permissible Preseason Conditioning Activities (Beginning of academic year). The current rule that permits men's basketball student-athletes to engage in a maximum of eight hours per week of conditioning or physical-fitness activities, of which not more than two hours may be spent on skill-related workouts, would remain unchanged.

(2) On -Court Team Practice Activities. Beginning October 1 (regardless of the day of the week), instead of eight hours per week for conditioning or physical-fitness activities, an institution's men's basketball team shall be allowed to participate in activities as follows:

October 1-7: Of the eight hours per week allowed for strength/conditioning and/or skill instruction, allow coaches the option to conduct on-court practice for a maximum of four of the eight hours. All countable athletically related activities shall be prohibited during two calendar days.

October 8-14: Instead of eight hours, increase the number of hours to 12 per week for strength/conditioning and/or skill instruction and allow coaches the option to conduct on-court practice for a maximum of eight of the 12 hours. All countable athletically related activities shall be prohibited during two calendar days.

October 15: Regular team practice begins with the current 20 hours-per-week limitation, with one day off per week during which no countable athletically related activities shall occur.

Permitting institutions to utilize a "staggered schedule" for the start of team practice earlier (October 1 rather than mid-October) will allow freshman student-athletes more time to become acclimated to college life, and for further development of the coach/player relationship to occur prior to the beginning of the traditional on-court team practice time.

(3) Missed Class Time Policies. Policies must be implemented to limit missed class time due to athletics participation. For example, an institution may establish a policy that a student-athlete may not miss more than 10 percent of class meetings per semester due to athletics participation. Athletics participation schedules that include the amount of missed class time due to athletics participation must be approved prior to each semester by the faculty athletics representative or faculty oversight committee.

b. Practice Scrimmages/Exhibition games. The group recommended modifications to the current legislation regarding informal preseason scrimmages to specify that such practice scrimmages shall not result in missed class time for the student-athletes of the participating institutions.

[Note: Such legislation was adopted through the Division I legislative process during the 2008-09 legislative cycle.]

c. Playing season.

(1) An institution shall conduct a maximum of 28 regular-season games (reduction of one game) or, a maximum of 26 games if the institution participates in a Qualifying Regular-Season Multiple Team Event.

(2) As a best practice, institutions should be strongly encouraged to participate in no more than an average of two games per week (Monday through Sunday) while classes are in session, should not participate in any games during the week of final examinations as defined in the institution's catalog and should not participate in more than one away-from-home regular season conference game Monday through Friday of any given week. The group noted that these would not be legislative requirements, but agreed that conference offices should monitor these practices and require documentation from institutions not meeting them prior to the beginning of the season that provides an explanation as to noncompliance and a future plan to meet such practices.

(3) Institutions shall depart an away-from-home competition site no later than 24 hours (reduced from 36 hours) after the conclusion of the competition. (Current legislative exceptions would remain applicable.)

3. **Transfer - Recommended Concepts to Address the Academic Performance of Transfers in the Sport of Men's Basketball.**

Data reflects that the transfer rate and overall academic performance of transfers should be addressed. The group considered several potential recommendations to address concerns regarding the poor academic performance of transfer student-athletes in the sport of men's basketball, particularly two-year college transfer student-athletes. It discussed the concept of a "year of readiness" for all entering men's basketball student-athletes who may satisfy NCAA initial eligibility standards, but who do not satisfy institutional admissions standards and are not predicted to succeed academically and graduate in a timely manner. Some recruiting equity concerns were raised if national standards are not established to determine those student-athletes who should be subject to the "year of readiness."

The group noted that current data indicates that two-year college basketball transfers graduate at a lesser rate than basketball student-athletes who initially enroll at a four year institution and remain at that institution until graduation. The data also shows that two-year college basketball transfers graduate at a lesser rate than their counterparts who transfer from a four-year institution. The group agreed the issue of transfers appears to be a concern, and ultimately agreed though that current data available for review is not adequate to make any definitive recommendations at this time, especially given its charge to make data-driven decisions. Additional data should be collected to help determine the characteristics of a successful Division I men's basketball two-year college transfer student-athlete. Specific gaps in current NCAA data include a lack of information on the academic preparedness of two-year transfers as they leave high school, and a complete lack of data on the academic experiences of these students at the two-year colleges. Division I has already adopted legislation to fill these gaps. Later in the 2009-2010 academic year, data will be available that will allow a better assessment of the number and types of courses that two-year transfers have taken, and it is anticipated that such information will assist the NCAA in identifying patterns of course selection at two-year institutions that lead to better academic success once these students transfer to Division I institutions.

In addition to academically based data, the group also believes that focus groups consisting of current and former two-year college transfers should be formed to determine what

academic and nonacademic factors contribute to the academic success or failure of two-year college transfers in men's basketball.

The group recommended that the Board of Directors request that the Academics Cabinet continue to collect the necessary data to fully review and evaluate the issues related to academic performance of men's basketball transfer student-athletes and make appropriate recommendations for consideration by the Division I membership through the normal legislative process.

The group also made the following additional recommendations:

a. **Use of Nontraditional Courses to Meet Transfer Requirements.** The group recommended that the NCAA Division I Academics Cabinet should continue to review the use of nontraditional courses to meet academic transfer requirements for 2-4 transfer student-athletes and its impact on their academic success.

b. **Physical Education Activity Courses.** The group recommended that legislation be sponsored to limit physical education activity courses used to satisfy two-year transfer requirements to no more than two credit hours. For those student-athletes matriculating at the four-year institution immediately into a physical education degree program or an education program requiring physical education activity courses as a part of the degree program (courses cannot be used to fulfill free elective requirements), student-athletes can use up to the number of degree specific courses to meet transfer requirements.

4. Academic Progress Rate (APR) Policies.

The group engaged in lengthy discussions regarding the factors that may negatively impact the academic success of men's basketball student-athletes. Given the institutional responsibility to foster an environment that supports student-athlete academic achievement and retention, as well as membership feedback noting concerns with any action that would dilute the NCAA Division I Academic Performance Program. The group agreed that the "historical" sanctions currently being imposed by the Committee on Athletics Performance would likely facilitate change in the academic performance and /or profile of Division I men's basketball student-athletes and ultimately, the group did not recommend changes at this time regarding the calculation of the academic progress rates for men's basketball.

The group received feedback from several conferences and academic associations expressing concern regarding possible recommendations.

The group supported the following related to the application of the Academic Progress Rate (APR):

a. **Provide consistent flexibility in the historical and contemporaneous penalty waiver processes during head coaching transitions.** Traditionally, the NCAA Division I Committee on Academic Performance considers a head coaching transition as a potential mitigating factor when examining historical penalty waiver requests. The group recommended to the committee that it use the same approach during appeals of contemporaneous penalties when a coaching transition occurs and circumstances warrant consideration of reduction or relief of penalties.

b. **Examine current professional tryout practices with the National Basketball Association (NBA) and the Federation of International Basketball Associations (FIBA).** The NCAA should work with the NBA (also NBAPA) and FIBA to determine whether other options are available to encourage less missed class time among student-athletes still enrolled while exploring or pursuing professional or other opportunities.

c. **Adopt legislation granting "noncounter" status to a men's basketball student-athlete who wishes to remain at the institution, but not participate in athletics, after the departure of the head coach who recruited him.** Such men's basketball student-athletes would continue to receive athletics aid, but would not count against team scholarship limits as long as they do not return to athletics participation. If such a student-athlete was granted "noncounter" status, then elected to return to the men's basketball team in a subsequent term or season, he would become a counter for all years during which athletics aid was received. This legislative change would provide additional flexibility to student-athletes when their coaches leave, particularly for those who are in their final two to three semesters of a degree program who may not wish to transfer. The group does recognize, however, that many student-athletes are motivated to continue participating in basketball and still may choose to transfer for basketball reasons at a different institution, regardless of the scholarship opportunity at the original institution.

d. **Remove legislative barriers that may prevent a student-athlete from returning to an institution to complete a degree after a professional career.** Current legislation allows for five years of athletics aid to be provided within a six-year time period. Athletics aid awarded beyond those parameters must be "earned" aid. Flexibility in

this area may encourage more former student-athletes to return to complete their degrees. The group recommended that the Awards, Benefits, Expenses and Financial Aid Cabinet develop legislation for consideration by the Division I membership through the normal legislative process.

5. **Other Recommendations.**

- **Official Visits – Travel Expenses for Parents/Legal Guardians.** The group recommended legislation to allow institutions to provide travel expenses to the parents or legal guardians to accompany the prospective student-athlete on the prospect's official visit. Such a practice will ensure that coaches have greater opportunities to develop the player/coach relationship with the entire family, provide an avenue to emphasize the importance of education/academics and also provide greater insight into the family background that may assist coaches in making more sound decisions in the recruiting process.

6. **Best Practices.** The group developed a comprehensive list of best practices designed to assist institutions in implementing policies/practices to improve the academic performance of Division I men's basketball student-athletes. The list will include many practices/policies identified by the National Association of Academic Advisors for Athletes (N4A). [See Appendix A]

Respectfully submitted to the Division I Board of Directors.

Group Chair:
Dan Guerrero, director of athletics, University of California, Los Angeles

Other Group Members:
Cy Alexander, assistant men's basketball coach, Texas A&M University-Corpus Christi
Kevin Anderson, director of athletics, U.S. Military Academy (Army)
Britton Banowsky, commissioner, Conference USA
Gretchen Bataille, president, University of North Texas
Percy Bates, faculty athletics representative, University of Michigan
Jim Boeheim, head men's basketball coach, Syracuse University
Pete Boone, director of athletics, University of Mississippi
Robert Bruininks, president, University of Minnesota, Twin-Cities

Jack Evans, faculty athletics representative, University of North Carolina, Chapel Hill
Greg Geoffroy, president, Iowa State University
Cary Groth, director of athletics, University of Nevada
Water Harrison, president, University of Hartford
Alan Hauser, faculty athletics representative, Appalachian State University
Paul Hewitt, head men's basketball coach, Georgia Institute of Technology
Ron Hunter, head men's basketball coach, Indiana University-Purdue University of Indianapolis
Kerry Kenny, SAAC representative, Big 10 Conference
Phil Martelli, head men's basketball coach, Saint Joseph's University
Reggie Minton, deputy executive director, National Association of Basketball Coaches
Mario Moccia, director of athletics, Southern Illinois University at Carbondale
Jean Lenti Ponsetto, director of athletics, DePaul University
Lee Reed, director of athletics, Cleveland State University
Bo Ryan, head men's basketball coach, University of Wisconsin, Madison
Herb Sendek, head men's basketball coach, Arizona State University
Mike Slive, commissioner, Southeastern Conference
Gene Smith, director of athletics, Ohio State University
Jon Steinbrecher, commissioner, Mid-American Conference
John Watson, director of athletics, Pepperdine University
Steve Weber, president, San Diego State University
Debbie Yow, director of athletics, University of Maryland, College Park

BEST PRACTICES

The following is a list of nonlegislative "best practices" identified by the Division I Men's Basketball Academic Enhancement Group designed to assist Division I institutions in enhancing the academic preparation and success of its Division I men's basketball student-athletes. Many of these practices were developed through a collaborative effort of The NCAA and a group of National Association of Academic Advisors for Athletics (N4A) members. The factors identified by the group impacting the academic performance, retention and vulnerability of non-graduation of men's basketball student-athletes include: academic preparedness, at-risk factors beyond academic preparedness (e.g., socioeconomic status), number of two-four transfers, time demands and the visibility of men's basketball programs. Further, the number of professional opportunities available to NCAA Division I men's basketball student-athletes is a factor impacting the motivation and engagement of the student-athletes. It should be noted that the best practices that have been shaded may require higher resource commitment by the institution.

Program Area	BEST PRACTICES
Orientation/ Continuing Education of Staff	***Academic Support Personnel.*** • Veteran academic support personnel provide training and orientation for new hires including: campus degree requirements, admissions requirements, NCAA rules, philosophy and mission of the academic support unit, and advising policies and procedures. • Academic support personnel in athletics participate in campus advisor training sessions to learn campus requirements and changes in curriculum. • Compliance staff provides academic support personnel ongoing training on NCAA rules and regulations. • Academic support personnel participates in professional development opportunities (e.g., N4A Regional and National Conventions, N4A Professional Development Institute, NCAA Regional Rules Seminars). • Identify academic support staff member to serve as liaison to each college/department within the university. Liaison is responsible for attending college/departmental meetings and updating entire academic support staff on curriculum changes.
	Departmental Academic Advisors. • Academic support personnel and athletics department staff conducts annual training of departmental advisors to assist with the understanding of NCAA eligibility issues and the daily lives of men's basketball student-athletes. • Director of academic support unit encourages departmental academic advisors who work with a large population of student-athletes to participate in ongoing training on NCAA rules and regulations (e.g., NACADA academic reform online course).

Program Area	BEST PRACTICES
Orientation/ Continuing Education of Staff (continued)	***Coaching Staff.*** • Require all new coaches to participate in a campus orientation session including information about the university (e.g., university mission, campus history), admissions calendars and impact on recruiting, academic information and other pertinent campus information (e.g., highly regarded academic programs, university rankings). • Require all coaches to participate in annual admissions training covering: criteria to meet minimum admission standards; special admission procedures; and minimum thresholds requiring review by Faculty Committee (e.g., grade point average, test score). • Require coaches to participate in APR Education sessions covering: NCAA initial-continuing eligibility rules; APR adjustments; and team specific APR/GSR information.
Recruiting	***Incoming Freshmen.*** • Academic support personnel meet with recruits and their parents/guardians during all official visits and scheduled unofficial visits. • Coaches submit the academic credentials (e.g., high school transcript, test scores) of prospective student-athlete to academic support personnel for review not later than the conclusion of the prospective student-athlete's junior year. Academic support personnel provides written evaluation of the likelihood of the prospect meeting necessary requirements to coaches. • Coaches talk with prospective student-athlete to determine major(s) of interest prior to the official visit. Academic support personnel prepares information for the visit based on major interest (e.g., course curriculum of major, entrance requirements for the major, typical graduation plan). • Academic support personnel schedules academic meeting with a representative from the prospective student-athlete's major area of interest during the recruiting visit. • Evaluate high school disciplinary record (e.g., suspensions). Conduct police background checks. Academic support personnel contact academic advisor at secondary school for insight on prospect's academic profile and character.
	Incoming Transfers: • Once prospective student-athlete is identified, coach submits the academic credentials (e.g., high school transcripts, test scores, and transcripts from all institutions attended) of prospect to academic support personnel for review. Academic support personnel provides written evaluation of the likelihood of the prospect meeting necessary requirements to coaches.

Program Area	BEST PRACTICES
Recruiting (continued)	• Coaches talk with prospect to determine major(s) of interest prior to the visit. Academic support personnel prepares information for the visit based on major interest (e.g., course curriculum of major, entrance requirements for the major, typical graduation plan). • Academic support personnel schedules academic meeting with representative from the prospective student-athlete's major area of interest during the recruiting visit. • Academic support personnel contact academic advisor at previous institution(s) for insight on prospect's academic profile and character. • Evaluate high school/previous college disciplinary record (e.g., suspensions). Conduct police background checks.
Evaluation of Academic Readiness	***Incoming Freshmen:*** • Academic support personnel complete academic evaluations to review coursework completed and enrolled courses to assess prospective student-athlete's ability to meet NCAA requirements and institutional requirements, and to determine potential for academic success at the institution. • Academic support personnel examine academic record to determine impact on academic preparation for prospects who: attended multiple high schools; attended prep school; completed coursework in narrow timeframe (less than 60 days); had a grade point average increase of .5 or greater in an academic year; used multiple nontraditional courses to meet NCAA/graduation requirements; and/or repeated multiple courses. • Director of academic support program, athletics director, provost, and faculty athletics representative establish minimum thresholds (e.g., high school grade point average, test score) for faculty review of marginal students. • A faculty-based committee (outside of admissions) reviews all incoming student-athletes below established minimum threshold prior to the athletics department advocating for student-athlete's admission. • Head coach meets with Faculty Review Committee to advocate for student-athletes below minimum thresholds and to explain why he believes the student should be admitted to the university.*

Program Area	BEST PRACTICES
Evaluation of Academic Readiness (continued)	***Incoming Transfers:*** • Academic support personnel complete academic evaluation of all incoming transfer student-athletes. Evaluation includes review of: academic work at all institutions attended, academic coursework versus free-elective and activity coursework, grade point average in academic coursework compared to overall grade point average, high school transcripts and test scores. Evaluate student-athlete's ability to meet: NCAA transfer- requirements; progress-toward-degree requirements on enrollment at the four-year institution; and progress-toward-degree requirements after enrollment (determine how many credits the student-athlete will need to meet the next percentage-of-degree benchmark). • A faculty-based committee (outside of admissions) reviews all two-four transfers who were nonqualifiers and any transfer with a transfer grade point average below 2.5. • Head coach meets with Faculty Review Committee to advocate for student-athletes below minimum thresholds and to explain why he believes the student should be admitted to the university. • Work with academic officials and the two-year college community to identify policies/programs that will provide effective academic support for student-athletes at the two-year institution to enable the student-athlete to be academically successful at the two-year institution and prepare the student-athlete for a four-year institution [See Best Practices for Two-Year College Transfer Men's Basketball Student-Athletes While Enrolled at the Tow-Year Institution].
Admissions	• Discourage direct communication from coaching staff to admissions' office personnel on admissions decisions. • Require the prospective student-athlete to present official documentation (e.g., transcripts, test scores) to the Admissions Office prior to admission decision (final documentation prior to enrollment). • Academic support personnel reports annually to the Faculty Review Committee and Faculty Athletics Council the academic performance of special or alternate admits (e.g., grade point average, hours attempted, hours earned, degree progress). • Faculty Review Committee considers the academic performance of previous year's special admits as each class is considered. If a coach demonstrates that he is able to support these students, the committee will be more likely to take future risks. If the students are not academically successful, the committee will be less likely to approve decisions for students not meeting the minimum thresholds. • Limit the number of special admits based on team's APR. • Do not encourage signees to come to campus until they are admissible and/or admitted.

Program Area	BEST PRACTICES
Transfer Student-Athletes	• Academic support personnel meets with all transfer student-athletes on initial enrollment prior to the start of classes to ensure that courses from previous institution transferred appropriately and that all courses that should be counting toward degree are counting toward degree. • Collaboration between academic support personnel and student-athlete's departmental advisor to create graduation plan for all transfer student-athletes. • Academic support personnel creates individualized academic support plan for transfer based on academic preparation. Support plan may include required weekly meetings with advisor, study hall, and/or scheduled tutoring appointments. Consequences for failure to attend academic meetings/appointments should be developed in conjunction with and enforced by coaches.
Academic Support Program Structure & Personnel	• No academic support personnel should report to a coach. • Recommend that the academic support provided to basketball student-athletes be under the purview of the institution's general academic support program and coordinated with the athletics department. • Experienced staff member (e.g., advising experience, knowledge of NCAA rules, experience in direct interaction with coaches) assigned to work with men's basketball student-athletes. • Director of the academic support unit should carefully evaluate caseload of men's basketball advisor to determine the staff member's ability to provide appropriate level of support (e.g., staff assigned to men's basketball should not be assigned other team(s) with a large percentage of at-risk student-athletes). • Compare peer institutions to identify successful academic support programs and implement new programs where appropriate. • Involve faculty athletics representatives in developing appropriate policies (e.g., scheduling, academic support and academic progress) and reporting mechanisms. • Associate director or assistant director of the academic support unit assigned to men's basketball with limited other sport assignment if any. • Salary for men's basketball athletics academic advisor should reflect the experience of the staff member and his/her level of increased responsibility due to work with men's basketball.

Program Area	BEST PRACTICES
Academic Advising	• Student-athlete required to meet with assigned departmental advisor at least one time per semester. • Academic support personnel creates individualized academic support plan once a student-athlete is admitted to the university. Support plan includes: weekly meetings with academic advisor, study hall requirements and tutoring appointments. Individualized plans of incoming and continuing student-athletes compiled to determine staffing needs for each academic year. • Programming offered by the academic support unit to assist each student-athlete in identifying a major by the end of the first academic year (e.g., first year success course, scheduled roundtable discussions with representatives from different majors). • Academic support personnel should limit the student-athlete's enrollment in electives until the student-athlete has matriculated into a major and the exact number of free electives is known (minimize the number of "lost credits" when student-athlete matriculates). • Collaboration between student-athlete, departmental advisor and academic support personnel to enroll student-athlete in a balanced academic schedule (e.g., course load should not include five intensive writing/reading classes in the same term). • Require student-athletes to enroll in 15 credits per term unless otherwise advised by academic support personnel or departmental academic advisor. All dropped classes should be approved by academic support personnel. • Establish a goal for each student-athlete to complete 30 degree applicable each academic year. • Enrollment in nontraditional courses (e.g., independent study, online courses) monitored by academic support personnel. Limit or restrict enrollment for at-risk student-athletes unless advised by academic support personnel or departmental advisor. • Emphasis on completing remediation as soon as possible (i.e. first two semesters of enrollment). • Collaboration between student-athlete, academic support personnel and departmental advisor to create graduation plan prior to student-athlete's junior year. • Establish policies that enable access to learning opportunities that might already exist on campus (e.g., online classes, alternative test dates, video and audio of classes) to respond to the needs of student-athletes who miss class due to athletics participation. • Require all transfer student-athletes to enroll in summer school [prior to first semester of full-time enrollment and on-going]. Summer courses should be degree applicable or meet a degree prerequisite.

Program Area	BEST PRACTICES
Tutoring	***Personnel.*** • Limit tutors working more than two consecutive terms with only men's basketball student-athletes. • Restrict communication between coaches and faculty/tutors • Ensure appropriate accommodations available for student-athletes with diagnosed learning disabilities. • Full-time staff member assigned the responsibility for recruiting, hiring, training, evaluation and oversight of tutors. • Learning specialists (i.e., full-time personnel with specific background in special education) assigned to student-athletes with diagnosed learning disabilities or who are significantly underprepared. • Assign academic mentors (e.g., hourly employees) to meet regularly with student-athletes to assist with organization, study skills and time management.
	Training. • Tutor orientation required for all tutors. Minimum areas to cover include: NCAA rules; academic integrity; information about the culture of college athletics; program policies and procedures, and expectations. • Compliance director involved in all orientation and training of tutors to review NCAA rules. • Academic support program evaluates tutors each semester and also gathers student evaluations of tutors. • Ongoing training provided by academic support program for tutors. Sessions include subject specific training (e.g., writing, math), specific training for working with student-athletes enrolled in nontraditional courses, and strategies for tutoring at-risk student-athletes.
	Appointments/Assignments. • Assign student-athletes to meet with tutors early in the semester, rather than waiting for poor test grades. • Require tutors to complete a report of each tutoring session (e.g., material covered, student progress, concerns). Session reports reviewed by men's basketball advisor daily. • Consequences for not attending tutorial sessions should be developed in conjunction with and enforced by coaches. • Develop individualized tutoring plans for each student-athlete based on assessment of academic performance and course schedule.

Program Area	BEST PRACTICES
Monitoring of Academic Progress	• Coaches are involved in monitoring attendance (e.g., random class checks). • Academic support personnel request attendance information, grade updates and additional feedback from instructors for all men's basketball student-athletes at least three times per term via electronic and other types of progress report system. Requests may occur more frequently for more at-risk student-athletes. • Academic support personnel communicate unexcused class absences immediately to coaches. • Coaches impose practice and competition restrictions for unexcused class absences. • Academic support personnel provide academic progress reports to coaches/sport supervisors weekly (at a minimum). • Weekly meetings between academic support personnel and student-athletes to discuss academic progress. Student-athletes sign release of academic information at the beginning of each semester (to share with faculty on request) • Require coaches to meet with the academic support staff to coordinate academic support programs (e.g., study hall, tutoring, etc.) within the practice and travel schedules. • Hire individuals to check class attendance of identified student-athletes based on academic profile. Class checkers assigned to check identified players attendance at the beginning, middle, and/or the end of class.
Communication	• Academic support personnel shares all academic reports and attendance information with head coach. • Academic support personnel maintains documentation of all conversations with student-athletes/coaching staff related to academic decisions (e.g., advising notes, drop/add).
Study Hall	• Objective-based study hall required for all freshmen, incoming transfers and at-risk continuing student-athletes. Each student-athlete in study hall required to establish weekly and daily objectives. • Isolated/distraction-free study hall conducted in academic environment (not in the coaches' office). • Academic support personnel communicates study hall attendance to coaches daily. • Consequences established and implemented by coaching staff for student-athlete(s) not meeting study hall requirements. • Coaching staff schedules monitored study time during all overnight road trips during the week and tournament travel.

Program Area	BEST PRACTICES
Study Hall (continued)	• Student-athletes are assigned to individual "tutors/mentors" to develop weekly lists of tasks/assignments to complete, and check-off tasks during the week as they are completed. • Provide laptops for student-athletes to check out for team travel. • Academic support staff member conducts all regular study hall sessions. • Men's basketball athletics academic advisor supervises study hall during all overnight road trips during the week and during tournament travel (others on as needed basis).
Missed Class Time	• Academic support personnel review all travel schedules prior to finalizing to minimize missed class time. • Competition schedule finalized as early as possible and communicated to academic support personnel. Competition schedule should be considered during registration for subsequent terms to minimize missed class time and to avoid conflicts with departmental attendance policies. • Academic support personnel should coordinate with sports medicine/media relations to minimize class and academic time for appointments/interviews. • Travel notices detailing missed class time delivered to faculty by student-athlete at the beginning of the term/prior to missed classes due to postseason competition. • Student-athletes responsible for developing a plan with the instructor to handle missed assignments and/or exams prior to missing class. • Academic support personnel available to facilitate submission of assignments during travel.
Coach/Player Relationship	***Continuing Student-Athletes.*** • Division I men's basketball coaches should be more proactive in establishing regular meetings [e.g., weekly, biweekly, monthly] with all squad members during the academic year, both during and outside of the playing season. Such meetings should involve noncountable athletically-related activities [i.e., the meetings do not have and athletics purpose] and thus would not be included in the daily/weekly hourly limits. Emphasis during such meetings should be placed on nonathletically-related activities such as academic commitment, good citizenship and responsibility off the court and consequences for failure to exhibit such, the complete collegiate experience, on - and off - court personal issues, career discussions, etc.. The goal of such meetings is to develop trust and to provide necessary mentoring to establish a more structured environment that will facilitate a more positive collegiate experience and academic success for Division I men's

Program Area	BEST PRACTICES
Coach/Player Relationship (continued)	basketball student-athletes. Institutional staff members with responsibilities for coordinating academic progress of men's basketball student-athletes should be included in such meetings on a regular basis. It is important to understand that during such meetings/discussions, it is permissible to engage in general discussions regarding basketball-related topics, for example , problems the student-athlete may be incurring on the court, basic areas of deficiency that merit attention when practicing or playing, the landscape of college basketball or the conference of which the institution is a member. Such meetings/discussions should not be conducted strictly for this purpose and may not be used to engage in practice activities, film review or chalk talks regarding "X's and O's" of the team or an opponent. • Identify appropriate "voluntary athletically related activities" related to men's basketball and limit time student-athletes may be involved in such activities. • Develop best practices to ensure student-athletes remain academically engaged and motivated to graduate throughout their enrollment, including beyond the first year on campus. Such practices should take into account research findings that indicate student-athletes perceive a decrease in the positive influence of their coaching staffs on their academic careers in the third and fourth years of enrollment. The practices also should include methods to address self-identification as "athletes" versus "students", as well as the perceived bias among faculty and the student-body toward identification of players as "athletes" rather than "students." Such best practices could be shared with coaches through the National Association of Basketball Coaches (NABC) partnership with the NCAA as part of coaches' professional development programming.
	Incoming Freshman Student-Athletes. • Subsequent to a prospective student-athlete's commitment or signing of a National Letter of Intent or institutional financial aid agreement, coaches should continue to interact with their signee on a regular basis and provide important information/institutional contacts [e.g., academic advisors, academic policies, NCAA eligibility certification information] to stress the importance of academics as the signee finishes his senior year of high school. This continued dialogue should also help identify, and possibly minimize, any academic concerns as the prospective student-athlete goes through the academic and amateurism certification process. Finally, this

Program Area	BEST PRACTICES
Coach/Player Relationship (continued)	should enhance the prospective student-athlete's total development and better prepare them for the overall collegiate experience
	Youth Education. • Coaches should be more proactive and look for opportunities to speak to young basketball athletes in their community about the importance of education and the appropriate role of basketball in the educational process. Although NCAA rules preclude direct contact with prospective student-athletes, coaches [and student-athletes also] are permitted to speak to high school groups or at meetings/banquets, provided the coach does not provide a recruiting presentation and does not use such a forum to attempt to recruit a particular prospective student-athlete. Coaches are role models in their communities/states and can use that status in a positive way to minimize the nonscholastic influences and further the message of the importance of education.
Student-Athlete Development/ Engagement	• Collaboration between coach and academic support personnel to establish team academic goals (e.g., team grade point average). • Recognize academic improvement of individual student-athletes (e.g., scholar-athlete of the week, Scholar Baller program). • Long-range counseling for student-athletes provided by former student-athletes (currently playing professional and willing to "tell their story"). • Faculty mentoring programs for all student-athletes. • Mandatory enrollment in first-year success course (e.g., transition issues). • Academic support personnel should obtain written release from student-athletes at the beginning of each term to discuss academic issues with parent/guardian. As issues arise throughout the semester, they should be communicated to parent/guardian as needed. • Include language in scholarship agreements that academic misconduct, etc. could result in termination of award. • Develop institutional policies recommending student-athletes remain on scholarship if they are eligible and wish to remain at the university.

Program Area	BEST PRACTICES
Student-Athletes Pursuing Professional Opportunities	• Advise student to earn as many credits as possible so when they depart the institution, they are as close to graduation as possible. • Early identification of student-athletes pursuing professional opportunity and ongoing dialogue between coaches, academic support staff and student-athlete regarding academic expectations. • Provide information to departing student-athletes on how to return to the university to complete their degree program. • During the expected last season, the student-athlete's schedule should be carefully considered to determine ability to complete successfully. Online courses should be considered if the student-athlete anticipates significant participation in "tryouts" after the season concludes. • Develop best practices for awarding fifth-year aid. Model practices should address motivation, expectations and accountability for student-athletes and coaches.

*Best academic support practices for two-year college transfer men's basketball student-athletes while enrolled at the two-year institution.

Academic Advising/Counseling Personnel.

1. Identify an individual(s) on campus with academic support/academic advising responsibilities for student-athletes.

2. Required training for the individual(s) with academic support/academic advising responsibilities for student-athletes on NCAA transfer requirements, NCAA Progress-Towards-Degree Requirements, and NCAA Eligibility Center processes (e.g., initial eligibility review, amateurism certification).

3. Attendance at regional or national meetings of the National Academic Advising Association and/or the National Association of Academic Advisors for Athletics.

4. Academic advisor/counselor provides student-athletes with career and academic major information during regularly scheduled appointments (e.g., weekly meetings, team meetings each semester).

Recruiting.

1. Once prospective student-athlete is identified, coach submits the academic credentials (e.g., high school transcripts, available test scores and transcripts from all institutions attended) of prospect to academic advisor/counselor for review.

2. Academic advisor/counselor assigned to student-athletes meet with all prospective men's basketball student-athletes prior to enrollment to provide institutional academic information and obtain academic information to assist with creation of appropriate academic plan to meet institutional, transfer requirements and progress-towards-degree requirements. Meeting with parents is advisable.

3. Academic advisor/counselor prepares information for the visit by student-athlete based on major interest (e.g., course curriculum of major, entrance requirements for the major, typical graduation plan).

Student-Athlete Orientation.

- Orientation program for all new students. Topics covered include institutional requirements, NCAA transfer requirements, progress-towards-degree requirements and study skills seminars.

Monitoring Academic Progress/Academic Evaluation.

1. Academic advisor assigned to student-athletes requests regular progress updates from the faculty members on classroom attendance, grades earned and classroom behavior.

2. Academic advisor/counselor creates individualized academic support plan for student-athletes desiring to transfer to four-year institution based on academic preparation. Support plan may include required weekly meetings with advisor, study hall and/or scheduled tutoring appointments. Consequences for not attending academic appointments should be developed in conjunction with and enforced by coaches.

3. Evaluate student-athlete's ability to meet NCAA transfer requirements and progress-towards-degree requirements on enrollment at the four-year institutions. Provide academic advising to help student-athlete meet institutional requirements, NCAA transfer requirements and progress-towards-degree requirements.

To be distributed at later date.

REPORT OF THE NCAA DIVISION I COMMITTEE ON ACADEMIC PERFORMANCE JULY 8-9, 2009, MEETING

***ACTION ITEMS*.**

1. Legislative Items.

a. NCAA Division I Academic Performance Program (APP) -- Definitions and Applications -- NCAA Division I Academic Progress Rate (APR) -- Definition of Cohort.

(1) Recommendation. The NCAA Division I Committee on Academic Performance recommends the NCAA Division I Board of Directors sponsor and adopt noncontroversial legislation to codify the definition of the APR cohort in NCAA Bylaw 23.02.1. [Attachment A]

(2) Effective Date. Immediate.

(3) Rationale. This revision does not change the APR cohort definition currently used to determine a team's APR; rather, the revision will make the language contained within the Manual general in nature and the specific details will be available to the membership in the committee's policies and procedures. The committee noted the need to ensure the legislation in the Manual accurately references current policies and procedures, including changes the committee has made to the cohort definition in response to membership feedback. The committee will continue to notify the membership of any changes to the cohort definition in a timely manner. This proposal is being recommended as noncontroversial legislation, inasmuch as there does not appear to be a significant impact on existing or proposed legislation.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

b. APP -- Penalties and Rewards -- Penalties -- Determination of Penalties.

(1) Recommendation. The committee recommends the Board sponsor and adopt noncontroversial legislation to codify the APP penalty structure in Bylaw 23.2.1.1. [Attachment B]

(2) Effective Date. Immediate.

(3) Rationale. These revisions do not change how penalties are determined or calculated; rather, the revisions will make the language contained within the Manual general in nature and the more specific details will be available in the committee's policies and procedures. The committee noted the need to ensure the legislation in the Manual accurately references current policies and procedures, and it will continue to notify the membership of any changes in a timely manner. This proposal is being recommended as noncontroversial legislation, inasmuch as broader consultation and debate are unlikely to improve the proposal in any substantial way, and there does not appear to be a significant impact on existing or proposed legislation.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

2. Nonlegislative Item.

- **NCAA Division I Board of Directors Academic Performance Program Historical Penalties Appeals Subcommittee Review of Occasion-Three and -Four Historical Penalty Waiver Appeals.**

(1) Recommendation. The committee recommends the Board approve revisions to the APP policies and procedures for Occasion-Three and -Four Historical Penalty waivers and appeals as follows:

(a) To specify that the APP Historical Appeals Board Subcommittee shall have the authority to remand a case back to the committee to be considered in accordance with the committee's policies and procedures and in light of the subcommittee's decision regarding the specific issue(s) raised in the appeal;

(b) To permit the chair of the APP Historical Appeals Board Subcommittee to vote in all cases; and

(c) To specify that the Board's chair shall have the authority to appoint substitute members to the APP Historical Appeals Board Subcommittee, as needed.

(2) Rationale. Permitting the subcommittee to remand a case will center the subcommittee's focus on the specific issues raised in the appeal and on rendering decisions regarding allegations of abuse of discretion. Further, remanding a case back to the committee will return the authority for establishing penalties to the committee, which has appropriate expertise and experience in this area. Given the size of the subcommittee, it is appropriate to permit the chair to cast a vote for all cases, rather than being limited to a tie-breaking vote. Finally, specifying the Board chair's authority to appoint substitute members brings the subcommittee's policies in line with established Board practices. The excerpts outlined in Attachment C include these policy changes.

(3) Estimated Budget Impact. None.

(4) Student-Athlete Impact. None.

***KEY ITEMS*.**

1. APP Historical Penalties Policies and Procedures. After reviewing the Occasion-Three Historical Penalty process from 2008-09, the committee agreed to minor procedural revisions to increase the efficiency and effectiveness of penalty hearings. In addition, the committee approved amendments to its policies and procedures regarding APP Historical Penalties, including development of a mechanism by which the APP Historical Appeals Board Subcommittee may remand cases back to the committee, staff authority to approve partial waivers of Occasion-Three Historical Penalties and flexibility for institutions to revise the relief requested during in-person hearings. The committee policies and procedures documents will be updated to reflect these changes and circulated to the membership after the committee's review.

2. Public Release of APR and Penalty Information. The committee agreed to shift its philosophy and public relations approach to provide for greater transparency in the communication of APRs and APP penalty information. As a result, the committee and staff will be better positioned to explain penalty and appeal decisions and to respond to media inquiries regarding information released by member institutions prior to the annual announcement and posting of APRs and APP penalties. Providing timely, informative responses to media inquires related to the APP will advance public understanding and will best position the committee and the staff to emphasize the fairness and continued effectiveness of academic reform efforts.

INFORMATIONAL ITEMS.

1. **Head Coaches' APR Portfolio.** In January 2009, the Board charged the committee with development and implementation of a publicly available database for reporting APRs for all teams led by Division I head coaches. To that end, the committee approved the 2009-10 technical instructions for the submission and verification of employment data within the APP for all head coaches for baseball, men's and women's basketball, football and women's indoor and outdoor track and field. The committee also noted that a question and answer document was developed by the staff to assist member institutions. Both documents will be incorporated into the APP Data Collection Guide and will be made available to the membership through various informational outlets.

   At the request of the Board, the committee also discussed the possibility of identifying other institutional representatives (e.g., chancellor/president, director of athletics) within the portfolio. Given the additional complexities and institutional administrative burden associated with reporting this information, the committee did not elect to include such information at this time, but agreed to revisit this concept in fall 2011, after the current Head Coaches' APR Portfolio initiative has been fully implemented and evaluated. The committee particularly noted that requiring institutions to report additional institutional personnel would increase institutional administrative burden at a time when institutions are experiencing a reduction in resources and increases in the submission of academic data (i.e., two-year college transfer information and head coaches' information).

2. **Head Coaches' Dashboard.** The Board also asked the committee to explore the viability of a secure Web site that would display for each head coach the academic profile of entering student-athletes by year; the Head Coaches' APR Portfolio; major enforcement actions; and APP penalty history by year. The committee agreed to form a subgroup of committee members to examine issues related to development of the dashboard. The subgroup will provide a progress report on its work during the October meeting.

3. **Public Release of APR and Penalty Information.** The committee received a summary of the most recent public release of institutional APRs and APP penalties, which occurred May 6, 2009. As a result of this discussion, the committee revised its philosophy regarding its public relations efforts to provide greater transparency in the communication of APP penalties. In prior years, the committee's public relations philosophy and approach allowed for teams and member institutions to exhaust all possible appeal opportunities before public release of team APRs and penalties. This approach was intended to allow appropriate time for the Division I membership to understand APR mechanics, to adjust to new data collection and reporting procedures,

and to frame APP-related information in the context of locally initiated campus efforts to improve academic performance. Several years later, as the program enters into its most serious phase of APP penalties, there is increased public and media interest in transparency, especially regarding how penalties are determined and the historical penalty appeals process. Further, given the membership's increasing familiarity with the APP, member institutions now are better positioned to respond to more detailed inquiries that may occur if additional information regarding penalty appeals is shared by the NCAA national office. Providing timely, informative responses to media inquiries related to the APP program will advance public understanding and will best position the committee and the national office staff to emphasize the fairness and continued effectiveness of academic reform efforts. For example, consistent timing in the release of APR and penalties will be maintained; however, when an institution releases APP-related information prior to the NCAA's release date, the committee and/or staff will provide an informative response to resulting media requests. In addition, the committee and/or staff may choose to release details regarding the rationale of its appeal decisions or specific information regarding mitigating factors that might prevent or cause a team to be subject to penalties.

4. **Future Reviews of Occasion-Three and -Four Historical Penalty Waivers.** In anticipation of increased Occasion-Three and -Four Historical Penalty waivers in future years, the committee considered several alternatives for review of penalty waiver requests. Given the significance of Occasion-Four Historical Penalties, each team subject to an Occasion-Four Historical Penalty will be required to attend an in-person hearing with the committee, unless the staff provides full or conditional relief. The committee amended its policies and procedures to permit the staff to provide partial relief to teams subject to Occasion-Three Historical Penalties, whether for the first time or in a subsequent occurrence. Allowing the staff to make decisions on teams that may not need to appear before the committee should increase the committee's efficiency and should reduce institutional expenses. Institutions subject to Occasion-Three Historical Penalties still may have an in-person hearing when the staff is unable to provide partial relief or when the institution is not satisfied with the partial relief granted by the staff. The committee will review all decisions made by the staff and will provide guidance and feedback when necessary. In addition, the committee asked for a report at its October meeting regarding the possible volume of Occasion-Three and -Four Historical Penalty waivers in future years, including the number of cases the committee may be required to review.

5. **Institutional Authority to Request Additional Relief from Occasion-Three and -Four Historical Penalties.** The committee amended its policies and procedures to permit an institution to revise the level of relief originally requested in its waiver

application during its in-person hearing. The committee noted that circumstances may develop during or in preparation for a penalty waiver hearing that compel an institution to request relief that was not outlined in its original waiver request. The committee stopped short of extending its own authority, which is limited to providing relief that is no greater than what was requested by the institution. The committee noted the appropriateness of deferring to institutional discretion in electing to impose penalties or in choosing to refrain from seeking relief of certain penalties. Further, it does not wish to undermine such actions on the part of institutional leaders who may intend to use APP penalties as motivation to change team or institutional culture.

6. **Occasion-Four Historical Penalties.** The committee reviewed the current application of Occasion-Four Historical Penalties, including the possibility that an institution's entire athletics program could be placed in restricted membership status beginning in 2010. The committee noted that Occasion-Four Historical Penalties were intended to be more significant than a postseason competition restriction when a team historically has underperformed and has failed to improve academically. However, some concerns have been raised regarding the severity of such penalties and the possibility that teams that have performed well academically may be subject to postseason competition restrictions due to the underperformance of another team at the same institution. The committee noted that several possible alternative penalty decisions exist, primarily through the current waiver process, and it charged the staff to develop draft principles to guide the committee's consideration of Occasion-Four Historical Penalty waivers. The committee specified that the principles should maintain a focus on the academically underperforming team and should allow the staff and committee flexibility to provide appropriate penalty relief for a team and/or institution based on academic performance and mitigating circumstances.

7. **Conditional Waivers of Occasion-Three Historical Penalties.** The committee discussed the process for reviewing fulfillment of conditionally approved Occasion-Three Historical Penalty waivers. Conditions imposed generally included a target single-year APR and acceptable implementation of the institution's APR Improvement Plan. Such reviews will begin with the staff reviewing the team's APR data and information regarding the implementation of the institution's APR Improvement Plan. If the staff determines the team has not satisfied the conditions of the waiver, the institution may appeal the decision to the committee. The committee determined that it generally will consider such appeals via teleconference, while reserving the opportunity to forward cases to in-person meetings of the committee as needed. Per current policies, institutions will not participate in the teleconferences or in-person reviews of appeals of conditional waivers. The committee's decisions will be final and will not be subject to further review. Finally, if a conditional waiver is not satisfied and further relief is not provided by the committee, an institution must impose the resulting penalties in the academic year

following denial of the appeal (i.e., appeals denied in 2009-10 result in imposition of penalties in 2010-11).

8. **Application of Practice-Day Reduction Penalty for Occasion-Two Historical Penalties in Basketball.** The committee reviewed the application of the practice-day reduction penalty when a team is subject to Occasion-Two Historical Penalties, and specifically discussed how a basketball team should apply the penalty when it plays three contests in one week. Under current APP policies, any team subject to Occasion-Two Historical Penalties that does not meet the improvement review must reduce the team's weekly practice time by four hours per week; further, this time must be taken on the same day and must be replaced with academic support activities. This day off from practice is intended to be in addition to the required day off from weekly countable athletically related activities, as specified by NCAA legislation. However, Bylaw 17.1.6.4.7 provides an exception to the day-off requirement when a basketball team has three contests in one week, provided the team takes an additional day off in the week before or after the three-contest week.

   The committee determined that when a basketball team subject to the additional day-off APP penalty plays three contests in one week, it still shall be required to take a day off to fulfill its historical penalty. If the institution uses the legislated exception for the one-day-off-per-week requirement when it has three contests in the same week, the following requirements will apply:

   a. The team will not impose the APP additional day-off penalty during the week the team satisfies the condition of the legislated exception (i.e., the week it does not engage in any countable athletically related activities for two days), and

   b. The team will replace the four hours of missed practice time for one of those two days with approved academic support activities that must be completed on the same day.

   Accordingly, staff will revise the previously issued educational column that provides information regarding the practice-day reduction penalty and a list of acceptable academic support activities in which penalized teams may engage to replace reduced practice time.

9. **Policies and Procedures for Institutions No Longer Qualified as a "Limited Resource" Institutions.** Currently, institutions identified as lacking sufficient financial resources to quickly and reasonably engage in academic enhancements (i.e., bottom 10 percent among Division I institutions) are given additional consideration within the APP.

These institutions are identified annually by comparing institutional, athletics and student-body resource levels at all Division I institutions. When considered for APP penalties, institutions identified in the tenth percentile typically receive waivers of contemporaneous penalties and may avoid historical penalties if their team(s) can demonstrate significant improvement. Further, institutions with the most limited resources are also eligible to apply for the NCAA Division I Academic Performance Program Supplemental Support Fund (SFF). However, regular adjustments of institutions near the tenth percentile determination point occur each year due to natural fluctuations of circumstances at these institutions. In addition, institutions joining Division I as active members often have limited resources and may displace some institutions previously identified in the tenth percentile. In addition, institutions that previously have been identified as "limited resource" institutions assume they will continue to be in this category in subsequent years and will continue to receive additional consideration with regard to penalties and the SSF. In order to address these circumstances and to ensure consistency in subsequent years, the committee approved the following policies and procedures:

a. Written notice will be provided by the staff to institutions ranking in the bottom 10 percent based on institutional resources and to institutions no longer within the tenth percentile.

b. If an institution was previously eligible for the SSF and has received a multiyear award, the institution will continue to be eligible to receive funds pursuant to the multiyear award.

c. If the institution has a team subject to a contemporaneous and/or historical penalty, the institution no longer will receive additional resource consideration in the review of a waiver request; however, its previous identification as an institution in the tenth percentile will be considered as mitigation in the penalty waiver process. While this consideration will not result in automatic relief of the penalty, it will be a factor the committee includes among others in rendering a decision.

d. Multidivisional institutions (i.e., Division II or III institutions that typically sponsor one or two sports at the Division I level) will not be included in the determination of the tenth percentile of institutions based on resources.

10. Transfer Requests under Bylaw 14.8.2. The committee approved amendments to its policies and procedures regarding the review of waiver requests for a student-athlete who transfers when his or her team is subject to a restriction on postseason competition due to APP penalties for the remainder of the student-athlete's seasons of eligibility, as

permitted in Bylaw 14.8.2. Such requests may be initiated only by a member institution through existing procedures for the submission of a waiver to the NCAA Division I Legislative Council Subcommittee on Legislative Relief. Additionally, Bylaw 14.8.2 stipulates that, in order to receive the waiver, the APP penalty must preclude the student-athlete's team from participating in postseason competition during all remaining seasons of the student-athlete's eligibility. To this end, only remaining seasons of eligibility will be considered, not the amount of time remaining on the student-athlete's "five-year clock." Therefore, the waiver due to the APP postseason competition penalty should be available only to student-athletes with one season of eligibility remaining.

The committee developed recommended guidelines for review of such waiver requests by the Subcommittee for Legislative Relief. All waiver requests should include information regarding the academic impact of the student-athlete's transfer and should be signed by the student-athlete. The following information should be included to describe the academic impact:

a. The student-athlete's career APR eligibility- and retention-point history;

b. The student-athlete's grade-point average and credit hours earned; and

c. The impact of the transfer on the student-athlete's anticipated date of graduation.

The committee or the staff, at the direction of the committee, will have the authority to review waivers of the transfer residency requirement under Bylaw 14.8.2 in order to provide a recommendation to the Subcommittee for Legislative Relief. The staff will provide an annual report of all requests and decisions to the committee. Further, the penalized team that loses a retention point due to the student-athlete's transfer will receive an APR adjustment for the lost retention point when the committee recommends an approval of a waiver of the residency requirement under Bylaw 14.8.2, the Subcommittee for Legislative Relief approves the transfer waiver, and the student-athlete immediately enrolls in the new four-year institution.

Finally, notice of the availability of the waiver and waiver decisions will be provided as follows:

a. Penalized teams will be notified of the process via correspondence from the committee.

b. Penalized teams will be notified of all decisions for student-athletes transferring from their institutions.

c. Student-athletes will be notified of this option by the institutions they attend.

11. APP Penalty Waiver Directive Updates for Conditionally Approved Waivers. The committee approved specified amendments to the APP penalty waiver directive [Attachment D] regarding the criteria that the staff and subcommittee should consider when reviewing conditionally approved penalty waivers in future academic years. The 2008-09 academic year was the first year that the staff and subcommittee reviewed conditional waivers of Occasion-Two Historical Penalties, and the amendments are based on the experience from the first year of reviewing such waivers.

12. Multiyear Conditional Approval of APP Penalty Waivers. The Committee on Academic Performance Subcommittee on Appeals considered the option of providing multiyear relief from APP penalties by applying multiyear conditions in conditionally approved penalty waiver cases. This concept was considered because multiyear APR goals designed to move a team's APR above 925 now are required in APR Improvement Plans. After considering a number of scenarios, the Subcommittee on Appeals decided to maintain the current practice of using single-year conditions, as this keeps institutions engaged in the process of moving teams above the penalty benchmarks and creates a level of accountability by requiring institutions to request a waiver each year a team is below a penalty benchmark. Further, the current system allows the staff and Subcommittee on Appeals to determine if additional conditions (such as single-year retention or eligibility targets) are needed at each review, based on the team's evolving circumstances. Finally, it was determined that the costs of establishing and monitoring a multiyear conditional waiver process outweighed the potential benefits.

13. APR Adjustment Directive. The committee approved the APR adjustment directive, effective immediately [Attachment E]. At its April 2009 meeting, the committee approved two amendments to the directive regarding the processing of APR adjustment requests for student-athletes who depart their institutions to pursue professional athletics as a vocation and for student-athletes who participate in Olympic and international competitions. Accordingly, the directive has been updated to reflect these changes.

14. APR Calculation for Student-athletes who Graduate with Eligibility Remaining. The committee affirmed its position regarding the inclusion of postgraduate student-athletes in the APR cohort. Currently, the APP cohort includes student-athletes who have graduated, but return to their institutions to complete their athletics eligibility. In the calculation of the APR, student-athletes who have graduated are automatically awarded the "R" point for each term after graduation in which they are part of the cohort. However, in order to earn the "E" point, the student-athlete must pass six hours and be in good academic standing at the conclusion of each regular academic term after graduation in which he or she is enrolled full time. Therefore, a postgraduate student-athlete cannot

be awarded less than one out of two ("1/2") APR points in an academic term and cannot subject the team to contemporaneous penalties (i.e., they will not be "0/2").

Data indicate that the number of student-athletes who compete as postgraduates has increased, while the number of lost "E" points has decreased significantly for this group over the same time period. The data also indicate an increase in the number of postgraduate student-athletes who remain in the cohort for two terms following graduation. Across most sports, postgraduate student-athletes are positively contributing to team APR scores by earning almost all possible points. In particular, men's basketball, baseball and football have shown strong improvement in the academic performance of postgraduates during the past four years. In fact, if postgraduate student-athletes were removed from each team's cohort, 57 percent of squads would experience an APR decrease, and 37 percent would experience no change. In addition, the committee noted that all student-athletes representing institutions in athletics competition should be held to a minimum standard of academic performance. Removing postgraduate student-athletes from the APR cohort would reduce the motivation for institutions to ensure postgraduate student-athletes maintain academic progress in the final term. Although graduation is a primary goal of the APP, ensuring academic accountability of all student-athletes also is an important goal of the program.

15. Awarding of the Delayed-Graduation Point and Branch Schools. The NCAA Division I Committee on Academic Performance Subcommittee on Data Collection and Reporting discussed the concept of an institution earning a delayed-graduation point for a former student-athlete who graduates from either a branch campus of the institution or another institution that is part of the same state or university system. Current policy specifies that in order to earn the delayed-graduation point, the former student-athlete is required to graduate from the institution where he or she lost the APR point(s). In addition, the Subcommittee on Data Collection and Reporting noted that, for federal graduation purposes, the Department of Education recognizes an institution as a separate institution if it has an independent federal identification number. Therefore, for reporting federal graduation information, if a student-athlete transfers and graduates from a branch institution or a different institution within a state system and that institution has a federal identification number that is different than the original institution, the student-athlete is considered a graduate from the second institution. Based on this information, the Subcommittee on Data Collection and Reporting confirmed that in order to earn the delayed-graduation point, the former student-athlete must graduate from the institution where he or she lost the APR point(s) or from a state university-system institution or branch campus with the same federal identification number.

16. 2009-10 APP Data Reviews. The Subcommittee on Data Collection and Reporting reviewed a list of the 30 institutions selected for APP data reviews for the 2009-10 academic year. Twenty five of the institutions selected will complete Graduation Success Rate (GSR), Academic Performance Census (APC) and APR data reviews, and five institutions will complete reviews for GSR data only. Additionally, one institution from the 2008-09 review class will be extended into the 2009-10 academic year.

17. Implementation of APR Improvement Plans. Each year, APR Improvement Plans are evaluated by the staff to determine if institutions have implemented the plans submitted in the previous academic year. Implementation of previously submitted APR Improvement Plans is considered in the analysis of APP penalty waivers and in distribution of the SSF. The committee reviewed a list of commonly cited reasons for not implementing elements of APR Improvement Plans. The committee determined that, as it is entering the third year of required submission of APR Improvement Plans, institutions should face increased accountability to address the issues that are causing academic underperformance and to develop and implement an acceptable APR Improvement Plan. As a result, the committee specified that except for unique circumstances (e.g., natural disaster), the staff should not favorably consider any explanation offered by an institution for not implementing all critical element(s) of plan. However, the staff may favorably consider the following when evaluating implementation of an institution's plan:

a. Evidence that a critical element of the plan was addressed effectively by an alternative initiative or method not reflected in the original plan, or

b. Objective data that demonstrates that the previously identified issue is no longer a critical issue impacting the team(s).

These expectations will be included in the committee's policies and procedures and will be shared directly with institutions at the time that improvement plans are submitted and reviewed.

18. Penalties for Institutions that Fail to Submit Acceptable APR Improvement Plans. The committee amended its policies and procedures to specify that any institution that is required to create or submit an APR Improvement Plan, but fails to create or submit a plan meeting all committee specifications, will be subject to the following prescribed penalties:

a. Ineligibility to receive SSF grant monies for one year;

b. A presumption that any related penalty waiver(s) will be denied; and

c. Notification to the institution's chancellor or president and conference office that the institution failed to submit an acceptable APR Improvement Plan.

19. Discussion of Key APP Research Questions. The committee began an examination of the effectiveness of the review factors used to determine historical penalties and identified key research issues related to the APP for the coming year, including a review of historical penalty factors and their impact on improved academic performance and a review of the relationship between APRs and graduation rates. This topic will be explored during future committee meetings.

20. NCAA Cost-Containment Initiatives. The committee discussed several possible concepts to provide financial relief to the membership, given the current economic conditions. The committee noted that a significant portion of institutional expenditures related to the APP are related to annual data submissions (e.g., APR, APC and GSR) and concepts to reduce this burden on member institutions were implemented during the committee's April meeting. Even so, the committee intends to continue this review with the goal of increasing efficiency, rather than diminishing the importance of academics or delaying the effects of academic reform. To this end, the committee directed the staff to identify additional adjustments that could be submitted during the data submission phase, rather than filing adjustment request to the NCAA national office.

21. NCAA Division I Leadership Council's Review of Academic Criteria in the Membership Process. The committee began initial discussions related to the Leadership Council's comprehensive examination of Division I membership standards. Specifically, the committee noted the Leadership Council's intention to include some objective measures of institutional academic performance as part of the assessment of potential Division I members. In general, the committee agreed that the expectation that institutions are committed to ensuring the academic success of student-athletes should be made clear to prospective members. The committee will give further consideration to specific recommendations in response to formal requests for feedback, which it anticipates receiving later this year.

22. NCAA Division I Academic Cabinet Update. The committee received an update on the June 2009 Academic Cabinet meeting, specifically noting the cabinet's review of the division's initial-eligibility requirements and its initiatives related to nontraditional courses. The committee reviewed the goals and principles identified by the cabinet and

agreed that institutional responsibility to consider academic preparation and academic risk of prospective student-athletes must be maintained. Committee members also indicated that risk management is the responsibility of institutions, rather than the NCAA, and that practices, rather than outcomes, may be an appropriate focus of the cabinet. Some support also was expressed for ensuring new initial-eligibility rules do not expand or create new opportunities for abuse or misrepresentation of a prospective student-athlete's academic preparedness. The committee supports the cabinet's evaluation of the initial-eligibility requirements and looks forward to continued involvement in the review of potential initial-eligibility models at its future meetings.

The committee also noted the cabinet's examination of issues pertaining to nontraditional courses used to satisfy initial-eligibility requirements and the actions taken by the cabinet as preliminary steps to promote academic integrity and to ensure current legislation and policies are consistent with the academic goals and purposes of the Association. The committee noted the increased use of nontraditional courses is a significant issue, especially in light of rapid growth and evolution within the online educational environment. The committee is supportive of the cabinet's attention and actions to address the issue.

23. **NCAA Division I Men's Basketball Academic Enhancement Group Report.** The committee reviewed the April 2009 report of the Basketball Academic Enhancement Group. The committee discussed whether the report's recommendations adequately address the issues affecting the academic performance of men's basketball student-athletes, including the cultural issues regarding student-athletes' expectations of professional athletics opportunities after college and outside influences on student-athletes that do not emphasize academic achievement. Given these factors, the committee noted the importance of recommendations designed to address these issues, such as the engagement of parents or legal guardians in the recruitment process through payment of official visit expenses. The committee also noted the potential benefit of formally collecting feedback from campus administrators (e.g., academic advisors) on the practical impact and possible unintended consequences of the recommendations in the report. Finally, the committee noted it expects to have an opportunity to review and provide feedback on the group's final report during the committee's October meeting.

24. **NCAA Division I Football Academic Working Group Status Report.** The committee reviewed the Football Academic Working Group Status Report and specifically noted that football student-athletes in both subdivisions, particularly first-year student-athletes, lose a significant number of APR eligibility points during the competitive season. The committee discussed the recommendation to require football student-athletes to complete eligibility requirements in the fall term in order to avoid ineligibility for the first two

contests of the following season and some members noted an immediate penalty (e.g., lost of participation in a bowl game or competition in the current football season) may be more effective to motivate the desired academic behavior among football student-athletes. The committee also considered concerns expressed by the working group about the Head Coaches' APR Portfolio, but did not elect to change the planned format for the portfolio at this time. (See Informational Item No. 1 on Page No. 4.)

25. NCAA Division I Women's Basketball APR Review. The committee received an update regarding efforts to monitor APRs in women's basketball. In the most recent data, the number of "0/2s" in women's basketball increased significantly from 2006-07 to 2007-08 and the overall eligibility rates have decreased over the past two years in that sport. The NCAA Division I Women's Basketball Issues Committee will review the APR data at its October 2009 meeting and will determine the appropriate steps to address these issues.

Acting Committee Chair: *Melvin Johnson, Tennessee State University, Ohio Valley Conference*
Staff Liaisons: *Julie Cromer, Academic and Membership Affairs*
Diane Dickman, Academic and Membership Affairs
Kevin Lennon, Academic and Membership Affairs
Todd Petr, Research
Bill Regan, Academic and Membership Affairs

ATTACHMENT A

Proposal Number: 2009-?

Title: ACADEMIC PERFORMANCE PROGRAM -- DEFINITIONS AND APPLICATIONS -- ACADEMIC PROGRESS RATE -- DEFINITION OF COHORT

Intent: To revise the definition of the NCAA Division I Academic Progress Rate (APR) cohort, as specified.

Bylaws: Amend 23.02.1, as follows:

23.02 - DEFINITIONS AND APPLICATIONS

23.02.1 Academic Progress Rate.

The NCAA Division I Committee on Academic Performance shall have the authority to determine the minimum acceptable NCAA Division I Academic Progress Rate (APR), which shall include a calculation that accounts for currently enrolled student-athletes ~~*receiving institutional financial aid based in any degree on athletics ability or, for those institutions or teams that do not offer athletics aid, recruited student-athletes who:*~~

~~*(a) on or after the varsity team's first date of competition in the championship segment are listed on the varsity team's roster; or*~~

~~*(b) have exhausted eligibility and returned to the institution as a fifth year student to complete a baccalaureate degree.*~~, **as defined by the Committee on Academic Performance.**

The rate shall account for the institution's success in retaining and graduating all such student-athletes. Further, the rate shall account for the academic eligibility of the student-athletes including all applicable NCAA, conference and institutional academic eligibility requirements. The committee shall publish an explanation of the APR calculation to the membership annually.

Source: NCAA Division I Committee on Academic Performance.

Effective Date: Immediate.

Proposal Category: Amendment.

Topical Area: NCAA Division I Academic Performance Program.

Rationale: This revision does not change the APR cohort definition currently used to determine a team's APR; rather, the revisions will make the language contained within the Manual general in nature and more specific details will be available in the committee's policies and procedures. Current legislation does not reflect previous changes the committee has made to the cohort definition in response to membership feedback. Adoption of this proposal will eliminate the need to update the Manual each time the committee revises the definition of the APR cohort

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and/or creates additional exceptions to the APR cohort. This proposal is being recommended 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 or proposed legislation.

Budget Impact: None.

Impact on Student-Athlete's Time: None.

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ATTACHMENT B

Proposal Number: 2009-?

Title: ACADEMIC PERFORMANCE PROGRAM -- PENALTIES AND REWARDS -- PENALTIES -- DETERMINATION OF PENALTIES

Intent: To revise the NCAA Division I Academic Performance Program (APP) penalty structure, as specified.

Bylaws: Amend 23.2.1.1, as follows:

23.2 PENALTIES AND REWARDS

23.2.1 Penalties.

The NCAA Division I Committee on Academic Performance shall notify an institution or team when it fails to satisfy the appropriate academic standards as outlined in the NCAA Division I Academic Performance Program (APP). The institution shall then apply the applicable penalty pursuant to the policies of the APP.

Bylaw 23.2.1.1 Determination of Penalties.

The Committee on Academic Performance shall apply ~~*three*~~ **multiple** levels of analysis when identifying those institutions or teams that fail to satisfy the academic performance program. The Committee on Academic Performance shall publish annually to the Division I membership the standards for determining unsatisfactory performance under the academic performance program. An institution or team may be required to apply penalties for failing to meet ~~*one filter, two filters or all three filters*~~ **the identified review factors, as determined by the committee's policies and procedures**.

~~23.2.1.1.1 - Level One -- Comprehensive Comparison of Academic Progress Rate -- All Sports.~~

~~One level of analysis shall compare the academic progress rates among all Division I athletics teams (every Division I team of both genders from every sport). The Committee on Academic Performance shall identify the minimum academic progress rate (APR) that successfully satisfies the level one analysis, and that rate shall be published annually to the membership.~~

~~*23.2.1.1.2 - Level Two -- Limited Comparison of Academic Progress Rate -- Same Sport/Same Gender.*~~

~~*23.2.1.1.3 - Level Three -- Comparison of NCAA Graduation-Success Rate.*~~

~~*This level of analysis shall use the graduation-success rate (GSR) of each of an institution's athletics teams and shall involve a comparison of that rate as specified in the policies and procedures of the academic performance program. The Committee on Academic Performance shall identify the standard that successfully satisfies the level three analysis and that standard shall be published annually to the membership.*~~

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Source: NCAA Division I Committee on Academic Performance.

Effective Date: Immediate.

Proposal Category: Amendment.

Topical Area: APP.

Rationale: It is important to note that these revisions do not change how penalties are currently determined or calculated; rather, the revisions will make the language contained within the Manual general in nature and the more specific details will be available in the committee's policies and procedures. Current legislation does not reflect all elements of the penalty analysis. If adopted, this proposal will eliminate the need to update the Manual each time the committee revises the APP penalty structure and how those penalties are determined. This proposal is being recommended 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 or proposed legislation.

Budget Impact: None.

Impact on Student-Athlete's Time: None.

ATTACHMENT C

Excerpt from the
NCAA Division I Academic Performance Program and NCAA Division I Committee on Academic Performance Policies and Procedures (Pages 88-96)

Board of Directors Subcommittee Review

Appeal of Committee Decision

A subcommittee of the Board of Directors, selected at the Board's discretion in number and members, has legislated authority to consider appeals of committee decisions involving Bylaw 23.2.1.2.3 Occasion-Three Penalties provided the basis for appeal meets the review standard.

After the Committee on Academic Performance has rendered a decision, the institution may appeal the decision to a subcommittee of the Board of Directors. The subcommittee's decision is final and is not subject to further review by any other authority.

In appealing a Committee on Academic Performance decision, the institution must demonstrate that the committee abused its discretion in applying the legislation and/or policy and procedures of the APP. The institution may not present new information or data in its appeal that was not presented to the Committee on Academic Performance.

Generally, the subcommittee will make the determination as to whether this criteria has been met. However, the chair, or acting chair, does have the discretion to determine that an institution's appeal does not meet the review standard. If he or she determines that the appeal does not meet the review standard, the chair will notify the institution that the appeal will not be heard by the subcommittee. The chair's decision is final and not subject to further review.

Scope of Review

Abuse of discretion occurs when the Committee on Academic Performance:

- Fails to follow NCAA legislation and/or established APP policies and procedures, and the failure to adhere to legislation or policies reasonably could have resulted in a different decision by the Committee on Academic Performance.

Recording

The subcommittee may record and/or have present a recording clerk during all Occasion-Three and -Four appeal hearings.

Conflict of Interest

A Board subcommittee member must recuse himself or herself from participation in an appeal (i.e., representing his or her institution or deliberating as a subcommittee member) in which he or she is personally connected with an institution or conference (e.g., previous employer, alma mater). A Board subcommittee member with a personal relationship or institutional affiliation that reasonably would result in any appearance of bias or prejudice should refrain from participating in any manner in the processing of an appeal. However, a subcommittee member that recused himself or herself may participate in the preparation of the appeal for their own institution, including but not limited to drafting the appeal application, preparing appeal arguments and gathering appeal materials.

It is the responsibility of the Board subcommittee member to remove himself or herself if a conflict exists. Institutional objections to a Board subcommittee member participating in the review of an appeal must be raised with and resolved by the chair or acting chair of the subcommittee as soon as recognized, but will not be considered unless the concern is raised prior to the scheduled appeal. Participation by a subcommittee member in previous APP matters involving the institution or with regard to general policy (e.g., an Occasion-Three waiver appeal) does not constitute a conflict of interest requiring recusal.

In the event that the Board subcommittee chair must recuse himself or herself or is unable to participate in the appeal, the remaining members must vote, by simple majority, to determine who will serve as "acting chair." In addition, in the event that an institution objects to the chair participating in a review based on a conflict of interest concern, the remaining members must vote, by simple majority, to determine who will serve as "acting chair" and the acting chair will resolve the conflict of interest issue regarding the chair prior to the appeal. If the acting chair finds that no conflict exists, the chair may resume his or her role. *(Revised: 12/2008)*

Board subcommittee members may not discuss a pending request with the committee members or institutional representative(s) without all parties having the opportunity to participate. The staff supporting the Board subcommittee may contact the Board subcommittee chair to arrange a teleconference or to discuss procedural matters relevant to processing an applicant's request. Further, the Board subcommittee members may contact the staff supporting the Board subcommittee to request that additional information about the case be submitted or to obtain procedural information.

Appeal Procedures

All appeals must be submitted electronically to the NCAA national office using the LSDB*i* portal. All appeals must be submitted within 21 calendar days of written notification of the Committee on Academic Performance decision. The online appeal application program will produce a signature page that must be signed by the president or chancellor.

An institution will be required to submit an appellate brief explaining its rationale for appealing the committee's decision. Specifically, the institution's appellate brief may only address how it believes that the committee abused its discretion in applying the legislation and/or policy and procedures, and how these abuses reasonably could have resulted in a different decision. The subcommittee may not hear a case de novo (e.g., over again, anew). The Committee on Academic Performance chair, or acting chair, has the authority to review the submitted appellate brief to determine whether it raises any arguments, data or information not previously presented to the committee. If the committee chair finds that new arguments, data or information has been raised, he or she may raise the issue before the subcommittee. See Committee Issues below for more detail. *(Revised: 10/2008)*

In addition, the appeal must identify all team penalties that the institution is appealing. The appeal will be considered a single case and will not be complete until each team penalty is addressed.

All appeals of the Committee on Academic Performance decisions must be submitted electronically to the national office via the LSDB*i* portal within 21 calendar days of written notification of the Committee on Academic Performance's decision.

Any appeal filed after 21 calendar days must include an explanation of why the appeal was not filed within the prescribed time period. The chair of the Board subcommittee must determine whether any appeal filed after the 21 calendar days may be considered.

The staff supporting the committee will work with the institution prior to the teleconference to prepare for the appeal. This must be done prior to the case being forwarded to the Board subcommittee.

Timeframe for Hearing

An appeal of the committee's decision regarding an Occasion-Three Penalty will be heard via teleconference before a subcommittee of the Board of Directors. After notice of the intent to appeal, the staff supporting the subcommittee will schedule a teleconference and notify the institution of the date and time. When setting the date and time for the teleconference, the subcommittee will attempt to accommodate the schedule of the institutional representatives and involved individuals. Any conflicts with the teleconference date should be communicated as soon as possible to the staff supporting the subcommittee.

Documents Reviewed by the Subcommittee

The Board subcommittee will receive and review the notice of penalty, appeal application (including supporting documents), applicant team(s) APP data and committee's decision and rationale and all documents which form the record.

Prior to the teleconference, the subcommittee will distribute to the institution an agenda of the teams to be discussed and a list of specific documents that comprise the record the subcommittee will review.

The subcommittee also may request additional documentation during the teleconference or the subcommittee's deliberations, with copies provided to all parties.

Appeal Participants

The following individuals must participate in the appeal: (a) the institution's chancellor or president; (b) the athletics director; (c) the head coach of the penalized team(s); (d) Committee on Academic Performance chair or, if different, the individual who chaired the Committee on Academic Performance hearing; and (e) any other individuals whose presence was requested by the committee. Of these groups of people only those individuals who were present for the hearing before the committee may be present during the teleconference. If any of these individuals are not available (e.g., individual is no longer employed by institution, family illness) for the hearing, the institution must notify the Board subcommittee at least 14 calendar days prior to the scheduled hearing. The subcommittee will then notify the institution as to whether it expects another individual to substitute for the unavailable individual. At the chair's discretion, the appeal may proceed without the unavailable individual.

In addition, the institution may permit four other individuals to participate in the hearing, one of which must be responsible for implementing the institution's APR Improvement Plan. An institution may have legal counsel present, and he or she must count as one of the four other individuals the institution is permitted to have attend the hearing.

Media representatives, including institutional media staff, may not be present at the hearing.

Student-athletes may not be present at the hearing.

The executive officer or one other representative of a member conference's office may be present at a waiver hearing involving a conference member.

An individual whose presence was requested by the committee may have legal counsel present; however, the individual must be present for the teleconference and counsel may not speak on the individual's behalf.

All other individuals must be approved by the Board subcommittee.

In addition, of these groups of people only those individuals who were present for the hearing before the committee may be present on for the teleconference.

NCAA staff members supporting the subcommittee must participate in all portions of the waiver appeal, including deliberations. In addition, the staff supporting the committee must participate in the appeal but may not be present for deliberations. Other NCAA staff members may participate at the discretion of the chair. At the request of a member institution or in the exercise of its own discretion, the subcommittee may exclude an individual from certain portions of the appeal.

The ~~subcommittee~~ Board of Directors chair~~, or acting chair,~~ has the discretion to substitute subcommittee members in the event that a member(s) is unavailable to hear an appeal.

Introductions

The subcommittee chair or acting chair will call the meeting to order and introduce the members of the subcommittee and the staff supporting the Board subcommittee.

Following introductions of the subcommittee, the chair of the subcommittee will ask the institution to select one person to speak on behalf of the institution (designated spokesperson).

The institution will introduce its representatives, followed by conference representatives who are present.

The Committee on Academic Performance chair or acting chair will introduce himself or herself and any other committee member present on the teleconference.

The NCAA staff will then introduce themselves.

After introductions, the subcommittee chair may make announcements.

Committee Issues

Prior to the review of the appeal, the committee chair may raise any issues he or she has regarding the documentation filed by the institution. Specifically, whether he or she believes that any of the arguments, data or information in the appellate brief is new and was not provided to the committee during the waiver hearing and the new argument, information or data would have reasonably led to a different decision at the committee level.

Following the committee chair's presentation, the institution will have an opportunity to respond.

After the committee chair's presentation and the institution's response, the subcommittee will deliberate. The subcommittee chair, or acting chair will ask everyone, other than subcommittee members and NCAA staff supporting the subcommittee to disconnect from the teleconference

while they deliberate. After the subcommittee has deliberated appeal participants will be notified that the conference call will resume.

The subcommittee may render one of the following decisions:

1. The arguments, data or information is not new and the appeal may continue as scheduled; or

2. The arguments, data or information is new and must be remanded back to the committee for reconsideration. *(Adopted: 10/2008)*

Review of the Appeal

The institution is provided an opportunity to present its basis for appealing the Committee on Academic Performance decision to the subcommittee. The institution's appeal should be based on the appellate brief submitted to the subcommittee. The institution's brief may only address, based on the facts that were presented to the Committee on Academic Performance, how it believes that the committee abused its discretion, as outlined in the review standard section, in applying the legislation and/or its policies and procedures and how such abuses could have reasonably resulted in a different outcome.

The appeal may not exceed one hour in length. The one-hour time period will conform to the following process:

The Committee on Academic Performance chair, or acting chair, will have 15 minutes to describe the facts of the appeal, applicable case precedent, the committee's decision and rationale and address the allegations that it abused its discretion in applying the legislation and/or it policies and procedures. The NCAA staff supporting the committee may participate in the opening statement as long as their comments are included in the 15 minute time limit. *(Revised: 10/2008)*

The institution's designated spokesperson will then have 15 minutes to describe the case and to address how it believes the committee abused its discretion in applying the legislation and/or its policies and procedures and may include comments in rebuttal to the committee's opening statement. The institution's president or chancellor and athletics director may participate in the opening statement as long as they are employed full time by the institution and their comments are included in the 15 minute time limit.

Following opening statements from the chair, or acting chair, of the Committee on Academic Performance and the institution, the Board of Directors subcommittee members may ask questions of all participants, including NCAA staff member supporting the committee. Once all questions have been answered, the teleconference will conclude with the committee and

institution each providing a five-minute closing statement. The closing statement must be made by the institution's spokesperson and the committee member who presented the case.

The subcommittee may ask questions at any time. Any institutional representative, committee member or NCAA staff supporting the committee may be questioned on any relevant issue. It is possible that the parties will be asked to respond to questions prior to their formal presentations. The one hour period includes questioning by the subcommittee. *(Revised: 10/2008)*

If the institution or Committee on Academic Performance desires to ask a question of another party, that question should be directed to the subcommittee chair, who will then decide if the question is appropriate and, if so, will direct it to the appropriate individual.

The chair of the Board subcommittee, or his or her designee, is responsible for monitoring the time.

Deliberations and Decision

At the conclusion of the appeal, the subcommittee members will deliberate. The subcommittee may request additional information from any appropriate source, including the member institution or the Committee on Academic Performance. In this event, the institution and the Committee on Academic Performance chair, or acting chair, will be given an opportunity to be represented at the time such information is provided to the subcommittee. Otherwise, only subcommittee member and that NCAA staff supporting the subcommittee may be present for the deliberation.

The standard of review for the subcommittee is that it must determine whether the institution demonstrated that the committee abused its discretion in applying the legislation and/or policy and procedures and the failure to adhere to the legislation or policies reasonably could have resulted in a different decision by the committee. As part of its deliberation, the Board subcommittee may (a) uphold the committee's decision; or (b) reverse or ~~modify~~ remand the decision if it finds the Committee on Academic Performance abused its discretion in applying the legislation and/or policy and procedures and the failure to adhere to the legislation or policies reasonably could have resulted in a different decision by the committee.

If the subcommittee ~~reverses or modifies the decision of~~finds that the Committee on Academic Performance abused its discretion in applying the legislation and/or policy and procedures and the failure to adhere to the legislation or policies reasonably could have resulted in a different decision by the committee, ~~it~~the subcommittee may render one of the following decisions:

1. **Approved:** The subcommittee determines the institution's request demonstrated evidence that the committee abused its discretion in applying the legislation and/or policy and procedures and the failure to adhere to the legislation or policies reasonably could

have resulted in a different decision by the committee. Based on the evidence before it, the subcommittee determined that a waiver of Bylaw 23.2.1.2.3 was warranted. In such instances, the team will not be subject to the Occasion-Three Penalties. If, in the following three-year period, the team fails to meet the established benchmarks and factor review, the Occasion-Three Historical Penalties will be assessed, rather than progressing to Occasion-Four Historical Penalties.

~~**2. Conditionally Approved:** The subcommittee determines the institution's request demonstrated evidence that the committee abused its discretion in applying the legislation and/or policy and procedures and the failure to adhere to the legislation or policies reasonably could have resulted in a different decision by the committee. Based on the evidence before it, the subcommittee determined that a waiver of Bylaw 23.2.1.2.3 was warranted if specific conditions were met by the institution/team. Such conditions will be outlined by the subcommittee in the decision notification. If, in the following three-year period, the team fails to meet the established benchmarks and factor review, Occasion-Three Historical Penalties will be assessed rather than progressing to Occasion-Four Historical Penalties. However, failure to meet the stated conditions will result in the decision converting to a denial and the waived penalty being implemented. In this instance, if, in the next three-year period, the team fails to meet the established benchmarks and factor review, Occasion-Four Historical Penalties will be assessed.~~

2. **Partially Approved:** The subcommittee determines the institution's request demonstrated evidence that the committee abused its discretion in applying the legislation and/or policy and procedures and the failure to adhere to the legislation or policies reasonably could have resulted in a different decision by the committee. Based on the evidence before it, the subcommittee determined a partial waiver of Bylaw 23.2.1.2.3 was warranted. The subcommittee may require a team to satisfy specified conditions in order to receive relief from the portion of the penalty that is waived. The subcommittee may also provide a partial waiver and remand the case back to the Committee on Academic Performance to consider whether additional conditions should be imposed in light of the reasoning of the subcommittee and in accordance with the committee's policies and procedures. If, in the following three-year period, the team fails to meet the established benchmarks and factor review, Occasion-Four Historical Penalties will be assessed.

3. **Remand:** The subcommittee determines the institution's request demonstrated evidence that the committee abused its discretion in applying the legislation and/or policy and procedures and the failure to adhere to the legislation or policies reasonably could have resulted in a different decision by the committee. Based on the evidence before it, the subcommittee determined that the matter should be remanded to the Committee on Academic Performance to be decided in light of the reasoning of the subcommittee and in accordance with the committee's policies and procedures.

Only subcommittee members and NCAA staff supporting the Board subcommittee may be present for the deliberation. A simple majority of the subcommittee members present and voting is necessary for a decision. ~~The chair, or acting chair, shall not vote unless there is a tie vote among present and voting members. In situations where there is a tie vote, the chair shall cast the deciding vote.~~

Written (e.g., electronic) confirmation of the decision will be provided by the Board subcommittee to the institution and the committee within 21 calendar days from the date of the teleconference.

ATTACHMENT D

NCAA Division I Committee on Academic Performance
Academic Performance Program Penalty Waiver Directive

1. Background.

The central purpose of the NCAA Division I Academic Performance Program (APP) is to ensure that the NCAA Division I membership is dedicated to providing student-athletes with an exemplary education and intercollegiate athletics experience in an environment that recognizes and supports the primacy of the academic mission of its member institutions while enhancing the ability of student-athletes to earn a degree.

When a team's academic performance, measured by the NCAA Division I Academic Progress Rate (APR), falls below 925, that team becomes subject to penalties if any student-athlete on that team is not retained and does not earn academic eligibility. This penalty, known as a "contemporaneous penalty," is a financial aid restriction that is meant to be a catalyst for change for teams that are underperforming academically. Contemporaneous penalties provide immediate support to the behavioral shift that will be necessary to assist student-athletes in meeting progress-toward-degree requirements leading to graduation.

When a team's academic performance, as measured by its APR, falls below 900 and the team fails to demonstrate APR improvement and a favorable review of the established by-sport or institutional academic or resource characteristics comparisons, it becomes subject to historical penalties. Historical penalties are progressive and cumulative penalties intended to penalize teams that have a demonstrated history of academic underachievement.

Waivers for both contemporaneous and historical penalties are provided for in NCAA Bylaw 15.5.8.3, Bylaw 23.2.1.2.1.1, Bylaw 23.2.1.2.2.1, Bylaw 23.2.1.2.3.2 and Bylaw 23.2.1.2.4.1. The NCAA Division I Committee on Academic Performance has approved this directive to provide guidance to the NCAA staff and the NCAA Division I Committee on Academic Performance Subcommittee on Appeals in reviewing APP penalty waiver requests.

2. Guiding Principles.

a. Waiver requests of APP penalties will be considered based on the academic performance of the entire athletics team. The APR is a team rate and not based on the academic performance of a single student-athlete. One of the intents of the APP is to be a catalyst for change for teams that historically underachieve academically. By focusing on the team's historical academic trends, institutions must demonstrate that the performance of the team is achieving the stated goals of the APP (e.g., graduating student-athletes).

Therefore, the review of waiver requests shall consider all student-athletes included in the team's multiyear APR, including all who failed to earn points in the applicable academic years. This approach considers the loss of all APR points, not just those of select students. This approach could be referred to as the "top-down approach" (e.g., start at an APR of 1000 and explain the loss of all points). Annual and historic academic data will be primary points of analysis in the review of appeals of APP penalties.

b. Waiver decisions will consider whether the team's academic deficiency is an anomaly or a pattern of behavior as demonstrated by current and historical data. Waiver decisions will analyze those circumstances that may be unique events resulting in academically low performing year(s) versus habitually underperforming teams. A team's APR that is negatively affected by a unique one-time circumstance, but otherwise is not historically an underperforming team, should be treated differently than a team that has a history and pattern of academic underachievement.

c. Institutions seeking a waiver of APP penalties must present evidence of compelling mitigating circumstances along with a reasonable expectation that the team's academic performance will improve and the team will achieve an APR of 925 or higher in a reasonable period of time. APR Improvement Plans assist teams in achieving the established APR penalty benchmarks in a reasonable time by identifying the issues impacting a team's APR, establishing measurable goals, steps to achieve the stated goals and establishing a timetable for implementation.

3. Squad-Size Adjustment.

The APR is a four-year rolling rate. The main goal of the four-year rate is to provide the best estimate of the average behavior by smoothing out any odd fluctuations that might emerge due to unusual circumstances in any specific year, and/or small samples. Teams that have not yet submitted four years of data or teams with a four-year APR cohort of less than 30 student-athletes will be evaluated based on the upper-confidence boundary of the team's multiyear APR. The squad-size adjustment considers the number of student-athletes in the APR calculation, thus accounting for possible fluctuation in the short term due to squad size. There is no change to the team's APR or to the penalty benchmarks. Rather, consideration is given to squad size to help ensure low performing teams are appropriately identified.

Therefore, the staff/subcommittee will generally not consider the size of the APR cohort in its review of APP penalty waiver requests as the squad size has already been factored into the determination of the penalty.

4. Use of Conditional Approvals.

APP penalty waivers may receive "conditional" approval. A waiver that is conditionally approved does not "forgive" the team's penalty unless the team satisfies the stated condition(s). These conditions may include, but are not limited to: acceptable implementation of the institution's written APR Improvement Plan; attendance at mandatory educational sessions; meeting or maintaining single-year eligibility and retention goals and/or, meeting or maintaining a specified single-year APR. *(Revised: 10/2008)*

An institution/team that fails to meet the stated condition(s) by the given timeframe shall have the waiver decision converted to a denial, and the APP penalty must be applied to the team. The institution must impose the applicable penalty within the prescribed period of time.

Sequencing of Historical Penalties. If the team is subject to a historical penalty, the team is then potentially subject to the occasion of penalty that was conditionally waived and the next occasion historical penalty if it again fails to meet the historical-penalty benchmarks within the next three years.

5. Review of Conditionally Approved Penalty Waivers.

Conditionally approved penalty waivers are reviewed at the start of the academic year following the year in which the waiver was conditionally approved. The staff verifies the institution's APR data for rates on which the waiver was conditioned and also determines if any other non-numeric conditions have been met. The staff will review APR data both pre- and post-APR adjustments.

If team's single-year APR is below the established condition, the committee and waiver case staff may consider mitigating circumstances. Such reviews shall occur on a case-by-case basis, and shall include consideration of any mitigation for the team's failure to reach the target APR, as well as the totality of the team's circumstances with regard to the imposed conditions. In such cases, the staff will review factors including improvement in the single-year and multiyear APR, how close the team came to meeting the target, and mitigating circumstances. This action does not change an institution's opportunity to explain why it failed to meet the condition(s) or to appeal a decision by the staff to the committee. This policy is effective for waivers to be reviewed during the 2009-10 academic year and after.

6. Length of Time to Cite Mitigation.

Institutions are limited to submitting information concerning mitigating circumstances only for the academic years used to calculate that team's APR. However, the staff and subcommittee reserve the right to consider any relevant information that would explain the team's historical performance.

7. Academic Factors Considered for Teams.

Evaluating the team's academic performance is an important part of the waiver process. The staff/subcommittee considers the totality of circumstances surrounding a waiver. Review of a team's academic performance may include consideration of the following elements:

a. The team's Graduation Success Rate (GSR) and Federal Graduation Rate, if available.

b. Eligibility. The team's eligibility and percentile rank will be compared against the following:

(1) All other NCAA Division I teams.

(2) All other Division I teams in the same sport.

(3) The institution's teams.

c. Retention. The team's retention and percentile rank will be compared against the following:

(1) All other Division I teams.

(2) All other Division I teams in the same sport.

(3) The institution's teams.

d. APR. The team's APR and percentile rank will be compared against the following:

(1) All other Division I teams.

(2) All other Division I teams in the same sport.

(3) The institution's teams.

e. The team's APR for the most recent year will be reviewed to determine if this rate demonstrates improvement over previous year's APR.

f. The mitigating circumstances for any previous contemporaneous-and/or historical-penalty waiver requests.

g. History of contemporaneous and/or historical penalties.

h. The team's academic profile including hours earned, grade-point average, eligibility and retention points.

i. Academic profile of the team when admitted to the member institution, including admissions status as compared to the general student body and/or other student-athletes at the institution.

j. Size of variance between the team's APR and the applicable APP penalty benchmark (e.g., 925 or 900).

k. The team's single-year APRs that comprise the multiyear rate. Specifically, the number of single-year APRs above or below the penalty benchmarks (e.g., 900, 925).

l. The number of student-athletes who were not academically eligible and not retained.

m. Other data elements that may be relevant to the case.

n. Mitigating factors that affect the team's APR. [See Section 8.]

8. Academic Factors Considered for Individual Student-Athletes: Nonretained Ineligible Student-Athletes for Contemporaneous Penalties.

The review of contemporaneous-penalty waiver requests will emphasize the team's academic performance; however, the staff/subcommittee also may review the individual performance of student-athletes who were not academically eligible and not retained ("0/2" in the data set) and whose countable aid was calculated in determining the penalty when considering a waiver of contemporaneous penalties.

Review of the individual student-athlete's academic performance may include consideration of the following elements:

a. Mitigating circumstances that led to the student-athlete being not academically eligible and/or not retained.

b. Academic profile of student-athlete when admitted to the member institution, including admissions status as compared to the general student body and/or other student-athletes at the institution;

c. Academic record (e.g., credits completed, grade-point-average);

d. Record of APR points earned and/or lost;

e. Prior academic waivers (initial-eligibility and progress-toward-degree waivers);

f. Academic progress in term of departure; and

g. Other factors deemed relevant by the staff or subcommittee.

9. Mitigating Circumstances to be Considered.

After reviewing the academic profile of the team, the staff/subcommittee may consider the circumstances provided by the institution to explain a team's APR or a "0/2" student-athlete. Circumstances will be considered as compelling mitigating factors if the institution can demonstrate that it had a direct correlation to the team's ability to earn eligibility/graduation and/or retention points and it must be supported by objective documentation. Mitigating circumstances for a "0/2" student-athlete will be reviewed in accordance with Section 7 of this document.

For institutions that assert institutional characteristics and/or resources as a mitigating factor, please refer to Section 9 for additional information.

Circumstances not considered as compelling mitigating circumstances may include, but are not limited to, the following:

a. Unreasonable reliance by a student-athlete on misinformation from an institutional staff member (e.g., misadvisement);

b. Institutional lack of understanding regarding the APP;

c. Failure to develop and implement an APR Improvement Plan; or

d. Conferences and/or institutions with more stringent academic standards than NCAA Division I Progress-Toward-Degree requirements.

Some circumstances may have been submitted in a request to receive an adjustment of an individual student-athlete's APR retention and/or eligibility or graduation point. If the institution received relief for those circumstances by way of an APR adjustment, the same circumstance may not be considered in the review of the APP penalty waiver for that student-athlete.

10. Institutional Characteristics.

The staff/subcommittee may consider comparisons of institutional characteristics as a mitigating circumstance when reviewing a waiver of APP penalties. Institutional characteristics will include two dimensions of review: (a) team academic performance compared to the general student-body academic performance as determined by actual and projected Federal Graduation Rates and; (b) comparison of institutional, athletics and student resource levels.

a. Institutions that assert institutional characteristics as a mitigating factor must demonstrate the following for the penalized team(s):

(1) It graduates both the team's student-athletes and members of the general student body at a higher rate than the student body at other schools with similar institutional characteristics; or

(2) It graduates the team's student-athletes at a rate at or above the general student body at their institution.

The staff/subcommittee shall review the following when considering an institution's characteristics in a waiver of historical penalties:

(1) Review the size of the variance between a team's expected Federal Graduation Rate based on its multiyear APR (Attachment No. 1) and the institution's student-body Federal Graduation Rate.

(2) Compare differences between the team's expected Federal Graduation Rate based on the multiyear APR and the institution's

student body projected Federal Graduation Rate as determined by characteristics of the applicant institution. Comparing a team's performance to an institution's projected (rather than actual) Federal Graduation Rate takes into account the possibility that an institution may be outperforming institutions with similar characteristics in a manner not assessed by the review outlined in No. 1 above. The NCAA research staff will provide the staff/subcommittee the following information with each waiver filed that indicates an institution's characteristics as a mitigating factor:

(a) The team's expected Federal Graduation Rate, based on the team's multiyear APR (Attachment No. 1);

(b) The most recent four-year student-body Federal Graduation Rate for that institution; and

(c) The institution's projected Federal Graduation Rate based on various characteristics of the institution. This rate will be determined by a series of statistical models that will include a list of variables from the following categories that have shown to be the most predictive of an institution's Federal Graduation Rate:

(i) Who is served by the institution (for example: average age of student body, percent of students residing on campus, per capita Pell Grant dollars)?

(ii) What is the academic experience at the institution (for example: admissions selectivity, academic entrance requirements and academic characteristics of student body)?

(iii) What are the available educational resources for the institution and its students (for example: per capita education expenditures, tuition, student/faculty ratio, research dollars)?

Based on information supplied by the institution, the list of variables employed by the staff/subcommittee can be changed to match the variables the institution believes best defines its institutional characteristics.

(d) Review of the narrative information supplied by the institution describing how the characteristics of the institution affects the student body and why its team's academic performance represents superior academic performance given the institution's characteristics.

(e) Review the portions of the institution's most recent academic accreditation report that detail the information submitted.

b. The staff/subcommittee shall review the following when considering an institution's resources as a mitigating factor for a waiver of historical penalties:

(1) Per capita educational expenses;

(2) Per capita athletics department operating expenditures; and

(3) Average Pell Grant among all students.

11. Automatic Waivers of Contemporaneous Penalties.

a. Institutional Characteristics. Teams with an expected Federal Graduation Rate based on its multiyear APR that is at least 10 percentage points higher than the institution's student-body Federal Graduation Rate, will receive an automatic waiver of contemporaneous penalties. [Attachment No. 1]

b. Institutional Resources. Institutions identified in the bottom 10 percent based on institutional resources will receive an automatic waiver of contemporaneous penalties.

12. Review of Historical-Penalty Determination Factors.

Teams that are subject to a historical penalty, but compare favorably in one of the factors: APR improvement, institutional characteristics, institutional resources or by-sport comparison will be generally reviewed as follows:

a. Team APR Improvement.

(1) A waiver for a team subject to an Occasion-One Historical Penalty that meets only improvement, and has achieved single-year APRs that demonstrated the team is capable of achieving a multiyear APR above 925, should generally be conditionally approved without significant review of the mitigating circumstances provided the team presents an APR Improvement Plan that demonstrates a reasonable expectation that the team will improve to a 925 APR. Team(s) that demonstrate improvement are fulfilling the goal of the APP and should be provided the opportunity to continue to improve without having to impose a historical penalty.

(2) Occasion-Two Historical Penalty. A team(s) subject to an Occasion-Two Historical Penalty that meets improvement will be reviewed in accordance with this directive and are expected to demonstrate that relief is warranted (e.g., mitigating circumstances). A team that has demonstrated improvement has had its practice season and financial aid penalties reduced because of its improvement. Any additional relief must be warranted by the particular circumstances provided in the waiver request.

b. By-Sport Comparison. A team(s) that compares favorably in the by-sport comparison (Attachment No. 2) but fails to meet the improvement factor will be reviewed in accordance with this directive and are expected to demonstrate that relief is warranted (e.g., mitigating circumstances).

c. Institutional Characteristics. A team(s) that demonstrates that the team(s) is out performing its general student body (Attachment No. 1) but fails to meet the improvement factor will generally be reviewed based on the following: level of APR improvement, level of institutional resources as defined in Section 9, the institution's APR Improvement Plan and any other relevant factor(s).

d. Institutional Resources. Teams(s) from an institution that lacks sufficient financial resources to quickly and reasonably engage in academic enhancements, generally viewed as institutions in the lowest 10 percent based on the variables listed in Section 9, but fails to meet the improvement factor will generally be reviewed based on the following: level of APR improvement, the team's academic performance compared to

the institution's student body (See Section 9), the institution's APR Improvement Plan and any other relevant factor(s).

13. APR Improvement Plans.

APR Improvement Plans are meant to encourage institutions that have a team with an APR below 925 to implement strategies to improve the academic performance, retention and graduation of the student-athletes on the team. Institutions seeking relief from an APP penalty are expected to demonstrate that the team's academic performance will improve and will achieve an APR of 925 in a reasonable period of time. Therefore, APR Improvement Plans will be reviewed as follows:

a. Institutions requesting an APP penalty waiver for a team that was previously required to complete an APR Improvement Plan as a result of a multiyear APR below 925 must re-evaluate their current APR Improvement Plan. Institutions/teams will be accountable for identifying issues and making progress toward implementing the APR Improvement Plan. Within the waiver request the following shall be addressed:

(1) Identify all steps the institution has taken toward implementation of the previous APR Improvement Plan and progress toward the measurable goals.

(2) Identify any new issues impacting the academic performance, retention and graduation of the team's student-athletes and develop specific and measurable goals to address the issues, steps to meet the goals, timetable for implementation and persons responsible for each step outlined in the plan.

(3) Identify specific target APR goals for the team(s) for the current academic year that will assist the team in meeting the 925 benchmark in a reasonable period of time.

b. Institutions requesting an APP penalty waiver for a team that does not have an APR Improvement Plan will be required to develop an APR Improvement Plan. If an institution was required to develop an APR improvement for a team, but failed to develop a plan or implement the plan it developed, the staff/subcommittee will consider this in evaluating whether the team can be expected to improve its academic performance

and achieve an APR of 925 within a reasonable period of time. Institutions shall address the following for each waiver request:

(1) Identify issues impacting the academic performance, retention and graduation of the student-athletes on each team subject to APP penalties.

(2) Identify specific and measurable goals to address the issues, steps to meet the goals, timetables for implementation and persons responsible for each step.

(3) Identify specific APR target goals for the team(s) for the current academic year that will assist the team in meeting the 925 benchmark in a reasonable period of time.

Delays of Occasion-Two Historical Penalties

Occasion-Two Historical Penalties are intended to be serious and significant and delaying their application is contrary to this intent. Therefore, in the vast majority of cases, the staff and/or subcommittee will not approve any delay in the application of these penalties. In rare cases where an institution can demonstrate that due to unanticipated and extraordinary circumstances outside the control of the institution, team and involved student-athlete(s) it is unable to apply Occasion-Two Historical Penalties within the prescribed period a delay may be conditionally approved.

Delays of Contemporaneous Penalties

1. Standard for Review.

A request to delay having to impose an APP financial aid penalty will only be considered when an institution or team can demonstrate that by imposing the penalty within the prescribed period (the year immediately following the ineligible student-athlete's departure or not later than the following year) would take away financial aid from a current student-athlete or prospective student-athlete. The team must provide the following:

a. A current team squad list with counters designated and/or equivalency amounts listed for each student-athlete;

b. Identification of the current student-athletes with remaining eligibility whose countable financial aid is expected to be renewed for the next academic year; and the countable financial aid equivalencies for prospective student-athletes who signed a valid National Letter of Intent (NLI) and/or financial aid agreement prior to the institution receiving notice of its APP financial aid penalties.

2. <u>Guiding Principles</u>.

a. APP penalties are meant to be a team penalty and not for an individual student-athlete. If an institution must take away financial aid from a current or prospective student-athlete who has signed a valid NLI and/or financial aid agreement prior to the institution receiving notification of its APP penalty in order for the team to impose the APP financial aid penalty, a delay would be warranted.

b. Any request to delay imposing an APP financial aid penalty will be considered on the premise that any current student-athlete receiving countable financial aid will be renewed at the same equivalency as the current academic year.

c. If the request to delay the APP financial aid penalty is approved, a delay will generally only be extended one academic year so that the APP financial aid penalty will be imposed at the latest within three years of the ineligible student-athlete's departure.

3. <u>Use of Conditional Approvals</u>.

Approvals will generally be based on the following conditions:

a. All currently enrolled student-athletes who will not exhaust eligibility during the current academic year will return to the team in the subsequent academic year and receive the countable financial aid at the same equivalency as the current year.

b. All prospective student-athletes who have signed a valid NLI and/or financial aid agreement will enroll at the institution the next academic year and are eligible for institutional financial aid based on athletics ability.

c. If any current student-athlete departs the institution prior to the next academic year or if any prospective student-athlete does not enroll or is not eligible for institutional financial aid based on athletics ability (i.e., is a nonqualifier), the team must impose part or all of the APP financial aid penalty based on the equivalency amount and/or the number of counters that become available.

d. The team may not re-award the financial aid of any student-athlete who departed the institution and/or prospective student-athlete who did not enroll and/or qualify for the institutional financial aid based on athletics ability, unless it is imposing the entire penalty within the original prescribed period of time.

Expected Federal Graduation Rate Based on NCAA Division I Academic Progress Rate

The table below provides a team's expected Federal Graduation Rate based on its multiyear NCAA Division I Academic Progress Rate (APR). This rate is then compared to the institution's most recent student-body Federal Graduation Rate to determine whether a team would receive a waiver of contemporaneous- and/or historical penalties based on institutional characteristics.

APR	Federal Graduation Rate
940 – 931	45 percent
930 - 923	40 percent
922 – 912	35 percent
911 – 904	30 percent
903 – 891	25 percent
890 – 876	20 percent
875 – 865	15 percent
864 – 860	10 percent
Below 860	0 percent

[Note: This table was created by comparing APRs to historical-squad Federal Graduation Rates for N=5,427 squads with both rates available (using equipercentile method). This table should be considered a fairly rough guide only (especially at the tails of the distribution) until contemporary graduation rates are available for squads in the APR cohort. Note that this table will continue to change as the APR formula changes and additional adjustments are applied to the calculation of the rate.]

Minimum NCAA Division I Academic Progress Rate to be Above the Tenth Percentile by Sport

The table below provides the minimum multiyear NCAA Division I Academic Progress Rate (APR) required for a team to meet the by-sport comparison factor within the historical-penalty structure. A team with an APR at or above the APR listed for the specific sport would meet the by-sport comparison factor, but must also meet the improvement factor in order to avoid historical penalties in the 2009-10 academic year.

Baseball	
Men's Basketball	
Men's Cross Country	
Football	
Men's Fencing	
Men's Golf	
Men's Gymnastics	
Men's Ice Hockey	
Men's Lacrosse	
Men's Skiing	
Men's Soccer	
Men's Swimming	
Men's Tennis	
Men's Track, Indoor	
Men's Track, Outdoor	
Men's Volleyball	
Men's Water Polo	
Men's Wrestling	
Women's Basketball	
Women's Bowling	
Women's Cross Country	
Women's Rowing	
Women's Fencing	
Field Hockey	
Women's Golf	
Women's Gymnastics	
Women's Ice Hockey	
Women's Lacrosse	
Women's Softball	
Women's Skiing	
Women's Soccer	
Women's Swimming	
Women's Tennis	
Women's Track, Indoor	
Women's Track, Outdoor	
Women's Volleyball	
Women's Water Polo	
Mixed Rifle	

ATTACHMENT E

NCAA Division I Academic Progress Rate
Adjustment Directive

Background.

The NCAA Division I Academic Progress Rate (APR) is a metric that awards points for academic eligibility/graduation (E) and retention (R). Eligibility is important as it measures a student's progress toward a degree at regular intervals. Retention is a crucial part of the APR because of the following:

1. The pilot data reflected that retention is an even stronger component of graduation than eligibility.

2. By awarding points for retention, potential issues related to "run-offs" and "recruiting mistakes" could be monitored and addressed.

3. Term-by-term R points allow for a student-athlete to receive "credit" for every term he or she returns, even if he or she eventually transfers or is not retained for any reason. This "partial-credit" model has been seen as a significant improvement over the Federal Graduation Rate and is a very important consideration when assessing E + R for the APR calculation.

The NCAA Division I Committee on Academic Performance has approved this directive to provide guidance to the NCAA staff and the NCAA Division I Committee on Academic Performance Subcommittee on Data Collection and Reporting in reviewing APR adjustment requests. The committee recognizes that there may be some legitimate reasons why student-athletes are not retained and do not maintain academic eligibility, and in these instances, a student-athlete's lost points should be adjusted.

Guiding Principles.

Adjustments to a team's APR will be considered based on circumstances surrounding individual student-athletes. Adjustments generally will be reviewed in the context of whether the mitigating circumstances surrounding the individual student-athlete are beyond the control of the student-athlete and/or the team/institution.

Effect of Adjustment.

The APR is calculated by evaluating each student-athlete in the NCAA Division I Academic Performance Program (APP) cohort. Each student-athlete is able to earn two points for each regular academic term he or she is in the cohort. The E point is awarded if the student-athlete is academically eligible to compete in the next regular academic term (even if he or she has no competition in that term). The R point is awarded if the student-athlete is retained by the institution in the next regular academic term (i.e., returns to the institution as a full-time student as of the institution's census date or the fifth week of classes, whichever is earlier). Student-athletes who graduate in a term are awarded both points for that term. If a student-athlete remains in the APP cohort after graduation, he or she is always awarded the R point for having graduated. A student-athlete who earns both points in an academic term is recorded as "2 for 2" (2/2).

A student-athlete who was not retained by an institution (did not return to the institution or did not return as a full-time student) in the next regular academic term and did not graduate will be a "1 for 2" (1/2) or a "0 for 2" (0/2) depending on whether he or she earns the E point. Likewise, a student-athlete who completed a term and was retained, but was not eligible will be a 1/2. A student-athlete who did not complete an academic term, and therefore did not earn E, and was not retained should be reported as 0/2. In all of these circumstances, it may be possible to request an adjustment to a lost point or points. Approval of an adjustment request does not result in the awarding of any lost E and/or R points. Rather it removes the lost points from both the numerator and the denominator. Thus the 1/2 becomes a 1/1, or the 0/2 becomes a 0/1 or 0/0. Please note some adjustment criteria require the earning of the E point in order for the request to be considered.

Circumstances Warranting an Adjustment of the E or R Point.

Adjustments will be granted only if stated conditions described below are met.

1. Academic Term Not Completed.

   A student-athlete who did not complete a regular academic term due to circumstances outside of his or her control (e.g., student-athlete suffers from a serious medical condition early in the academic term) and failed to earn the E and/or R point may be considered for an adjustment in the following situations. In all circumstances, contemporaneous documentation must be included. If relief for the lost R point is being requested, the documentation must clearly indicate that a student-athlete was unable to be retained by the institution as a result of the mitigating circumstances. If relief for the lost E point is being requested, the documentation must clearly demonstrate how the mitigating circumstances impacted the student-athlete's academic performance. The following mitigation will be considered:

   a. An incapacitating injury or illness to the student-athlete or an immediate family member, which is clearly supported by contemporaneous medical documentation. The documentation must clearly indicate that a student-athlete was unable to be academically successful and/or retained as a result of the incapacitating physical or mental circumstances.

   b. A natural disaster (e.g., earthquakes, floods).

   c. Extreme financial difficulties as a result of a specific event (e.g., layoff, death in the family) experienced by the student-athlete or by an individual on whom the student-athlete is legally dependent. These circumstances must be clearly supported by objective documentation (e.g., decree of bankruptcy, proof of termination) and must be beyond the control of the student-athlete or the individual on whom the student-athlete is legally dependent.

   d. Harassment. This circumstance must be clearly supported by contemporaneous objective documentation (e.g., police report).

e. Participation in the following Olympic or international competition:

(1) Official Pan American, World Championships, World Cup, World University Games and Olympic training, tryouts and competition;

(2) Officially recognized training and competition, qualifying for final Olympic tryouts; or

(3) Official tryouts and competition involving national teams sponsored by the appropriate national governing bodies of the U.S. Olympic Committee or, for student-athletes representing another nation, the equivalent organization of that nation.

The Olympic or international training, tryouts and competition must occur within one year of the student-athlete's departure from the institution.
(Adopted: 4/2009 effective 4/2009 for the 2008-09 APR cohort, retroactive to any prior year cohorts).

f. Other unforeseen events and/or circumstances beyond the student-athlete's and/or institution's control that led to lost E and/or R points in a term that the student-athlete did not complete.

2. Academic Term Was Completed, Student-Athlete Not Eligible.

A student-athlete who completed a regular academic term as a full-time student may receive an adjustment to a lost E point if one of the reasons listed below applies. In all circumstances, contemporaneous documentation must be included. The documentation must clearly demonstrate how the mitigating circumstances impacted the student-athlete's academic performance. (Note: A student-athlete is not required to earn the R point). The following mitigation will be considered:

a. The student-athlete was rendered academically ineligible and the institution was not able to submit a progress-toward-degree waiver (e.g., transfer, withdrawal, no pending competition).

b. An incapacitating injury or illness to the student-athlete or an immediate family member, which is clearly supported by contemporaneous medical documentation. The documentation must clearly indicate that a student-athlete was unable to be academically successful as a result of the incapacitating physical or mental circumstances.

c. Extreme financial difficulties as a result of a specific event (e.g., layoff, death in the family) experienced by the student-athlete or by an individual on whom the student-athlete is legally dependent. These circumstances must be clearly supported by objective documentation (e.g., decree of bankruptcy, proof of termination) and must

be beyond the control of the student-athlete or the individual on whom the student-athlete is legally dependent.

d. A natural disaster (e.g., earthquakes, floods).

e. Other unforeseen events and/or circumstances beyond the student-athlete's and/or institution's control that impacted the student-athlete's ability to be academically successful.

3. Academic Term Completed, Student-Athlete Not Retained.

Student-athletes who completed a regular academic term as a full-time student but were not retained (did not return to the institution or did not return as a full-time student) may receive an adjustment to a lost R point if one of the reasons listed below applies. In all circumstances, contemporaneous documentation must be included. The documentation must clearly demonstrate how the mitigating circumstances impacted the student-athlete's ability to be retained by the institution. (Note: A student-athlete is required to earn the E point). The following mitigation will be considered:

a. The student-athlete's degree program was discontinued. This circumstance must be supported by documentation from the institution's registrar's office indicating that the student-athlete was enrolled in the specific degree program and the date the degree program was discontinued.

b. The student-athlete's degree program was not offered at the original institution. This circumstance must be supported by documentation from official institutional sources indicating that the student-athlete's degree program was not offered at the original institution and the student-athlete is enrolled in the degree program at the next institution.

c. The student-athlete's sport was discontinued. This circumstance must be supported by documentation from the institution's director of athletics indicating when the sport program was discontinued and when the announcement of the discontinuation was made.

d. An incapacitating injury or illness to the student-athlete or an immediate family member, which is clearly supported by contemporaneous medical documentation. The documentation must clearly indicate that a student-athlete was unable to be retained by the institution as a result of the incapacitating physical or mental circumstances.

e. A natural disaster (e.g., earthquakes, floods).

f. Extreme financial difficulties as a result of a specific event (e.g., layoff, death in the family) experienced by the student-athlete or by an individual on whom the student-athlete is legally dependent. These circumstances must be clearly supported by

objective documentation (e.g., decree of bankruptcy, proof of termination) and must be beyond the control of the student-athlete or the individual on whom the student-athlete is legally dependent.

g. Harassment. This circumstance must be clearly supported by objective documentation (e.g., police report).

h. Participation in the following Olympic or international competition:

(1) Official Pan American, World Championships, World Cup, World University Games and Olympic training, tryouts and competition;

(2) Officially recognized training and competition, qualifying for final Olympic tryouts; or

(3) Official tryouts and competition involving national teams sponsored by the appropriate national governing bodies of the U.S. Olympic Committee or, for student-athletes representing another nation, the equivalent organization of that nation.

The Olympic or international training, tryouts and competition must occur within one year of the student-athlete's departure from the institution. *(Adopted: 4/2009 effective 4/2009 for the 2008-09 APR cohort, retroactive to any prior year cohorts).*

i. The student-athlete was not retained by the institution in one regular academic term, but he or she later returned. The student-athlete must qualify for the missed-term exception pursuant to NCAA Bylaw 14.4.3.5-(a). The student-athlete must return to the institution as a full-time student in a subsequent term and meet all criteria for the missed-term exception. A student-athlete may only have the R point adjusted one time during his or her academic career based on this mitigation.

j. The student-athlete was not retained due to other unforeseen events and/or circumstances beyond the student-athlete's and/or institution's control.

4. Professional Athletics Opportunities.

a. Initial professional sports opportunity.

The student-athlete completed an academic term and was not retained due to participation in professional sports as a vocation. (Note: A student-athlete is required to earn the E point). Such participation may be demonstrated by the following:

(1) Signed contract with a professional sports team or organization;

(2) Established pattern of acceptance of prize money for competition;

(3) Documented declaration of intent to compete as a professional in an individual sport (e.g., tennis, golf); or

(4) Other evidence determined by the staff/committee to confirm the individual's professional sports vocation.

The following actions, alone, do not sufficiently demonstrate participation in professional sports as a vocation:

(1) Signing a contract with an agent;

(2) Signing a commercial endorsement agreement;

(3) Declaring for a professional sports draft; or

(4) Participating in professional sports tryouts.

Note: If a request meets all criteria for adjustment of the lost retention point, it should be filed in the APP data collection system. All other requests should be filed through the Legislative Services Database for the Internet (LSDB*i)* portal.

b. Second professional sports opportunity.

The student-athlete returned to the original institution in a regular academic term following his or her initial departure to pursue professional athletics as a vocation and subsequently lost a point(s) due to the pursuit of another professional sports opportunity, provided the student-athlete earned the E point in the term in which he or she first departed the institution to pursue professional athletics. Such participation may be demonstrated by the documents listed below. Please note that this documentation must clearly indicate that the student-athlete could not complete the regular academic term due to the second professional athletics opportunity (e.g., indicate the timing of the opportunity). If the term was completed, the student-athlete must have earned the E point in order for the R point to be adjusted (see letter a above).

(1) Signed contract with a professional sports team or organization;

(2) Established pattern of acceptance of prize money for competition;

(3) Documented declaration of intent to compete as a professional in an individual sport (e.g., tennis, golf); or

(4) Other evidence determined by the staff/committee to confirm the individual's professional sports vocation.

The following actions, alone, do not sufficiently demonstrate participation in professional sports as a vocation:

(1) Signing a contract with an agent;

(2) Signing a commercial endorsement agreement;

(3) Declaring for a professional sports draft; or

(4) Participating in professional sports tryouts.

(Adopted: 1/2008 effective 1/2008 for the 2007-08 APR cohort, retroactive to any prior year cohorts).

5. Transfer.

a. The student-athlete was not retained because he transferred to another institution and meets the following criteria:

(1) The student-athlete earned the E point in the last term of enrollment prior to transfer.

(2) The student-athlete was enrolled at the institution for at least one academic year prior to transfer.

(3) The student-athlete immediately transferred to another four-year institution. This requires full-time enrollment at the new institution at the next available regular academic term. The student-athlete presents a cumulative grade-point average at the original institution of at least 2.6.

Note: This adjustment request is not filed through the LSDB*i* portal, but rather it is filed in the APP data collection system.

b. The student-athlete was not retained because he transferred to another institution and meets the following criteria:

(1) The student-athlete earned the E point in the last term of enrollment prior to transfer.

(2) The student-athlete was enrolled at the institution for at least one academic year prior to transfer.

(3) The student-athlete immediately transferred to another four-year institution. This requires full-time enrollment at the new institution at the next available regular academic term.

(4) The student-athlete presents a cumulative grade-point average at the original institution of at least 2.0, but less than 2.6 and satisfies a rigorous review of academic factors (e.g., number of transferable credit hours accepted by the next institution and applicable to the student-athlete's designated degree program, positive trends in the student-athlete's academic performance, student-athlete's academic success compared to other students with similar admissions profiles and a reasonable expectation of graduation within five years of initial full-time enrollment).

Note: This adjustment will be subject to a high review standard and will be filed through the LSDB*i* portal.

Circumstances that Do Not Warrant an Adjustment of the R Point.

Circumstances that are generally considered to be within the control of the student-athlete and/or the institution include, but are not limited to, the following:

1. Student-athlete transferred to another institution for any reason not included in the section above.

2. Student-athlete departed the institution due to lack of playing time, or desire to play for a different coach.

3. Student-athlete departed the institution due to a coaching change.

4. Student-athlete departed the institution because he or she was placed on academic suspension.

5. Student-athlete departed an institution because of disciplinary actions taken at the institution (e.g., crime, academic fraud, dismissed from team, positive drug test).

6. Student-athlete departed an institution because his or her team is subject to disciplinary measure (e.g., infractions sanctions, APP penalties).

7. Student-athlete departed an institution because his or her athletically related aid was not renewed or was reduced.

Reconsideration.

An institution is permitted to request the staff reconsider APR adjustment requests that were previously denied if the APR adjustment directive is changed and the change would have affected the

outcome of the original adjustment request. An institution may not request retroactive relief from contemporaneous penalties or retroactive incentives based on the award of an adjustment to data made to subsequent academic year(s). Requests for reconsideration will not be heard by the subcommittee until the staff has reviewed and considered the request. Please note that participation of a student-athlete in professional sports as a vocation is not mitigation for reconsideration of APR adjustment requests when the student-athlete failed to earn the E point.

Staff Authority in APR Adjustment Requests.

The committee has provided the staff with the authority to use its discretion in the application of this directive. Exceptions to this directive may be applied when warranted, in the staff's judgment, by the unique circumstances of a specific request. Further, the committee has afforded the staff the authority to award E and/or R points as appropriate, depending on the unique circumstances of the request.

Excerpts Regarding the NCAA Division I Academic Cabinet from the NCAA Division I Administration Cabinet June 30, 2009, Meeting Report

KEY ITEMS.

2. **Committee appointment process**. The cabinet is continuing to look for ways to enhance the committee appointment process and is focused on ensuring that all 31 multisport conferences are fairly represented in the appointment process and that the cabinet is well positioned to identify the best nominees for specific committee vacancies. Accordingly, the cabinet is recommending outreach to the multisport conferences, including a conference call between the cabinet chair and conference office personnel, to ensure the conferences have a thorough understanding of the appointment processes and support best practices.

3. **Division I governance assessment.** While the new Division I governance structure is still in its first year of operation, the cabinet, with the help of the NCAA research staff, is in the preliminary stages of seeking to develop an assessment plan to determine if the new structure is achieving its stated goals and objectives. Plans call for the assessment to include: roster tracking, test cases whereby policy issues are tracked through the governance process, exit surveys to those serving in the structure, interviews with those in leadership positions and yearly reports from staff liaisons.

INFORMATION ITEMS.

3. **Issues pertaining to Division I membership**.

a. Update on the Leadership Council's discussions regarding membership issues. The cabinet received an update on the Leadership Council's efforts-to-date to develop new Division I membership standards and discuss how the cabinet could be of assistance to the Council's efforts. Based on its experience with the current membership process, the cabinet agreed to forward to the Leadership Council some common concerns identified among institutions currently moving through the reclassification or provisional membership process that may be of assistance to the Council as it continues its discussion of Division I membership requirements. Such concerns included: poor academic performance rates, the financial aid budget [sources of funding predominantly being student fees or institutional funds outside the athletics department], the role of conferences as gatekeepers, staffing responsibilities [a lack of full-time staff members, full-time staff members performing multiple administrative tasks], compliance/monitoring rules violations, low attendance numbers [marketing strategies] and commitment to diversity.

4. Committee Appointments.

c. Update on efforts to enhance the level of diversity serving in the governance structure. The cabinet was reminded that the issue of enhancing the gender, racial, ethnic and positional diversity within the governance structure is a priority for the leadership bodies in Division I and the cabinet should play a part in seeking to identify creative strategies to bring about improvement. The cabinet was additionally informed that the Faculty Athletic Representative community has expressed a keen interest in seeing the number of faculty serving throughout the whole of the Division I structure increased.

5. Update and conversation regarding the development of a governance assessment tool. The cabinet received an update from the NCAA research staff regarding plans to conduct an assessment of the new Division I governance structure. As part of this update, the cabinet was informed that the assessment will involve a multitude of measures including: roster tracking, test cases whereby policy issues are tracked through the governance process, exit surveys, interviews with those in leadership positions and yearly reports from staff liaisons. During its September meeting, the cabinet will be provided an opportunity to both discuss the timeline for the assessment process and provide supporting details regarding the development of the necessary surveys and interview scripts.

REPORT OF THE
NCAA DIVISION I WOMEN'S BASKETBALL ISSUES COMMITTEE

***ACTION ITEMS*.**

1. **Legislative Items.**

   a. **Administrative Regulations -- Summer Basketball Event Certification—Women's Basketball – Geographic Requirement.**

      (1) Recommendation. That the NCAA Division I Championships/Sports Management Cabinet sponsor emergency legislation to amend NCAA Bylaw 30.16, to specify that each prospect participating on a nonscholastic team in a certified women's basketball event must be a legal resident of the same state in which the team is located or a legal resident of a geographically adjoining state; further, to specify that not more than three prospects from adjoining states may participate on a nonscholastic team.

      (2) Rationale. Currently, there are no restrictions on where participants on a women's nonscholastic basketball team must reside. In recent years, there has been an increase in the number of elite prospects who participate on nonscholastic teams located several states away from their legal residence. This proposal creates an "adjoining state" rule that discourages the "rental" of elite prospects by teams across the country, while providing prospects who reside in geographically remote areas the opportunity to participate on a nonscholastic team. The same provision has been in place for men's basketball since the summer of 2003. Based on information provided by the NCAA basketball event certification staff, in the summer of 2009, there were 189 teams of 3,050 that would have been in violation of the adjoining state rule if it had been in place for women's basketball. Ninety-nine teams had players from states that did not adjoin at all and 90 teams that had more than three players from adjoining states. It is recommended that this proposal be adopted as emergency so it can be effective for the summer of 2010 and to provide ample time to notify the event operators and coaches of this change.

      (3) Estimated Budget Impact. None.

      (4) Student-Athlete Impact. None.

      (5) Effective Date. Immediately.

b. **NCAA Proposal No. 2009-30 Recruiting – Permissible Recruiters – Noncoaching Staff Members With Sport-Specific Responsibilities – Men's Basketball.**

(1) Recommendation. The committee recommends that the Championships/Sports Management Cabinet modify Proposal No. 2009-30 Recruiting – Permissible Recruiters – Noncoaching Staff Members With Sport-Specific Responsibilities – Men's Basketball, which it previously sponsored, to also include women's basketball. The proposal would, in men's basketball, specify that a noncoaching staff member with sport-specific responsibilities shall not attend an off-campus athletics event involving prospective student-athletes (e.g., high-school contest, sports camp) unless the staff member is an immediate family member or legal guardian of one of the participants in the activity; further, to establish conditions by which a staff member who is an immediate family member or legal guardian of a participant may attend such an event, as specified.

(2) Rationale. Currently, an official interpretation (October 11, 2000, Item No. 1) permits noncoaching athletics department staff members with sport-specific responsibilities to attend an off-campus athletics competition that involves prospective student-athletes if the competition is in the locale of the institution. Although the intent of the interpretation is to establish restrictions to avoid potential recruiting advantages, there is a concern in the basketball community that the mere presence of these individuals at such events is providing their institutions with such advantages. Multiple noncoaching athletics department staff members, clothed in institutional apparel, are attending men's basketball games featuring high-profile prospective student-athletes. The issue is magnified in major metropolitan areas that include a significant number of high-profile prospective student-athletes. It is difficult to enforce the interpretation as there may be no real evidence that the staff member has been specifically directed to attend the contest. Proposal No. 2009-30, which currently applies only to men's basketball, intends to address the concerns with these types of recruiting advantages by preventing the presence of noncoaching athletics department personnel at such competitions without causing any hardship on the staff since the staff member would be permitted to attend for the legitimate reason of watching an immediate family member participate. The issues identified in this proposal exist in women's basketball as well as men's. Therefore, the NCAA Division I Women's Basketball Issues Committee believes women's basketball should be included in this proposal.

(3) Estimated Budget Impact. None.

(4) Student-Athlete Impact. None.

(5) Effective Date. Immediately.

c. **Proposal No. 2009-15 Personnel – Limitations on The Number and Duties of Coaches – Noncoaching Activities – Noncoaching Athletics Staff Member With Sport-Specific Responsibilities.**

(1) Recommendation. The committee recommends that the Championship/Sports Management Cabinet modify Proposal No. 2009-51, which it previously sponsored, to also include women's basketball. The proposal would, in men's basketball, specify that an institution's camp or clinic shall be conducted on the institution's campus or within a 100-mile radius of the institution's campus.

(2) Rationale. Current legislation does not place any restrictions on the location of institutional camps or clinics in sports other than football. The trend of hosting institutional camps or clinics in different regions of the country is an unwanted development in the men's and women's basketball recruiting culture. Camps or clinics should not be conducted primarily for recruiting purposes. Requiring institutions to conduct their men's and women's basketball camps or clinics on campus or a reasonable distance from campus will reduce institutional expenses and will reduce burdens on institutional personnel. The issues identified in this proposal exist in women's basketball as well as men's. Therefore, the Women's Basketball Issues Committee believes women's basketball should be included in this proposal.

(3) Estimated Budget Impact. Potential cost savings for institutions that have conducted camps or clinics beyond the proposed distance restriction. Potential for lost revenue from such camps.

(4) Student-Athlete Impact. None.

(5) Effective Date. Immediately; a contract signed before September 17, 2008, may be honored.

2. **Nonlegislative Items.**

- **Committee Chair.**

(1) Recommendation. The Women's Basketball Issues Committee recommended that Janet Cone, director of athletics at the University of North Carolina, Asheville, serve as chair effective September 1, 2009.

(2) Rationale. Ms. Cone is entering her fourth year on the committee and has the support of the entire committee. The committee members believe that she will provide outstanding leadership and direction in her service as chair.

(3) Estimated Budget Impact. None.

(4) Student-Athlete Impact. None.

LEGISLATIVE INFORMATIONAL ITEMS.

The women's basketball issues committee offers the following comments and recommendations regarding select legislative proposals pending in the 2009-10 Division I legislative cycle:

NOTE: As the Women's Basketball Issues Committee considered the select legislative proposals listed below, they also reviewed the results of a Women's Basketball Coaches Association (WBCA) survey of Division I head coaches and the comments and positions of the Division I Men's Basketball Issues Committee, as appropriate, regarding legislation in the 2009-10 legislative cycle.

1. **Proposal No. 2009-12 Personnel – Definitions and Applications – Undergraduate Student-Assistant Coach.** The committee took no position on this proposal, which would permit a student-athlete to serve as an undergraduate student-assistant coach at the institution at which the student-athlete most recently participated in intercollegiate athletics, provided the student-athlete is currently enrolled at the institution as a full-time undergraduate student and he or she renounces any remaining eligibility in the sport; further, to specify that the limit of undergraduate student-assistant coaches in each sport shall be the same as the limit of countable coaches permitted in the sport. Although the committee took no position, it supported the concept of expanding opportunities for student-athletes to gain coaching experience while enrolled as a full-time undergraduate student. The committee expressed its concern with the requirement that student-athletes renounce their eligibility. The committee noted that student-athletes may be pressured to renounce eligibility or risk nonrenewal of financial aid. The committee also noted that the sponsors should consider adding language relating to the types of athletic activities for which an undergraduate student-assistant coach may be involved similar to what is noted in Proposal No. 2009-14 due to the potential abuse of placing males in this position mainly to serve as practice players.

2. **Proposal No. 2009-14 Personnel – Definitions and Applications – Manager.** The committee supports Proposal No. 2009-14, which would establish criteria by which an individual may serve as a manager, as specified. The committee agrees with the sponsor's rationale and noted that this legislation would clarify the role of a manager consistent with

the intent of such a position and alleviate concerns related to managers engaging in activities of a countable coach.

3. **Proposal No. 2009-15 Personnel – Limitations on The Number and Duties of Coaches – Noncoaching Activities – Noncoaching Athletics Staff Member With Sport-Specific Responsibilities.** The committee supports Proposal No. 2009-15, which would permit noncoaching staff with sport-specific responsibilities to participate in organized activities involving only the coaching staff or administrative duties (e.g., attend meetings involving coaching activities, analyze video of the institution's or an opponent's team, track statistics during practice or competition). The committee agrees with the sponsor's rationale and noted that the parameters of the proposal would provide for professional growth opportunities without significant competitive equity concerns.

4. **Proposal No. 2009-20 Personnel – Limitations on The Number of Off-Campus Recruiters – On-Campus Events – Women's Basketball.** The committee recommends that the Championship/Sports Management Cabinet support Proposal No. 2009-20, which, in women's basketball, would specify that a coaching staff member who attends an athletics event on the institution's campus that involves women's basketball prospective student-athletes is considered an off-campus recruiter. The committee noted that this legislation would further level the playing field by eliminating recruiting advantages for those institutions that host on-campus events in which prospects participate.

5. **Proposal No. 2009-32 Recruiting – Telephone Calls – Time Period for Telephone Calls – Exception – Unlimited during Contact Period.** The committee opposes Proposal No. 2009-32, which would specify that during a contact period, telephone contact may be made at the institution's discretion. The committee expressed concern that this legislation would cause telephone calls to become more intrusive on prospective student-athletes and have a negative impact on the work/life balance of coaches due to the increase in the number of telephone calls they feel they must make during contact periods.

6. **Proposal No. 2009-36 Recruiting – Evaluations – Nonscholastic Evaluations During Academic Year – National Standardized Testing Weekends – Women's Basketball.** The committee continues to support Proposal No. 2009-36, which, in women's basketball, would specify that evaluations at nonscholastic events during the academic year evaluation period shall not occur on any weekend (including Friday, Saturday and Sunday) during which the PSAT, SAT, PLAN or ACT national standardized tests are administered.

7. **Proposal No. 2009-56 Recruiting – Use of Recruiting Funds – Recruiting or Scouting Services – Criteria for Subscription.** The committee supports Proposal No. 2009-56, which would establish additional criteria that must be satisfied in order for an institution to subscribe to a recruiting or scouting service involving prospective student-athletes, as specified. The committee agrees with the sponsor's rationale and noted that this legislation would assist in reinforcing the original intent of the legislation by requiring that recruiting

or scouting services actually provide information that would assist in the evaluation of talent. The committee also noted that the legislation acknowledges the overall value of recruiting services and would protect the integrity of the recruiting process.

8. **Proposal No. 2009-77 Playing and Practice Seasons – Women's Basketball – Preseason Practice – On-Court Practice – 30 Practices Within 40 Days Prior To First Contest.** The committee took no position on Proposal No. 2009-77, which, in women's basketball, would specify that an institution shall not commence on-court preseason basketball practice sessions prior to 5 p.m. on the date that is 40 days prior to the date of the institution's first regular-season contest; further, to specify that an institution shall not engage in more than 30 days of practice prior to its first regular-season contest. The committee cited the recommendation of the NCAA Division I Men's Basketball Academic Enhancement Group (BAEG) regarding a staggered schedule for the start of team practice and noted that such a model may also be appropriate for women's basketball. It was noted that it agrees conceptually with the flexibility that Proposal No. 2009-77 and the BAEG recommendation offers to institutions and that both concepts should be reviewed and considered by the membership.

9. **Proposal No. 2009-78 Playing and Practice Seasons – Women's Basketball – Number of Contests – Maximum Limitations.** The committee supports Proposal No. 2009-78, which would specify that an institution shall limit its total regular-season playing schedule with outside competition to 26 contests and one qualifying multiple team event or 28 contests during a playing season in which the institution does not participate in a qualifying regular-season multiple team event. The committee noted that this legislation may address some concerns regarding academic issues related to missed class time, but it also may raise concerns regarding possible financial implications relative to guarantee games. Further, the committee noted that the same concept is a recommendation of the Division I Men's Basketball Academic Enhancement Group for men's basketball.

10. **Proposal No. 2009-87 Administrative Regulations -- Foreign Tours and Competition – No Institutional or Conference Foreign Tours.** The committee took no position on Proposal No. 2009-87, which would specify that an institution or conference shall not sponsor or participate in a foreign tour. The committee noted that the current legislation is permissive in nature and institutions should have the autonomy to determine if a foreign tour is appropriate for a team. The committee also recognized that in the current financial climate and due to the diversity of institutions in Division I, there are many programs that do not have the funds to send their teams on a foreign tour, which may cause competitive equity concerns.

11. **Proposal No. 2009-88 Administrative Regulations – Foreign Tours and Competition – Eligibility of Student-Athletes – Incoming-Student Participation – Basketball.** The committee supports Proposal No. 2009-88, which, in basketball, would permit an incoming student-athlete (freshman or transfer) to represent the institution on a foreign tour that

occurs during the summer prior to his or her initial enrollment at the certifying institution, provided: (a) he or she has earned at least three hours of acceptable degree credit during the summer term at the certifying institution; and (b) he or she is eligible to represent the institution in intercollegiate competition during the academic year immediately following the tour; further, to specify that a basketball student-athlete shall not participate in more than one institutional foreign tour. The committee agrees with the sponsor's rationale and believes that entering student-athletes should have the opportunity to participate in a foreign tour with their team.

NONLEGISLATIVE INFORMATIONAL ITEMS.

1. **Academic and Athletic Development Model.** The committee noted that recent data has shown that the eligibility rates in baseball and men's basketball have increased substantially, while the same rate in women's basketball has declined. In addition, data indicates a sharp decrease in the number of baseball and men's basketball student-athletes who left institutions academically ineligible and did not return in the subsequent term (i.e., "0/2"). At the same time, there has been an increase in the number of "0/2s" in women's basketball. Further, the committee reviewed a summary outlining the number of student-athlete transfers into Division I institutions, particularly noting the increase in the number of 2-4 transfers in women's basketball, while the overall number of these transfers has decreased. The committee discussed at length potential solutions that would begin to curb these academic declines and improve women's basketball graduation rates. The committee continued its previous discussions of an academic preparation, enhancement and summer development model involving both summer school attendance and athletics activities for women's basketball student-athletes. The academic-development concepts were discussed for both incoming (i.e., freshmen, transfers) and continuing student-athletes and are summarized below:

   a. Incoming Freshmen and Transfer Division I Women's Basketball Student-Athletes.

      (1) Summer School Attendance. All incoming freshman and transfer Division I women's basketball student-athletes, who have signed financial aid agreements to receive athletically related financial aid for the ensuing regular academic year, shall be required to attend the institution's summer term prior to initial full-time enrollment. Such student-athletes shall be provided financial aid and enroll in a minimum of six credit hours and satisfactorily complete a minimum of three hours of acceptable academic degree credit as a prerequisite for eligibility in the fall term.

      (2) Athletics Activities. Such student-athletes would be permitted to engage in one hour of countable athletically related activities per week, up to a maximum of

10 total hours, during the time the student-athletes are enrolled in the summer term.

- Consistent with the provisions of Bylaw 13.11.3.9, such student-athletes may continue to engage in voluntary summer workouts conducted by the institution's strength and conditioning coach with department-wide duties and may receive workout apparel (on an issuance and retrieval basis).

(3) Study Skills/Life Skills Requirement. Institutions must provide such student-athletes study skills/life skills education during the summer session.

b. Continuing Division I Women's Basketball Student-Athletes.

- Summer School Attendance and Athletics Activities. The current legislation relating to summer school attendance (i.e., financial aid, credit-hour requirement) for continuing student-athletes would remain the same. Consistent with the provisions of Bylaw 13.11.3.9, such student-athletes may continue to engage in voluntary summer workouts conducted by the institution's strength and conditioning coach with department-wide duties and may receive workout apparel (on an issuance and retrieval basis).

c. Exceptions and Waivers. The committee agreed that there should be exceptions and waivers available to incoming student-athletes.

(1) An exception would be provided to those institutions that do not offer summer courses to the general student body. However, such institutions would not be permitted to participate in the summer countable athletically related activities component of these models. Further, institutions that offer summer courses, but do not offer athletically related financial aid (e.g., award only need-based aid), would have two options:

(a) To use the previously noted exception applicable to institutions that do not offer summer courses to the general student body. Institutions electing to use this option would not be required to award summer financial aid, but also would be prohibited from participation in summer countable athletically related activities.

(b) Institutions electing to participate in the athletics activities portion of the model would be subject to the mandatory summer aid requirement for those student-athletes who qualify for nonathletically related financial aid to attend the summer session. The summer countable athletically related activities provisions of this model would be applicable to those student-athletes enrolled in the requisite minimum number of hours of acceptable

degree credit who are receiving nonathletically related financial assistance covering their own cost of summer school.

(2) A wavier from the application of the mandatory attendance requirements for incoming student-athletes would be available when unique circumstances preclude an incoming student-athlete from attending summer school. A student-athlete receiving a waiver of the mandatory attendance requirement would not be permitted to engage in summer countable athletically related activities.

Over the course of the late summer and fall 2009, the committee will continue its work on the development of a series of recommendations regarding an Academic and Athletic Development Model. As part of its ongoing work, the committee will spend additional time examining the impact of the current playing and practice season model on the academic performance of women's basketball student-athletes. Additionally, the committee will further explore the impact of the act of transferring on the academic performance of women's basketball student-athletes and engage in a dialogue with the NCAA Division I Academic Cabinet, which is the group within the governance structure charged with reviewing the broad array of issues related to the act of transferring.

Given the important place women's basketball holds in the overall landscape of Division I and the developing concern about the academic performance of women's basketball student-athletes, the committee believes it is imperative to ultimately solicit feedback and comments from the Division I membership regarding its recommendations. Accordingly, once the committee develops its complete set of recommendations, it plans to develop an explanatory White Paper to share with the membership as early as the winter of 2010. Based on feedback and comments received from the membership, the committee will then seek to finalize its recommendations in the spring of 2010 and plan to ask the Division I Championships/Sports Management Cabinet to sponsor proposed legislative changes for the 2010-11 legislative cycle.

2. **Youth Basketball Initiative.** The committee received an update on iHoops, the official Youth Basketball Initiative of the NCAA and the NBA. The committee expressed its concern regarding the lack of women's basketball representation on the iHoops Board and noted that it plans to address the issue as iHoops begins its initial phase of operations.

Committee Chair: *Nora Lynn Finch, Atlantic Coast Conference*
Staff Liaisons: *Jackie Campbell, Women's Basketball*
Beth DeBauche, Governance
Sue Donohoe, Women's Basketball
Lynn Holzman, Academic and Membership Affairs
Michelle Perry, Women's Basketball

REPORT OF THE
NCAA DIVISION I STUDENT-AHTLETE ADVISORY COMMITTEE

The NCAA Division I Student-Athlete Advisory Committee (SAAC) submits the following report from its July 17-19, 2009, meeting.

KEY ITEMS

1. Commercial Activity in Intercollegiate Athletics. The committee discussed commercial activities in intercollegiate athletics, including the report from the NCAA Task Force on Commercial Activity. The committee requested key points on the topic and will seek further input from campus and conference SAACs. The committee expressed a strong interest in contributing to the discussion of these issues.

2. Cost-Saving Initiatives. The committee discussed the impact of budget reductions on student-athlete well-being and will draft a document highlighting student-athlete well-being priorities. The committee recognizes the current financial climate and its impact on Division I institutions. The committee expressed a strong interest in contributing to the discussion of these issues.

3. Division I Membership Criteria. The committee received an update regarding the revised criteria for Division I membership considering expiration of the Division I membership moratorium following the 2010-11 academic year. The committee concluded that new members should have the capacity to provide their student-athletes with a Division I caliber experience in all respects and specifically noted the importance of maintaining competition levels and adequate financial support for athletic programs. The committee expressed a strong interest in contributing to the discussion of these issues.

4. NCAA Division I Men's Basketball Academic Enhancement Group. The committee discussed the Men's Basketball Academic Enhancement Group's efforts to improve academic performance through summer school enrollment. The committee determined that more direct input from men's basketball student-athletes is necessary before taking a formal position on the issue.

ACTION ITEMS.

1. Legislative Items.

   - None

2. Nonlegislative Items.

   a. **Selection of Student-Athletes to NCAA Division I and Association-Wide Committees**. SAAC recommends that the NCAA Division I Administration Cabinet approve the following SAAC appointments to specified Association-wide and divisional cabinets and committees:

(1) NCAA Committee on Women's Athletics: Southwestern Conference, Monique Carroll, Volleyball/Track, University of Arkansas, Pine Bluff.

(2) NCAA Minority Opportunity and Interests Committee: Mid-Eastern Athletic Conference, Aminah Zanah Charles, Volleyball, Hampton University.

(3) NCAA Football Issues Committee (NCAA Football Bowl Championship Subdivision representative): Southeastern Conference, D.J. Looney, Football, Mississippi State University.

(4) NCAA Sportsmanship and Ethical Conduct Committee: Atlantic Sun Conference, Danielle Gray, Basketball, Jacksonville University.

(5) NCAA Division I Academics Cabinet: Conference USA, Jarrett Newby, Cross Country/Track, East Carolina University.

(6) NCAA Division I Amateurism Cabinet: Colonial Athletic Conference, Matthew Goff, Football, James Madison University.

(7) NCAA Division I Administration Cabinet: Mid-American Conference, Catherine Marosszeky, Soccer, Kent State University.

(8) NCAA Division I Student-Athlete Awards, Benefits and Financial Aid Cabinet: Big Sky Conference, Anne Morrison, Rowing, California State University, Sacramento.

(9) Joint SAAC Representative: Missouri Valley Conference, Scott Krapf, Cross Country/Track, Illinois State University.

b. **Selection of NCAA Division I SAAC members**. The Division I SAAC recommends that the Division I Administration Cabinet ratify the following Division I SAAC member selections:

(1) America East Conference, Bob Nolte, Swimming, Binghamton University.

(2) Atlantic Coast Conference, D'Andre DeVon Bell, Basketball, Georgia Institute of Technology.

(3) Big East Conference, Norah Swanson, Soccer, Georgetown University.

(4) Ivy Group, Natalia Maria Christenson, Tennis, Columbia University-Barnard College.

(5) Mountain West Conference, Eugene Daniels, Football, Colorado State University.

(6) Northeast Conference, Lauren Chapman, Golf, Fairleigh Dickenson University, Metropolitan.

(7) Pacific-10 Conference, Jonathan Hackett, Volleyball, University of Southern California.

[Note: Action will be taken to appoint representatives from the following conferences via teleconference in September 2009: Big 12 Conference, Big South Conference, Summit League and West Coast Conference.]

c. **Reappointment of NCAA Division I SAAC members**. The Division I SAAC recommends that the Division I Administration Cabinet ratify the following Division I SAAC member reappointments:

(1) Big Ten Conference, Nick Fulton, Swimming, University of Wisconsin, Madison.

(2) Western Athletic Conference, Trisha Gibbons, Soccer, University of Nevada, Reno.

(3) Southern Conference, Kendra Eaton, Basketball, Western Carolina University.

(4) Atlantic-10 Conference, Brian Alas, Baseball, Richmond University.

(5) Horizon League, Audrey Piotrowski, Cross Country, Cleveland State University.

INFORMATIONAL ITEMS.

1. Cabinet and Committee Reports. The committee was updated regarding Division I cabinets and committees on which SAAC members serve. The committee will provide feedback to the appropriate cabinet or committee regarding nontraditional courses, nutrition, Division I membership criteria, commercial activity in intercollegiate athletics, initial-eligibility requirements, progress-toward-degree requirements, cost-saving initiatives, hearing opportunities related to the renewal and nonrewal of financial aid awards and the impact of technology on recruiting.

2. Commercial Activity in Intercollegiate Athletics. The committee discussed commercial activities in intercollegiate athletics, including the report from the NCAA Task Force on Commercial Activity. The committee requested key points on the topic and will seek further input from campus and conference SAACs.

3. Cost-Saving Initiatives. The committee received an update on the Division I Legislative Council's discussion of cost-savings initiatives. The committee discussed the impact of budget reductions on student-athlete well-being and will draft a document highlighting student-athlete well-being priorities. Potential items of interest include competition, academic support and athletic trainers. The committee recognizes the current financial climate and its impact on Division I institutions. The committee expressed a strong interest in contributing to the discussion of these issues.

4. Division I Membership Criteria. The committee received an update regarding the revised criteria for Division I membership considering expiration of the Division I membership moratorium following the 2010-11 academic year. Specifically, the committee discussed maintaining competition levels, reducing competitive and financial disparity, and adequate financial support for programs, particularly athletic training and academic support. The committee concluded that new members must have the capacity to provide their student-athletes with a Division I caliber experience in all respects. The committee will produce a short video related to the topic to communicate the experience of Division I student-athletes.

5. NCAA Division I Men's Basketball Academic Enhancement Group. The committee was updated regarding the Men's Basketball Academic Enhancement Group's discussion related to efforts designed to improve academic performance through summer school enrollment. The committee determined that more direct input from men's basketball student-athletes is necessary before taking a formal position on the issue.

6. Initial Review of 2009-10 Proposed Legislation. The committee reviewed and discussed proposed legislation from the 2009-10 legislative cycle, including items related to recruiting, eligibility, playing and practice seasons, awards, benefits and expenses, and administrative regulations. The committee will convene for a conference call in September to review these proposals in depth.

7. Grayshirting and National Letter of Intent (NLI) Limits in the Sport of Football. The committee discussed the practice of grayshirting and the NCAA legislation regarding NLI signing limits in the sport of football. A proposal in the 2009-10 legislative cycle would limit the number of football prospective student-athletes who sign an NLI and/or institutional offer of financial aid with a member institution to not more than 28. The committee identified the proposal's potential impact on student-athlete well-being and will discuss the information with campus and conference SAACs before taking a formal position on the proposed legislation in November.

8. Joint Student-Athlete Advisory Committee Meeting. The Joint SAAC was updated regarding the production of a promotional video that will be distributed to NCAA member institutions. The video is intended to educate student-athletes about national SAAC. The Joint SAAC also received updates from divisional SAACs and from association-wide committees including: the NCAA Committee on Women's Athletics, the NCAA Minority Opportunities and Interests Committee, the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports, and the NCAA Sportsmanship and Ethical Conduct Committee.

9. Media Update. The committee was updated regarding the Division I SAAC media team, which included a review of SAAC publications, communication and networking tools and the creation of a Division I SAAC Alumni Association.

10. Green Team Update. The committee was updated regarding the NCAA national office's environmental and conservation Green Team initiative, including a review of the Green Team's principles and standards, as well as waste reduction actions implemented at the national office.

11. 2009 National Student-Athlete Development Conference. The committee was updated regarding the SAAC's participation at the National Student-Athlete Development Conference, which took place May 24-27, 2009, in Orlando, Florida.

12. 2009 Gender Equity and Issues Forum. The committee was updated regarding the SAAC's participation at the Gender Equity and Issues Forum, which took place April 27-29, 2009, in San Diego, California.

13. NCAA Internship Program. The committee received information regarding the year-long NCAA internship program, including the application process.

14. Attendance. The attendance list for the July 2009 meeting is as follows:

Conference	School	Name	Sport	Present
America East Conference	University of Hartford	Alexandra Morley	Softball	Yes
Atlantic 10 Conference	University of Richmond	Brian Alas	Baseball	Yes
Atlantic Coast Conference	University of Maryland	Allison Houseal	Women's Water Polo	Yes
Atlantic Sun Conference	Jacksonville University	Danielle Gray	Women's Basketball	Yes
Big 12 Conference	University of Kansas	Matthew Baysinger	Men's Track and Field	Yes
Big East Conference	Rutgers University, The State University of New Jersey	Brittany Loisel	Softball	Yes
Big South Conference	Winthrop University	Benten Kieffner	Men's Soccer	Yes
Big Sky Conference	California State University, Sacramento	Anne Morrison	Rowing	Yes
Big Ten Conference	University of Wisconsin, Madison	Nick Fulton	Men's Swimming	Yes

Big West Conference	University of the Pacific	Danielle Neault	Field Hockey	Yes
Colonial Athletic Conference	James Madison University	Matthew Goff	Football	Yes
Conference USA	East Carolina University	Jarrett Newby	Cross Country/Track	Yes
Horizon League	Cleveland State University	Audrey Piotrowski	Cross Country	Yes
Ivy Group	University of Pennsylvania	Camille Richard	Track	Yes
Metro Atlantic Athletic Conference	Loyola College (Maryland)	Eryn Crane	Women's Swimming	Yes
Mid-American Conference	Kent State University	Catherine Marosszeky	Women's Soccer	Yes
Mid-Eastern Athletic Conference	Hampton University	Aminah Zanah Charles	Volleyball	Yes
Missouri Valley Conference	Illinois State University	Scott Krapf	Cross Country/Track	Yes
Mountain West Conference	San Diego State University	Sherraine Pencil	Track	Yes
Northeast Conference	Fairleigh Dickinson University, Metropolitan	Shanay Freeman	Women's Basketball	Yes
Ohio Valley Conference	Tennessee State University	Melanie Cruz	Softball	Yes
Pacific-10 Conference	University of California, Berkeley	Justin Pollard	Men's Swimming	Yes
Patriot League	American University	Zack Solomon	Men's Soccer	Yes
Southeastern Conference	Mississippi State University	DJ Looney	Football	Yes
Southern Conference	Western Carolina University	Kendra Eaton	Women's Basketball	Yes

Southland Conference	Lamar University	William Taylor McInnis	Baseball	Yes
Southwestern Athletic Conference	University of Arkansas, Pine Bluff	Monique Carroll	Women's Volleyball/Track	Yes
Summit League	Oakland University	Stewart Givens	Men's Soccer	No
Sun Belt Conference	Western Kentucky University	Patrick Jenkins	Cross Country/Track	Yes
West Coast Conference	Pepperdine University	Julie Rubenstein	Women's Volleyball	Yes
Western Athletic Conference	University of Nevada, Reno	Trisha Gibbons	Women's Soccer	Yes

[NOTE: Also in attendance were John Watson, director of athletics, Pepperdine University; Tracy Shoemake, associate athletics director, Texas State University–San Marcos; and Beth DeBauche, NCAA director of Division I.]

14. Future Meeting Schedule.

a. September 20, 2009, Webinar.

b. November 20-22, 2009, Indianapolis, Indiana.

c. January 11-16, 2010, in conjunction with the 2010 NCAA Convention, Atlanta, Georgia.

d. March/April, 2010, teleconference (date to be determined).

e. July 15-18, 2010, Indianapolis, Indiana.

Committee Chair: Matthew Baysinger, University of Kansas, Big 12 Conference
Committee Vice-Chair: Nick Fulton, University of Wisconsin-Madison, Big Ten Conference
Staff Liaisons: Maricela Shukie, NCAA Educational Affairs,
Kelly Groddy, NCAA Academic and Membership Affairs,
Abbie Renaker, NCAA Academic and Membership Affairs,
Tim Nevius, NCAA Enforcement department.

2009-10 NCAA Division I Legislative Proposals Not Sponsored by or Not Assigned to the NCAA Division I Academic Cabinet

The following proposals are currently active in the 2009-10 Division I legislative cycle and were not sponsored by the NCAA Division I Academic Cabinet or referred to the cabinet for review. During the pre-meeting teleconference, the cabinet will identify which proposals, if any, to review and consider issuing a position statement during the in-person meeting. All proposals in the cycle are provided for review; the first three pages are those proposals identified by staff that may be of the most interest to the cabinet.

Proposal Number: 2009-11

Title: PERSONNEL -- DEFINITIONS AND APPLICATIONS -- GRADUATE-ASSISTANT COACH -- BOWL SUBDIVISION FOOTBALL AND WOMEN'S ROWING -- LESS THAN 50 PERCENT OF FULL-TIME ENROLLMENT DURING FINAL TERM

Intent: In bowl subdivision football and women's rowing, to specify that a graduate-assistant coach may be enrolled in less than 50 percent of the institution's minimum regular graduate program of studies during his or her final semester or quarter of the degree program, provided he or she is carrying (for credit) the courses necessary to complete the degree requirements.

Source: Big 12 Conference

Proposal Number: 2009-17

Title: PERSONNEL -- CERTIFICATION TO RECRUIT OFF CAMPUS -- CERTIFICATION ADMINISTRATION -- FACULTY ATHLETICS REPRESENTATIVE

Intent: To specify that an institution's faculty athletics representative shall administer the annual coaches' certification test; further, to specify that if the faculty athletics representative is unable to administer the test, he or she shall appoint an institutional staff member outside the athletics department to administer the test.

Source: Atlantic Sun Conference

Proposal Number: 2009-22

Title: AMATEURISM AND ELIGIBILITY -- INVOLVEMENT WITH PROFESSIONAL TEAMS -- EXCEPTION -- PRIOR TO INITIAL FULL-TIME COLLEGIATE ENROLLMENT -- DELAYED ENROLLMENT -- SEASONS OF COMPETITION

Intent: To specify that prior to initial full-time collegiate enrollment, an individual may enter into an agreement to compete on a professional team and compete on a professional team, provided the agreement does not allow for receipt of more than actual and necessary expenses to participate on the team; further, in sports other than tennis, swimming and driving and women's volleyball, to specify that a student-athlete who does not initially

enroll full-time in a collegiate institution within one year (six months for tennis) or the next opportunity to enroll following the high school graduation date of the prospective student-athlete's class and participates in organized events after the specified time 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.

Source: NCAA Division I Amateurism Cabinet

Proposal Number: 2009-36

Title: RECRUITING -- EVALUATIONS -- NONSCHOLASTIC EVALUATIONS DURING ACADEMIC YEAR -- NATIONAL STANDARDIZED TESTING WEEKENDS -- WOMEN'S BASKETBALL

Intent: In women's basketball, to specify that evaluations at nonscholastic events during the academic year evaluation period shall not occur on any weekend (including Friday, Saturday and Sunday) during which the PSAT, SAT, PLAN or ACT national standardized tests are administered.

Source: NCAA Division I Championships/Sports Management Cabinet (Women's Basketball Issues Committee)

Proposal Number: 2009-47

Title: RECRUITING -- LETTER OF INTENT PROGRAMS, FINANCIAL AID AGREEMENTS -- WRITTEN OFFER OF AID BEFORE SIGNING DATE -- FOOTBALL

Intent: In football, to specify that prior to August 1 of a prospective student-athlete's senior year in high school, an institution shall not provide a written offer of athletically related financial aid or indicate in writing to the prospective student-athlete that an athletically related grant-in-aid will be offered by the institution.

Source: Big East Conference

Proposal Number: 2009-76

Title: PLAYING AND PRACTICES SEASONS -- TIME LIMITS FOR ATHLETICALLY RELATED ACTIVITIES -- ADDITIONAL RESTRICTIONS -- COUNTABLE ATHLETICALLY RELATED ACTIVITIES BETWEEN MIDNIGHT AND 5 A.M.

Intent: To specify that countable athletically related activities shall not occur between midnight and 5 a.m., except for during participation in a conference championship or an NCAA championship, in any competition that begins prior to midnight and concludes after midnight, or a promotional practice activity (e.g., first practice of the season).

Source: Southeastern Conference

Proposal Number: 2009-78.

Title: PLAYING AND PRACTICES SEASONS -- WOMEN'S BASKETBALL -- NUMBER OF CONTESTS -- MAXIMUM LIMITATIONS

Intent: In women's basketball, to specify that an institution shall limit its total regular-season playing schedule with outside competition to 26 contests and one qualifying regular-season multiple team event or 28 contests during a playing season in which the institution does not participate in a qualifying regular-season multiple team event.

Source: Atlantic Coast Conference

Proposal Number: 2009-79

Title: PLAYING AND PRACTICE SEASONS -- NONCHAMPIONSHIP SEGMENT -- NUMBER OF CONTESTS AND DATES OF COMPETITION AND TRAVEL RESTRICTIONS -- CROSS COUNTRY, FIELD HOCKEY, LACROSSE, SOCCER, SOFTBALL AND VOLLEYBALL

Intent: In cross country (for institutions without indoor or outdoor track and field), field hockey, lacrosse, soccer, softball and volleyball, to reduce the number of dates of competition in the nonchampionship segment as specified; further, to specify that team travel to competition in the nonchampionship segment shall be restricted to ground transportation.

Source: Southeastern Conference

Proposal Number: 2009-86

Title: ATHLETICS CERTIFICATION -- MANDATORY SELF-STUDY AND EXTERNAL PEER REVIEW -- ACADEMIC INTEGRITY -- ACADEMIC STANDARDS -- RETENTION

Intent: To specify that if the retention of any student-athlete subgroup is lower than that of all student-athletes, the disparity shall be analyzed, explained and, if necessary, addressed through specific plans for improvement by appropriate institutional authorities.

Source: NCAA Division I Legislative Council (Committee on Athletics Certification)

Proposal Number: 2009-9

Title: ETHICAL CONDUCT -- UNETHICAL CONDUCT -- KNOWINGLY INFLUENCING OTHERS TO FURNISH FALSE OR MISLEADING INFORMATION

Intent: To specify that knowingly influencing others to furnish the NCAA or an individual's institution false or misleading information concerning an individual's involvement in or knowledge of matters relevant to a possible violation of an NCAA regulation constitutes unethical conduct.

Source: NCAA Division I Board of Directors (Committee on Infractions)

Proposal Number: 2009-10

Title: PERSONNEL -- DEFINITIONS AND APPLICATIONS -- GRADUATE-ASSISTANT COACH -- EMPLOYMENT WITHIN SEVEN YEARS OF GRADUATION OR EXHAUSTING ELIGIBILITY -- BOWL SUBDIVISION FOOTBALL

Intent: In bowl subdivision football, to specify that a graduate-assistant coach is any coach who has received a baccalaureate degree or has exhausted athletics eligibility within the previous seven years and qualifies for appointment as a graduate assistant under the policies of the institution.

Source: Southeastern Conference

Proposal Number: 2009-12

Title: PERSONNEL -- DEFINITIONS AND APPLICATIONS -- UNDERGRADUATE STUDENT-ASSISTANT COACH

Intent: To permit a student-athlete to serve as an undergraduate student-assistant coach at the institution at which the student-athlete most recently participated in intercollegiate athletics, provided the student-athlete is currently enrolled at the institution as a full-time undergraduate student and he or she renounces any remaining eligibility in the sport; further, to specify that the limit of undergraduate student-assistant coaches in each sport shall be the same as the limit of countable coaches permitted in the sport.

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

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Proposal Number: 2009-13

Title: PERSONNEL AND RECRUITING -- RECRUITING COORDINATION FUNCTIONS -- PERMISSIBLE CALLERS -- EXCEPTION -- VOLUNTEER COACH -- TRACK AND FIELD

Intent: In track and field, to permit a volunteer coach to make telephone calls to and receive telephone calls from a prospective student-athlete, provided the coach has successfully completed the coaches' certification exam.

Source: Pacific-10 Conference

Proposal Number: 2009-14

Title: PERSONNEL -- DEFINITIONS AND APPLICATIONS -- MANAGER

Intent: To establish criteria by which an individual may serve as a manager, as specified.

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

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Proposal Number: 2009-15

Title: PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- NONCOACHING ACTIVITIES -- NONCOACHING ATHLETICS STAFF MEMBER WITH SPORT-SPECIFIC RESPONSIBILITIES

Intent: To permit noncoaching staff with sport-specific responsibilities to participate in organized activities involving only the coaching staff or administrative duties (e.g., attend meetings involving coaching activities, analyze video of the institution's or an opponent's team, track statistics during practice or competition).

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

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Proposal Number: 2009-16

Title: PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- CONTACT AND EVALUATION OF PROSPECTIVE STUDENT-ATHLETES -- FALL EVALUATION PERIOD -- EXCEPTION -- FOOTBALL

Intent: In football, to permit ten coaches to recruit off campus at any one time during the fall evaluation period during any week (Sunday through Saturday) in which no regular season competition is scheduled.

Source: Southeastern Conference

Proposal Number: 2009-18

Title: PERSONNEL AND RECRUITING -- RECRUITING COORDINATION FUNCTIONS -- EXCEPTION -- NONCOACHING STAFF MEMBERS AND NONCOUNTABLE COACHES -- TELEPHONE CALLS IN CONJUNCTION WITH OFFICIAL VISIT TRANSPORTATION

Intent: To permit a noncoaching staff member or a noncountable coach who is providing ground transportation to a prospective student-athlete on an official visit from the nearest bus or train station or airport to initiate telephone calls to and receive telephone calls from the prospective student-athlete or those individuals accompanying the prospective student-athlete at the time of the prospective student-athlete's arrival at the nearest bus or train station or airport; further; to specify that institutional staff members providing ground transportation from the nearest bus or train station or airport may make unlimited telephone calls to the prospective student-athlete or those individuals accompanying the prospective student-athlete from the time the prospective student-athlete initiates his or her official visit transportation until in-person contact is made with the staff member at the bus or train station or airport.

Source: Big 12 Conference

Proposal Number: 2009-19

Title: PERSONNEL -- LIMITATIONS ON NUMBER OF COACHES AND OFF-CAMPUS RECRUITERS -- WOMEN'S SAND VOLLEYBALL

Intent: To specify that an institution that sponsors only women's sand volleyball shall have a limit of two coaches who may be employed and a limit of two coaches who may contact or evaluate prospective student-athletes off-campus at any one time; further, to specify that an institution that sponsors women's sand volleyball and women's volleyball shall have a limit of four coaches who may be employed and a limit of two coaches who may contact or evaluate prospective student-athletes off-campus at any one time.

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

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Proposal Number: 2009-20

Title: PERSONNEL -- LIMITATIONS ON THE NUMBER OF OFF-CAMPUS RECRUITERS -- ON-CAMPUS EVENTS -- WOMEN'S BASKETBALL

Intent: In women's basketball, to specify that a coaching staff member who attends an athletics event on the institution's campus that involves women's basketball prospective student-athletes is considered an off-campus recruiter.

Source: Atlantic Coast Conference

Proposal Number: 2009-21

Title: PERSONNEL AND RECRUITING -- LIMITATIONS ON NUMBER OF COACHES AND OFF-CAMPUS RECRUITERS -- EVALUATION DAYS -- LOCAL SPORTS CLUBS -- WOMEN'S VOLLEYBALL

Intent: In women's volleyball, to specify that (a) a coaching staff member who is involved with a local sports club (either on a salaried or a volunteer basis) is considered an off-campus recruiter when he or she is engaged in activities related to the club (e.g., coaching, consulting, administration); (b) during a dead period, a coaching staff member shall not coach a local sports club that includes prospective student-athletes in any activities at any location; (c) during a quiet period, a coaching staff member may coach a local sports club in practice activities only; and (d) coaching a local sports club in competition at any time and in practice activities during a quiet period shall count toward the institution's evaluation days.

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

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Proposal Number: 2009-23

Title: AMATEURISM AND AWARDS, BENEFITS AND EXPENSES -- EXCEPTIONS TO AMATEURISM RULE -- BENEFITS, GIFTS AND SERVICES -- INSURANCE AGAINST DISABLING-INJURY OR ILLNESS

Intent: To specify that an institution's president or chancellor may designate an institutional staff member (or staff members) to assist a student-athlete with arrangements for securing a loan against future earnings potential for the purpose of purchasing insurance against a disabling injury or illness and to assist with arrangements for securing such insurance.

Source: NCAA Division I Amateurism Cabinet

Proposal Number: 2009-24

Title: AMATEURISM -- INVOLVEMENT WITH PROFESSIONAL TEAMS -- TRYOUTS -- MEN'S ICE HOCKEY

Intent: In men's ice hockey, to specify that a prospective or enrolled student-athlete may accept actual and necessary expenses from the National Hockey League (NHL) or a professional sports organization that is a member of the NHL to attend the NHL scouting combine, regardless of the duration of the combine.

Source: NCAA Division I Amateurism Cabinet

Proposal Number: 2009-25

Title: AMATEURISM -- PROMOTIONAL ACTIVITIES -- INSTITUTIONAL, CHARITABLE, EDUCATION OR NONPROFIT PROMOTIONS -- RELEASE STATEMENT -- DE MINIMIS VIOLATION

Intent: To specify that a violation of the promotional activities legislation in which the only condition of the legislation not satisfied is the requirement that the student-athlete and an authorized representative of the charitable, educational or nonprofit agency sign a release statement shall not affect the student-athlete's eligibility, provided the release statement would have been signed if such a request had been made.

Source: NCAA Division I Legislative Council (Committee on Student-Athlete Reinstatement)

Proposal Number: 2009-26

Title: RECRUITING -- DEFINITIONS AND APPLICATIONS -- DEAD PERIOD -- EXCEPTION -- UNOFFICIAL VISIT AFTER NATIONAL LETTER OF INTENT SIGNING OR OTHER WRITTEN COMMITMENT

Intent: To specify that a prospective student-athlete who has signed a National Letter of Intent (NLI), is permitted to make an unofficial visit during a dead period to the institution with which he or she has signed the NLI; further, to specify that for an institution not using the NLI in a particular sport, or for a prospective student-athlete who is not eligible to sign the NLI (e.g., four-year college transfer), a prospective student-athlete is permitted to make an unofficial visit during a dead period, provided he or she has signed the institution's financial aid agreement or a written offer of admission or the institution has received a financial deposit from the prospective student-athlete in response to an institution's offer of admission.

Source: Pacific-10 Conference

Proposal Number: 2009-27

Title: RECRUITING -- DEFINITIONS AND APPLICATIONS -- EVALUATION DAYS -- SPRING EVALUATION PERIOD -- 168 DAYS -- FOOTBALL

Intent: In football, to specify that the spring evaluation period shall consist of 168 evaluation days (excluding Memorial Day and Sundays) from April 15 through May 31, selected at the discretion of the institution and designated in writing in the office of the director of athletics.

Source: Southeastern Conference

Proposal Number: 2009-28

Title: RECRUITING -- CONTACTS AND EVALUATIONS -- TELEPHONE CALLS -- OFFICIAL AND UNOFFICIAL VISITS -- OFFERS OF FINANCIAL AID -- TRYOUTS -- WOMEN'S SOCCER

Intent: In women's soccer, to revise or establish restrictions related to contacts, telephone calls official and unofficial visits, offers of financial aid and involvement in nonscholastic-based soccer programs, as specified.

Source: Southeastern Conference

Proposal Number: 2009-30

Title: RECRUITING -- PERMISSIBLE RECRUITERS -- NONCOACHING STAFF MEMBERS WITH SPORT-SPECIFIC RESPONSIBILITIES -- MEN'S BASKETBALL

Intent: In men's basketball, to specify that a noncoaching staff member with sport-specific responsibilities shall not attend an off-campus athletics event involving prospective student-athletes (e.g., high-school contest, sports camp) unless the staff member is an immediate family member or legal guardian of one of the participants in the activity; further, to establish conditions by which a staff member who is an immediate family member or legal guardian of a participant may attend such an event, as specified.

Source: NCAA Division I Championships/Sports Management Cabinet (Men's Basketball Issues Committee)

Proposal Number: 2009-31

Title: RECRUITING -- CONTACTS AND EVALUATIONS -- HEAD COACH RESTRICTIONS -- ASSISTANT DESIGNATED AS NEXT HEAD COACH -- BOWL SUBDIVISION FOOTBALL

Intent: In bowl subdivision football, to specify that an institution's assistant coach who has been designated by the institution to become the next head coach shall be subject to the recruiting restrictions applicable to the institution's head coach.

Source: Big East Conference

Proposal Number: 2009-32

Title: RECRUITING -- TELEPHONE CALLS -- TIME PERIOD FOR TELEPHONE CALLS -- EXCEPTION -- UNLIMITED DURING CONTACT PERIOD

Intent: To specify that during a contact period, telephone contact may be made at the institution's discretion.

Source: Pacific-10 Conference

Proposal Number: 2009-33

Title: RECRUITING -- TELEPHONE CALLS -- EXCEPTION -- UNLIMITED AFTER RECEIPT OF ROOM OR TUITION DEPOSIT

Intent: To specify that on or after May 1 of a prospective student-athlete's senior year in high school, there shall be no limit on the number of telephone calls by an institution to the prospective student-athlete, provided the institution has received his or her room or tuition deposit in response to the institution's offer of admission.

Source: Big West Conference

Proposal Number: 2009-34

Title: RECRUITING -- TELEPHONE CALLS -- EXCEPTION -- DAY OF UNOFFICIAL VISIT

Intent: To specify that institutional coaching staff members may return telephone calls from a prospective student-athlete (or his or her parents or legal guardians) on the day or days of an unofficial visit without such telephone calls being subject to the regulations regarding timing or number of telephone calls.

Source: Big 12 Conference

Proposal Number: 2009-35

Title: RECRUITING -- CONTACTS AND EVALUATIONS -- VISIT TO PROSPECTIVE STUDENT-ATHLETE'S EDUCATIONAL INSTITUTION -- VISITS DURING EVALUATION PERIOD -- FOOTBALL

Intent: In football, to specify that not more than two coaches per institution may visit a prospective student-athlete's educational institution on any one calendar day during an evaluation period.

Source: Big East Conference

Proposal Number: 2009-37

Title: RECRUITING -- EVALUATIONS -- SUMMER EVALUATION PERIOD -- NONINSTITUTIONAL NONORGANIZED EVENTS -- WOMEN'S BASKETBALL

Intent: In women's basketball, to prohibit evaluations at noninstitutional nonorganized events (e.g., pick-up games, open gyms) during the summer evaluation period.

Source: NCAA Division I Championships/Sports Management Cabinet (Women's Basketball Issues Committee)

Proposal Number: 2009-38

Title: RECRUITING -- EVALUATIONS -- SCHOLASTIC AND NONSCHOLASTIC ACTIVITIES -- CHAMPIONSHIP SUBDIVISION FOOTBALL

Intent: In championship subdivision football, to specify that live athletics evaluations may be conducted at scholastic or nonscholastic athletics activities, provided there is no institutional involvement in arranging or directing such activities.

Source: NCAA Division I Championships/Sports Management Cabinet (Football Issues Committee)

Proposal Number: 2009-39

Title: RECRUITING -- LIMITATIONS ON NUMBER OF EVALUATIONS -- EVALUATION DAYS -- WOMEN'S SAND VOLLEYBALL

Intent: To specify that an institution that sponsors only women's sand volleyball or sponsors both women's volleyball and women's sand volleyball is limited to 100 evaluation days (measured August 1 through July 31); further, to specify that if an institution sponsors both women's volleyball and women's sand volleyball, a coach's involvement outside a volleyball contact or evaluation period with a local sports club (volleyball or sand volleyball) per Bylaw 13.11.2.3 shall count toward the limit.

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

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Proposal Number: 2009-40

Title: RECRUITING -- PRINTED RECRUITING MATERIALS -- GENERAL CORRESPONDENCE -- INSTITUTIONAL LETTERHEAD

Intent: To establish additional provisions governing general correspondence that an institution may send to prospective student-athletes, their parents or legal guardians, their coaches or any other individual responsible for teaching or directing an activity in which a prospective student-athlete is involved, as specified.

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

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Proposal Number: 2009-41

Title: RECRUITING -- RECRUITING MATERIALS -- ATHLETICS PUBLICATIONS -- NO PRINTED MEDIA GUIDES OR RECRUITING BROCHURES

Intent: To specify that an institution shall not produce (or arrange for or authorize a third party to produce) a media guide, recruiting brochure or any other athletics publication printed in a hard copy format other than a game program; further, to specify that an institution may post a media guide or recruiting brochure on its Web site, but may not print such items and provide them to a prospective student-athlete (or his or her parents or legal guardians).

Source: Pacific-10 Conference

Proposal Number: 2009-42

Title: RECRUITING -- RECRUITING MATERIALS -- ATHLETICS PUBLICATIONS -- NO PRINTED PUBLICATIONS TO PROSPECTIVE STUDENT-ATHLETES

Intent: To specify that an institution shall not provide a printed media guide or any other printed athletics publication not listed in Bylaw 13.4.1.1 to a prospective student-athlete, his or her parents or legal guardians, the prospective student-athlete's educational institution or any individual involved in the coaching of a prospective student-athlete.

Source: Southeastern Conference

Proposal Number: 2009-43

Title: RECRUITING -- RECRUITING MATERIALS -- ELECTRONIC TRANSMISSIONS -- EXCEPTION -- AFTER RECEIPT OF FINANCIAL DEPOSIT

Intent: To specify that on or after May 1 of a prospective student-athlete's senior year in high school, there shall be no limit on the forms of electronically transmitted correspondence that may be sent by an institution to the prospective student-athlete, provided the institution has received a financial deposit in response to the institution's offer of admission.

Source: Pacific-10 Conference

Proposal Number: 2009-44

Title: RECRUITING -- RECRUITING MATERIALS -- VIDEO/AUDIO MATERIALS AND COMPUTER GENERATED RECRUITING PRESENTATIONS

Intent: To specify that an institution may produce video or audio material to show to, play for or provide to a prospective student-athlete, provided such material includes only general information related to an institution or its athletics programs and is not created for recruiting purposes; further, to specify that a computer generated recruiting presentation may include general informational video/audio material that relates to an institution or its athletics programs and is not created for recruiting purposes.

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

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Proposal Number: 2009-45

Title: RECRUITING -- OFFICIAL VISIT -- FIRST OPPORTUNITY TO VISIT -- JUNE IMMEDIATELY PRIOR TO SENIOR YEAR -- FOOTBALL

Intent: In football, to specify that a prospective student-athlete may be provided an expense-paid visit during the month of June immediately preceding the prospective student-athlete's senior year in high school.

Source: Big Ten Conference

Proposal Number: 2009-46

Title: RECRUITING -- OFFICIAL VISIT -- NUMBER OF OFFICIAL VISITS -- INSTITUTIONAL LIMITATION -- DE MINIMIS VIOLATION

Intent: To specify that a violation of the institutional limitation on the number of official visits shall be considered an institutional violation, but shall not affect the prospective student-athlete's eligibility.

Source: NCAA Division I Legislative Council (Committee on Student-Athlete Reinstatement)

Proposal Number: 2009-48

Title: RECRUITING AND FINANCIAL AID -- LETTER-OF-INTENT PROGRAMS, FINANCIAL AID AGREEMENTS -- LETTER OF INTENT RESTRICTION -- LIMITATION ON NUMBER OF SIGNINGS -- BOWL SUBDIVISION FOOTBALL

Intent: In bowl subdivision football, to specify that there shall be an annual limit of 28 on the number of prospective student-athletes who may sign a National Letter of Intent or an institutional offer of financial aid from the initial signing date of the National Letter of Intent through May 31.

Source: Southeastern Conference

Proposal Number: 2009-49

Title: RECRUITING -- TRYOUTS -- COMPETITION AGAINST PROSPECTIVE STUDENT-ATHLETES -- FOOTBALL

Intent: In football, to prohibit an institution's varsity and subvarsity intercollegiate teams from competing against any team that includes prospective student-athletes.

Source: Southeastern Conference

Proposal Number: 2009-50

Title: RECRUITING AND ADMINISTRATIVE REGULATIONS -- LOCAL SPORTS CLUBS -- ADDITIONAL RESTRICTIONS -- QUIET PERIODS -- WOMEN'S SOCCER

Intent: In women's soccer, to specify that during a dead or quiet period, institutional coaching staff members may not coach a local sports team at an off-campus competition where prospective student-athletes are present; further, to establish quiet periods in women's soccer, as specified.

Source: Big 12 Conference

Proposal Number: 2009-51

Title: RECRUITING -- CAMPS AND CLINICS -- INSTITUTION'S SPORTS CAMPS AND CLINICS -- LOCATION -- MEN'S BASKETBALL

Intent: In men's basketball, to specify that an institution's camp or clinic shall be conducted on the institution's campus or within a 100-mile radius of the institution's campus.

Source: NCAA Division I Championships/Sports Management Cabinet (Men's Basketball Issues Committee)

Proposal Number: 2009-52

Title: RECRUITING -- CAMPS AND CLINICS -- CONDUCTED DURING JUNE, JULY AND AUGUST -- EMPLOYMENT IN NONINSTITUTIONAL, PRIVATELY OWNED CAMPS AND CLINICS AT ANY LOCATION -- CHAMPIONSHIP SUBDIVISION FOOTBALL

Intent: In championship subdivision football, to specify that an institution's camp or clinic may be conducted only during the months of June, July and August or any calendar week (Sunday through Saturday) that includes days of those months (e.g., May 28-June 3); further, to specify that an institution's coach or noncoaching staff member with responsibilities specific to football may be employed in any capacity in a noninstitutional, privately owned camp or clinic at any location and only during the months of June, July and August or any calendar week (Sunday through Saturday) that includes days of those months (e.g., May 28-June 3).

Source: NCAA Division I Championships/Sports Management Cabinet (Football Issues Committee)

Proposal Number: 2009-53

Title: RECRUITING -- CAMPS AND CLINICS -- CONDUCTED DURING JUNE, JULY AND AUGUST -- FOOTBALL

Intent: In football, to specify that an institution's camp or clinic may be conducted only during the months of June, July and August or any calendar week (Sunday through Saturday) that includes days of those months.

Source: Southern Conference

Proposal Number: 2009-54

Title: RECRUITING -- CAMPS AND CLINICS -- EMPLOYMENT IN NONINSTITUTIONAL, PRIVATELY OWNED CAMPS OR CLINICS AT ANY LOCATION -- FOOTBALL

Intent: In football, to specify that an institution's coach or noncoaching staff member with responsibilities specific to football may be employed in a noninstitutional, privately owned camp or clinic at any location during the two periods of 15 consecutive days in the months of June and July as declared by the institution.

Source: Ivy Group

Proposal Number: 2009-55

Title: RECRUITING -- CAMPS AND CLINICS -- EMPLOYMENT OF COACH -- QUIET PERIOD -- WOMEN'S VOLLEYBALL

Intent: In women's volleyball, to specify that it is not permissible for a coach to be employed (either on a salaried or a volunteer basis) at an institutional or noninstitutional, privately owned camp or clinic conducted off the institution's campus during a quiet period.

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

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Proposal Number: 2009-56

Title: RECRUITING -- USE OF RECRUITING FUNDS -- RECRUITING OR SCOUTING SERVICES -- CRITERIA FOR SUBSCRIPTION

Intent: To establish additional criteria that must be satisfied in order for an institution to subscribe to a recruiting or scouting service involving prospective student-athletes, as specified.

Source: NCAA Division I Championships/Sports Management Cabinet (Men's Basketball Issues Committee)

Proposal Number: 2009-57

Title: ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- FOOTBALL -- QUIET PERIODS IN JANUARY

Intent: In football, to revise the recruiting calendar to eliminate the quiet periods in January, as specified.

Source: Patriot League

Proposal Number: 2009-58

Title: ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- MEN'S SOCCER

Intent: In men's soccer, to establish a recruiting calendar, as specified.

Source: Big West Conference

Proposal Number: 2009-59

Title: ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- WOMEN'S VOLLEYBALL -- EVALUATION PERIOD IN CONJUNCTION WITH CHAMPIONSHIP

Intent: In women's volleyball, to designate Thursday of the Division I Women's Volleyball Championship through the Sunday immediately following the championship as an evaluation period; further, to specify that an institution's authorized coaching staff members may evaluate on only one day and may attend only one event on that day during this period, that the event shall occur within a 30-mile radius of the site of the championship and that coaches from the same institution who attend such an event shall attend the same event on the same day.

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

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Proposal Number: 2009-67

Title: FINANCIAL AID -- TERMS AND CONDITIONS OF AWARDING INSTITUTIONAL FINANCIAL AID -- ONE-YEAR PERIOD -- DE MINIMIS VIOLATION

Intent: To specify that a violation of the financial aid regulations in which financial aid is awarded for less than one academic year shall be considered an institutional violation, but shall not affect the student-athlete's eligibility.

Source: NCAA Division I Legislative Council (Committee on Student-Athlete Reinstatement)

Proposal Number: 2009-68

Title: FINANCIAL AID -- MIDYEAR REPLACEMENT -- GRADUATION DURING PREVIOUS YEAR -- WOMEN'S VOLLEYBALL

Intent: In women's volleyball, to specify that the financial aid of a counter who graduates at midyear or who graduates during the previous academic year (including summer) may be provided to another student-athlete without making the second student-athlete a counter for the remainder of that academic year.

Source: Atlantic Coast Conference

Proposal Number: 2009-69

Title: FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- EQUIVALENCY COMPUTATIONS -- EXCEPTIONS -- ACADEMIC HONOR AWARDS -- TRANSFER STUDENTS

Intent: To specify that institutional academic honor awards that are part of an institution's normal arrangements for academic scholarships, based solely on the recipient's cumulative academic record from all collegiate institutions previously attended and awarded independently of athletics interests and in amounts consistent with the pattern of all such awards made by the institution, may be exempted from a team's equivalency computation, provided the recipient achieved a cumulative transferable grade-point average of at least 3.300 (based on a maximum of 4.000).

Source: Mountain West Conference

Proposal Number: 2009-70

Title: FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- WOMEN'S SAND VOLLEYBALL

Intent: In sand volleyball, to establish the maximum equivalency and counter limitations, as specified.

Source: NCAA Division I Awards, Benefits and Expenses and Financial Aid Cabinet

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Proposal Number: 2009-71

Title: AWARDS, BENEFITS AND EXPENSES FOR ENROLLED STUDENT-ATHLETES -- HOUSING AND MEALS -- PERMISSIBLE PRESEASON PRACTICE EXPENSES -- DE MINIMIS VIOLATION

Intent: To specify that an inadvertent violation of the preseason practice expenses legislation shall be considered an institutional violation, but shall not affect the student-athlete's eligibility.

Source: NCAA Division I Legislative Council (Committee on Student-Athlete Reinstatement)

Proposal Number: 2009-72

Title: AWARDS, BENEFITS AND EXPENSES -- EXPENSES FOR STUDENT-ATHLETE'S FRIENDS AND RELATIVES -- REASONABLE REFRESHMENTS

Intent: To permit an institution to provide reasonable refreshments to the immediate family of a student-athlete for educational meetings or, on an occasional basis, for celebratory events.

Source: Big 12 Conference

Proposal Number: 2009-73

Title: AWARDS, EXPENSES AND BENEFITS -- EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE AND COMPETITION -- NONPERMISSIBLE -- LODGING IN CONJUNCTION WITH A REGULAR-SEASON HOME CONTEST

Intent: To specify that an institution shall not provide lodging (e.g., hotel, motel, resort) to student-athletes in conjunction with a regular-season home contest, unless the competition site is located more than 25 miles from its campus.

Source: Pacific-10 Conference

Proposal Number: 2009-74

Title: AWARDS, BENEFITS AND EXPENSES -- BENEFITS, GIFTS AND SERVICES -- OCCASIONAL MEALS -- LOCATION OF MEAL PROVIDED BY REPRESENTATIVE OF ATHLETICS INTERESTS

Intent: To permit a representative of the institution's athletics interests to provide an occasional meal to a student-athlete or the entire team in a sport on campus or in a facility that is regularly used for home competition.

Source: Horizon League

Proposal Number: 2009-75

Title: PLAYING AND PRACTICE SEASONS AND RECRUITING -- MANDATORY MEDICAL EXAMINATION -- SICKLE CELL SOLUBILITY TEST

Intent: To specify that the required medical examination or evaluation that student-athletes who are beginning their initial season of eligibility and students who are trying out for a team must undergo prior to participation in voluntary summer conditioning or voluntary individual workouts pursuant to the safety exception, practice, competition or out-of-season conditioning activities shall include a sickle cell solubility test (SST).

Source: Conference USA and Southwestern Athletic Conference

Proposal Number: 2009-77

Title: PLAYING AND PRACTICE SEASONS -- WOMEN'S BASKETBALL -- PRESEASON PRACTICE -- ON-COURT PRACTICE -- 30 PRACTICES WITHIN 40 DAYS PRIOR TO FIRST CONTEST

Intent: In women's basketball, to specify that an institution shall not commence on-court preseason basketball practice sessions prior to 5 p.m. on the date that is 40 days prior to the date of the institution's first regular-season contest; further, to specify that an institution shall not engage in more than 30 days of practice prior to its first regular-season contest.

Source: Southeastern Conference and Big East Conference

Proposal Number: 2009-80

Title: PLAYING AND PRACTICE SEASONS -- FOOTBALL -- FIRST CONTEST -- 14 WEEKS PRIOR TO DECEMBER 1

Intent: In football, to specify that an institution shall not play its first contest (game or scrimmage) with outside competition prior to the Thursday preceding the 14th Saturday prior to December 1.

Source: Conference USA

Proposal Number: 2009-81

Title: PLAYING AND PRACTICE SEASONS -- FOOTBALL -- OUT-OF-SEASON ATHLETICALLY RELATED ACTIVITIES -- SUMMER CONDITIONING PERIOD

Intent: In football, to permit an institution to designate nine consecutive weeks between the conclusion of the academic year and the first permissible reporting date for preseason practice as its summer conditioning period.

Source: Mountain West Conference

Proposal Number: 2009-82

Title: PLAYING AND PRACTICE SEASONS -- LIMIT ON NUMBER OF STUDENT-ATHLETES ON AN OUTSIDE TEAM -- VACATION PERIOD EXCEPTION AND OUTSIDE TEAM TOURS -- WOMEN'S ROWING

Intent: In women's rowing, to specify that the number of student-athletes from any one institution who may compete outside of the institution's declared playing and practice season as a member of an outside team in any noncollegiate, amateur competition during any official vacation period published in the institution's catalog and who may participate in international competition as a member of an outside team on a foreign tour shall not exceed two.

Source: Pacific-10 Conference

Proposal Number: 2009-83

Title: PLAYING AND PRACTICE SEASONS AND DIVISION MEMBERSHIP -- REGULATIONS FOR PLAYING SEASON AND MINIMUM CONTEST REQUIREMENTS FOR SPORTS SPONSORSHIP -- WOMEN'S SAND VOLLEYBALL

Intent: In women's sand volleyball, to establish the playing and practice season and the minimum number of contests necessary for sports sponsorship purposes, as specified.

Source: Sun Belt Conference

Proposal Number: 2009-84

Title: PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING AND PRACTICE SEASON REGULATIONS -- PRESEASON PRACTICE -- WOMEN'S SOCCER

Intent: In women's soccer, to increase the preseason practice units from 21 to 29; further, to establish criteria governing the activities permitted during the preseason practice period, as specified.

Source: Southeastern Conference

Proposal Number: 2009-85

Title: PLAYING AND PRACTICE SEASONS -- SOFTBALL -- PRESEASON PRACTICE AND FIRST CONTEST DATE -- NONCHAMPIONSHIP SEGMENT

Intent: In softball, to specify that an institution that has not begun classes by September 15 may commence preseason practice sessions on or after that date and may play its first contest (game or scrimmage) against outside competition on or after that date.

Source: Big Ten Conference

Proposal Number: 2009-87

Title: ADMINISTRATIVE REGULATIONS -- FOREIGN TOURS AND COMPETITION -- NO INSTITUTIONAL OR CONFERENCE FOREIGN TOURS

Intent: To specify that an institution or conference shall not sponsor or participate in a foreign tour.

Source: Pacific-10 Conference

Proposal Number: 2009-88

Title: ADMINISTRATIVE REGULATIONS -- FOREIGN TOURS AND COMPETITION -- ELIGIBILITY OF STUDENT-ATHLETES -- INCOMING-STUDENT PARTICIPATION -- BASKETBALL

Intent: In basketball, to permit an incoming student-athlete (freshman or transfer) to represent the institution on a foreign tour that occurs during the summer prior to his or her initial full-time enrollment at the certifying institution, provided: (a) he or she has earned at least three hours of acceptable degree credit during the summer term at the certifying institution; and (b) he or she is eligible to represent the institution in intercollegiate competition during the academic year immediately following the tour; further, to specify that a basketball student-athlete shall not participate in more than one institutional foreign tour.

Source: Atlantic 10 Conference

NCAA Division I Proposal Review Instructions for Cabinets and Committees.

From July 15 through 5 p.m. Eastern time, Tuesday, October 27, modifications pertinent to proposals listed in the 2009-10 NCAA Division I Publication of Proposed Legislation (POPL) may be suggested by any conference or cabinet. Such modifications may either increase or decrease the scope of the proposal, provided they are germane to the original concept. Alternative proposals to legislation that appear in the POPL may also be submitted during this time period. The following describes the modification process:

Proposals Forwarded to the NCAA Division I Academic Cabinet. The cabinet should review each proposal as designated on the review chart, make a recommendation and/or forward it to the governance body to which it reports. In making a recommendation for each proposal, three options are available:

Option No. 1: Support as written with no suggested modification.

Option No. 2: Oppose and do not suggest any modification.

Option No. 3: Oppose and suggest modification to the proposal. As part of this option, a cabinet should indicate whether it wishes to sponsor an alternative proposal if the sponsor does not choose to modify its proposal as suggested. If no indication is provided, no alternative proposal will be sponsored.

Cabinets will include their positions (and any suggested modifications and position on a possible alternative proposal) and any rationale in their reports to the NCAA Division I Legislative Council.

Proposals recommended by a cabinet. The original sponsors of legislative proposals may modify proposals during the sponsor modification period. The cabinet that made the original recommendation should review the resultant proposals to ensure the legislation reflects what was intended or to recommend modifications. Any recommendations for modifications must be included in your reports to the Legislative Council.

Feedback from coaches associations or other constituent groups on various proposals. If the cabinet receives feedback on other proposals that are not listed for its review, please forward that feedback to the liaisons of the appropriate cabinet or committee. For example, if the Women's Basketball Coaches Association provides feedback to the NCAA Division I Women's Basketball Issues Committee on a recruiting proposal that affects all sports, that feedback should be forwarded to the liaisons to the NCAA Division I Recruiting and Athletics Personnel Issues Cabinet.

Proposals Designated for Review by NCAA Division I Academic Cabinet

Proposal Number: 2009-29

Title: RECRUITING AND ELIGIBILITY — FOUR-YEAR PROSPECTIVE STUDENT-ATHLETES — PERMISSION TO CONTACT AND TRANSFER RELEASE — RESPONSE TO REQUEST AND HEARING OPPORTUNITY

Intent: To specify that an institution shall grant or deny a request to permit another institution to contact a student-athlete about transferring or a request for release as a condition of the one-time transfer exception within seven calendar days of receipt of the request; further, to specify that if the request is denied, the institution shall conduct a hearing within fourteen calendar days of receipt of the student-athlete's written request and that the student-athlete shall be provided the opportunity to actively participate in the hearing.

A. Bylaws: Amend 13.1.1.3, as follows:

13.1.1.3 Four-Year College Prospective Student-Athletes. An athletics staff member or other representative of the institution's athletics interests shall not make contact with the student-athlete of another NCAA or NAIA four-year collegiate institution, directly or indirectly, without first obtaining the written permission of the first institution's athletics director (or an athletics administrator designated by the athletics director) to do so, regardless of who makes the initial contact. **An NCAA Division I institution shall grant or deny a request to permit another institution to contact a student-athlete about transferring within seven calendar days of receipt of the request.** If permission is not granted, the second institution shall not encourage the transfer and the institution shall not provide athletically related financial assistance to the student-athlete until the student-athlete has attended the second institution for one academic year. If permission is granted to contact the student-athlete, all applicable NCAA recruiting rules apply.

13.1.1.3.1 Hearing Opportunity. If the institution decides to deny a student-athlete's request to permit any other institution to contact the student-athlete about transferring~~, *or if the institution delays a response to the request*~~ or indicates that permission will be granted at a later date, the institution shall inform the student-athlete in writing that he or she, upon **written** request, shall be provided a hearing conducted by an institutional entity or committee outside of the athletics department (e.g., the office of student affairs; office of the dean of students; or a committee composed of the faculty athletics representative, student-athletes and nonathletics faculty/staff members). ~~*The institution shall have established reasonable procedures for promptly hearing such a request.*~~ **The student-athlete shall be provided the opportunity to actively participate (e.g., in-person, via telephone) in the hearing. The institution shall conduct the hearing within 14 calendar days of receipt the student-athlete's written request.**

B. Bylaws: Amend 14.5.5.2.10, as follows:

14.5.5.2.10 The student transfers to the certifying institution from another four-year collegiate institution, and all of the following conditions are met (for graduate students, see Bylaw 14.1.9.1):

[14.5.5.2.10-(a) through 14.5.5.2.10-(c) unchanged.]

(d) One-Time Transfer Exception. If the student is transferring from an NCAA or NAIA member institution, the student's previous institution shall certify in writing that it has no objection to the student's being granted an exception to the transfer-residence requirement. **The student's previous institution shall grant or deny a request for a release within seven calendar days of receipt of the request.** If the student's previous institution denies his or her request for the release, the institution shall inform the student-athlete in writing that he or she, upon **written** request, shall be provided a hearing conducted by an institutional entity or committee outside of the athletics department (e.g., the office of student affairs; office of the dean of students; or a committee composed of the faculty athletics representative, student-athletes and nonathletics faculty/staff members). ~~*The institution shall have established reasonable procedures for promptly hearing such a request.*~~ **The student-athlete shall be provided**

Date Printed: August 17, 2009

the opportunity to actively participate (e.g., in-person, via telephone) in the hearing. The institution shall conduct the hearing within 14 calendar days of receipt of the student-athlete's written request.

[14.5.5.2.10.1 unchanged.]

Source: Big South Conference

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Recruiting

Rationale: The legislation governing the appeals processes for transfer releases or permission to contact requests is designed to allow the student-athlete the opportunity to appeal to an institutional body outside the athletics department if he or she feels that the request was handled unfairly. However, at times, there are instances in which institutions may not place the best interests of the student-athlete at the forefront of the process. Specifically, institutions may purposefully delay their appeal processes (as much as possible within their established procedures) in cases of requests for transfer releases or permission to contact for an extended period of time. In these circumstances, the opportunity to enroll at another institution is drastically reduced as time passes due to admissions and enrollment deadlines. In addition, the possibility of receiving a scholarship offer from another institution is reduced proportionately with the delay in the hearing processes. Establishing consistent standards related to notifying student-athletes of their opportunity for an appeal opportunity, as well as establishing standards related to how institutions conduct the appeal will reduce opportunities for abuse of the process and promote student-athlete well-being.

Budget Impact: Minimal.

Impact on S-A's Time: Minimal.

Position Statement(s)
none

History
Jun 03, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-61

Title: ELIGIBILITY — FULL TIME ENROLLMENT — REQUIREMENT FOR PRACTICE — WAIVER — U.S. OLYMPIC COMMITTEE/NATIONAL GOVERNING BODY — FORMER STUDENT ATHLETE AT ANOTHER INSTITUTION — INDIVIDUAL SPORTS AND WOMEN'S ROWING

Intent: In individual sports and women's rowing, in a case in which the U.S. Olympic Committee or national governing body in the sport has recommended the individual's participation, to permit a former student-athlete who has graduated and has no eligibility remaining to participate in organized practice sessions at an institution other than the one he or she previously attended.

Bylaws: Amend 14.1.8.1.6, as follows:

14.1.8.1.6 Waiver — United States Olympic Committee/National Governing Body. A student with eligibility remaining who is not enrolled or who is enrolled in less than a minimum full-time program of studies or a former student-athlete may participate on a regular basis in organized practice sessions, provided the following conditions are met:

(a) The practice sessions take place ~~*only*~~ at the institution the individual previously attended as an undergraduate or currently attends or previously attended as a graduate student**, except that a former student-athlete who has graduated and no eligibility remaining may participate in practice sessions at an institution other than the one he or she previously attended**;

[14.1.8.1.6-(b) through 14.1.8.1.6-(g) unchanged.]

Source: NCAA Division I Championships/Sports Management Cabinet (Olympic Sports Liaison Committee)

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Eligibility

Rationale: Current or former student-athletes may receive a waiver to participate in organized practice sessions, provided the practice sessions take place only at the institution the individual previously attended or currently attends as an undergraduate or graduate student. The NCAA Olympic Sports Liaison Committee supports the United States Olympic Committee and national governing bodies' efforts to enhance opportunities for elite athletes to improve their chances of making USA Olympic teams and, in the long term, compete for Olympic medals. Allowing former student-athletes opportunities to train with Olympic coaches at institutions other than those attended as an undergraduate or graduate student provides them with better opportunities to adequately prepare for the Olympic Games.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Jul 27, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-62

Title: ELIGIBILITY — FULL-TIME ENROLLMENT — REQUIREMENT FOR PRACTICE — WAIVER — U.S. OLYMPIC COMMITTEE/NATIONAL GOVERNING BODY — FORMER STUDENT-ATHLETE — DURATION OF WAIVER — INDIVIDUAL SPORTS AND WOMEN'S ROWING

Intent: In individual sports and women's rowing, in a case in which the U.S. Olympic Committee or national governing body (NGB) in the sport has recommended the individual's participation, to specify that a former student-athlete's participation in organized practice sessions shall be limited to the number of years that allows the individual to practice with the institution's team in preparation for two consecutive Olympic Games following exhaustion of eligibility or completion of degree, whichever is earlier.

Bylaws: Amend 14.1.8.1.6, as follows:

14.1.8.1.6 Waiver — United States Olympic Committee/National Governing Body. A student with eligibility remaining who is not enrolled or who is enrolled in less than a minimum full-time program of studies or a former student-athlete may participate on a regular basis in organized practice sessions, provided the following conditions are met:

[14.1.8.1.6-(a) through 14.1.8.1.6-(f) unchanged.]

(g) In the case of a former student-athlete, such participation shall be limited to ~~*no more than five*~~ **the number of** years **that allows the individual to practice with the institution's team in preparation for two consecutive Olympic Games** following exhaustion of eligibility or completion of degree, whichever is earlier. A student-athlete who has not graduated must be enrolled (full- or part-time) and making progress toward a degree.

Source: NCAA Division I Championships/Sports Management Cabinet (Olympic Sports Liaison Committee)

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Eligibility

Rationale: The current rule stipulates that a former student-athlete who has either exhausted his or her eligibility or who has completed a degree is limited to participating in an institution's organized practice sessions for no more than five years. Originally, this rule was intended to allow a former student-athlete to practice with an institution's team in organized practice sessions for a five-year period to enhance his or her chances of qualifying for the next Olympic Games following the completion of a degree or exhaustion of eligibility. In the past 15 years, the average age of Olympic athletes has increased significantly. This change would allow a former student-athlete to spend additional years participating in an institution's organized practice sessions but limit that participation to the time period that encompasses two Olympic opportunities. Doing so will increase the former student-athlete's opportunity to adequately prepare for the Olympic Games.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Jul 27, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-63

Title: ELIGIBILITY — SEASONS OF COMPETITION — CRITERIA FOR DETERMINING SEASON OF COMPETITION — ALUMNI GAME, FUNDRAISING ACTIVITY OR CELEBRITY SPORTS ACTIVITY

Intent: To specify that a student-athlete may engage in outside competition in either one alumni game, one fundraising activity or one celebrity sports activity during a season without counting such competition as a season of competition, provided the event is exempted from the institution's maximum number of contests or dates of competition as permitted in the particular sport per NCAA Bylaw 17.

Bylaws: Amend 14.2.3, as follows:

14.2.3 Criteria for Determining Season of Competition.

14.2.3.1 Minimum Amount of Competition. Any competition, regardless of time, during a season in an intercollegiate sport shall be counted as a season of competition in that sport, except as provided in Bylaws 14.2.3.1.1, 14.2.3.1.2 and 14.2.3.1.3. This provision is applicable to intercollegiate athletics competition conducted by a two-year or four-year collegiate institution at the varsity or subvarsity level.

[14.2.3.1.1 through 14.2.3.1.3 unchanged.]

14.2.3.1.4 Alumni Game, Fundraising Activity or Celebrity Sports Activity. A student-athlete may engage in outside competition in either one alumni game, one fundraising activity or one celebrity sports activity during a season without counting such competition as a season of competition, provided the event is exempted from the institution's maximum number of contests or dates of competition as permitted in the particular sport per Bylaw 17.

Source: Big East Conference

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Eligibility

Rationale: This proposal is consistent with the philosophy of student-athlete well-being. Alumni games, fundraising activities and celebrity sports activities are not designed to provide a competitive advantage. They are intended to promote goodwill within the institution's local community, as well as to generate the necessary financial donations for the different sports programs. Allowing more student-athletes to compete in these events would help institutions to meet their financial goals. The limitation of one event is necessary to prevent institutions from using these types of events as tryouts.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Jun 29, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-65

Title: ELIGIBILITY — TRANSFER REGULATIONS — FOUR-YEAR COLLEGE TRANSFERS — ONE-TIME TRANSFER EXCEPTION — WOMEN'S VOLLEYBALL

Intent: To specify that the one-time transfer exception to the four-year transfer residence requirement is not applicable to student-athletes in women's volleyball.

Bylaws: Amend 14.5.5.2.10, as follows:

14.5.5.2.10 One-Time Transfer Exception. The student transfers to the certifying institution from another four-year collegiate institution, and all of the following conditions are met (for graduate students, see Bylaw 14.1.9.1):

(a) The student is a participant in a sport other than baseball, basketball, bowl subdivision football ~~or~~, men's ice hockey **or women's volleyball** at the institution to which the student is transferring. A participant in championship subdivision football at the institution to which the student is transferring may use this exception only if the participant transferred to the certifying institution from an institution that sponsors bowl subdivision football and has two or more seasons of competition remaining in football or the participant transfers from a Football Championship Subdivision institution that offers athletically related financial aid in football to a Football Championship Subdivision institution that does not offer athletically related financial aid in football;

[Remainder of 14.5.5.2.10 unchanged.]

Source: Mountain West Conference

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Eligibility

Rationale: Current legislation permits student-athletes who meet the criteria for the one-time transfer exception to transfer to a Division I institution and be immediately eligible for competition. Women's volleyball team Academic Progress Rates (APRs) have been negatively impacted by numerous transfers. If this proposal were adpoted, student-athletes would have to make more thoughtful decisions in choosing which four-year institution to initially attend. Likewise, coaches will be encouraged to make more informed recruiting decisions since it will be less likely that four-year college student-athletes will be transferring to their institutions midway through their college careers. Further, this proposal will address the alleged or perceived recruiting improprieties that may occur when women's volleyball student-athletes are participating on permissible outside teams outside the playing and practice season.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Jul 10, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-66

Title: ELIGIBILITY — TRANSFER REGULATIONS — FOUR-YEAR COLLEGE TRANSFERS — COMPETITION OR RECEIPT OF ATHLETICALLY RELATED FINANCIAL AID IN YEAR OF TRANSFER — TENNIS

Intent: In tennis, to specify that a transfer student from a four-year institution who enrolls at the certifying institution as a full-time student after the conclusion of the first term of the academic year and qualifies for an exception to the one-year residence requirement shall not be eligible for competition until the following academic year if he or she has competed during the same academic year or received athletically related financial aid during the same academic year from the previous four-year institution.

Bylaws: Amend 14.5.5.3.1, as follows:

14.5.5.3.1 Competition ~~*and*~~ **or** Receipt of Athletically Related Financial Aid in Year of Transfer — Tennis. In tennis, a transfer student from a four-year institution who enrolls at the certifying institution as a full-time student after the conclusion of the first term of the academic year and qualifies for an exception to the one-year residence requirement shall not be eligible for competition until the following academic year if he or she has competed during the same academic year ~~*and*~~ **or** received athletically related financial aid during the same academic year from the previous four-year institution.

Source: Southeastern Conference

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Eligibility

Rationale: NCAA Division I Proposal No. 2008-38, which was adopted January 2009, specified that a tennis student-athlete who competes in the fall and receives an athletics scholarship must serve one year of residence following a transfer to a Division I institution. That proposal addressed a general concern related to the ability of a student-athlete to compete for two institutions within the same academic year. However, two concerns remain. As adopted, the legislation will allow a student-athlete to receive athletics aid during an academic term at the first institution and be permitted to compete for a second institution during the same academic year on transfer, provided the student-athlete meets a transfer exception. The adopted legislation will also allow a nonscholarship transfer student-athlete to compete in an academic term at the first institution and be permitted to compete for a second institution during the same academic year on transfer, provided the student-athlete meets a transfer exception. The minor modification contemplated in this proposal is appropriate to address these concerns.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Jun 23, 2009: Submit; Submitted for consideration.

Proposals Sponsored by NCAA Division I Academic Cabinet

Proposal Number: 2009-60

Title: ELIGIBILITY — ACADEMIC WAIVERS — AUTHORITY OF INITIAL-ELIGIBILITY WAIVERS COMMITTEE AND PROGRESS-TOWARD-DEGREE WAIVERS COMMITTEE

Intent: To specify that the NCAA Division I Initial-Eligibility Waivers Committee shall be the final appellate body for initial-eligibility waivers and that the NCAA Division I Progress-Toward-Degree Waivers Committee shall be the final appellate body for progress-toward-degree waivers.

A. Bylaws: Amend 14.1.8, as follows:

14.1.8 Full-Time Enrollment.

14.1.8.1 Requirement for Practice. To be eligible to participate in organized practice sessions, a student-athlete shall be enrolled in a minimum full-time program of studies leading to a baccalaureate or equivalent degree as defined by the regulations of the certifying institution. The violation shall be considered an institutional violation per Constitution 2.8.1; however, it shall not affect the student-athlete's eligibility.

[14.1.8.1.1 through 14.1.8.1.5 unchanged.]

~~*14.1.8.1.6 Wavier — U.S. Olympic Committee National Governing Body. A student with eligibility remaining who is not enrolled or who is enrolled in less than a minimum full-time program of studies or a former student-athlete may participate on a regular basis in organized practice sessions, provided the following conditions are met:*~~

~~*(a) The practice sessions take place only at the institution the individual previously attended as an undergraduate or currently attends or previously attended as a graduate student;*~~

~~*(b) In the case of former student-athlete, the practice sessions involved an individual sport or women's rowing;*~~

~~*(c) In the case of a current student-athlete with eligibility remaining, the practice sessions involve an individual or team sport;*~~

~~*(d) The United States Olympic Committee or national governing body (NGB) in the sport has recommended the individual's participation;*~~

~~*(e) The individual does not participate in any coaching activities unless the institution designates the individual in the appropriate coaching limits;*~~

~~*(f) In the case of a student-athlete with NCAA eligibility remaining in the sport, such participation occurs only during the academic year immediately preceding the Olympic Games; and*~~

~~*(g) In the case of a former student-athlete, such participation shall be limited to no more than five years following exhaustion of eligibility or completion of degree, whichever is earlier. A student-athlete who has not graduated must be enrolled (full or part time) and make progress toward a degree.*~~

~~*14.1.8.1.6.1 Administration. This waiver shall be approved by the conference members of the Association or, in the case of independent institutions, by the Legislative Council Subcommittee for Legislative Relief. A member institution shall submit a waiver request that includes documentation that demonstrates that the conditions of Bylaw 14.1.8.1.6 have been met for each individual who wishes to participate in the institution's practice sessions.*~~

~~*14.1.8.1.7 Waiver Full-Time Enrollment — Practice. Unless otherwise specified under this bylaw, the Academics Cabinet may waive the 12 hour requirement for practice.*~~

Date Printed: August 17, 2009

14.1.8.2 Requirement for Competition. To be eligible for competition, a student-athlete shall be enrolled in at least a minimum full-time program of studies leading to a baccalaureate or equivalent degree, which shall not be less than 12-semester or quarter hours.

[14.1.8.2.1 through 14.1.8.2.6 unchanged.]

14.1.8.~~2.7~~**3** Waivers. Waivers may be granted to the minimum 12-semester or 12-quarter hour enrollment as follows:

14.1.8.~~2.7~~**3**.1 Nontraditional Academic Calendars. A student-athlete at an institution that determines enrollment hours on a basis other than traditional semester or quarter hours or that conducts a cooperative educational program may **practice and** compete if, ~~*at the time of competition,*~~ the student is enrolled for a comparable minimum academic load as determined by the ~~*Academics Cabinet*~~ **Progress-Toward-Degree Waivers Committee (see Bylaw 21.7.5.1.3.2).**

14.1.8.3.2 U.S. Olympic Committee/National Governing Body — Practice. A student with eligibility remaining who is not enrolled or who is enrolled in less than a minimum full-time program of studies or a former student-athlete may participate on a regular basis in organized practice sessions, provided the following conditions are met:

(a) The practice sessions take place only at the institution the individual previously attended as an undergraduate or currently attends or previously attended as a graduate student;

(b) In the case of former student-athlete, the practice sessions involve an individual sport or women's rowing;

(c) In the case of a current student-athlete with eligibility remaining, the practice sessions involve an individual or team sport;

(d) The United States Olympic Committee or national governing body (NGB) in the sport has recommended the individual's participation;

(e) The individual does not participate in any coaching activities unless the institution designates the individual in the appropriate coaching limits;

(f) In the case of a student-athlete with NCAA eligibility remaining in the sport, such participation occurs only during the academic year immediately preceding the Olympic Games; and

(g) In the case of a former student-athlete, such participation shall be limited to no more than five years following exhaustion of eligibility or completion of degree, whichever is earlier. A student-athlete who has not graduated must be enrolled (full or part time) and making progress toward a degree.

14.1.8.3.2.1 Administration. This waiver shall be approved by the conference members of the Association or, in the case of independent institutions, by the Progress-Toward-Degree Waivers Committee. A member institution shall submit a waiver request that includes documentation that demonstrates that the conditions of Bylaw 14.1.8.3.2 have been met for each individual who wishes to participate in the institution's practice sessions.

14.1.8.~~2.7.2~~**.3.3** Olympic Games, Pan American Games, World Championships, World Cup, World University Games or World Youth Championships **— Competition**. The ~~*Academics Cabinet*~~ **Progress-Toward-Degree Waivers Committee (see Bylaw 21.7.5.1.3.2)** may waive the minimum full-time enrollment requirement for any participant in the Olympic Games, Pan American Games, World Championships, World Cup, World University Games or World Youth Championships (including junior levels of such events) who, because of such participation,

may lose eligibility for practice and competition in any sports.

14.1.8.~~2.7.3~~**.4** Student-Athletes with Education-Impacting Disabilities. The ~~*Academic Cabinet*~~ **Progress-Toward-Degree Waivers Committee (see Bylaw 21.7.5.1.3.2)** may waive the 12-hour requirement for a student-athlete when objective evidence demonstrates that an institution defines full-time enrollment for that student-athlete to be less than 12 hours to accommodate for the education-impacting disability.

14.1.8.~~2.7.4.~~**3.5** Full Time Enrollment — **Practice and** Competition. Unless otherwise specified under this bylaw, the ~~*Academics Cabinet*~~ **Progress-Toward-Degree Waivers Committee (see Bylaw 21.7.5.1.3.2)** may waive the 12-hour requirement for **practice and** competition.

B. Bylaws: Amend 14.3.1.4, as follows:

14.3.1.4 Early Admission Program Waiver. A waiver may be granted by the ~~*Academics Cabinet*~~ **Initial-Eligibility Waivers Committee (see Bylaw 21.7.5.1.3.1)** for a student who left high school after completion of the junior year or during the senior year to enter a member institution under an early admissions program (open to students solely on the basis of outstanding academic performance and promise), provided the following conditions are met:

[14.3.1.4-(a) through 14.3.1.4-(b) unchanged.]

C. Bylaws: Amend 14.3.1.5, as follows:

14.3.1.5 Initial-Eligibility Waivers. The ~~*Academics Cabinet*~~ **Initial-Eligibility Waivers Committee (see Bylaw 21.7.5.1.3.1)** shall have the authority ~~*to authorize waivers of*~~ **waive** the initial-eligibility requirements based on objective evidence that demonstrates circumstances in which a student's overall academic record warrants a waiver of the normal application of this regulation. The ~~*Academics Cabinet*~~ **committee** shall ~~*establish*~~ **oversee** the process for ~~*granting*~~ **reviewing** such waivers~~*, shall monitor the actions taken under this authorization*~~ and shall report annually **to the Academics Cabinet and** to the membership the actions taken in summary, aggregate form.

D. Bylaws: Amend 14.3.3.1, as follows:

14.3.3.1 Fourth Season of Competition — Not a Qualifier. A fourth season of intercollegiate competition shall be granted to a student-athlete who is not a qualifier, provided that at the beginning of the fifth academic year following the student-athlete's initial, full-time collegiate enrollment, the student-athlete has completed at least 80 percent of his or her designated degree program.

14.3.3.1.1 Waiver. The ~~*Academics Cabinet*~~ **Progress-Toward-Degree Waivers Committee (see Bylaw 21.7.5.1.3.2)** shall have the authority to grant a fourth season of intercollegiate competition to a student-athlete who is not a qualifier based on objective evidence of extraordinary circumstances that warrant a waiver of the normal application of this regulation.

E. Bylaws: Amend 14.4.3.9, as follows:

14.4.3.9 Additional Progress-Toward-Degree Waivers. The Division I Progress-Toward-Degree Waivers Committee **(see Bylaw 21.7.5.1.3.2)** shall have the authority to waive all other progress-toward-degree requirements based on objective evidence that demonstrates circumstances that warrant the waiver of the normal application of those regulations. The committee shall establish the process for granting such waivers and shall report annually to the Academics Cabinet and to the membership the actions taken in summary, aggregate form.

F. Bylaws: Amend 14.5.4.5.4, as follows:

14.5.4.5.4 Degree Requirement. In order to satisfy the two-year-college graduation requirement for eligibility immediately on transfer from a two-year college to a member institution, a student-athlete must receive an associate

or equivalent degree in an academic or technical, rather than a vocational, curriculum. The ~~*Academics Cabinet*~~ **Progress-Toward-Degree Waivers Committee (see Bylaw 21.7.5.1.3.2)** shall have the authority to determine whether a two-year college degree is academic or technical, rather than vocational, in nature.

G. Bylaws: Amend 21.7.5.1, as follows:

21.7.5.1 Academics Cabinet.

[21.7.5.1.1 through 21.7.6.1.2 unchanged.]

21.7.5.1.3 Committees. The following committees shall report directly to the Academics Cabinet.

21.7.5.1.3.1 Initial-Eligibility Waivers Committee.

[21.7.5.1.3.1.1 through 21.7.5.1.3.1.2 unchanged.]

21.7.5.1.3.1.3 Duties. The committee shall be responsible for**:**

(a) **Oversight of the process for** reviewing requests for waivers of the initial-eligibility requirements in accordance with ~~*Bylaw*~~ **Bylaws 14.3.1.4 and** 14.3.1.5**. The policies and procedures for the review of such waivers shall be approved by the Division I Academics Cabinet; and**

(b) Consideration of appeals of staff decisions related to initial-eligibility waiver requests.

21.7.5.1.3.1.4 Appeals. After the ~~*Initial-Eligibility Waivers Committee*~~ **NCAA staff** has acted on an initial-eligibility ~~*matter*~~ **waiver request,** the involved institution may appeal that decision to the ~~*Academics Cabinet*~~ **Initial-Eligibility Committee**. The ~~*cabinet*~~ **committee's** determination shall be final, binding and conclusive and shall not be subject to further review by any other authority.

21.7.5.1.3.2 Progress-Toward-Degree Waivers Committee.

[21.7.5.1.3.2.1 unchanged.]

21.7.5.1.3.2.2 Duties. The committee shall be responsible for**:**

(a) **Oversight of the process for** reviewing requests for waiver of all progress-toward-degree requirements set forth in Bylaw 14.4.3**. The policies and procedures for the review of such waivers shall be approved by the Division I Academics Cabinet; and**

(b) Consideration of appeals of staff decisions related to waivers requests for which the committee has jurisdiction.

21.7.5.1.3.2.3 Appeals. After the NCAA staff has acted on a waiver request, the involved institution may appeal the decision to the Progress-Toward-Degree Waivers Committee. The committee's determination shall be final, binding and conclusive and shall not be subject to further review by any other authority.

[21.7.5.1.4 unchanged.]

Source: NCAA Division I Academics Cabinet

Effective Date: Immediate

Category: Amendment

Topical Area: Eligibility

Rationale: Current legislation allows two appeal opportunities ? to the waiver committee and to the Academics Cabinet subcommittee ? after staff decisions for initial-eligibility and progress-toward-degree waivers. Historically, these two waiver areas did not permit staff decisions, or provided very limited staff authority to make decisions. Therefore, the two committee process provided an appeal opportunity of the waiver committee?s decision. More recently, all cases receive a staff decision before consideration by the waiver committee. Given current staff authority, the one committee appeal process maintains one appeal opportunity. Additionally, the second appellate level is rarely used. In the past two years, eight initial-eligibility waivers out of 913 submitted and nine progress-toward-degree waivers out of 1,030 submitted were appealed to the cabinet subcommittees. Of these nearly 2,000 cases, only three resulted in different outcomes by the cabinet subcommittees. Further, most other waiver processes (e.g., student-athlete reinstatement, NCAA Division I Legislative Council Subcommittee for Legislative Relief) include only one appeal opportunity. Eliminating the second appellate opportunity will reduce bureaucracy and streamline the waiver process with virtually no impact on the outcome of waiver decisions.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)

none

History

Aug 05, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-64

Title: ELIGIBILITY — FRESHMAN ACADEMIC REQUIREMENTS — CORE-CURRICULUM REQUIREMENTS — NONTRADITIONAL COURSES

Intent: To specify that for purposes of using a nontraditional course to satisfy NCAA core-course requirements, the course must be one in which the instructor and the student have ongoing access to one another and regular interaction with one another for purposes of teaching, evaluating and providing assistance to the student throughout the duration of the course; the student's work (e.g., exams, papers, assignments) is available for review and validation; and a defined time period for completion of the course is included.

Bylaws: Amend 14.3.1.2.2, as follows:

14.3.1.2.2 Nontraditional Courses. Courses taught via the Internet, distance-learning, independent-study, individualized-instruction, correspondence, and courses taught by similar means may be used to satisfy NCAA core-course requirements if all of the following conditions are satisfied:

[14.3.1.2.2-(a) unchanged.]

(b) The instructor and the student have **ongoing** access to one another ~~*during the duration of the course*~~ for purposes of teaching, evaluating and providing assistance to the student **throughout the duration of the course**;

(c) The instructor and the student have regular interaction with one another for purposes of teaching, evaluating and providing assistance to the student throughout the duration of the course;

(d) The course is offered through a system that permits evaluation and validation of the student's work (e.g., exams, papers, assignments);

(~~c~~**e**) Evaluation of the student's work is conducted by the appropriate academic authorities in accordance with t~~*he high school's*~~ established academic policies; ~~*and*~~

(f) The course includes a defined time period for completion; and

[14.3.1.2.2-(d) relettered as 14.3.1.2.2-(g), unchanged.]

Source: NCAA Division I Academics Cabinet

Effective Date: August 1, 2010; for student-athletes initially enrolling full time in a collegiate institution on or after August 1, 2010

Category: Amendment

Topical Area: Eligibility

Rationale: Current legislation permits the use of nontraditional courses (courses taught via the Internet, distance-learning, independent-study, individualized-instruction, correspondence or similar means) to satisfy NCAA initial-eligibility requirements, provided certain conditions are satisfied. This legislation was adopted in 2000 in an attempt to keep up with trends in educational technology and to streamline initial-eligibility standards. While the original intent of the legislation was to allow individuals to take advantage of increased flexibility in learning opportunities without compromising the intent of the core-curriculum legislation, it is important to clarify that there is an expectation that nontraditional courses should include interaction (e.g., instruction, evaluation) between the instructor and student throughout the duration of the course. Based on feedback from the NCAA Student Records Review Committee and NCAA High School Review Committee, this recommendation is intended to help ensure that acceptable nontraditional courses provide opportunities for students to demonstrate their work was completed in a manner consistent with the

intent and design of the course curriculum. The ultimate goal of this legislation is to ensure that individuals are prepared for college work; therefore, it is of utmost importance to ensure that these individuals are enrolled in quality courses that satisfy the intent of the core-curriculum requirements.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Aug 05, 2009: Submit; Submitted for consideration.

Proposals Identified by the Academic Cabinet to Review

Proposal Number: 2009-9

Title: ETHICAL CONDUCT — UNETHICAL CONDUCT — KNOWINGLY INFLUENCING OTHERS TO FURNISH FALSE OR MISLEADING INFORMATION

Intent: To specify that knowingly influencing others to furnish the NCAA or an individual?s institution false or misleading information concerning an individual's involvement in or knowledge of matters relevant to a possible violation of an NCAA regulation constitutes unethical conduct.

Bylaws: Amend 10.1, as follows:

10.1 UNETHICAL CONDUCT. Unethical conduct by a prospective or enrolled student-athlete or a current or former institutional staff member (e.g., coach, professor, tutor, teaching assistant, student manager, student trainer) may include, but is not limited to, the following:

[10.1-(a) through 10.1-(c) unchanged.]

(d) Knowingly furnishing **or knowingly influencing others to furnish** the NCAA or the individual's institution false or misleading information concerning ~~the~~ **an** individual's involvement in or knowledge of matters relevant to a possible violation of an NCAA regulation;

[Remainder of 10.1 unchanged.]

Source: NCAA Division I Board of Directors (Committee on Infractions)

Effective Date: Immediate

Category: Amendment

Topical Area: Ethical Conduct

Rationale: This proposal is intended to codify current practice, as it relates to ethical-conduct violation charges under Bylaw 10.1-(d). This revision would be consistent with case precedent as evidenced in decisions by the Committee on Infractions. Under Bylaw 10.1-(d), if an individual (to whom the bylaw applies) provides false or misleading information concerning violations of NCAA legislation, such conduct can serve as the basis for an ethical-conduct violation. Under a strict reading or interpretation of 10.1-(d), the individual is seemingly only responsible for personally providing false or misleading information concerning his or her own involvement in or knowledge of matters pertinent to a violation of NCAA legislation. In practice, however, providing false information concerning one?s involvement in or knowledge of violations, inducing another person to provide false or misleading information about their involvement in or knowledge of violations, or falsifying documentation (e.g., compliance monitoring forms) to conceal violations are areas of conduct that have fallen under the purview of Bylaw 10.1-(d). Although Bylaw 10.1 is not intended to be an exclusive list of the type of conduct constituting unethical conduct, the proposed changes more accurately incorporate current practice as it relates to charging violations of Bylaw 10.1-(d).

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Jun 25, 2009: Submit; Submitted for consideration.

Aug 06, 2009: Board of Directors, Sponsored

Proposal Number: 2009-11

Title: PERSONNEL — DEFINITIONS AND APPLICATIONS — GRADUATE-ASSISTANT COACH — BOWL SUBDIVISION FOOTBALL AND WOMEN'S ROWING — LESS THAN 50 PERCENT OF FULL-TIME ENROLLMENT DURING FINAL TERM

Intent: In bowl subdivision football and women's rowing, to specify that a graduate-assistant coach may be enrolled in less than 50 percent of the institution's minimum regular graduate program of studies during his or her final semester or quarter of the degree program, provided he or she is carrying (for credit) the courses necessary to complete the degree requirements.

Bylaws: Amend 11.01.3, as follows:

[Federated provision, FBS and Division I, divided vote]

11.01.3 Coach, Graduate Assistant — Bowl Subdivision Football and Women's Rowing. In bowl subdivision football and women's rowing, a graduate-assistant coach is any coach who has received a baccalaureate degree and qualifies for appointment as a graduate assistant under the policies of the institution. The individual is not required to be enrolled in a specific graduate degree program unless required by institutional policy. The following provisions shall apply:

(a) The individual shall be enrolled in at least 50 percent of the institution's minimum regular graduate program of studies**, except that during his or her final semester or quarter of the degree program, he or she may be enrolled in less than 50 percent of the institution's minimum regular program, provided he or she is carrying (for credit) the courses necessary to complete the degree requirements**. **If the individual fails to complete all degree requirements during the term in which he or she is enrolled in less than 50 percent of the institution's minimum regular program, the result shall be a institutional violation per Constitution 2.8.1.** ~~*However, an*~~ **An** institution may appoint a midyear replacement graduate-assistant coach who is enrolled in less than 50 percent of the institution's minimum regular graduate program of studies (or is not yet enrolled), provided the graduate assistant coach has been accepted for enrollment in a graduate program beginning with the next regular academic term;

[Remainder of 11.01.3 unchanged.]

Source: Big 12 Conference

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Personnel

Rationale: This proposal would establish a standard that would be similar to the current legislation for a student-athlete in his or her final semester/quarter. Graduate-assistant coaches who only need to complete courses that amount to less than 50 percent of the institution's minimum regular graduate program of studies to graduate should be held to the same standards as a student-athlete who is eligible to compete in his or her final year of eligibility and who requires less than a full-time course load to graduate. Graduate-assistant coaches who meet all other requirements to serve in such capacity, should not be penalized for their academic success and they should not be held to a higher standard than a student-athlete in this regard.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Jul 14, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-12

Title: PERSONNEL — DEFINITIONS AND APPLICATIONS — UNDERGRADUATE STUDENT-ASSISTANT COACH

Intent: To permit a student-athlete to serve as an undergraduate student-assistant coach at the institution at which the student-athlete most recently participated in intercollegiate athletics, provided the student-athlete is currently enrolled at the institution as a full-time undergraduate student and he or she renounces any remaining eligibility in the sport; further, to specify that the limit of undergraduate student-assistant coaches in each sport shall be the same as the limit of countable coaches permitted in the sport.

A. Bylaws: Amend 11.01.4, as follows:

11.01.4 Coach, **Undergraduate** Student Assistant. ~~A~~ **An undergraduate** student-assistant coach is any coach who is a student-athlete who has exhausted his or her eligibility in the sport**, has renounced any remaining eligibility in the sport** or has become injured to the point that he or she is unable to practice or compete ever again, and who meets the following additional criteria:

(a) Is enrolled at the institution at which he or she **most recently** participated in intercollegiate athletics;

~~(b) Is participating as a student-coach within the five-year eligibility period (see Bylaw 14.2);~~

(~~c~~**b**) Is **enrolled as** a full-time undergraduate ~~or graduate~~ student **in his or her first baccalaureate degree program** (see ~~Bylaws~~ **Bylaw** 14.1.8.2 ~~and 14.1.8.2.1.4~~), except that during his or her final semester or quarter of ~~a~~ **the baccalaureate** degree program, he or she may be enrolled in less than a full-time program of studies, provided he or she is carrying (for credit) the courses necessary to complete the degree requirements;

[11.01.4-(d) through 11.01.4-(e) relettered as 11.01.4-(c) through 11.01.4-(d), unchanged.]

B. Bylaws: Amend 11.7.4.2.2, as follows:

11.7.4.2.2 Student-Assistant Coach. ~~The limits on the number of coaches in this section do not apply to~~ **An institution may employ** student-assistant coaches (see Bylaw 11.01.4). **The limit on the number of student-assistant coaches in each sport shall be the same as the limit on the number of coaches in the sport per Bylaw 11.7.4.**

C. Bylaws: Amend 15.5.1, as follows:

15.5.1 Counters. A student-athlete shall be a counter and included in the maximum awards limitations set forth in this bylaw under the following conditions:

[15.5.1-(a) through 15.5.1-(c) unchanged.]

[15.5.1.1 through 15.5.1.6 unchanged.]

15.5.1.7 Student-Assistant Coach. A student-athlete receiving institutional financial aid after having renounced his or her eligibility in order to become a student-assistant coach is not a counter in that sport in later academic years following the renunciation of eligibility.

[15.5.1.7 through 15.5.1.9 renumbered as 15.5.1.8 through 15.5.1.10, unchanged.]

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Personnel

Rationale: This proposal will expand opportunities for student-athletes to gain coaching experience while enrolled as full-time undergraduate students. Any concern that institutions would gain a competitive advantage is addressed with the condition that student-assistant coaches would renounce any remaining eligibility. Further, permitting former student-athletes to serve as student-assistant coaches outside of their five-year eligibility period may encourage student-athletes who departed their institutions prior to graduating to return and finish their baccalaureate degrees and allow institutions to earn additional NCAA Division I Academic Progress Rate points. Finally, the limits on the number of student-assistant coaches is appropriate to provide additional coaching opportunities while being mindful of any competitive equity concerns that may arise if no limit were set with the expansion of individuals who are now eligible for the positions.

Budget Impact: Dependent on number of student-assistant coaches used by an institution.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Jun 09, 2009: Recruiting and Athletics Personnel Issues Cabinet, Sponsored

Proposal Number: 2009-17

Title: PERSONNEL — CERTIFICATION TO RECRUIT OFF CAMPUS — CERTIFICATION ADMINISTRATION — FACULTY ATHLETICS REPRESENTATIVE

Intent: To specify that an institution's faculty athletics representative shall administer the annual coaches' certification test; further, to specify that if the faculty athletics representative is unable to administer the test, he or she shall appoint an institutional staff member outside the athletics department to administer the test.

A. Constitution: Amend 6.1.3, as follows:

6.1.3 Faculty Athletics Representative. A member institution shall designate an individual to serve as faculty athletics representative. An individual so designated after January 12, 1989, shall be a member of the institution's faculty or an administrator who holds faculty rank and shall not hold an administrative or coaching position in the athletics department. **The faculty athletics representative shall administer the annual coaches' certification test (see Bylaw 11.5.1.1).** ~~*Duties*~~ **Additional duties** of the faculty athletics representative shall be determined by the member institution.

B. Bylaws: Amend 11.5, as follows:

11.5 CERTIFICATION TO RECRUIT OFF CAMPUS

11.5.1 Annual Certification Requirement. Only those coaches who have been certified may contact or evaluate any prospective student-athletes ff campus. Certification must occur on an annual basis.

11.5.1.1 Certification Administration. Such certification procedures shall be established and administered for its member institutions by the member conferences of the Association or, in the case of an independent institution, by the NCAA national office or the conference office that administers the National Letter of Intent for that institution. Such certification procedures shall include a requirement that the coaches shall have passed a standardized national test developed by the NCAA national office covering NCAA recruiting legislation, including Bylaw 13 and other bylaws [e.g., Bylaws 15.3 (institutional financial aid award) and 14.3 (freshman academic requirements)] that relate to the recruitment of prospective student-athletes as a condition for being permitted to engage in off-campus recruiting. **An institution's faculty athletics representative shall administer the test. If the faculty athletics representative is unable to administer the test, he or she shall appoint an institutional staff member outside the athletics department to administer the test.** Member conferences shall establish ~~*the*~~ **any additional** procedures for administering and correcting the test within each conference.

Source: Atlantic Sun Conference

Effective Date: May 1, 2010

Category: Amendment

Topical Area: Personnel

Rationale: This proposal is necessary in order to bring consistency among Division I conferences and member institutions with regard to the procedures for administering the coaches' recruiting certification test. Currently, some conferences require their member institutions' faculty athletics representatives to oversee and administer the test, while other conferences have no requirements for who must administer the test. As a result, there is much variation among conferences. The NCAA Presidential Task Force on the Future of Division I Intercollegiate Athletics report emphasized the institutional oversight role of faculty athletics representatives on their campuses. Therefore, it follows that the administrative oversight of the coaches' recruiting certification test should be one of the faculty athletics representatives' duties and responsibilities.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Jul 01, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-22

Title: AMATEURISM AND ELIGIBILITY — INVOLVEMENT WITH PROFESSIONAL TEAMS — EXCEPTION — PRIOR TO INITIAL FULL-TIME COLLEGIATE ENROLLMENT — DELAYED ENROLLMENT — SEASONS OF COMPETITION

Intent: To specify that prior to initial full-time collegiate enrollment, an individual may enter into an agreement to compete on a professional team and compete on a professional team, provided the agreement does not allow for receipt of more than actual and necessary expenses to participate on the team; further, in sports other than tennis, swimming and diving and women's volleyball, to specify that a student-athlete who does not initially enroll full-time in a collegiate institution within one year (six months for tennis) or the next opportunity to enroll following the high school graduation date of the prospective student-athlete's class and participates in organized events after the specified time period shall be charged with a season of intercollegiate competition for each year of participation and shall fulfill an academic year in residence (one year for each year of competition in tennis) on matriculation at the certifying institution before being eligible to represent the institution in intercollegiate competition.

A. Bylaws: Amend 12.1.2, as follows:

12.1.2 Amateur Status. An individual loses amateur status and thus shall not be eligible for intercollegiate competition in a particular sport if the individual:

[12.1.2-(a) through 12.1.2-(b) unchanged.]

(c) Signs a contract or commitment of any kind to play professional athletics, regardless of its legal enforceability or any consideration received**, except as permitted in Bylaw 12.2.5.1**;

[12.1.2-(d) unchanged.]

(e) Competes on any professional athletics team per Bylaw 12.02.4, even if no pay or remuneration for expenses was received**, except as permitted in Bylaw 12.2.3.2.1**;

[Remainder of 12.1.2 unchanged.]

B. Bylaws: Amend 12.2.3.2, as follows:

12.2.3.2 Competition with Professionals. An individual shall not be eligible for intercollegiate athletics in a sport if the individual ever competed on a professional team (per Bylaw 12.02.4) in that sport. However, an individual may compete on a tennis, golf, two-person sand volleyball or two-person synchronized diving team with persons who are competing for cash or a comparable prize, provided the individual does not receive payment of any kind for such participation.

12.2.3.2.1 Exception — Competition Prior to Initial Full-Time Collegiate Enrollment. Prior to initial full-time collegiate enrollment, an individual may compete on a professional team (per Bylaw 12.02.4), provided he or she does not receive more than actual and necessary expenses to participate on the team.

[12.2.3.2.1 through 12.2.3.2.2 renumbered as 12.2.3.2.2 through 12.2.3.2.3, unchanged.]

12.2.3.2.~~3~~**4** Major Junior A Ice Hockey. Ice hockey teams in the United States and Canada, classified by the Canadian Amateur Hockey Association as major junior A teams, are considered professional teams under NCAA legislation.

~~*12.2.3.2.3.1 Limitation on Restoration of Eligibility. An appeal for restoration of eligibility may be submitted on behalf of an individual who has participated on a major junior A ice hockey team under the provisions of Bylaw 14.12; however, such individual shall be denied at least the first year of intercollegiate athletics competition in ice*~~

~~*hockey at the certifying institution and shall be charged with the loss of at least one season of eligibility in ice hockey.*~~

[12.2.3.2.4 renumbered as 12.2.3.2.5, unchanged.]

C. Bylaws: Amend 12.2.5, as follows:

12.2.5 Contracts and Compensation. An individual shall be ineligible for participation in an intercollegiate sport if he or she has entered into any kind of agreement to compete in professional athletics, either orally or in writing, regardless of the legal enforceability of that agreement.

12.2.5.1 Exception — Prior to Initial Full-Time Collegiate Enrollment. Prior to initial full-time collegiate enrollment, an individual may enter into an agreement to compete on a professional team (per Bylaw 12.02.4), provided the agreement does not allow for receipt of more than actual and necessary expenses to participate on the team.

[12.2.5.1 renumbered as 12.2.5.2, unchanged.]

D. Bylaws: Amend 14.02, as follows:

14.02 DEFINITIONS AND APPLICATIONS

[14.02.1 through 14.02.8 unchanged.]

14.02.9 Organized Competition. Athletics competition shall be considered organized if any one of the following conditions exists:

(a) Competition is scheduled and publicized in advance;

(b) Official score is kept;

(c) Individual or team standings are maintained;

(d) Official timer or game officials are used;

(e) Admission is charged;

(f) Teams are regularly formed or team rosters are predetermined;

(g) Team uniforms are used;

(h) A team in privately or commercially sponsored; or

(i) The competition is either directly or indirectly sponsored, promoted or administered by an individual, an organization or any other agency.

[14.02.9 through 14.02.13 renumbered as 14.02.10 through 14.02.14, unchanged.]

E. Bylaws: Amend 14.2.3, as follows:

14.2.3 Criteria for Determining Season of Competition.

[14.2.3.1 unchanged.]

14.2.3.2 Delayed Enrollment **— Seasons of Competition**.

14.2.3.2.1 Sports other than Tennis~~, *Swimming and Diving and Women's Volleyball*~~. ~~*A*~~ **In Sports other than tennis, a** student-athlete who does not enroll in a collegiate institution as a full-time student in a regular academic term during a one-year time period after this or her high school graduation date or the graduation date of his or her class (as determined by the first year of high school enrollment or the international equivalent as specified in the NCAA Guide to International Academic Standards for Athletics Eligibility and based on the prescribed educational path in the student-athlete's country), whichever occurs earlier, shall be subject to the following:

(a) The student-athlete shall be charged with a season of intercollegiate eligibility for each calendar year after the one-year time period (the next opportunity to enroll after one calendar year has elapsed) and prior to full-time collegiate enrollment during which the student-athlete has participated in organized ~~*events*~~ **competition** per Bylaw ~~*14.2.3.5.3*~~ **14.02.9**.

(b) After the one-year time period, if the student-athlete has engaged in ~~*events*~~ **competition** per Bylaw ~~*14.2.3.5.3*~~ **14.02.9**, on matriculation at the certifying institution, the student-athlete must fulfill an academic year in residence before being eligible to represent the institution in intercollegiate competition.

14.2.3.2.2 Tennis. In tennis, a student-athlete who does not enroll in a collegiate institution as a full-time student in a regular academic term within six months (or the first opportunity to enroll after six months have elapsed) after his or her high school graduation date or the graduation date of his or her class (as determined by the first year of high school enrollment or the international equivalent as specified in the NCAA Guide to International Academic Standards for Athletics Eligibility and based on the prescribed educational path in the student-athlete's country), whichever occurs earlier, shall be subject to the following:

(a) The student-athlete shall be charged with a season of intercollegiate eligibility for each calendar year after the six-month period has elapsed (or the next opportunity to enroll) and prior to full-time collegiate enrollment during which the student-athlete has participated in organized competition per Bylaw 14.02.9.

(b) After the six-month period, if the student-athlete has engaged in organized competition per Bylaw 14.02, on matriculation at the certifying institution, the student-athlete must fulfill an academic year in residence for each calendar year after the six-month period has elapsed (or the next opportunity to enroll) and prior to full-time collegiate enrollment during which the student-athlete has participated in such competition before being eligible to represent the institution in intercollegiate competition.

14.2.3.2**.2**.1 Matriculation After 20th Birthday — Tennis. In tennis, a student who is eligible under Bylaw 14.2.3.2**.2**, but who participates in organized tennis events after his or her 20th birthday and before full-time enrollment at the certifying institution shall be subject to the following:

(a) The student will be charged with one season of intercollegiate tennis competition for each calendar year after his or her 20th birthday and prior to full-time enrollment at the certifying institution during which the student-athlete has participated in organized tennis ~~*events*~~ **competition** per Bylaw ~~*14.2.3.5.3*~~ **14.02.9**. [Note: This includes participation in intercollegiate tennis while enrolled full time in another two-year or four-year institution; however, this provision replaces the season of competition counted in Bylaw 14.2 (only one season is used in any one year).]

(b) Upon matriculation at the certifying institution, the student-athlete must fulfill an academic year in residence before being eligible to represent the institution in intercollegiate tennis, unless the student transfers to the certifying institution with a minimum of 24 semester hours (or equivalent) of transferable degree credit. (Note: All other NCAA transfer and academic eligibility requirements apply.)

14.2.3.2.~~2~~**3** Exception — Olympic Games, Pan American Games, World Championships, World Cup and World University Games Participation. Participation in the Olympic Games, Pan American Games, World Championships, World Cup and World University Games is exempt from application of ~~*Bylaws*~~ **Bylaw** 14.2.3.2 ~~*and 14.2.3.2.1*~~.

[14.2.3.3 through 14.2.3.4 unchanged.]

~~*14.2.3.5 Participation After 21st Birthday. In sports other than tennis, swimming and diving and women's volleyball, any participation as an individual or a team representative in organized sports competition by a student during each 12-month period after the student's 21st birthday and prior to initial full-time enrollment in a collegiate institution shall count as one year of varsity competition in that sport. Participation in organized competition during time spent in the U.S. armed services shall be expected. (Note: In swimming and diving, and women's volleyball, Bylaw 14.2.3.5 applies to a student-athlete who is not subject to Bylaw 14.2.3.2. If a student-athlete triggers both Bylaws 14.2.3.2 and 14.2.3.5, only Bylaw 14.2.3.2 applies.*~~

~~*14.2.3.5.1 Track and Field and Cross Country. A prospective student-athlete who participates in outside competition after the student's 21st birthday and prior to initial full-time enrollment in a collegiate institution during a cross-country, indoor track and field or outdoor track and field sports season (as opposed to general road racing events) would be charged with at least one season of competition in the sport in which the student participated.*~~\

~~*14.2.3.5.2 Road Racing. A prospective student-athlete who participates in road racing activities after the student's 21st birthday and prior to initial full-time enrollment in a collegiate institution shall be charged with at least one season of competition in each of the sports of cross country, indoor track and field and outdoor track and field.*~~

~~*14.2.3.5.3 Organized Competition. Athletics competition shall be considered organized if any one of the following conditions exists:*~~

~~*(a) Competition is scheduled and publicized in advance;*~~

~~*(b) Official score is kept;*~~

~~*(c) Individual or tam standings are maintained;*~~

~~*(d) Official timer or game officials are used;*~~

~~*(e) Admission is charged;*~~

~~*(f) Teams are regularly formed or team rosters are predetermined;*~~

~~*(g) Team uniforms are used;*~~

~~*(h) A team is privately or commercially sponsored; or*~~

~~*(i) The competition is either directly or indirectly sponsored, promoted or administered by an individual, an organization or any other agency.*~~

[14.2.3.6 renumbered as 14.2.3.5, unchanged.]

Source: NCAA Division I Amateurism Cabinet

Effective Date: August 1, 2010; applicable to student-athletes who initially enroll full time in a collegiate institution on or after August 1, 2010

Category: Amendment

Topical Area: Amateurism

Rationale: Prior to initial collegiate enrollment, it is more equitable to determine eligibility based on the circumstances as they relate to the individual prospective student-athlete, as opposed to his or her teammates. This revision would alleviate the situation in which a prospective student-athlete's eligibility is jeopardized due to a teammate receiving remuneration above actual and necessary expenses, even though the prospective student-athlete may be unaware of this arrangement and does not receive more than actual and necessary expenses for participation on the team. Under this approach, an institution would no longer be required to determine whether a team is considered professional. Instead, the focus would be on the individual's specific circumstances and eligibility would be assessed using the threshold of receipt of more than actual and necessary expenses. The competitive equity issues related to participation in organized competition would be addressed by applying the delayed enrollment seasons of competition legislation, which currently apply only to tennis, swimming and diving, and women's volleyball, to all sports. Decreasing the length of time during which prospective student-athletes may compete in organized tennis will place emphasis on the importance of academics and level the playing field by ensuring relatively similar competitive opportunities prior to college.

Budget Impact: Potential cost savings in amateurism certification process.

Impact on S-A's Time: None.

Position Statement(s)

none

History

Jun 23, 2009: Amateurism Cabinet, Sponsored

Aug 07, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-24

Title: AMATEURISM — INVOLVEMENT WITH PROFESSIONAL TEAMS — TRYOUTS — MEN'S ICE HOCKEY

Intent: In men's ice hockey, to specify that a prospective or enrolled student-athlete may accept actual and necessary expenses from the National Hockey League (NHL) or a professional sports organization that is a member of the NHL to attend the NHL scouting combine, regardless of the duration of the combine.

Bylaws: Amend 12.2.1, as follows:

12.2.1 Tryouts.

12.2.1.1 Tryout Before Enrollment. A student-athlete remains eligible in a sport even though, prior to enrollment in a collegiate institution, the student-athlete may have tried out with a professional athletics team in a sport or received not more than one expense-paid visit from each professional team (or combine including that team), provided such a visit did not exceed 48 hours and any payment or compensation in connection with the visit was not in excess of actual and necessary expenses. The 48-hour tryout period begins at the time the individual arrives at the tryout location. At the completion of the 48-hour period, the individual must depart the location of the tryout immediately in order to receive return transportation expenses. A tryout may extend beyond 48 hours if the individual self-finances additional expenses, including return transportation. A self-financed tryout may be for any length of time.

[12.2.1.1.1 unchanged.]

12.2.1.1.2 Exception for National Hockey League Scouting Combine - Men's Ice Hockey. In men's ice hockey, prior to full-time enrollment in a collegiate institution, a prospective student-athlete may accept actual and necessary expenses from the National Hockey League (NHL) or a professional sports organization that is a member of the NHL to attend the NHL scouting combine, regardless of the duration of the combine.

12.2.1.2 Tryout After Enrollment. After initial full-time collegiate enrollment, an individual who has eligibility remaining may try out with a professional athletics team (or participate in a combine including that team) at any time, provided the individual does not miss class. The individual may receive actual and necessary expenses in conjunction with one 48-hour tryout per professional team (or a combine including that team). The 48-hour tryout period shall begin at the time the individual arrives at the tryout location. At the completion of the 48-hour period, the individual must depart the location of the tryout immediately in order to receive return transportation expenses. A tryout may extend beyond 48 hours if the individual self-finances additional expenses, including return transportation. A self-financed tryout may be for any length of time, provided the individual does not miss class.

[12.2.1.2.1 unchanged.]

12.2.1.2.2 Exception for National Hockey League Scouting Combine — Men's Ice Hockey. In men's ice hockey, a student-athlete may accept actual and necessary travel, and room and board expenses from the National Hockey League (NHL) or a professional sports organization that is a member of the NHL to attend the NHL scouting combine, regardless of the duration of the combine.

[Remainder of 12.2.1 unchanged.]

Source: NCAA Division I Amateurism Cabinet

Effective Date: Immediate

Category: Amendment

Topical Area: Amateurism

Rationale: This proposal provides the same benefit to men's ice hockey prospective and enrolled student-athletes that currently is provided in basketball. Currently, men's ice hockey prospective and enrolled student-athletes must limit their tryout activities to a 48-hour period to avoid jeopardizing their eligibility if they receive any expenses for the tryout from a professional sports organization. As a result, individuals taking part in the combine (which does not include any on-ice activities) have attempted to conduct as many interviews as possible during the 48-hour time period, during which medical screenings and a physical fitness evaluation also take place. This compression of activities can be detrimental to the performance of the participants during an activity that can have significant consequences on their future career.

Budget Impact: None.

Impact on S-A's Time: Expanded opportunity to participate In the NHL scouting combine.

Position Statement(s)

none

History

Jun 23, 2009: Amateurism Cabinet, Sponsored

Jun 23, 2009: Cabinet / Committee, Sponsored (referred proposal to Amateurism Cabinet)

Proposal Number: 2009-28

Title: RECRUITING — CONTACTS AND EVALUATIONS — TELEPHONE CALLS — OFFICIAL AND UNOFFICIAL VISITS — OFFERS OF FINANCIAL AID — TRYOUTS — WOMEN'S SOCCER

Intent: In women's soccer, to revise or establish restrictions related to contacts, telephone calls official and unofficial visits, offers of financial aid and involvement in nonscholastic-based soccer programs, as specified.

A. Bylaws: Amend 13.1.1.1, as follows:

13.1.1.1 Time Period for Off-Campus Contacts — General Rule. Off-campus recruiting contacts shall not be made with an individual (or his or her relatives or legal guardians) before July 1 following the completion of his or her junior year in high school (July 7 after the junior year in high school in women's ice hockey**,** ~~and~~ July 15 after the junior year in high school in women's gymnastics **and August 1 after the junior year in high school in women's soccer**). U.S. service academy exceptions to this provision are set forth in Bylaw 13.16.1.

B. Bylaws: Amend 13.1.3, as follows:

13.1.3 Telephone Calls.

13.1.3.1 Time Period for Telephone Calls — General Rule. Telephone calls to an individual (or his or her relatives or legal guardians) may not be made before July 1 following the completion of his or her junior year in high school (subject to the exceptions below); thereafter, staff members shall not make such telephone calls more than once per week.

[13.1.3.1.1 through 13.1.3.1.5 unchanged.]

13.1.3.1.6 Exception — Women's Soccer. In women's soccer, telephone calls may not be made to or received from an individual (or his or her relatives or legal guardians or coaches) before August 1 following the completion of his or her junior year in high school.

[13.1.3.1.6 through 13.1.3.1.7 renumbered as 13.1.3.1.7 through 13.1.3.1.8, unchanged.]

[Remainder of 13.1.3 unchanged.]

C. Bylaws: Amend 13.6.2.2, as follows:

13.6.2.2 Number of Official Visits — Prospective Student-Athlete Limitation. A prospective student-athlete may take a maximum of five expense-paid visits, with no more than one permitted to any single institution. This restriction applies regardless of the number of sports in which the prospective student-athlete is involved and only for expense-paid visits to Divisions I or II institutions.

13.6.2.2.1 First Opportunity to Visit. ~~A~~ **In sports other than women's soccer, a** prospective student-athlete may not be provided an expense-paid visit earlier than the opening day of classes of the prospective student-athlete's senior year in high school. **In women's soccer, a prospective student-athlete may not be provided an expense-paid visit earlier than August 1 after the prospective student-athlete's junior year in high school.** Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the prospective student-athlete's eligibility.

[13.6.2.2.2 unchanged.]

D. Bylaws: Amend 13.7, as follows:

13.7 UNOFFICIAL (NONPAID) VISIT

13.7.1 Number Permitted. A prospective student-athlete may visit a member institution's campus at his or her own expense an unlimited number of times. A prospective student-athlete may make unofficial visits before his or her senior year in high school.

[13.7.1.1 through 13.7.1.2 unchanged.]

13.1.7.3 Exception — Women's Soccer. In women's soccer, an institution's athletics department staff members shall not have contact (including on-campus contact) with a prospective student-athlete before August 1 following the prospective student-athlete's junior year in high school.

E. Bylaws: Amend 13.9.2, as follows:

13.9.2 Letter of Intent Restriction. A member institution may not participate in an institutional or conference athletics letter of intent program or issue an institutional or conference financial aid agreement that involves a signing date that precedes the initial regular (as opposed to early) signing date for the National Letter of Intent rogram in the same sport. However, an institution may permit a prospective student-athlete to sign an institutional or conference letter of intent during the National Letter of Intent early signing period in the applicable sport.

[13.9.2.1 unchanged.]

13.9.2.2 Offer of Aid Before Signing Date **— Sports Other than Women's Soccer** . ~~An~~ **In sports other than women's soccer, an** institution may indicate in writing to a prospective student-athlete that an athletically related grant-in-aid will be offered by the institution; however, the institution may not permit the prospective student-athlete to sign a form indicating his or her acceptance of such an award before the initial signing date in that sport in the National Letter of Intent program.

13.9.2.3 Verbal or Written Offer of Aid — Women's Soccer. In women's soccer, an institution shall not offer, (or indicate that it will or may offer) orally or in writing, athletically related financial aid, directly or indirectly, to a prospective student-athlete before August 1 following the prospective student-athlete's junior year in high school. On or after August 1 following the prospective student-athlete's junior year in high school, an institution may indicate in writing to a prospective student-athlete that an athletically related grant-in-aid will be offered by the institution; however, the institution may not permit the prospective student-athlete to sign a form indicating his or her acceptance of such an aaward before the initial signing date in that sport in the National Letter of Intent program.

F. Bylaws: Amend 13.11, as follows:

13.11 TRYOUTS

13.11.1 Prohibited Activities. A member institution, on its campus or elsewhere, shall not conduct (or have conducted on its behalf) any physical activity (e.g., practice session or test/tryout) at which one or more prospective student-athlete (as defined in Bylaws 13.11.1.1 and 13.11.1.2) reveal, demonstrate or display their athletics abilities in any sport except as provided in Bylaws 13.11.2 and 13.11.3.

[13.11.1.1 through 13.11.1.5.1 unchanged.]

13.11.1.6 Nonscholastic-Based Soccer - Women's Soccer. In women's soccer, a member of an institution's athletics department staff may not participate as a coach or as an administrator in an Olympic Development Program with any team or program that includes prospective student-athletes. A member of an institution's coaching staff or an institutional staff member with women's soccer-specific duties (e.g., director of operations, manager, administrative personnel), shall not own or operate a soccer club or team that includes prospective student-athletes or serve as a coach or other staff member of

such a club or team.

[13.11.1.6 through 13.11.1.7 renumbered as 13.11.1.8 through 13.11.1.9, unchanged.]

13.11.2 Permissible Activities.

[13.11.2.1 through 13.11.2.2 unchanged.]

13.11.2.3 Local Sports Clubs. In sports other than basketball **and women's soccer**, an institution's coach may be involved in any capacity (e.g., as a participant, administrator or in instructional or coaching activities) in the same sport for a local sports club or organization located in the institution's home community, provided all prospective student-athletes participating in said activities are legal residents of the area (within a 50-mile radius of the institution). In all sports, an institution's coach may be involved in any capacity (e.g., as a participant, administrator or in instructional or coaching activities) in a sport other than the coach's sport for a local sports club or organization located in the institution's home community, provided all prospective student-athletes participating in said activities are legal residents of the area (within a 50-mile radius of the institution). Further, in club teams involving multiple teams or multiple sports, the 50-mile radius is applicable only to the team with which the institution's coach is involved; however, it is not permissible for the coach to assign a prospective student-athlete who lives outside the 50-mile area to another coach of the club. A coach also may be involved in activities with individuals who are not of a prospective student-athlete age, regardless of where such individuals reside. (In women's volleyball, see Bylaw 13.1.8.12 for regulations relating to a coach's involvement with a local sports club and the permissible number of evaluation days.)

[Remainder of 13.11 unchanged.]

Source: Southeastern Conference

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Recruiting

Rationale: The recruiting culture in women's soccer has changed drastically in recent years due to the increased emphasis on early recruiting. As a result, prospective student-athletes are receiving offers of athletically related financial aid very early in their high school enrollment. An effort to focus recruiting activity during a more appropriate time requires wholesale changes to rules governing communication between college coaches and prospective student-athletes, but simply limiting direct communication not sufficient. A prospective student-athlete's family members, high school coaches and club coaches are also conduits for early recruitment messages. By restricting communication, both on and off campus, limiting coaches' involvement with teams that include prospective student-athletes and establishing a timeline that permits recruiting to begin just prior to a prospective student-athlete's final year of high school, recruiting activities will be conducted during a time when college coaches, prospective student-athletes and their family members are properly prepared to make informed decisions regarding their attendance at a particular collegiate institution.

Budget Impact: Anticipated reduction in recruiting costs associated with removal of opportunities for early recruiting.

Impact on S-A's Time: Prospective student-athletes will not be subject to recruiting activity until after their junior year in high school.

Position Statement(s)
none

History

Jun 23, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-32

Title: RECRUITING —TELEPHONE CALLS — TIME PERIOD FOR TELEPHONE CALLS — EXCEPTION — UNLIMITED DURING CONTACT PERIOD

Intent: To specify that during a contact period, telephone calls may be made at the institution's discretion.

Bylaws: Amend 13.1.3, as follows:

13.1.3 Telephone Calls.

13.1.3.1 Time Period for Telephone Calls — General Rule. Telephone calls to an individual (or his or her relatives or legal guardians) may not be made before July 1 following the completion of his or her junior year in high school (subject to the exceptions below); thereafter, staff members (see Bylaw 13.1.3.4.1) shall not make such telephone calls more than once per week **outside a contact period**. **During a contact period, telephone calls may be made at the institution's discretion.**

[13.1.3.1.1 unchanged.]

13.1.3.1.2 Exception — Men's Basketball. In men's basketball, an institution is permitted to make one telephone call per month to an individual (or individual's relatives or legal guardians) on or after June 15 of the individual's sophomore year in high school through July 31 of the individual's junior year in high school. ~~*An*~~ **Thereafter, outside a contact period, an** institution is permitted to make two telephone calls per week to an individual (or the individual's relatives or legal guardians) beginning August 1 prior to the individual's senior year in high school. ~~*An*~~ **Outside a contact period, an** institution is permitted to make one telephone call per week to a two-year or four-year prospective student-athlete (or the prospective student-athlete's relatives or legal guardians). **During a contact period, telephone calls may be made at the institution's discretion.**

13.1.3.1.3 Exception — Women's Basketball. In women's basketball, telephone calls may be made to an individual (or the individual's relatives or legal guardians) as follows:

[13.1.3.1.3-(a) through 13.1.3.1.3-(e) unchanged.]

(f) Thereafter, one telephone call per week **outside a contact period and unlimited telephone calls during a contact period**.

[13.1.3.1.3.1 through 13.1.3.1.3.2 unchanged.]

13.1.3.1.4 Exception — Men's Ice Hockey. In men's ice hockey, an institution is permitted to make one telephone call per month to an individual (or individual's relatives or legal guardians) on or after June 15 at the conclusion of the individual's sophomore year in high school. ~~*An*~~ **Thereafter, outside a contact period, an** institution is permitted to make one telephone call per week to an individual (or individual's relatives or legal guardians) beginning August 1 following completion of the individual's junior year in high school. **During a contact period, telephone calls may be made at the institution's discretion.**

13.1.3.1.5 Exception — Women's Ice Hockey. In women's ice hockey, an institution is permitted to make one telephone call to an individual (or the individual's relatives or legal guardians) who is a resident of a foreign country on or after July 7 through July 31 following completion of the individual's sophomore year in high school. ~~*An*~~ **Thereafter, outside a contact period, an** institution is permitted to make one telephone call per week to an individual (or individual's relatives or legal guardians) beginning July 7 following completion of the individual's junior year in high school. **During a contact period, telephone calls may be made at the institution's discretion.**

[13.1.3.1.6 through 13.1.3.1.7 unchanged.]

[13.1.3.2 unchanged.]

13.1.3.3 Exceptions.

[13.1.3.3.1 through 13.1.3.3.3 unchanged.]

~~*13.1.3.3.4 Off-Campus Contact Exception. Institutional coaching staff members (see Bylaw 13.1.3.4.1) may make unlimited telephone calls to a prospective student-athlete on the day a permissible, in person, off-campus contact occurs with the prospective student-athlete.*~~

[Remainder of 13.1.3 unchanged.]

Source: Pacific-10 Conference

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Recruiting

Rationale: The legislation related to telephone calls has evolved through the years to a point in which there is significant confusion among the membership. The rules change annually, and coaches struggle to keep up to date on the current legislation. Further, compliance staffs are finding the monitoring of telephone calls to be very time-consuming and the rules to be difficult to enforce. Staff resources that could be better spent elsewhere are being consumed going through telephone records. If this proposal is adopted, there is a risk of the telephone calls becoming intrusive on prospective student-athletes, but it is strongly believed that each prospect and his or her family can set their own ground rules, which coaches should respect or risk being cut off from the recruitment of a particular prospective student-athlete.

Budget Impact: Decrease in resource expended to monitor calls during contact periods.

Impact on S-A's Time: Possible intrusion on prospective student-athletes' time.

Position Statement(s)
none

History
Jul 09, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-33

Title: RECRUITING —TELEPHONE CALLS — EXCEPTION — UNLIMITED AFTER RECEIPT OF ROOM OR TUITION DEPOSIT

Intent: To specify that on or after May 1 of a prospective student-athlete's senior year in high school, there shall be no limit on the number of telephone calls by an institution to the prospective student-athlete, provided the institution has received his or her room or tuition deposit in response to the institution's offer of admission.

Bylaws: Amend 13.1.3, as follows:

13.1.3 Telephone Calls.

[13.1.3.1 through 13.1.3.2 unchanged.]

13.1.3.3 Exceptions.

[13.1.3.3.1 through 13.1.3.3.3 unchanged.]

13.1.3.3.4 Telephone Calls After Receipt of Room or Tuition Deposit. On or after May 1 of a prospective student-athlete's senior year in high school, there shall be no limit on the number of telephone calls by an institution to the prospective student-athlete, provided the institution has received his or her room or tuition deposit in response to the institution's offer of admission.

[13.1.3.3.4 renumbered as 13.1.3.3.5, unchanged.]

[Remainder of 13.1.3 unchanged.]

Source: Big West Conference

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: Pursuant to recently adopted legislation, a prospective student-athlete may receive unlimited forms of electronically transmitted correspondence on or after May 1 of his or her senior year in high school if a tuition or housing deposit has been received by the institution. By allowing unlimited telephone calls as well, institutions will have the flexibility to communicate with such prospective student-athletes in the most appropriate and/or preferred method.

Budget Impact: Minimal.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Jul 14, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-36

Title: RECRUITING — EVALUATIONS — NONSCHOLASTIC EVALUATIONS DURING ACADEMIC YEAR — NATIONAL STANDARDIZED TESTING WEEKENDS — WOMEN'S BASKETBALL

Intent: In women's basketball, to specify that evaluations at nonscholastic events during the academic year evaluation period shall not occur on any weekend (including Friday, Saturday and Sunday) during which the PSAT, SAT, PLAN or ACT national standardized tests are administered.

Bylaws: Amend 13.1.8.8, as follows:

13.1.8.8 Basketball Evaluations.

[13.1.8.8-(a) unchanged.]

(b) Women's Basketball. In women's basketball, each institution is limited to five recruiting opportunities (contacts and evaluations combined) per prospective student-athlete (see Bylaw 13.1.6.6). Women's basketball staff members shall not exceed 100 recruiting-person days during the academic year contact and evaluation periods.

(1) Academic Year Evaluation Period. Evaluations of live athletics activities during the academic year may occur at regularly scheduled high school, preparatory school and two-year college contests/tournaments and practices; and pick-up games and open gyms. Evaluations at nonscholastic events during the women's basketball prospective student-athlete's academic year shall only occur during the last full weekend (including Friday, Saturday and Sunday) of the fall contact period and the Friday, Saturday and Sunday of the spring evaluation period. **However, evaluations at nonscholastic events shall not occur on any weekend (including Friday, Saturday and Sunday) during which the PSAT, SAT, PLAN or ACT national standardized tests are administered.**

[Remainder of 13.1.8.8 unchanged.]

Source: NCAA Division I Championships/Sports Management Cabinet (Women's Basketball Issues Committee)

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Recruiting

Rationale: The women's basketball recruiting calendar allows coaches to evaluate prospective student-athletes at nonscholastic events during the last full weekend (Friday, Saturday and Sunday) of the fall contact period and Friday, Saturday and Sunday of the spring evaluation period. There have been instances in which these designated periods have conflicted with national standardized testing dates and, in some instances, resulted in prospective student-athletes facing undue pressure to not take a standardized test in order to participate in a nonscholastic event. The Women's Basketball Coaches Association supports and has requested this legislative change to the academic year evaluation period.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History
May 07, 2009: Women's Basketball Issues Committee, Recommends Approval

Jun 25, 2009: Championships/Sports Management Cabinet, Sponsored

Proposal Number: 2009-43

Title: RECRUITING — RECRUITING MATERIALS — ELECTRONIC TRANSMISSIONS — EXCEPTION — AFTER RECEIPT OF FINANCIAL DEPOSIT

Intent: To specify that on or after May 1 of a prospective student-athlete's senior year in high school, there shall be no limit on the forms of electronically transmitted correspondence that may be sent by an institution to the prospective student-athlete, provided the institution has received a financial deposit in response to the institution's offer of admission.

Bylaws: Amend 13.4.1.2.2, as follows:

13.4.1.2.2 Exception — Electronic Transmissions After Receipt of ~~*Room or Tuition*~~**Financial** Deposit. On or after May 1 of a prospective student-athlete's senior year in high school, there shall be no limit on the forms of electronically transmitted correspondence that may be sent by an institution to the prospective student-athlete, provided the institution has received ~~*his or her room or tuition*~~ **a financial** deposit in response to the institution's offer of admission.

Source: Pacific-10 Conference

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Recruiting

Rationale: Current legislation allows institutions to send any form of electronically transmitted correspondence (e.g., text messages) to a nonscholarship student-athlete on or after May 1 of his or her senior year in high school if the incoming prospective student-athlete has submitted a room deposit or tuition deposit to the institution in response to an offer of admission. Some institutions do not require specific room or tuition deposits. The change contemplated in this proposal is reasonable and it meets the overall intent of the current legislation.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Jul 09, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-45

Title: RECRUITING — OFFICIALVISIT — FIRST OPPORTUNITY TO VISIT — JUNE IMMEDIATELY PRIOR TO SENIOR YEAR — FOOTBALL

Intent: In football, to specify that a prospective student-athlete may be provided an expense-paid visit during the month of June immediately preceding the prospective student-athlete's senior year in high school.

Bylaws: Amend 13.6.2.2.1, as follows:

13.6.2.2.1 First Opportunity to Visit.. A prospective student-athlete may not be provided an expense-paid visit earlier than the opening day of classes of the prospective student-athlete's senior year in high school. Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the prospective student-athlete's eligibility.

13.6.2.2.1.1 Exception — Football. In football, a prospective student-athlete may be provided an expense-paid visit during the month of June immediately preceding the prospective student-athlete's senior year in high school.

Source: Big Ten Conference

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: Allowing official visits in June addresses a few distinct policy considerations. First, official visits for football prospective student-athletes during the fall and winter can be challenging both in terms of logistics and the quality of the visits due to various issues (e.g., during the academic year, in-season, during the holidays, during bowl participation). June is a period of time that is more likely to be convenient for all parties involved and it is a common time for high school juniors to visit campuses as part of the process of choosing a college. Second, the need for early accurate assessments of a prospective student-athlete's ability to succeed academically and assimilate culturally in a collegiate environment has never been more important. Higher quality visits in June (due to the opportunity for increased interaction between the staff and prospective student-athletes) would lead to better assessments by both the institution and prospective student-athlete. Moreover, by June, institutions will be able to assess the prospective student-athlete's academic performance through spring of the junior year. This proposal would not affect individual or institutional limits on official visits and all other legislation relating to official visits would continue to apply unchanged.

Budget Impact: None.

Impact on S-A's Time: Student-athletes may be asked to serve as hosts in June.

Position Statement(s)
none

History
Jul 11, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-47

Title: RECRUITING — LETTER OF INTENT PROGRAMS, FINANCIAL AID AGREEMENTS — WRITTEN OFFER OF AID BEFORE SIGNING DATE — FOOTBALL

Intent: In football, to specify that prior to August 1 of a prospective student-athlete's senior year in high school, an institution shall not provide a written offer of athletically related financial aid or indicate in writing to the prospective student-athlete that an athletically related grant-in-aid will be offered by the institution.

Bylaws: Amend 13.9.2, as follows:

[Federated provision, FBS and FCS, divided vote]

13.9.2 Letter of Intent Restriction. A member institution may not participate in an institutional or conference athletics letter-of-intent program or issue an institutional or conference financial aid agreement that involves a signing date that precedes the initial regular (as opposed to early) signing date for the National Letter of Intent program in the same sport. However, an institution may permit a prospective student-athlete to sign an institutional or conference letter of intent during the National Letter of Intent early signing period in the applicable sport.

[13.9.2.1 unchanged.]

13.9.2.2 Offer of Aid Before Signing Date **— Sports Other Than Football** . ~~An~~ **In sports other than football, an** institution may indicate in writing to a prospective student-athlete that an athletically related grant-in-aid will be offered by the institution; however, the institution may not permit the prospective student-athlete to sign a form indicating his or her acceptance of such an award before the initial signing date in that sport in the National Letter of Intent program.

13.9.2.3 Written Offer of Aid Before Signing Date — Football. In football, prior to August 1 of a prospective student-athlete's senior year in high school, an institution shall not provide a written offer of athletically related financial aid or indicate in writing to the prospective student-athlete that an athletically related grant-in-aid will be offered by the institution. On or after August 1 of a prospective student-athlete's senior year in high school, an institution may indicate in writing to the prospective student-athlete that an athletically related grant-in-aid will be offered by the institution; however, the institution may not permit the prospective student-athlete to sign a form indicating his or her acceptance of such an award before the initial signing date in that sport in the National Letter of Intent program.

Source: Big East Conference

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Recruiting

Rationale: Over the years, a culture has developed in football in which prospective student-athletes are receiving letters from coaches at the beginning of their junior year in high school that, essentially, offer athletics scholarships. Although they are not able to sign a National Letter of Intent until their senior year in high school, many prospective student-athletes view the early scholarship offer letters they receive as binding agreements. This proposal will eliminate the confusion such letters create with prospective student-athletes.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Jul 01, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-48

Title: RECRUITING AND FINANCIAL AID — LETTER-OF-INTENT PROGRAMS, FINANCIAL AID AGREEMENTS — LETTER OF INTENT RESTRICTION — LIMITATION ON NUMBER OF SIGNINGS — BOWL SUBDIVISION FOOTBALL

Intent: In bowl subdivision football, to specify that there shall be an annual limit of 28 on the number of prospective student-athletes who may sign a National Letter of Intent or an institutional offer of financial aid from the initial signing date of the National Letter of Intent through May 31.

A. Bylaws: Amend 13.9.2, as follows:

13.9.2 Letter of Intent Restriction. A member institution may not participate in an institutional or conference athletics letter-of-intent program or issue an institutional or conference financial aid agreement that involves a signing date that precedes the initial regular (as opposed to early) signing date for the National Letter of Intent program in the same sport. However, an institution may permit a prospective student-athlete to sign an institutional or conference letter of intent during the National Letter of Intent early signing period in the applicable sport.

[13.9.2.1 through 13.9.2.2 unchanged.]

13.9.2.3 Limitation on Number of Letter of Intent/Offer of Financial Aid Signings — Bowl Subdivision Football. In bowl subdivision football, there shall be an annual limit of 28 on the number of prospective student-athletes who may sign a National Letter of Intent or an institutional offer of financial aid from the initial signing date of the National Letter of Intent through May 31.

B. Bylaws: Amend 15.5.1.9, as follows:

[Federated provision, FBS only]

15.5.1.9 Offers Exceeding Maximum Allowable Awards. An institution may offer more than the maximum number of permissible awards in a sport (per Bylaw 15.5) in anticipation that not all of the offers will be accepted, but the institution shall not exceed the awards limitation in the sport in question.

15.5.1.9.1 Limitation on Number of Letter of Intent/Offer of Financial Aid Signings — Bowl Subdivision Football. In bowl subdivision football, there shall be an annual limit of 28 on the number of prospective student-athletes who may sign a National Letter of Intent or an institutional offer of financial aid from the initial signing date of the National Letter of Intent through May 31.

Source: Southeastern Conference

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Recruiting

Rationale: Current legislation limits a Football Bowl Subdivision institution to 25 initial counters each academic year; however, neither NCAA or National Letter of Intent (NLI) regulations limit the number of football prospective student-athletes an institution may sign to a NLI or institutional offer of financial aid. Some institutions are signing an excessive

number of football prospective student-athletes. This proposal would encourage institutional personnel to discuss academic and admission qualifications of each prospective student-athlete, rather than simply athletics ability, prior to sending the prospective student-athlete an NLI or a written offer of financial aid. Finally, this proposal may reduce the number of prospective student-athletes signed by an institution that are unlikely to meet NCAA academic eligibility requirements.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Jun 23, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-49

Title: RECRUITING — TRYOUTS — COMPETITION AGAINST PROSPECTIVE STUDENT-ATHLETES — FOOTBALL

Intent: In football, to prohibit an institution's varsity and subvarsity intercollegiate teams from competing against any team that includes prospective student-athletes.

Bylaws: Amend 13.11.1, as follows:

[Federated provision, FBS and FCS, divided vote]

13.11.1 Prohibited Activities. A member institution, on its campus or elsewhere, shall not conduct (or have conducted on its behalf) any physical activity (e.g., practice session or test/tryout) at which one or more prospective student-athletes (as defined in Bylaws 13.11.1.1 and 13.11.1.2) reveal, demonstrate or display their athletics abilities in any sport except as provided in Bylaws 13.11.2 and 13.11.3.

[13.11.1.3.1 and 13.11.1.3.2 unchanged.]

13.11.1.3 Competition Against Prospective Student-Athletes **— Sports Other Than Football. In sports other than football,** ~~*An*~~ **an** institution's varsity intercollegiate team may compete against a two-year college team but may not compete against a high school or preparatory school team. An institution's varsity team may not participate in a contest against an outside team (e.g., nonscholastic team) that includes high school prospective student-athletes except for permissible contests while on a foreign tour, exempted contests against a foreign team in the United States and the United States national team. In individual sports, it is permissible for an institution's varsity team and an outside team that includes prospective student-athletes to participate in the same open event, provided the event either involves no team scoring or the event uses team scoring such that the institution's varsity team and the outside team are in separate scoring categories. Subvarsity teams are not bound by this prohibition.

13.11.1.4 Competition Against Prospective Student-Athletes — Football. In football, an institution's varsity an subvarsity intercollegiate teams shall not compete against any team that includes prospective student-athletes.

[13.11.1.4 through 13.11.1.7 renumbered as 13.11.1.5 through 13.11.1.8, unchanged.]

Source: Southeastern Conference

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Recruiting

Rationale: Current legislation permits an institution's varsity team to compete against two-year college teams and its junior varsity team or other subvarsity team to compete against any teams that include prospective student-athletes. These contests may result in a substantial financial payment being made to visiting teams or in recruiting activities involving visiting team members taking place in conjunction with these contests. This proposal is similar to recent legislative changes in basketball, which preclude institutions from exempting competition against teams comprised of prospective student-athletes from maximum contest limitations. This proposal would eliminate a questionable practice that may be associated with undue influences involving teams of prospective student-athletes, and would also eliminate the recruiting activity that may occur in conjunction contests involving prospective student-athletes.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Jun 23, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-51

Title: RECRUITING — CAMPS AND CLINICS — INSTITUTION'S SPORTS CAMPS AND CLINICS — LOCATION — MEN'S BASKETBALL

Intent: In men's basketball, to specify that an institution's camp or clinic shall be conducted on the institution's campus or within a 100-mile radius of the institution's campus.

Bylaws: Amend 13.12.1.1.4, as follows:

13.12.1.1.4 Basketball. An institution's basketball camp or clinic shall be conducted only during the months of June, July and August, or any calendar week (Sunday through Saturday) that includes days of those months (e.g., May 28-June 3). **In men's basketball, an institution's camp or clinic shall be conducted on the institution's campus or within a 100-mile radius of the institution's campus.** Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the prospective student-athlete's eligibility.

Source: NCAA Division I Championships/Sports Management Cabinet (Men's Basketball Issues Committee)

Effective Date: Immediate; a contract signed before September 17, 2008, may be honored

Category: Amendment

Topical Area: Recruiting

Rationale: Current legislation does not place restrictions on the location of institutional camps or clinics in sports other than football. The trend of hosting institutional camps or clinics in different regions of the country is an unwanted development in men's basketball recruiting culture. Camps or clinics should not be conducted primarily for recruiting purposes. Requiring institutions to conduct their men's basketball camps or clinics on campus or a reasonable distance from campus will reduce institutional expenses and will reduce burdens on institutional personnel.

Budget Impact: Potential cost savings for institutions that have conducted camps or clinics beyond the proposed distance restriction. Potential for lost revenue from such camps.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Aug 29, 2008: Men's Basketball Issues Committee, Recommends Approval

Sep 17, 2008: Championships/Sports Management Cabinet, Sponsored

Proposal Number: 2009-67

Title: FINANCIAL AID —TERMS AND CONDITIONS OF AWARDING INSTITUTIONAL FINANCIAL AID — ONE-YEAR PERIOD — DE MINIMIS VIOLATION

Intent: To specify that a violation of the financial aid regulations in which financial aid is awarded for less than one academic year shall be considered an institutional violation, but shall not affect the student-athlete's eligibility.

Bylaws: Amend 15.3.3.1, as follows:

15.3.3.1 One-Year Period. If a student's athletics ability is considered in any degree in awarding financial aid, such aid shall neither be awarded for a period in excess of one academic year nor for a period less than one academic year (see Bylaw 15.01.5).

[15.3.3.1.1 through 15.3.3.1.3 unchanged.]

15.3.3.1.4 Effect of Violation. A violation of Bylaw 15.3.3.1 in which financial aid is awarded for a period less than one academic year shall be considered an institutional violation per Constitution 2.8.1; however, the prospective student-athlete's or student-athlete's eligibility shall not be affected.

Source: NCAA Division I Legislative Council (Committee on Student-Athlete Reinstatement)

Effective Date: Immediate

Category: Amendment

Topical Area: Financial Aid

Rationale: This change removes any effect on a prospective student-athlete's or student-athlete's eligibility in cases in which he or she is awarded financial aid for less than one academic year. In such situations, institutions do not typically gain a competitive advantage and the student-athlete has no culpability in the violation. Violations of the bylaw are institutional violations and the institution is required to submit a self-report.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Jun 11, 2009: Student-Athlete Reinstatement Committee, Recommends Approval

Jun 17, 2009: Legislative Council Administrative Committee, Sponsored

Proposal Number: 2009-68

Title: FINANCIAL AID — MIDYEAR REPLACEMENT — GRADUATION DURING PREVIOUS YEAR — WOMEN'S VOLLEYBALL

Intent: In women's volleyball, to specify that the financial aid of a counter who graduates at midyear or who graduates during the previous academic year (including summer) may be provided to another student-athlete without making the second student-athlete a counter for the remainder of that academic year.

Bylaws: Amend 15.5.2, as follows:

15.5.2 Head-Count Sports Other Than Football or Basketball.

[15.5.2.1 through 15.5.2.2 unchanged.]

15.5.2.3 Midyear ~~*Graduate*~~ Replacement — Women's Volleyball. In women's volleyball, the financial aid of an counter who graduates at midyear **or who graduates during the previous academic year (including summer)** may be provided to another student-athlete without making the second student-athlete a counter for the remainder of that academic year.

[15.5.2.4 unchanged.]

Source: Atlantic Coast Conference

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Financial Aid

Rationale: Under the current women's volleyball legislation, the financial aid of a counter who graduates at midyear may be provided to another student-athlete without making the second student-athlete a counter for the remainder of that academic year. However, if a counter with eligibility remaining graduates during the previous academic year (including the summer) and competes in the following fall, the financial aid of that student-athlete may not be provided to another student-athlete in the spring. By changing this legislation, the women's volleyball legislation would be consistent with the rule governing midyear replacements in football, which is the only other fall season head-count sport.

Budget Impact: Minimal.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Jul 14, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-69

Title: FINANCIAL AID — MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT — EQUIVALENCY COMPUTATIONS — EXCEPTIONS — ACADEMIC HONOR AWARDS — TRANSFER STUDENTS

Intent: To specify that institutional academic honor awards that are part of an institution's normal arrangements for academic scholarships, based solely on the recipient's cumulative academic record from all collegiate institutions previously attended and awarded independently of athletics interests and in amounts consistent with the pattern of all such awards made by the institution, may be exempted from a team's equivalency computation, provided the recipient achieved a cumulative transferable grade-point average of at least 3.300 (based on a maximum of 4.000).

Bylaws: Amend 15.5.3.2.2, as follows:

15.5.3.2.2 Exceptions.

15.5.3.2.2.1 Academic Honor Awards — **Based on High School Record**. Academic honor awards that are part of an institution's normal arrangements for academic scholarships, based solely on the recipient's high school record and awarded independently of athletics interests and in amounts consistent with the patter of all such awards made by the institution, are exempt from an institution's equivalency computation, provided the recipient was ranked in the upper 10 percent of the high school graduating class or achieved a cumulative grade-point average of at least 3.500 (based on a maximum of 4.000) or a minimum ACT sum score of 105 or a minimum SAT score of 1200 (critical reading and math).

[15.5.3.2.2.1.1 through 15.5.3.2.2.1.2 unchanged.]

15.5.3.2.2.2 Academic Honor Awards — Transfer Students. Academic honor awards that are part of an institution's normal arrangements for academic scholarships, based solely on the recipient's cumulative academic record from all collegiate institutions previously attended and awarded independently of athletics interests and in amounts consistent with the pattern of all such awards made by the institution, may be exempted from a team's equivalency computation, provided the recipient achieved a cumulative transferable grade-point average of at least 3.300 (based on a maximum or 4.000).

15.5.3.2.2.2.1 Calculation of Grade-Point Average. Grades earned in all courses that are normally transferable to an institution shall be considered in determining the grade-point average for meeting this exception, regardless of the grade earned or whether such grade makes the course unacceptable for transferable degree credit.

15.5.3.2.2.2.2 Renewals. The renewal of an academic honor award (per Bylaw 15.5.3.2.2.2) may be exempted from an institution's equivalency computation, provided:

(a) The recipient achieves a cumulative grade-point average of at least 3.300 (based on a maximum of 4.000) at the certifying institution; and

(b) The recipient meets all NCAA, conference and institutional progress-toward-degree requirements.

[15.5.3.2.2.2. renumbered as 15.5.3.2.2.3, unchanged.]

Source: Mountain West Conference

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Financial Aid

Rationale: Under current legislation, academic scholarships awarded by the certifying institution that are based solely on the high school record may be exempted from a student-athlete's equivalency computation, provided specific academic standards are met. This proposal would provide a similar exception for transfer student-athletes who have demonstrated academic success at a previous collegiate institution and would allow the student-athletes to accept such scholarships without impacting team limits. The proposed grade-point average standard is modeled after the grade-point average required for a continuing student-athlete to exclude an institutional academic scholarship. Finally, the proposed grade-point average requirement may only consider grades earned in all courses that are normally transferable to the certifying institution, regardless of the grade earned or whether such grade makes the course unacceptable for transfer degree credit.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Jul 10, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-76

Title: PLAYING AND PRACTICES SEASONS — TIME LIMITS FOR ATHLETICALLY RELATED ACTIVITIES — ADDITIONAL RESTRICTIONS — COUNTABLE ATHLETICALLY RELATED ACTIVITIES BETWEEN MIDNIGHT AND 5 A.M.

Intent: To specify that countable athletically related activities shall not occur between midnight and 5 a.m., except for during participation in a conference championship or an NCAA championship, in any competition that begins prior to midnight and concludes after midnight, or a promotional practice activity (e.g., first practice of the season).

Bylaws: Amend 17.1.6, as follows:

17.1.6 Time Limits for Athletically Related Activities. In all sports, the following time limitations shall apply:

[17.1.6.1 through 17.1.6.5 unchanged.]

17.1.6.6 Additional Restrictions.

[17.1.6.6.1 unchanged.]

17.1.6.6.2 Countable Athletically Related Activities Between Midnight and 5 a.m. Countable athletically related activities shall not occur between midnight and 5 a.m.

17.1.6.6.2.1 Exceptions. Countable athletically related activities may occur between midnight and 5 a.m. under the following circumstances:

(a) During participation in a conference championship or an NCAA championship;

(b) Participation in any competition that begins prior to midnight and concludes after midnight; or

(c) Participation in a promotional practice activity (e.g., first practice of the season).

[17.1.6.6.2 renumbered as 17.1.6.6.3 unchanged.]

[Remainder of 17.1.6 unchanged.]

Source: Southeastern Conference

Effective Date: Immediate

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Currently, some coaches require that student-athletes participate in countable athletically-related activities between the hours of midnight and 5 a.m. Engaging in athletics activities during these hours can be detrimental to the health of student-athletes. A proper amount of sleep is vital to success and exercising late at night or early in the morning could negatively affect student-athletes, both on and off the field. Being forced to perform at a high athletic level when the mental and physical state of a student-athlete is already weakened increases the risk of injury or illness. Further, student-athletes are encouraged to eat following workouts to refuel their bodies. These late night workouts force student-athletes to eat late at night, further reducing the proper amount of sleep they receive and detrimentally affecting their diets. Finally, countable athletically related activities held in the middle of the night may jeopardize a student-athlete's academic performance by preventing him or her from obtaining a good night's rest before a test, or causing the student-athlete to fall asleep during class.

Budget Impact: None.

Impact on S-A's Time: Restricts time period for countable activities.

Position Statement(s)
none

History
Jun 23, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-77

Title: PLAYING AND PRACTICE SEASONS — WOMEN'S BASKETBALL — PRESEASON PRACTICE — ON-COURT PRACTICE — 30 PRACTICES WITHIN 40 DAYS PRIOR TO FIRST CONTEST

Intent: In women's basketball, to specify that an institution shall not commence on-court preseason basketball practice sessions prior to 5 p.m. on the date that is 40 days prior to the date of the institution's first regular-season contest; further, to specify that an institution shall not engage in more than 30 days of practice prior to its first regular-season contest.

Bylaws: Amend 17.3.2, as follows:

17.3.2 Preseason Practice — On-Court Practice.

17.3.2.1 Men's Basketball. An institution shall not commence on-court preseason basketball practice sessions prior to 5 p.m. on the Friday nearest October 15 (see Figure 17-2).

17.3.2.2 Women's Basketball. An institution shall not commence on-court preseason basketball practice sessions prior to 5 p.m. on the date that is 40 days prior to the date of the institution's first regular-season contest. An institution shall not engage in more than 30 days of practice prior to its first regular-season contest.

[17.3.2.1 through 17.3.2.2 renumbered as 17.3.2.3 through 17.3.2.4, unchanged.]

Source: Southeastern Conference and Big East Conference

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Recent modifications to the first permissible contest date in women's basketball have reduced the number of preseason practice opportunities by up to seven practice days. This proposal allows the number of practice days in women's basketball to remain at a constant level of 30, which is generally consistent with the number of practice opportunities permitted prior to the adoption of the current legislation. Additionally, this proposed flexible preseason practice schedule permits coaches to best use practice and "off" days to benefit student-athletes prior to the first contest. While the existing preseason practice schedule essentially dictates that practice must occur during every possible day, the flexible approach offered in this proposal provides each coach with the ability to determine when to use the practice opportunities depending on the team, the team's needs and the academic calendar. For example, a coach may provide the team days off to study for midterm exams, to take advantage of fall vacation periods or to recover from injuries.

Budget Impact: None.

Impact on S-A's Time: On-court practice will begin on an earlier date, but additional days off will be included during the preseason practice period.

Position Statement(s)
none

History
Jun 23, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-78

Title: PLAYING AND PRACTICES SEASONS — WOMEN'S BASKETBALL — NUMBER OF CONTESTS — MAXIMUM LIMITATIONS

Intent: In women's basketball, to specify that an institution shall limit its total regular-season playing schedule with outside competition to 26 contests and one qualifying regular-season multiple team event or 28 contests during a playing season in which the institution does not participate in a qualifying regular-season multiple team event.

Bylaws: Amend 17.3.5, as follows:

17.3.5 Number of Contests.

17.3.5.1 Maximum Limitations - Institutional.

17.3.5.1.1 Men's Basketball. An institution shall limits its total regular-season playing schedule with outside competition in **men's** basketball during the playing season to one of the following (except for those contests excluded under Bylaw 17.3.5.3):

(a) 27 contests (games or scrimmages) and One qualifying regular-season multiple team event per Bylaw 17.3.5.1.~~1~~**3**; or

(b) 29 contests (games or scrimmages) during a playing season in which the institution does not participate in a qualifying regular-season multiple team event.

17.3.5.1.2 Women's Basketball. An institution shall limit its total regular-season playing schedule with outside competition in women's basketball during the playing season to one of the following (except for those contests excluded under Bylaw 17.3.5.3);

(a) 26 contests (games or scrimmages) and one qualifying regular-season multiple team event per Bylaw 17.3.5.1.3; or

(b) 28 contests (games or scrimmages) during a playing season in which the institution does not participate in a qualifying regular-season multiple team event.

[17.3.5.1.1 through 17.3.5.1.2 renumbered as 17.3.5.1.3 through 17.3.5.1.4, unchanged.]

Source: Atlantic Coast Conference

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Many conferences choose to play their women's basketball tournaments a week earlier than before, thereby compressing the time during which regular season contests may be played. This proposal would provide some relief from the shortened schedule. Additionally, in an effort toward cost containment, institutions are attempting to regionalize their nonconference regular season schedule in order to reduce their travel budget. Institutions that are not located near Division I nonconference opponents are forced to travel further out of their region, resulting in additional travel costs. By eliminating one nonconference contest, institutions will realize cost savings in travel as well as in paying game guarantees. Finally, this change addresses concerns regarding the lack of available institutional facilities and academic issues related to missed class time and the academic rigors placed on the student-athlete.

Budget Impact: Reduction in institutional travel budgets. Reduction in guarantees paid and received.

Impact on S-A's Time: Potential reduction in time demands and missed class.

Position Statement(s)
none

History
Jul 14, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-79

Title: PLAYING AND PRACTICE SEASONS — NONCHAMPIONSHIP SEGMENT — TRAVEL RESTRICTIONS — CROSS COUNTRY, FIELD HOCKEY, SOCCER, SOFTBALL AND VOLLEYBALL

Intent: In cross country (for institutions without indoor or outdoor track and field), field hockey, soccer, softball and volleyball, to specify that team travel to competition in the nonchampionship segment shall be restricted to ground transportation.

A. Bylaws: Amend 17.5.5.1.1, as follows:

17.5.5.1.1 Exception — Cross Country without Indoor or Outdoor Track and Field. An institution that sponsors men's or women's cross country but does not sponsor indoor or outdoor track and field shall limit its total playing schedule with outside competition during the cross country playing season to seven dates of competition during the segment in which the NCAA championship is conducted and five dates of competition during another segment. **Travel to competition in the nonchampionship segment shall be restricted to ground transportation.**

B. Bylaws: Amend 17.8.5.1, as follows:

17.8.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition during the institution's field hockey playing season in any one year to 20 contests during the segment in which the NCAA championship is conducted and five dates of competition during another segment, except for those contests or dates of competition excluded under Bylaws 17.10.5.3 and 17.10.5.4. **Travel to competition during the nonchampionship segment be restricted to ground transportation.**

C. Bylaws: Amend 17.19.5.1, as follows:

17.19.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in soccer during the institution's soccer playing season in any one year to 20 contests during the segment in which the NCAA championship is conducted and five dates of competition during another segment, except for those contests and/or dates of competition excluded under Bylaws 17.19.5.3 and 17.19.5.4. **Travel to competition in the nonchampionship segment shall be restricted to ground transportation.**

D. Bylaws: Amend 17.20.5.1, as follows:

17.20.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in softball during the institution's softball playing season to 56 contests (games and scrimmages) during the segment in which the NCAA championship is conducted and eight contests (games and scrimmages) during the nonchampionship segment, except for those contests excluded under Bylaws 17.20.5.3 and 17.20.5.4. No class time shall be missed for competition during the nonchampionship segment, including activities associated with competition (e.g., travel and other pregame or postgame activities) conducted during the nonchampionship segment. **Travel to competition in the nonchampionship segment shall be restricted to ground transportation.**

E. Bylaws: Amend 17.25.7.1, as follows:

17.25.7.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in women's volleyball during the institution's women's volleyball playing season to 28 dates of competition during the segment in which the NCAA championship is conducted and four during another segment, except for those dates of competition excluded under Bylaws 17.25.9 and 17.25.10. **Travel to competition in the nonchampionship segment shall be restricted to ground transportation.**

F. Bylaws: Amend 17.25.8.1, as follows:

17.25.8.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in men's volleyball during the institution's men's volleyball playing season to not more than 28 dates of competition during the segment in which the NCAA championship is conducted and not more than four dates of competition during another segment, except for those dates of competition excluded under Bylaws 17.25.9 and 17.25.10. **Travel to competition in nonchampionship segment shall be restricted to ground transportation.**

Source: Southeastern Conference

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Economic pressures have caused athletics programs to examine expenditures in all areas. Nonchampionship segment contests contribute to the development of the team, but, in most cases, are not included in regular season records or in determining postseason championships access. As a result, restricting travel to ground transportation for such contests is a prudent action given the resource challenges facing many institutions.

Budget Impact: Anticipated savings associated travel expenses.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Jun 23, 2009: Submit; Submitted for consideration.

Sep 02, 2009: Submit; Sponsor modified the proposal to remove proposed reductions to the maximum number of permissible dates of competition in the nonchampionship segment in cross country (for institutions without indoor or outdoor track and field), field hockey, lacrosse, soccer, softball and volleyball.

Proposal Number: 2009-80

Title: PLAYING AND PRACTICE SEASONS — FOOTBALL — FIRST CONTEST — 14 WEEKS PRIOR TO DECEMBER 1

Intent: In football, to specify that an institution shall not play its first contest (game or scrimmage) with outside competition prior to the Thursday preceding the 14th Saturday prior to December 1.

Bylaws: Amend 17.9.3, as follows:

[Federated provision, FBS and FCS, divided vote]

17.9.3 First Contest. A member institution shall not play its first contest (game or scrimmage) with outside competition in football prior to the Thursday preceding ~~*Labor Day*~~ **the 14th Saturday prior to December 1** (see Figure 17-2).

Source: Conference USA

Effective Date: Immediate

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Under the current legislation, the number of available weekends for competition in football varies from year to year. Allowing institutions the opportunity to compete in twelve football contests in a fixed playing season that always includes fourteen Saturdays prior to December 1 will permit greater flexibility in scheduling and establish consistency. Additionally, a standard playing season is in the best interest of student-athlete well-being inasmuch as it helps student-athletes to fulfill academic obligations by increasing the number of weekends off over the course of a twelve game season. Further, results of the Growth, Opportunities, Aspirations and Learning of Students in College (GOALS) and the Study of College Outcomes and Recent Experiences (SCORE) surveys reveal that football student-athletes reported more hours spent on athletics during the season than on academics. Finally, stress reactions (e.g., physical and mental health issues) were reported at the highest rates among football players within the Football Bowl Subdivision.

Budget Impact: Additional week of expenses in those years which would not otherwise include 14 weeks.

Impact on S-A's Time: Increases the number of weeks in the season (in years which would not otherwise include 14 weeks) without increasing the limit on the number of contests.

Position Statement(s)
none

History
Jun 29, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-81

Title: PLAYING AND PRACTICE SEASONS — FOOTBALL — OUT-OF-SEASON ATHLETICALLY RELATED ACTIVITIES — SUMMER CONDITIONING PERIOD

Intent: In football, to permit an institution to designate nine consecutive weeks between the conclusion of the academic year and the first permissible reporting date for preseason practice as its summer conditioning period.

Bylaws: Amend 17.9.6, as follows:

[Federated provision, FBS and FCS, divided vote]

17.9.6 Out-of-Season Athletically Related Activities. Student-athletes and members of the coaching staff shall not engage in countable athletically related activities outside the playing season, except as set forth in this bylaw (see Bylaw 17.1.6.2):

(a) Conditioning Activities. Student-athletes may participate in conditioning activities pursuant to Bylaw 17.1.6.2; as follows:

[17.9.6-(a)-(1) unchanged.]

(2) Summer Conditioning Period. Between the ~~*start of summer conditioning and the start of preseason practice*~~ **conclusion of the academic year and the first permissible reporting date for preseason practice**, an institution shall conduct its out of season conditioning period as follows:

(a) ~~*Institutions shall count back nine weeks from the first permissible reporting date for preseason practice.*~~ **An institution shall designate nine consecutive weeks as its summer conditioning period.** During this nine-week period, institutions shall designate one week as student-athlete discretionary time.

(b) During the remaining eight weeks of the summer conditioning period student-athletes may be involved in voluntary weight training and conditioning activities pursuant to Bylaw 17.1.6.2.1 and prospective student-athletes may be involved in voluntary weight training and conditioning activities pursuant to Bylaw 13.11.3.8. Such activities are limited to eight hours per week.

(c) All remaining weeks between the conclusion of the academic year and the first permissible reporting date for preseason practice that are not part of an institution's designated summer conditioning period shall be considered student-athlete discretionary time.

[Remainder of 17.9.6 unchanged.]

Source: Mountain West Conference

Effective Date: Immediate

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: The current legislation governing summer conditioning was adopted, in part, to reduce the time commitments on student-athletes by requiring designated discretionary time. By permitting an institution to designate their summer conditioning time period, this will allow more flexibility based on the institution's academic year. The institution will be able to schedule its time periods around the summer school terms that student-athletes attend and for those incoming students who are already on campus. In addition, by keeping the summer conditioning time period at nine weeks, this

will continue to provide all institutions the same amount of time to be involved in summer conditioning and will not create any competitive disadvantages.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Jul 10, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-84

Title: PLAYING AND PRACTICE SEASONS — GENERAL PLAYING AND PRACTICE SEASON REGULATIONS — PRESEASON PRACTICE — WOMEN'S SOCCER

Intent: In women's soccer, to increase the preseason practice units from 21 to 29; further, to establish criteria governing the activities permitted during the preseason practice period, as specified.

Bylaws: Amend 17.19.2, as follows:

17.19.2 Preseason Practice.

17.19.2.1 Men's Soccer. An institution shall not commence practice sessions in soccer prior to the date that permits a maximum of 21 units (see Bylaw 17.02.11) prior to the first scheduled intercollegiate contest.

17.19.2.2 Women's Soccer. An institution shall not commence practice sessions in soccer prior to the date that is determined by the application of 29 units (see Bylaw 17.02.11) prior to the first scheduled intercollegiate contest. Preseason practice shall be conducted as follows:

(a) The first day of preseason practice shall include no more than five hours of on-field practice, which must be conducted in no more than two distinct sessions. Student-athletes shall be provided with at least three continuous hours of recovery time between the end of the first session and the start of the second session;

(b) The second day of preseason practice shall include no more than three hours of on-field practice;

(c) The third day of preseason practice shall include no more than five hours of on-field practice, which must be conducted in no more than two distinct sessions. Student-athletes shall be provided with at least three continuous hours of recovery time between the end of the first session and the start of the second session;

(d) The fourth day of preseason practice shall include no more than three hours of on-field practice;

(e) All remaining preseason practice days held prior to the institution's first day of classes or first regular-season competition, whichever is earlier, shall include no more than five hours of on-field practice, which must be conducted in no more than two distinct sessions. Student-athletes shall be provided with at least three hours continuous hours of recovery time between the end of the first session and the start of the second session; and

(f) Beginning with the institution's first day of classes or first regular-season competition, whichever is earlier, practice shall be conducted in accordance with established time limits for athletically related activities (see Bylaw 17.1.6).

Source: Southeastern Conference

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Current legislation specifies 21 practice units to determine the first permissible date of preseason practice for women's soccer. By contrast, the legislation specifies 29 practice units for football and women's volleyball. Due to the limited opportunity for preseason practice, coaches feel the need to conduct multiple practice sessions beginning with

the first permissible day of practice and continuing throughout the preseason practice period. In some instances, the compressed preseason practice schedule causes coaches to conduct more than two practice sessions during a single day. By expanding the preseason period, this proposal would reduce the need to maximize the number of practices conducted during a short time period. In addition, this proposal limits the number and length of time for practices held during each day. It is anticipated this legislation will encourage coaches to spread out preseason practice sessions, develop practice sessions that reduce the physical impact placed on student-athletes during the first few days of preseason practice and allow student-athletes to better adapt to the demands of preseason practices, which are typically conducted outdoors during a period of high temperatures.

Budget Impact: Anticipated increase in costs associated with addition of eight preseason practice units.

Impact on S-A's Time: Anticipated addition of four days associated with addition of eight preseason practice units.

Position Statement(s)
none

History
Jun 23, 2009: Submit; Submitted for consideration.

Proposal Number: 2009-86

Title: ATHLETICS CERTIFICATION — MANDATORY SELF-STUDY AND EXTERNAL PEER REVIEW — ACADEMIC INTEGRITY — ACADEMIC STANDARDS — RETENTION

Intent: To specify that if the retention of any student-athlete subgroup is lower than that of all student-athletes, the disparity shall be analyzed, explained and, if necessary, addressed through specific plans for improvement by appropriate institutional authorities.

Bylaws: Amend 22.2, as follows:

22.2 MANDATORY SELF-STUDY AND EXTERNAL PEER REVIEW

[22.2.1 unchanged.]

22.2.2 Academic Integrity.

22.2.2.1 Academic Standards. The Association's fundamental principles indicate that an intercollegiate athletics program shall be designed and maintained as a vital component of the institution's educational system, and student-athletes shall be treated consistently with the student body. Consistent with this philosophy, the institution shall demonstrate that:

[22.2.2.1-(a) through 22.2.2.1-(c) unchanged.]

(d) If the retention of ~~*student-athletes, as a whole or for*~~ any student-athlete subgroup~~,~~ is lower than that of ~~*other*~~ **all** student-athletes ~~*or comparable student body groups*~~, this disparity shall be analyzed, explained and, if necessary, addressed through specific plans for improvement by appropriate institutional authorities;

[Remainder of 22.2 unchanged.]

Source: NCAA Division I Legislative Council (Committee on Athletics Certification)

Effective Date: Immediate

Category: Amendment

Topical Area: Athletics Certification

Rationale: Many institutions do not have data related to the retention of the student body generally or comparable student-body groups. Requiring institutions to compare retention rate data of student-athletes with the student body generally or with comparable student body subgroups places an undue burden on those institutions that do not compile these data for other purposes.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Mar 26, 2009: Committee on Athletics Certification, Recommends Approval as Noncontroversial Legislation

Apr 20, 2009: Legislative Council, Sponsored

Apr 20, 2009: Leg Council Init Review, Not Supported as Noncontroversial Legislation

Proposal Number: 2009-88

Title: ADMINISTRATIVE REGULATIONS — FOREIGN TOURS AND COMPETITION — ELIGIBILITY OF STUDENT-ATHLETES — INCOMING-STUDENT PARTICIPATION — BASKETBALL

Intent: In basketball, to permit an incoming student-athlete (freshman or transfer) to represent the institution on a foreign tour that occurs during the summer prior to his or her initial full-time enrollment at the certifying institution, provided: (a) he or she has earned at least three hours of acceptable degree credit during the summer term at the certifying institution; and (b) he or she is eligible to represent the institution in intercollegiate competition during the academic year immediately following the tour; further, to specify that a basketball student-athlete shall not participate in more than one institutional foreign tour.

A. Administrative: Amend 30.7.2.1, as follows:

30.7.2.1 Incoming-Student Participation. It is permissible for an eligible incoming student-athlete to represent the institution on a foreign tour that begins after the permissible starting practice date in the sport involved or after the first day of classes of his or her first regular term at the institution. An incoming student-athlete (freshman or transfer) may participate in practice sessions conducted in preparation for a foreign tour only if such practice sessions occur either:

(a) On or after the first permissible practice date in the involved sport; or

(b) On or after the first day of classes of the student-athlete's first regular academic term at the institution.

30.7.2.1.1 Exception — Basketball. In basketball, it is permissible for an incoming student-athlete (freshman or transfer) to represent the institution on a foreign tour that occurs during the summer prior to his or her initial full-time enrollment at the certifying institution, provided the following conditions are met:

(a) He or she has earned at least three hours of acceptable degree credit during the summer term at the certifying institution; and

(b) He or she is eligible to represent the institution in intercollegiate competition during the academic year immediately following the tour.

B. Administrative: Amend 30.7.4, as follows:

30.7.4 Time Lapse between Tours. An institution shall not engage in a foreign tour in each sport more than once every four years. **In basketball, a student-athlete shall not participate in more than one institutional foreign tour.**

Source: Atlantic 10 Conference

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Administrative Regulations

Rationale: An institution is not permitted to engage in a foreign tour in each sport more than once every four years. Therefore, a student-athlete who initially enrolls as a freshman during the fall term after a summer foreign tour will not have an opportunity to participate in the institution's next foreign tour until the summer after his or her senior year. By that time, many student-athletes will have graduated and/or exhausted their eligibility. Consequently, one class every four years may not have a legitimate opportunity to participate on a foreign tour. This proposal addresses this issue in basketball by allowing an incoming student-athlete to participate in a foreign tour that takes place during the summer

prior to initial full-time enrollment, provided certain conditions are satisfied. Prospective student-athletes who enroll in an institution's summer term prior to initial full-time enrollment are no longer subject to contact restrictions, are eligible for financial aid, are eligible to participate in voluntary summer workouts with strength and conditioning coaches and are considered student-athletes for purposes of Bylaw 16. Consistent with such treatment, incoming basketball student-athletes should also be permitted to participate in a foreign tour with their teammates during the summer prior to enrollment.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Jul 06, 2009: Submit; Submitted for consideration.

Recent Interpretations of Interest to the NCAA Division I Academic Cabinet

Criteria for a Repeated Course to be Acceptable for Initial-Eligibility Certification. (I)
Date Issued: September 2, 2009

Date Published: September 4, 2009

Type: Staff Interpretation

Item Ref: a

The academic and membership affairs staff determined that to be acceptable for initial-eligibility certification, a repeated course (including credit recovery) must be substantially comparable, qualitatively and quantitatively (e.g., content, textbook, assessments, duration), to the previously attempted course.

References.

Div.	Number	Title
I	14.3.1.2.8	Repeat Courses.

Criteria for Determining Seasons of Competition for Prospective Student-Athletes Presenting Secondary School Credentials from Countries with Multiple Tiers of Secondary School Education. (I)
Date Issued: August 26, 2009

Date Published: September 4, 2009

Type: Staff Interpretation

Item Ref: b

The academic and membership affairs staff determined the following parameters apply for purposes of identifying the expected date of high school graduation pursuant to the seasons-of-competition legislation for prospective student-athletes from countries with multiple tiers of secondary school education, where successful completion of each of those tiers may equate to high school graduation.

(1) Prospective Student-Athlete Completes Secondary School in the Timeframe Prescribed by the Country's Ministry of Education.

A prospective student-athlete's expected date of graduation will advance to the date at which the prospective student-athlete's class completes each tier of the country's secondary school system, provided the prospective student-athlete completes the tier within the timeframe prescribed by the country's ministry of education.

(2) Prospective Student-Athlete Delays Completion of Secondary School Tier.

A prospective student-athlete's expected date of graduation will advance to the date at which the prospective student-athlete's class completes a tier of the country's secondary school system, even if the prospective student-athlete delays his or her completion of the tier.

(3) Prospective Student-Athlete Attempts but Does Not Successfully Complete Secondary School Tier.

If a prospective student-athlete begins a tier of the country's secondary school system, but never successfully completes the tier, the prospective student-athlete's expected date of graduation will remain the date on which the prospective student-athlete's class completed the previous tier.

The countries for which this policy applies are all multitiered leaving exam countries. This includes, but is not limited to, the United Kingdom; the University of Cambridge international exam program; New Zealand; Quebec, Canada; Scotland; the Caribbean exam countries and British patterned Africa.

References.

Div.	Number	Title
I	14.3.5.5	International Academic Standards.
I	14.2.3	Criteria for Determining Season of Competition.
I	14.2.3.2	Tennis and Swimming and Diving.
I	14.3.1.2.1	Core-Curriculum Time Limitation.
I	14.2.3.2	Delayed Enrollment -- Tennis, Swimming and Diving and Women's Volleyball.

Eligibility for Institutional Athletically Related Financial Aid -- Student-Athlete Returns to Original Institution. (I)
Date Issued: July 1, 2009.

Date Published: July 1, 2009.

Type: Staff Interpretation.

The academic and membership affairs staff determined that a transfer student from a four-year institution who is returning to his or her original institution must have been eligible to compete in the next regular academic term had the student remained at the previous institution in order to receive athletically related financial aid during the first academic year of his or her return to the original institution.

References.

Div.	Number	Title
I	14.5.5.4	Eligibility for Institutional Athletically Related Financial Aid.
I	15.01.5	Eligibility of Student-Athletes for Institutional Financial Aid.

Baseball Midyear Transfer Returning to Original Institution. (I)
Date Issued: June 17, 2009.

Date Published: June 24, 2009.

Type: Official Interpretation.

The committee determined that, in baseball, a midyear 4-4 or 4-2-4 transfer student who qualifies for the return to original institution exception to the transfer residence requirement is not eligible for competition until the ensuing academic year.

References.

Div.	Number	Title
I	14.5.5.2	Exceptions for Transfers from Four-Year Colleges.
I	14.5.5.2.8	Return to Original Institution without Participation or with Minimal Participation Exception.
I	14.5.6.1	Exceptions.
I	14.5.6.2	Baseball and Basketball -- Midyear Enrollee.

Grade-Point Average Requirement of a Transfer Student-Athlete Returning to the Original Institution. (I)
Date Issued: March 18, 2009.

Date Published: March 19, 2009.

Type: Staff Interpretation.

The academic and membership affairs staff confirmed that when a student-athlete attends the certifying institution as a full-time student, transfers to another institution and later returns to the original institution, the student-athlete is immediately subject to the fulfillment of minimum grade-point average requirements.

References.

Div.	Number	Title
I	14.4.3.3.1	Application of Rule to Transfer Student.

2009-

COMMITTEES -- COMMON COMMITTEES -- COMMITTEES WITH GOVERNANCE ADMINISTRATION RESPONSIBILITIES -- INTERNATIONAL-STUDENT RECORDS COMMITTEE -- COMPOSITION

Intent: To specify that the International-Student Records Committee shall consist of six members and that the committee may use the services of international student records consultants at its discretion, including through the appointment of such individuals as ad hoc members of the committee.

Bylaws: Amend 21.6.3, as follows:

[Common provision, Divisions I and II only, divided vote]

21.6.3 International-Student Records Committee.

21.6.3.1 Composition. The committee shall consist of ~~*eight*~~ **six** members, including two Division I representatives, two Division II representatives~~,~~ **and** two representatives who may be from either Division I or Division II ~~*and two ex-officio members, one of whom shall be the NCAA Eligibility Center's primary international-student records consultant*~~.

[Remainder of 21.6.3 unchanged.]

Source: NCAA Division I Academics Cabinet

Effective Date: Immediate

Proposal Category: Amendment

Topical Area: Committees

Rationale: This proposal does not change the voting positions on the International-Student Records Committee. Rather, it permits greater flexibility in the appointment process by permitting the committee to supplement its expertise as needed. For example, if the permanent committee members do not have sufficient expertise regarding educational systems in a certain area of the world, the committee could add that needed expertise by appointing an ad hoc member with such expertise. This proposal is being recommended as noncontroversial legislation, since 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 or proposed legislation. As the International-Student Records Committee is a common committee, this recommendation will not be effective unless and until the same legislation is adopted in Division II.

Estimated Budget Impact: Cost savings through the use of consultants only as needed, rather than as mandated by current legislation.

Impact on Student-Athlete's Time: None.

Proposed Goals for Future NCAA Division I Initial-Eligibility Standards

1. Initial-eligibility standards should help ensure first-year student-athlete academic success, as defined by meeting NCAA progress-toward-degree eligibility standards and/or by increasing likelihood of graduation (i.e., increased likelihood after first year compared to likelihood based solely on high school preparation);

2. Initial-eligibility standards should preserve institutional responsibility for admissions decisions, possibly including consideration of aggregate risk evaluations; and

3. Initial-eligibility standards should encourage prospective student-athletes to balance their self-identities as students and athletes.

Proposed Principles for Future NCAA Division I Initial-Eligibility Standards

1. Initial-eligibility standards should strive to maximize first-year college academic success, putting student-athletes on track to graduate in a reasonable timeframe and minimizing false negatives and adverse impact on minority and low income prospective student-athletes;

2. Initial-eligibility standards should represent minimally acceptable standards, with continued reliance on member institutions to make admissions decisions that are most appropriate for determining academic success locally;

3. Review of the initial-eligibility standards should include consideration of the most recent NCAA academic data, changing secondary school standards (e.g., No Child Left Behind) and the national secondary school environment (e.g., increasing enrollment in nontraditional courses);

4. Initial-eligibility standards should be simple and nationally applicable to ensure prospective student-athletes and high schools can readily understand any potential changes and that such changes can be applied for students throughout the United States (as well as international prospective student-athletes);

5. Any changes should be able to be implemented with relatively minimal increased chance for operational error and little to no increased bureaucracy for member institutions and high schools;

6. New requirements should not create or expand opportunities for misrepresentation of prospective student-athletes' academic abilities or credentials;

7. Consideration should be given to prospective student-athletes' abilities and opportunities to meet increased standards when considering implementation time lines for new or increased requirements; and

8. Waiver decisions under any initial-eligibility standard should be made through processes employing data-driven analysis in addition to mitigation.

Excerpt from the July 8-9, 2009, Meeting
Report of the NCAA Division I Committee on Academic Performance

22. NCAA Division I Academic Cabinet Update. The committee received an update on the June 2009 Academic Cabinet meeting, specifically noting the cabinet's review of the division's initial-eligibility requirements and its initiatives related to nontraditional courses. The committee reviewed the goals and principles identified by the cabinet and agreed that institutional responsibility to consider academic preparation and academic risk of prospective student-athletes must be maintained. Committee members also indicated that risk management is the responsibility of institutions, rather than the NCAA, and that practices, rather than outcomes, may be an appropriate focus of the cabinet. Some support also was expressed for ensuring new initial-eligibility rules do not expand or create new opportunities for abuse or misrepresentation of a prospective student-athlete's academic preparedness. The committee supports the cabinet's evaluation of the initial-eligibility requirements and looks forward to continued involvement in the review of potential initial-eligibility models at its future meetings.

Student-Athlete Academic Profiles Before and After Changes in Division I Initial Eligibility Standards

Division I Academic Cabinet
Summer/Fall 2009

Percentages of PSAs on a Division I IRL who met Initial Eligibility Standards (per rule in effect that year) in 2002 (Prop 16) vs. 2003-2008 (Sliding Scale)

	2002	2003	2004	2005	2006	2007	2008*
All PSAs (~48,000 / year)	93.0%	94.8%	95.5%	95.4%	95.5%	95.4%	94.7%
Men's Basketball PSAs (~1,500 / year)	88.0%	90.3%	91.9%	91.3%	92.8%	93.1%	89.4%
Football PSAs (~10,000 / year)	85.6%	88.7%	90.3%	90.2%	90.4%	91.0%	89.6%

All tables include only domestic PSAs with final certification

NOTE: During 2006, initial eligibility certification transferred from the IEC to NEC. An "early certification" process was added in 2007-08 to push high-achieving student-athletes through the certification process more quickly. As a result of these administrative modifications, data from 2006-08 may not be directly comparable to data from 2002-05. Additionally, most of the data for 2007 are missing so interpretation should be made with extreme care. * Data from 2008 are preliminary and may not be directly comparable.

Aggregate High School Academic Profiles of Division I Recruits in 2002 through 2008

High School Academic Characteristics of PSAs on a Division I IRL in 2002 (Prop 16) vs. 2003-2008 (Sliding Scale)

	2002 Mean (SD)	2003 Mean (SD)	2004 Mean (SD)	2005 Mean (SD)	2006* Mean (SD)	2007* Mean (SD)	2008* Mean (SD)
High school core GPA	3.34 (.61)	3.33 (.62)	3.34 (.61)	3.34 (.61)	3.35 (.61)		3.30 (.59)
Best ACT/SAT score (converted to SAT units)	1079 (177)	1081 (179)	1083 (178)	1083 (178)	1073 (177)		1085 (175)

NOTE: During 2006, initial eligibility certification transferred from the IEC to NEC. An "early certification" process was added in 2007-08 to push high-achieving student-athletes through the certification process more quickly. As a result of these administrative modifications, data from 2006-08 may not be directly comparable to data from 2002-05. Additionally, most of the data for 2007 are missing so interpretation should be made with extreme care. * Data from 2008 are preliminary and may not be directly comparable.

Figure 1: Best SAT score among PSAs on a Division I IRL in 2002 (Prop 16) vs. 2003-2005 (Sliding Scale)

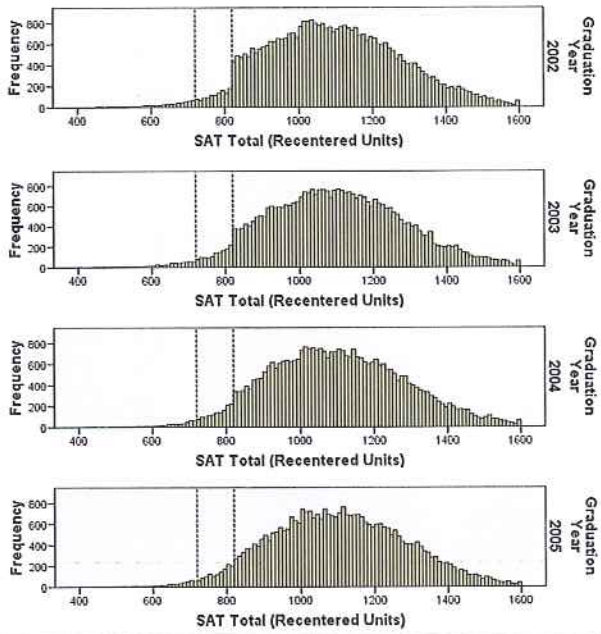
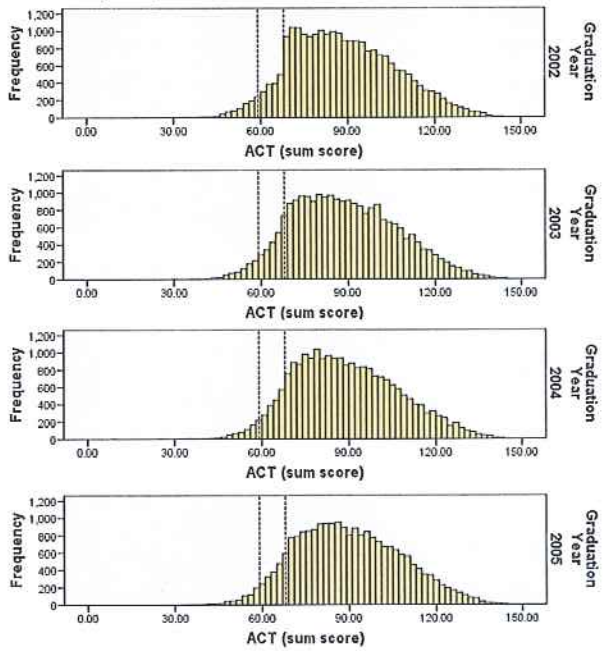


Figure 2: Best ACT sum score among PSAs on a Division I IRL in 2002 (Prop 16) vs. 2003-2005 (Sliding Scale)



High School Academic Characteristics of Men's Basketball PSAs on a Division I IRL in 2002 (Prop 16) vs. 2003-2008 (Sliding Scale)

	2002 Mean (SD)	2003 Mean (SD)	2004 Mean (SD)	2005 Mean (SD)	2006* Mean (SD)	2007* Mean (SD)	2008* Mean (SD)
High school core GPA	3.03 (.63)	3.01 (.62)	3.00 (.59)	3.03 (.60)	3.02 (.58)		3.00 (.59)
Best ACT/SAT score (converted to SAT units)	985 (163)	988 (166)	983 (165)	986 (165)	978 (168)		983 (163)

NOTE: During 2006, initial eligibility certification transferred from the IEC to NEC. An "early certification" process was added in 2007-08 to push high-achieving student-athletes through the certification process more quickly. As a result of these administrative modifications, data from 2006-08 may not be directly comparable to data from 2002-05. Additionally, most of the data for 2007 are missing so interpretation should be made with extreme care. * Data from 2008 are preliminary and may not be directly comparable.

High School Academic Characteristics of Men's Football PSAs on a Division I IRL in 2002 (Prop 16) vs. 2003-2005 (Sliding Scale)

	2002 Mean (SD)	2003 Mean (SD)	2004 Mean (SD)	2005 Mean (SD)	2006* Mean (SD)	2007* Mean (SD)	2008* Mean (SD)
High school core GPA	3.02 (.61)	3.01 (.61)	3.02 (.61)	3.04 (.61)	3.03 (.59)		2.99 (.58)
Best ACT/SAT score (converted to SAT units)	998 (160)	996 (162)	998 (161)	1003 (162)	992 (162)		1005 (159)

NOTE: During 2006, initial eligibility certification transferred from the IEC to NEC. An "early certification" process was added in 2007-08 to push high-achieving student-athletes through the certification process more quickly. As a result of these administrative modifications, data from 2006-08 may not be directly comparable to data from 2002-05. Additionally, most of the data for 2007 are missing so interpretation should be made with extreme care. * Data from 2008 are preliminary and may not be directly comparable.

High School Academic Characteristics of PSAs on a Division I IRL who met Division I Initial Eligibility Standards in 2002 (Prop 16) vs. 2003-2008 (Sliding Scale)

	2002 Mean (SD)	2003 Mean (SD)	2004 Mean (SD)	2005 Mean (SD)	2006* Mean (SD)	2007* Mean (SD)	2008* Mean (SD)
High school core GPA	3.41 (.57)	3.39 (.57)	3.39 (.57)	3.40 (.57)	3.40 (.57)		3.35 (.55)
Best ACT/SAT score (converted to SAT units)	1099 (165)	1095 (171)	1095 (171)	1095 (171)	1085 (170)		1097 (169)

NOTE: During 2006, initial eligibility certification transferred from the IEC to NEC. An "early certification" process was added in 2007-08 to push high-achieving student-athletes through the certification process more quickly. As a result of these administrative modifications, data from 2006-08 may not be directly comparable to data from 2002-05. Additionally, most of the data for 2007 are missing so interpretation should be made with extreme care. * Data from 2008 are preliminary and may not be directly comparable.

H.S. Academic Characteristics of Men's Basketball PSAs on a Division I IRL who met Division I Initial Eligibility Standards in 2002 (Prop 16) vs. 2003-2005 (Sliding Scale)

	2002 Mean (SD)	2003 Mean (SD)	2004 Mean (SD)	2005 Mean (SD)	2006* Mean (SD)	2007* Mean (SD)	2008* Mean (SD)
High school core GPA	3.13 (.57)	3.10 (.57)	3.08 (.56)	3.11 (.56)	3.08 (.55)		3.07 (.56)
Best ACT/SAT score (converted to SAT units)	1009 (152)	1006 (160)	997 (157)	1001 (162)	992 (165)		998 (163)

NOTE: During 2006, initial eligibility certification transferred from the IEC to NEC. An "early certification" process was added in 2007-08 to push high-achieving student-athletes through the certification process more quickly. As a result of these administrative modifications, data from 2006-08 may not be directly comparable to data from 2002-05. Additionally, most of the data for 2007 are missing so interpretation should be made with extreme care. * Data from 2008 are preliminary and may not be directly comparable.

H.S. Academic Characteristics of Men's Football PSAs on a Division I IRL who met Division I Initial Eligibility Standards in 2002 (Prop 16) vs. 2003-2005 (Sliding Scale)

	2002 Mean (SD)	2003 Mean (SD)	2004 Mean (SD)	2005 Mean (SD)	2006* Mean (SD)	2007* Mean (SD)	2008* Mean (SD)
High school core GPA	3.14 (.55)	3.11 (.55)	3.11 (.55)	3.13 (.56)	3.12 (.54)		3.07 (.54)
Best ACT/SAT score (converted to SAT units)	1029 (146)	1018 (153)	1017 (154)	1023 (155)	1010 (155)		1022 (155)

NOTE: During 2006, initial eligibility certification transferred from the IEC to NEC. An "early certification" process was added in 2007-08 to push high-achieving student-athletes through the certification process more quickly. As a result of these administrative modifications, data from 2006-08 may not be directly comparable to data from 2002-05. Additionally, most of the data for 2007 are missing so interpretation should be made with extreme care. * Data from 2008 are preliminary and may not be directly comparable.

Freshman Year Academic Outcomes for Division I Student-Athletes in 2003 through 2007

Demographics and Academic Outcomes for Division I Freshmen in 2003-04 through 2007-08

	2003-04	2004-05	2005-06	2006-07	2007-08
Percent African-American SAs	20.6%	21.1%	21.4%	21.5%	21.8%
Percent All Minority SAs	35.6%	36.3%	36.8%	37.4%	37.3%
Ave. First-Year GPA	2.80	2.80	2.81	2.84	2.85
Ave. Credits Earned	27.2	27.6	27.6	27.9	27.9
Ave. Non-Remedial Credits Earned	26.7	27.1	27.1	27.4	27.5
Eligibility Rate	93.4%	93.7%	94.0%	94.8%	95.1%
Retention Rate	87.3%	86.7%	87.3%	87.4%	87.8%
Percent 0-for-2	4.1%	3.9%	3.6%	3.1%	3.0%

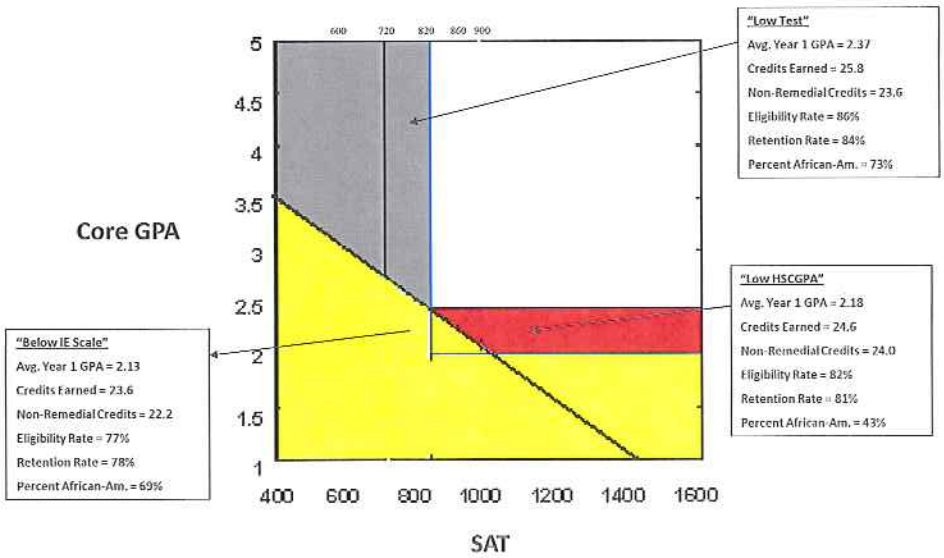
Demographics and Academic Outcomes for Freshman Division I Men's Basketball Players in 2003-04 through 2007-08

	2003-04	2004-05	2005-06	2006-07	2007-08
Percent African-American SAs	57.9%	60.7%	60.3%	61.6%	64.4%
Percent All Minority SAs	71.2%	74.0%	72.9%	74.6%	75.2%
Ave. First-Year GPA	2.52	2.51	2.53	2.58	2.58
Ave. Credits Earned	27.6	28.1	28.4	28.5	28.2
Ave. Non-Remedial Credits Earned	26.8	27.2	27.6	27.7	27.4
Eligibility Rate	94.2%	92.2%	94.0%	95.4%	95.2%
Retention Rate	85.5%	82.0%	81.3%	80.1%	78.8%
Percent 0-for-2	4.0%	6.0%	4.6%	3.3%	3.5%

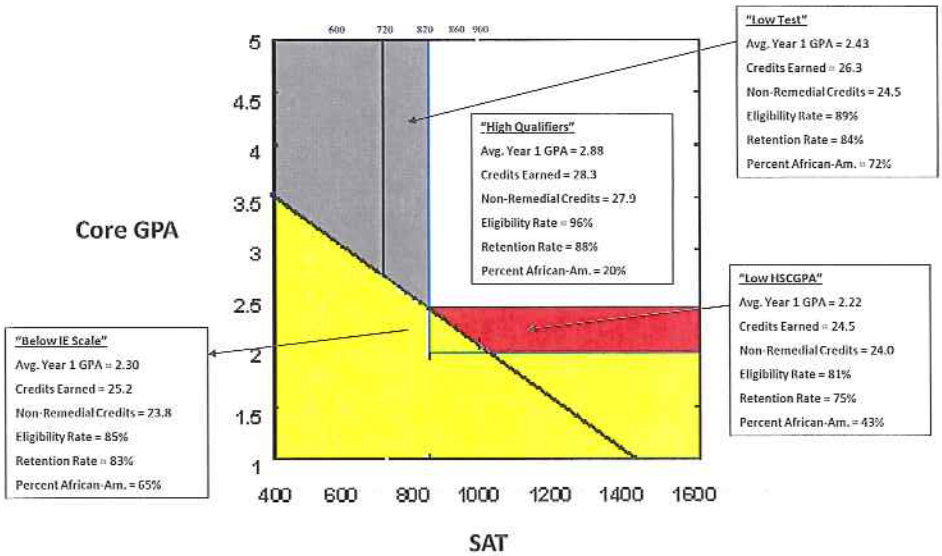
Demographics and Academic Outcomes for Freshman Men's Football Players at FBS Schools in 2003-04 through 2007-08

	2003-04	2004-05	2005-06	2006-07	2007-08
Percent African-American SAs	56.0%	54.3%	56.2%	57.1%	58.5%
Percent All Minority SAs	62.9%	61.4%	63.6%	65.2%	64.8%
Ave. First-Year GPA	2.45	2.45	2.48	2.51	2.54
Ave. Credits Earned	27.0	27.5	27.7	28.0	27.9
Ave. Non-Remedial Credits Earned	26.0	26.6	26.7	27.2	27.1
Eligibility Rate	92.7%	92.9%	94.4%	95.1%	95.4%
Retention Rate	89.4%	88.3%	90.9%	90.1%	91.1%
Percent 0-for-2	5.3%	5.3%	3.4%	3.4%	3.1%

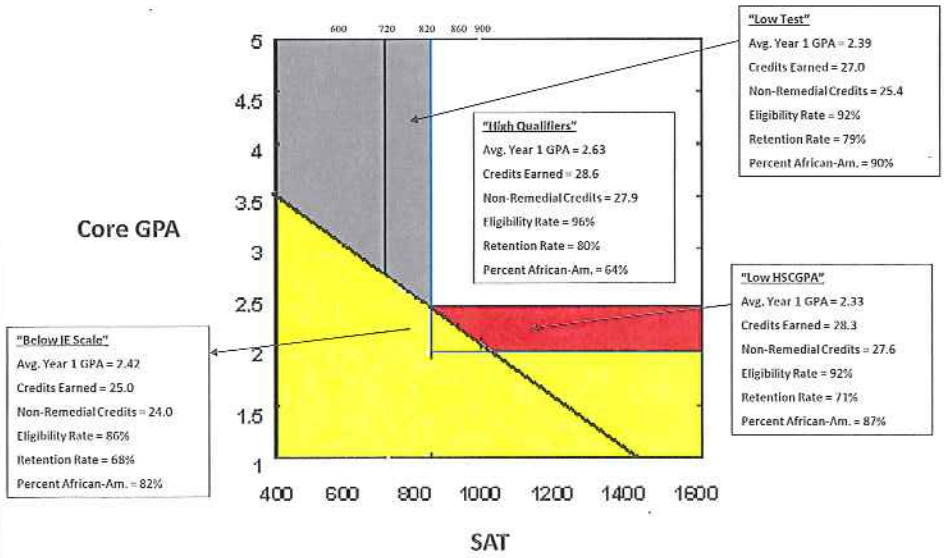
First-Year Academic Performance of Low-Test vs. Low-GPA Qualifiers in Division I (2005-06 Division I Freshmen)



First-Year Academic Performance of Low-Test vs. Low-GPA Qualifiers in Division I (2007-08 Division I Freshmen)

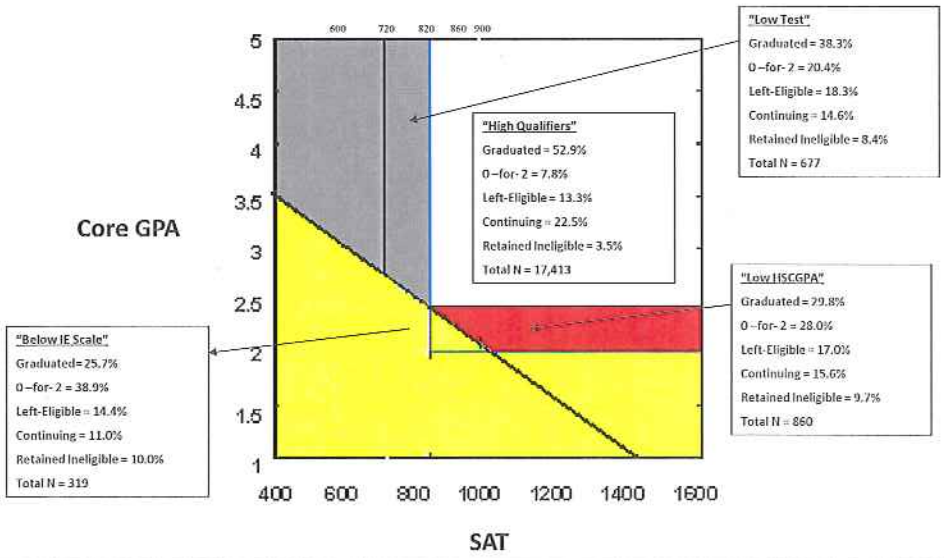


First-Year Academic Performance of Low-Test vs. Low-GPA Qualifiers in Division I Men's Basketball (2007-08 Division I Freshmen)

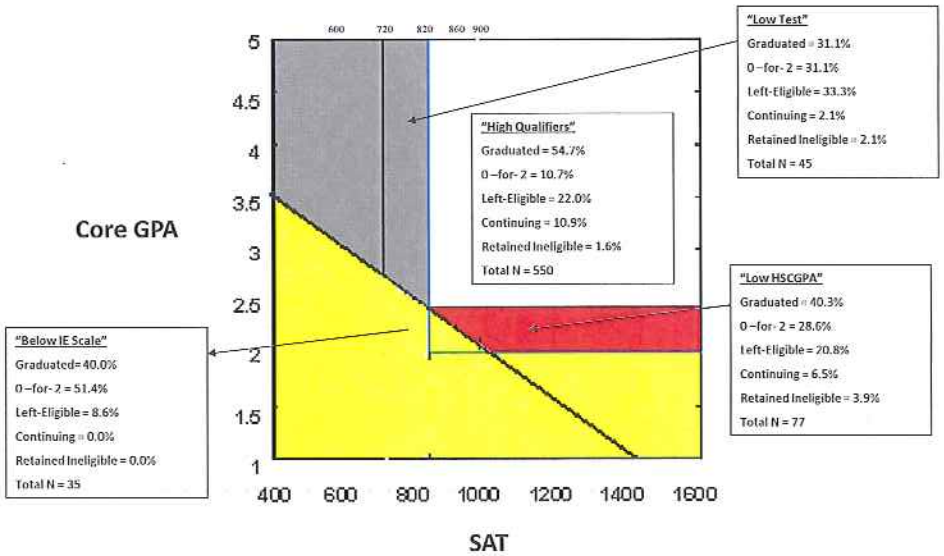


Five-Year Academic Outcomes for Division I Student-Athletes Who Were Freshmen in 2003-04

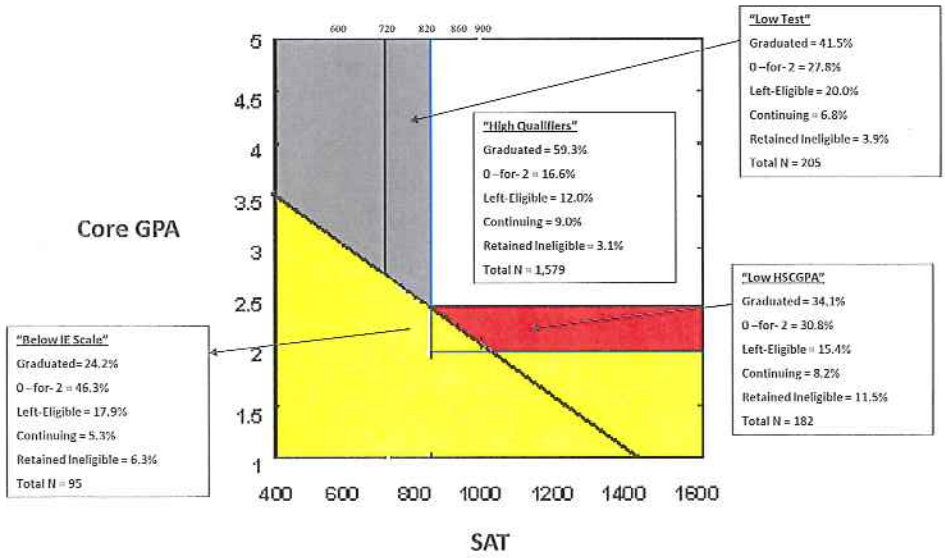
Five -Year Academic Performance of Low-Test vs. Low-GPA Qualifiers in Division I (2003-04 Division I Freshmen)



Five -Year Academic Performance of Low-Test vs. Low-GPA Qualifiers in Division I Men's Basketball (2003-04 Division I Freshmen)



Five -Year Academic Performance of Low-Test vs. Low-GPA Qualifiers in Division I FBS Football (2003-04 Division I Freshmen)



Comparison of Five-Year Academic Outcomes for Division I Student-Athletes Who Were Freshmen in 2003-04 Versus Those Who Were Freshmen in 2002-03

Comparison of Academic Outcomes for Student-Athletes Entering in 2002-03 Versus 2003-04

- The 2003-04 entering class was the first class to be subjected to changes in initial eligibility and PTD rules. In order to study the potential effects the new rules had on academic outcomes, we are able to compare the 5-year academic outcomes of this class to those who entered in 2002-03 (the year prior to the rule implementation).
- In order to accomplish this, we selected all first-year, first-time freshmen (non-transfers) who entered college in the 2002-03 academic year and were retained at their same institution in 2003-04, which is the first year of APP data collection.
- The comparison group is first-year, first-time freshmen who entered college in the 2003-04 academic year and were retained at their same institution in 2004-05. This allows for an apple-to-apple comparison...non-transfers who were retained to the sophomore year.

Comparison of 5-year Academic Outcomes 2002-03 to 2003-04

Five-year academic outcomes for student-athletes who were retained after their first year:

	2002-03 Entering Freshmen	2003-04 Entering Freshmen
Total Number in Cohort	19,031	20,415
Graduate	11,179 (58.7%)	11,866 (58.1%)
0/2	1,262 (6.6%)	1,514 (7.4%)
Left Eligible	1,974 (10.4%)	2,313 (11.3%)
Continuing	3,957 (20.8%)	3.978 (19.5%)
Missing Ineligible	659 (3.5%)	744 (3.6%)

Comparison of 5-year DI – FBS Football Academic Outcomes 2002-03 to 2003-04 (cont.)

Five-year academic outcomes for Division I FBS football student-athletes who were retained after their first year:

	2002-03 Entering Freshmen	2003-04 Entering Freshmen
Total Number in Cohort	1,961	1,946
Graduate	1,074 (54.8%)	1,132 (58.2%)
0/2	363 (18.5%)	340 (17.5%)
Left Eligible	266 (13.6%)	253 (13.0%)
Continuing	175 (8.9%)	156 (8.0%)
Missing Ineligible	83 (4.2%)	65 (3.3%)

To be distributed at later date.

Review of the Academic Performance of Two-Year College Transfer Student-Athletes

Background.

At its September 2008 meeting, the NCAA Division I Academic Cabinet identified the academic performance of two-year college transfers (2-4 and 4-2-4 transfers) as a priority item for review. Specifically, the cabinet noted relatively low academic performance of two-year college transfers following transfer to a Division I institution, when compared to nontransfers and four-year college transfers. Through its review, the cabinet will attempt to identify the academic profile of successful two-year college transfer student-athletes, and then develop recommendations to improve the academic performance of such transfers.

The cabinet joined several other Division I governance bodies in noting that a dearth of information exists related to the academic performance of two-year college transfers prior to their transfer to the four-year institution, and that additional data was needed before a sufficient review could be completed. Previous groups to discuss two-year college transfers and identify the need for additional data include the NCAA Division I Academics/Eligibility/Compliance Cabinet Transfer Issues Ad Hoc Group, the NCAA Division I Men's Basketball Academic Enhancement Group, the NCAA Division I Football Academic Working Group and the NCAA Division I Committee on Academic Performance. Therefore, the cabinet supported legislation to collect the initial academic eligibility data for two-year college transfers and recommended the collection of data related to two-year college transfers' academic performance at two-year institutions via the NCAA Division I Academic Performance Program (APP).

Data Collection and Review.

Through the APP data collection process, academic data will be collected for all baseball, men's and women's basketball and football student-athletes in an institution's 2008-09 NCAA Division I Academic Progress Rate (APR) cohort who originally entered the institution as a two-year college transfer. The number of sports was limited to four in order to reduce the administrative burden on campus personnel who collect and submit academic data. The specific sports to be collected were identified as the sports with the highest rates of two-year college transfers and where two-year college transfers have lower levels of academic performance. The following data items will be collected through the APP data collection process:

1. Number and names of two-year colleges attended;

2. Number of credits earned, including breakdown of total and transferable credits in English, math, science and physical education;

3. Degree-applicable hours at time of transfer;

4. Remediation required after transfer to the four-year institution;

5. Cumulative grade-point average at two-year college and grade-point average in transferable degree credits;

6. Graduation status from the two-year college;

7. Terms of enrollment and credit hours earned at the most recent two-year college;

8. Number of credits earned during the academic term (regular or summer) immediately prior to transfer at an institution other than the two-year college from which the student-athlete graduated (if any);

9. NCAA initial-eligibility status; and

10. Number of seasons of competition used at the two-year college(s).

Initial data collection will occur in fall 2009, and the cabinet will review preliminary findings at its February 2010 meeting.

In following years, data will need to be submitted only for student-athletes who entered the institution during the year for which data is being collected. Following the fall 2010 data collection period, the Committee on Academic Performance will determine if any changes should be made to the list of data items to be collected, the data collection process or the sports for which data is collected. As an example, other sports may be included if the initial data collection is not representative of two-year college transfers throughout Division I.

Involvement of External Constituent Groups.

Engagement of representatives from the two-year college community and other interested parties (e.g., academic support associations, coaches associations) has been a part of the division's review of two-year college transfers to this point in the process. The two-year college community, especially the NCAA Two-Year College Relations Panel, is keenly interested in the data regarding the academic performance of two-year college transfers and in the ongoing discussions related to improving that performance.

The first group to review the academic performance of two-year college transfers, the Academics/Eligibility/Compliance Cabinet Transfer Issues Ad Hoc Group, met with a panel of representatives from the two-year and four-year college communities who have experience with transfer student-athletes' issues and also surveyed the NCAA Division I membership related to two-year transfer student-athlete issues. In its final report, the ad hoc group recommended that ongoing dialogue with representatives of the two-year college community and academic advising groups should continue to be part of the process to identify possible solutions as the transfer issues are discussed and legislative concepts are developed.

Toward that end, the cabinet should consider inviting representatives of the two-year college community to the February 2010 meeting to review data and discuss potential solutions. In addition, representatives from the National Association of Academic Advisors for Athletics (N4A) traditionally have attended the cabinet's meeting each February. This will be an opportune time for the cabinet to solicit feedback from those who work closely with transfer students to support their academic success following transfer. The cabinet also may want to invite representatives from the National Academic Advising Association (NACADA) for the February meeting to provide additional perspective from the academic support community. Finally, the cabinet may benefit by hearing from student-athletes who have transferred from two-year colleges and from coaches at two-year and four-year institutions who have experience with transfer student-athletes.

Participation by these individuals provides an important opportunity to share data collected by the NCAA regarding the academic preparation and performance of two-year college transfers. The involvement also brings important contextual information to the cabinet's review of data and consideration of possible actions to address the academic performance of two-year college transfers.

Projected Timeline for Data Collection and Review.

September - November 2009	Collection of data regarding the academic performance at the two-year college for all football, basketball and baseball student-athletes in an institution's 2008-09 APR cohort who originally entered the institution as 2-4 or 4-2-4 transfers.
February 2010	Academic Cabinet review of data collected during fall 2009 and initial consideration of potential legislative and policy recommendations.
Spring 2010	Committee on Academic Performance review of academic data on 2-4 transfers collected in fall 2009.
June 2010	Academic Cabinet and Committee on Academic Performance joint meeting to review data and consider potential legislative and policy recommendations. [June is last opportunity to sponsor legislation for 2010-11 legislative cycle.]
September - November 2010	Collection of data regarding the academic performance at the two-year college for football, basketball and baseball student-athletes who entered the institution as 2-4 transfers in the 2009-10 academic year.

December 2010	Initial-eligibility information (high school transcript and test score) must be submitted to the NCAA Eligibility Center for all 2-4 and 4-2-4 transfers who initially enroll in a Division I institution in the 2010 fall term.
February and June 2011	Academic Cabinet review of data collected during fall 2010: second phase of data on academic performance while at two-year institution and initial data collection of initial-eligibility information.

Approach to Data Review.

Due to the staggered start for the two data-collection initiatives, the initial-eligibility information for two-year college transfers will not be available until February 2011. Therefore, the cabinet may want to consider a two-phase approach to its review of the data.

Phase One. Based on data reported in February and June 2010, the cabinet can evaluate the academic performance and behavior of two-year college transfers while at the two-year college in order to determine the academic profile of academically successful transfers. In addition, the cabinet can engage representatives from the academic support community to identify successful practices to support two-year college transfers after enrollment at the four-year institution.

Phase Two. Following the collection of initial-eligibility information for two-year college transfers, academic performance data from the two-year and four-year college can be linked to high school academic performance. This data may help the cabinet identify instances when additional opportunities or accommodations for remediation of academic deficiencies are appropriate. In addition, the cabinet can consider whether a longer path to graduation (e.g., six-year model) may be appropriate for some student-athletes based on their academic performance while high school.

Facilitating Learning and Achieving Graduation Update
September 2009

Background.

During its February 2009 meeting, the NCAA Division I Academic Cabinet reviewed the final report of the Working Group to Examine Issues Related to Academic Risk and unanimously endorsed the development of the Facilitating Learning and Achieving Graduation (FLAG) program, a new management system designed to assist institutions to identify, assess and mitigate academic risk for all student-athletes. The voluntary Web-based FLAG program proposed by the working group includes three modules that can be implemented at the institutional level to:

1. Identify student-athletes with various levels of risk of not graduating from the institution;

2. Leverage campus resources to provide appropriate support to all student-athletes based on the specific risk factors identified; and

3. Evaluate institutional effectiveness in the recruitment, admission and ongoing support of student-athletes in order to inform institutional decisions regarding recruiting and admissions, support services and resource allocations (e.g., budget and staffing).

The cabinet charged the NCAA staff to implement the FLAG program and asked to receive periodic reports and previews of the program as it is developed. This document is intended to update the cabinet on the current status and future direction of the FLAG program.

Graduation Risk Overview Module Development.

The first module of the FLAG program to be developed is the Graduation Risk Overview (GRO). The GRO module will help institutions to assess each individual student-athlete's risk of not graduating based on a number of academic and nonacademic factors identified by the working group. NCAA staff members from academic and membership affairs, research, and information services are working together to design and prepare the computer program that will assess the academic risk of student-athletes. The information services staff is currently programming the module, which will be available to member institutions during fall 2009.

The GRO module will be accessed via the Legislative Services Database (LSDB*i*) and will look and feel similar to existing NCAA applications [e.g., NCAA Division I Academic Performance Program (APP)], a feature that is intended to provide familiarity for campus users. As specified by the working group, GRO will have the capability to import team rosters and student-athletes' academic data directly from existing NCAA sources, including the NCAA Eligibility Center and APP. The module also will import data from an existing data file (e.g., Excel spreadsheet). This functionality is intended to minimize the need for additional data entry by the campus user; however, it is also possible to add student-athletes and data regarding the risk factors on an individual basis.

Data regarding the nonacademic risk factors may be entered for each student-athlete individually (e.g., role of academics, personal history) or for all student-athletes on a team (e.g., coach in first year, high-profile sport). Once data is entered, any risk factor can be modified on a dynamic, real-time basis in order to reflect a student-athlete's changing circumstances. The student-athlete's cumulative level of risk, or GRO score, will be updated with each change to the risk factors.

The GRO module will also allow for searching and sorting of student-athletes on an array of data and risk factors. Users will also have the ability to generate summary or detailed reports on any or all of the institution's student-athletes.

Following the programming of the GRO module, it will be tested by the NCAA staff and membership. Currently, more than 25 institutions have volunteered to participate in the pilot program to test the GRO module and provide feedback on strengths, bugs and potential enhancements. The testing and the pilot stages are anticipated to occur in October and November 2009.

Educational Outreach and Training.

Multiple outreach efforts will be used to publicize the availability of the GRO module and to provide education and training in the use of the program. Availability of the module will be announced via several channels, including LSDB*i*, direct communication to institutions and conference offices, and messaging through the Association's academic partner associations (e.g., N4A, NACADA, FARA, Division I-A FARs). Educational and training opportunities will be provided once the module is available for use, including in-person presentations, webinars and teleconferences. In addition, NCAA staff members are preparing an educational document that will assist users in understanding the risk factors included in the GRO assessment and a user guide to help navigate the GRO program.

The educational materials will also incorporate insights from an advisory group of administrators from member institutions, including representatives from the working group and the Academic Cabinet. The advisory group has completed significant work to help the staff to present the risk factors in an understandable manner and to identify best practices for implementing the GRO module on campus.

Future Direction.

As development of the GRO module continues, phased implementation of the remaining modules of the FLAG program will begin as specified in the working group's final report. The second module will help institutions match appropriate support services to each student-athlete, based on that student-athlete's particular risks. The final module will help institutions analyze data and outcomes to evaluate its effectiveness at assessing and mitigating the risks presented by student-athletes.

Following is a projected timeline of the future development and implementation of the program.

- October 2009 — GRO programming complete; testing and pilot program occur.
  GRO educational and supporting materials developed.
  Development of support services module begins.
- November 2009 — GRO available to membership.
  GRO outreach and training.
- Winter 2009-10 — Development and programming of support services module.
  Support services educational and supporting materials developed.
- February 2010 — Progress report provided to Academic Cabinet.
- Spring 2010 — Support Services module available to membership.
  Outreach and training continues.

The support and involvement of multiple constituent groups (e.g., academic advisors, faculty athletics representatives, student-athlete advisory committees, member conferences and coaches associations) is critical to the eventual success of the FLAG program. Outreach efforts will be targeted to each group in order to communicate the program's particular relevancy to each group. Further, the outreach efforts must allow for feedback from the constituent groups in order to inform further development and enhancements of the FLAG program. Continuous improvement and refinement will be an important element to ensuring that the FLAG program remains a valuable tool in support of institutional endeavors to ensure graduation for every student-athlete.

NCAA Division I

Initial-Eligibility Waivers Committee

Policies and Procedures Manual

Effective for prospective student-athletes enrolling on or after January 1, 2010

Last Updated: August 24, 2009

Table of Contents

Legislated Duties of the Committee 1

Responsibilities of the Committee 1

Committee Composition and Reporting Lines 1

Committee Terms.....2

Committee Organization 2-3

Committee Appointment and Resignation Policies and Requirements 3-4

Selection of Committee and Subcommittee Chairs 5

Responsibilities 5-6

Teleconference and Voting Procedures 7

Staff Authority and Review Process 7

Decisions of the Staff and/or Subcommittee 8-10

Information to be Considered 11-13

Outside Participation..... 13-14

Appeals/Reconsiderations..... 14-15

Recusal 15

Confidentiality 15

Conflict of Interest 16-17

Speaking Agent Policy.....17

Federal Education Right to Privacy Act (FERPA) 17-18

Absences 18

Legislated Duties of the NCAA Division I Initial-Eligibility Waivers Committee (NCAA Bylaw 21.7.6.1.3.1.1).

The committee shall be responsible for reviewing requests for waivers of the initial-eligibility requirements in accordance with Bylaw 14.3.1.5.

Responsibilities of the Committee.

1. Review cases and render decisions consistent with related legislation and policies and procedures.

2 On an annual basis review and make recommendations to the NCAA Division I Academic Cabinet regarding minimum threshold requirements for filing an initial-eligibility waiver.

3. On an annual basis review cases decided by both the staff and subcommittees during the previous academic year to determine if case decisions should continue to be included as case precedent.

4. On an annual basis provide a report of all staff and subcommittee decisions to the cabinet.

5. Study and make recommendations to the cabinet concerning the policies and procedures governing initial-eligibility waivers.

6. Study and make recommendations to the cabinet, on request, regarding portions of the NCAA Division I legislation that relate to initial eligibility.

Committee Composition and Reporting Lines.

Legislated Composition and Reporting Lines (NCAA Constitution 4.9 and Bylaws 21.7.6.1.3.1 and 21.7.6.1.3.1.1)

The Initial-Eligibility Waivers Committee shall consist of 20 members appointed by the Academic Cabinet with no subdivision having more than 50 percent representation. The committee reports directly to the cabinet.

Committee Terms.

Legislated Term of Office (Bylaw 21.7.6.1.3.1.2)

Generally, committee members shall be appointed for one four-year term. The member's term of service shall commence on the first day of January following the member's appointment. The committee member may be appointed to an additional term on the committee after three years have elapsed. An individual who has served two terms on the committee may not serve further on the committee.

Committee Organization.

Each committee member will be appointed to one subcommittee, and generally serve the duration of their term on the appointed subcommittee. Each subcommittee generally consists of five members from the Initial-Eligibility Waivers Committee.

- **Subcommittees.**

  The following subcommittees facilitate the work of the committee:

Subcommittee	Duty
NCAA Division I Initial-Eligibility Waivers Committee Core-Course Subcommittee	Review request for waivers of the initial-eligibility requirements in accordance with Bylaw 14.3.1.5 for student-athletes who have a core-course deficiency.
NCAA Division I Initial-Eligibility Waivers Committee Education-Impacting Disability Subcommittee	Review request for waivers of the initial-eligibility requirements in accordance with Bylaw 14.3.1.5 for student-athletes who have a documented disability and who do not meet the initial-eligibility requirements.
NCAA Division I Initial-Eligibility Waivers Committee International-Student Subcommittee	Review request for waivers of the initial-eligibility requirements in accordance with Bylaw 14.3.1.5 for student-athletes who have graduated from a nondomestic (international) secondary-school system and who do not meet the initial-eligibility requirements.

Subcommittee	Duty
NCAA Division I Initial-Eligibility Waivers Committee Transcript-Change/Grade-Point Average Subcommittee	Review request for waivers of the initial-eligibility requirements in accordance with Bylaw 14.3.1.5 for student-athletes who have a deficiency relative to a qualifying test score, grade-point average and/or involve a change to the academic record that was received by the NCAA Eligibility Center.

The following administrative committee facilitates the work of the committee:

Administrative Committee	Each subcommittee chair shall serve as a member of the Initial-Eligibility Waivers Committee's Administrative Committee. One of the subcommittee chairs shall serve as the chair of the Initial-Eligibility Waivers Committee. The chair of the waivers committee shall serve as the chair of the Administrative Committee.

Committee Appointment and Resignation Policies and Requirements.

Legislated appointment of committee members (Bylaw 21.7.6.1.3.1.1)

The NCAA Division I Administration Cabinet makes appointments as needed each year to fill vacancies that occur. The Administration Cabinet fills these appointments. A motion and approval is required by the full Administration Cabinet to confirm appointments to the committee.

1. **Appointment Policies.** The Administration Cabinet considers the following in making appointments to the Initial-Eligibility Waivers Committee:

a. Appropriate sub-divisional representation.

b. Consideration of an individual's position on campus or at the conference office.

c. Individuals eligible for re-appointment.

d. Consideration of an individual's expertise/background in a particular area or field.

e. Consideration of an individual's expertise in education-impacting disabilities and international student records.

2. <u>Appointment Procedures</u>.

a. A one page information form has been developed on which each nominee provides information regarding institutional/conference position, experience, current or past NCAA committee service, education and qualifications. Submission of other documentation such as resumes is not requested. Such documents, if submitted, are not provided to the Administration Cabinet. No nominee will be considered by the Administration Cabinet unless the information form is submitted.

b. Nominations must be submitted by member conferences. Only nominations submitted in accordance with the deadline will be considered, except in a situation where no nominee meets the specific requirements for the vacancy. In that case, the Administration Cabinet may appoint an individual to fill the vacancy.

c. All nominations are to be sent to the coordinator responsible for committee administration at the NCAA national office and not directly to the members of the Administration Cabinet.

d. Replacements for a conference's original submission will be accepted only if the replacement is received by the chair of the Administration Cabinet at least seven calendar days prior to the initial day of the cabinet's next regularly scheduled meeting.

e. A file of nominees for committee service shall be maintained in the national office for a one-year period and such nominees should be considered for any vacancy occurring on the appropriate committee during that year.

f. The Administration Cabinet will solicit additional nominations when there are no eligible and qualified individuals nominated prior to the deadline.

3. <u>Resignation Policy</u>.

- If a member of the Initial-Eligibility Waivers Committee decides that he or she must resign from participating as a member of the committee, the committee member must provide written notice to the NCAA staff member responsible for coordinating Division I Initial-Eligibility Waivers. Once the NCAA staff has received a written notice of resignation the procedures to solicit and appoint a new member will be initiated and a new committee member will be appointed as soon as possible.

Selection of Committee and Subcommittee Chairs.

Committee Chair.

The chair of the committee shall be selected from among the subcommittee chairs. Generally, the chair serves as chair for the remainder of his or her term on the committee. The Initial-Eligibility Waivers Committee Administrative Committee shall recommend appointment of a chair to the Academic Cabinet, which shall appoint the chair.

Subcommittee Chairs.

Each subcommittee shall solicit nominations from its members and shall recommend to the Initial-Eligibility Waivers Committee Administrative Committee one member to serve as the chair. The Administrative Committee shall appoint all subcommittee chairs. Generally, the subcommittee chairs shall serve as chair for the remainder of his or her term on the subcommittee.

Responsibilities.

1. Chair of the Full Committee.

a. Chair administrative committee calls and in-person committee meetings; and

b. Recommend to the NCAA Division I Management Council that a member of the waivers committee be replaced if such a member is not discharging his or her duties.

2. Subcommittee Chair.

a. Conduct teleconferences and meetings of the subcommittee;

b. Recommend selection of new subcommittee chair;

c. Welcome and assist in transition and training of new subcommittee members;

d. When requested, review cases that do not meet minimum threshold to determine if the case should be considered by the subcommittee; and

e. Contact subcommittee members who are not discharging their responsibilities and recommend to the waivers committee chair that a member of his or her subcommittee be replaced if such member is not discharging his or her duties.

3. Subcommittee Members.

a. Thoroughly review all case materials prior to the teleconference and be prepared to discuss and decide each case.

b. Be present and participate on all scheduled teleconference calls.

c. Communicate to staff if unable to participate on a particular teleconference call.

d. Recuse themselves from cases when appropriate.

e. Adhere to the Initial-Eligibility Waivers Committee policies and procedures.

4. NCAA Staff.

a. The staff shall review and process/prepare all initial-eligibility waivers cases.

b. The staff shall render an initial decision for all initial-eligibility waiver cases ~~except cases involving a student with a disability~~ based on the guidelines set forth in the staff review process outlined in this document. ~~For those cases the staff is not authorized to decide (i.e., partial approval and denials of disability waivers) it will prepare the case in accordance with established guidelines for review by the respective subcommittee~~.

c. Provide all information a subcommittee needs to conduct an appeal teleconference.

d. The staff shall present the case on a subcommittee appeal teleconference. During its presentation, the staff shall provide a brief overview of the case, including the mitigating circumstances that the institution and/or student-athlete have raised and applicable case precedent.

e. The staff shall answer any questions regarding the facts of the waiver case and subcommittee policy and procedure, or any questions regarding the subcommittee's deliberation or decision.

f. The staff shall provide the applicant institution with the result of the subcommittee's decision as soon as reasonably possible, but not later than 24 hours after the decision.

Teleconference and Voting Procedures.

Generally, each subcommittee shall meet via teleconference once per week at an established time or as needed. A quorum of more than 50 percent of the subcommittee members present and eligible to vote is needed for the call to proceed. It is vital that all subcommittee members be present on all calls to ensure the timely consideration of waiver appeals.

The subcommittee chair is responsible for conducting the conference call and begins by asking for a motion to approve the minutes (the previous week's cases) and the staff decisions, if any. Once the minutes and staff decisions are approved with any noted revisions, the chair proceeds to the cases for discussion, which are considered individually.

Each case must be moved and seconded, and a vote taken. The chair votes only in the event of a tie or if the chair is needed for a quorum. If a case involves a subcommittee member's institution or an institution from his or her conference or the subcommittee member feels that he or she must recuse himself or herself and the subcommittee member is needed to establish a quorum, the subcommittee member should move the case prior to discussing the case and then recuse himself or herself from discussion or voting on the case.

Staff Authority and Review Process.

The NCAA staff has the authority and is expected to render a decision for all initial-eligibility waiver cases. ~~, except for those cases involving a student with an education impacting disability~~.

In special cases in which the student-athlete clearly meets the intent of the initial-eligibility requirements legislation, but is not determined to be a qualifier by the Eligibility Center, the staff has the authority to issue a decision without the member institution filing an initial-eligibility waiver. The staff would approve such cases based on case precedent and reasonable judgment. The subcommittee will periodically review all such staff decisions and maintains the authority to archive case precedent if it believes the staff made an erroneous decision. In such cases the decision would remain in effect, but the case precedent would be archived.

All staff decisions not based on case precedent will be based on the following criteria:

1. Academic readiness of the prospective student-athlete;

2. Mitigating circumstances and whether the mitigating circumstances were within the control of the prospective student-athlete; and

3. Presence of an NCAA, Eligibility Center or high school/school district procedure preventing fulfillment of the initial-eligibility requirements.

Decisions of the Staff and/or Subcommittee.

After reviewing all information the staff and/or subcommittee will render one of the following decisions:

1. **Approval.** The student-athlete's academic record and/or demonstrated circumstances warrant a waiver of the normal application of the initial-eligibility legislation. Once the waiver is approved, the student-athlete is permitted to compete, practice and receive institutional financial aid including athletically related financial aid during his or her first year of collegiate enrollment. In addition, the student-athlete is permitted the opportunity to participate in four seasons of competition.

2. **Denial.** The student-athlete's academic record and/or demonstrated circumstances do not warrant a waiver of the normal application of the initial-eligibility legislation. The student-athlete will be responsible to follow all applicable legislative restrictions (e.g., if a student-athlete is a nonqualifier, he or she would not be permitted to practice, compete or receive institutional financial aid including athletically related financial aid during his or her first year of residence at the intercollegiate institution).

3. **Partial Approval.** (13 core-course standard) The student-athlete's academic record and/or demonstrated circumstances warrant a partial approval of the normal application of the initial-eligibility requirements under the 13 core-course standard. Once the waiver is partially approved, the student-athlete is declared a partial qualifier and permitted to receive institutional financial aid including athletically related financial aid and practice only on campus or at the institution's regular practice facility, but he or she may not compete during the first academic year in residence. Pursuant to Bylaw 14.3.1.5, the subcommittee (and staff) may elect to further limit what a student-athlete may receive, in that the subcommittee may elect to not allow the student-athlete to receive aid or practice during his or her first academic year in residence.

4. **Partial Approval.** (14 or 16 core-course standard) The student-athlete's academic record and/or demonstrated circumstances warrant a partial approval of the normal application of the initial-eligibility requirements for those student-athletes under the 14 or 16 core-course standard. Once the waiver is partially approved, the student-athlete is allowed to practice only on campus or at the institution's regular practice facility and/or receive institutional financial aid including athletically related financial aid during his or her first academic year in residence.

5. **Retest.** If the staff or subcommittee believes it is warranted, it may allow a student-athlete the opportunity to take the SAT or ACT exam on the next available administration of the exam, even if the test date is after the student-athlete's initial date of full-time collegiate enrollment. In addition to allowing a student-athlete the opportunity to retake

the SAT or ACT exam, this may permit a student-athlete's waiver to be approved if the student-athlete receives a qualifying test score.

- **ACT/SAT Retest Procedures.** If the subcommittee provides a student-athlete with the ability to retake the ACT or SAT test, the following procedure will be followed:

  (1) The subcommittee will indicate the result the retest may have on the student-athlete's waiver. (e.g., if a qualifying test score is achieved the student-athlete's waiver will be approved.) Additionally, the subcommittee will indicate whether a qualifying test score must be achieved with a single administration or if the scores from the test can be combined with previous test scores.

  (2) The subcommittee will indicate any specific requirements under which the retest must be administered (e.g., nonstandard administration).

  (3) The NCAA academic and membership affairs staff shall notify the Eligibility Center of any student-athletes who have been granted by a subcommittee the opportunity to retake the ACT and/or SAT exam.

  (4) The academic and membership affairs staff shall notify the applicant institution in the decision letter all conditions and potential results of the waiver based on the test result set forth by the subcommittee as requested. Additionally, the academic and membership affairs staff will inform the institution that the results from the retest must be submitted to the national office and to the Eligibility Center. The Eligibility Center will notify the NCAA staff that the test scores have been received and will request whether it is permitted to use the scores and the result the score has on the waiver (e.g., approve, deny).

  (5) The academic and membership affairs staff will notify the institution of the status of the waiver (no waiver is approved until the institution has received notification from the staff) and will update the waivers database and resubmit the waiver coversheet to be approved by the respective subcommittee.

  (6) If the student-athlete does not achieve a qualifying test score, the institution will be informed that the waiver may be reconsidered by the subcommittee if the test results will reduce the student-athlete's

deficiency. The notice of reconsideration must be submitted by the applicant institution within five days of notification from the NCAA.

6. **Table/Defer.** The staff or subcommittee may table/defer a student-athlete's waiver due to inadequate or insufficient documentation. The case will be heard at the next available opportunity. If tabled by a subcommittee, the subcommittee will direct the NCAA staff to work with the institution to obtain the needed information. In its directive to the NCAA staff, the subcommittee should indicate what information/documents need to be acquired. A case may be tabled for not more than two calls unless the subcommittee agrees that it is unable to render a decision without the requested information. In no case will any waiver be tabled for more than four weeks (calls).

If an institution is unable to obtain the requested information within four weeks it may request an extension from the chair of the subcommittee. The request should include documentation of the institution's efforts to obtain the requested information. If the request is denied the case shall be heard on the next available call. If the extension request is approved, the chair shall provide a deadline for the case to be heard.

7. **Review Minimum Threshold.** When the student-athlete's deficiency is greater than the established threshold value established by the Academic Cabinet, the NCAA staff has the authority to make decisions regarding application of minimum threshold requirements if the circumstances of the waiver are such that the waiver likely would be approved or clearly should be denied.

a. If the staff determines that the waiver would likely be approved, the waiver should be processed in the same manner as a waiver that met minimum threshold standards.

b. If the staff determines that the waiver would likely be denied, the staff shall inform the applicant institution, in writing, that the waiver was denied for failing to meet the minimum threshold requirements. The applicant institution, on receipt of notification from the NCAA staff, may request, in writing, that the chair of the appropriate initial-eligibility waivers subcommittee review the case to determine if the subcommittee will review the staff's denial of the case. The subcommittee is not required to review any case that does not meet minimum threshold requirements, and the chair's decision is final.

c. In cases in which the staff cannot clearly approve or deny the waiver, the staff may consult with the appropriate subcommittee chair to determine whether the waiver should be reviewed by the entire subcommittee. The subcommittee is not required to review any case that does not meet minimum threshold requirements, and the chair's decision is final.

Information to be Considered.

When deliberating the outcome of any initial-eligibility waiver, the staff or subcommittee may consider any information submitted by the applicant institution and student-athlete relative to or affected by the student-athlete's secondary school academic record. This may include, but is not limited to:

1. Secondary-school academic record;

2. SAT and/or ACT scores;

3. Extenuating/mitigating circumstances that may have contributed to the student-athlete's failure to satisfy NCAA Division I initial-eligibility requirements;

4. Letters of recommendation or support;

5. Student-athlete's written comments;

6. For waiver other than disability waivers, case precedent provided by the applicant institution and/or staff; and

7. For student-athletes with a disability, the subcommittee must follow the applicable guidelines.

Although the subcommittee may consider documentation relative to the student-athlete's potential to be successful at a collegiate institution, it cannot consider coursework completed as either a part-time or full-time student at a collegiate institution, unless that coursework was acceptable as work that could be used to satisfy initial-eligibility requirements.

1. Information Related to Misadvisement and/or Misapplication of Initial-Eligibility Rules. An institution should demonstrate that a prospective student-athlete relied, in good faith, on incorrect information given by someone who specifically had authority to do so and who claims responsibility for his or her actions. The institution's chancellor or president is also put on notice regarding the actions of the athletics department staff and provides information related to the steps the institution is taking to rectify the situation. Additionally, the institution is required to put procedures in place to avoid such situations in the future, which benefits prospective student-athletes.

   a. The institution must submit a written statement of explanation from the person or persons responsible for providing erroneous information. This statement needs to summarize the information given to the prospective student-athlete.

b. If available, contemporaneous documentation demonstrating the misadvice (e.g., notes, phone logs).

c. A written statement from the student-athlete in question demonstrating whether the prospective student-athlete, in good faith, relied on the erroneous information to his or her detriment.

d. A written statement from the institution regarding its actions in educating the prospective student-athlete and high-school personnel about the initial-eligibility requirements.

Additionally, if the misinformation or misadvisement was provided by institutional personnel, the institution must submit a written plan regarding the steps being taken to avoid such problems in the future. Such a plan may include, but is not limited to:

a. Education sessions with coaches and other personnel who have a role in counseling prospective student-athletes.

b. Early placement of prospective student-athletes on the Institutional Request List to identify potential deficiencies early.

c. Work with a prospective student-athlete's high school to obtain necessary records for certification.

d. No sole reliance on other entities (e.g., high school) for information.

e. Careful evaluation of the prospective student-athlete's transcript to ensure that courses are acceptable and compare courses to the high school's list of NCAA-approved core courses.

f. Review prospective student-athlete's class schedule to ensure the he or she is taking courses to fulfill core-course distribution.

g. Encourage the prospective student-athlete to take SAT and/or ACT in order to meet the initial-eligibility index.

If an institution files a second waiver citing misadvisement, the institution must submit a letter regarding the reasons the plan was not successful. Additionally, the chancellor or president of the institution will be informed in writing. The letter will include a chronology of actions by the individual who provided the misadvice.

2. **Grade Eight Waiver Policy.** Grade eight courses may be accepted without further verification from the high school, provided the following conditions are present:

   a. The grade eight course appears on the high school transcript;

   b. The transcript shows a grade and credit for the course;

   c. The course title on the transcript matches the course title on the high school's list of approved core courses; and

   d. The prospective student-athlete has made appropriate progress to the next level of a particular discipline where a progression is typically seen (e.g., if Algebra I is taken in grade eight, the transcript must show that the individual progressed to a higher level of mathematics in grades nine through 12).

3. **College and Nontraditional Courses.** College and/or nontraditional courses that do not appear on the high school transcript may be accepted, provided the following conditions exist:

   a. The high school certifies in writing that the course would have appeared on the transcript, but for the timing that the course was completed and the production of the student's transcript;

   b. The course satisfies the definition of a core course;

   c. The high school certifies in writing or provides a policy indicating the use of college and/or nontraditional courses is available for any student at the high school;

   d. Inclusion of the course results in the student being certified a qualifier; and

   e. NCAA staff certifies that all other elements of the applicable legislation are satisfied.

Outside Participation.

For those cases in which NCAA enforcement services is involved in the initial-eligibility of a prospective student-athlete, the following procedures shall be used. A maximum of three institutional representatives (including legal representatives), enforcement services and academic and membership affairs representatives may participate in a portion of the waiver proceeding. The student-athlete may participate but is limited to three participants including the student-

athlete, his or her parent or guardian, and legal counsel. NCAA academic and membership affairs staff shall have five minutes to present the case pursuant to normal waiver procedures. The institution, enforcement services and the student-athlete each have up to 10 minutes to present relevant facts and information. Waiver committee members are permitted to ask questions of any participants during the call. After the presentations, the institutional representatives, enforcement services staff, the student-athlete and his or her representatives will leave the call. Only the subcommittee members and academic and membership affairs staff remain on the call for deliberation and decision. The academic and membership affairs staff provides assistance to the subcommittee, but do not deliberate or determine any waiver. The chair of the waiver subcommittee shall have the authority to determine all other procedural issues that arise.

Appeals/Reconsiderations.

1. **Appeals of Staff Decisions.** After the staff has acted on an initial-eligibility waiver, the involved institution may appeal the decision to the respective Initial-Eligibility Waivers Subcommittee, the initial appellate body for all initial-eligibility waivers. An institution may appeal a staff decision for any reason but its intent to file an appeal must be made within 30 days of written notification of the staff's decision.

   Any appeal filed after 30 days must include an explanation of why the appeal was not filed within the prescribed time limit. The chair of the respective Initial-Eligibility Waiver Subcommittee shall determine whether any appeal filed after 30 days shall be heard.

   Legislated Appeals Process (Bylaw 21.7.6.1.3.1.4)

   After the subcommittee has acted on an initial-eligibility waiver, the involved institution may appeal the decision to the NCAA Division I Academic Cabinet Initial-Eligibility Waiver Appeals Subcommittee. The cabinet subcommittee determination shall be final, binding and conclusive and shall not be subject to further review by any other authority.

   The cabinet has authorized the Initial-Eligibility Waiver Appeals Subcommittee to hear all waiver appeals and render a decision on behalf of the cabinet.

   All appeals of a subcommittee decision must be appealed within 30 days of notification of the decision and must be based on one of the following grounds:

   a. The subcommittee improperly applied NCAA legislation or official interpretations;

b. The subcommittee took action inconsistent with established precedent (not applicable for disability waivers);

c. The subcommittee deviated from approved procedures; or

d. The factual findings of the subcommittee are clearly erroneous.

Any appeal filed after 30 days must include an explanation of why the appeal was not filed within the prescribed time limit. The chair of the Academic Cabinet Initial Eligibility Waiver Appeals Subcommittee shall determine whether any appeal filed after 30 days shall be heard.

2. **Reconsideration.** After the staff or subcommittee has acted on an initial-eligibility waiver, the institution may request the staff or subcommittee reconsider its decision if the institution submits new information that was not originally considered by the staff or subcommittee. Cases with new/additional information may not be heard by the cabinet until the staff or waivers subcommittee has reviewed/considered the new information.

Recusal.

A committee member or NCAA staff member shall recuse himself or herself from participating in proceedings (e.g., staffing a case or deliberating as a committee member) of a waiver case when he or she is directly connected with the involved institution, including, but not limited to, a member of the committee member's institution or institution's conference. A committee or staff member with a personal relationship or institutional affiliation that reasonably would result in the appearance of bias or prejudice should refrain from participating in any manner in the processing of a waiver request. It is the responsibility of the committee or staff member to remove himself or herself if a conflict exists. Institutional objections to a committee or staff member participating in a review of a case should be raised with and resolved by the chair or the most senior member of the committee as soon as recognized but will not be considered unless the concern is raised prior to the scheduled teleconference. Exceptions to the recusal policy may be granted by the chair or most senior member of the committee due to time constraints.

Confidentiality.

Committee members shall not communicate any information related to specific waiver cases to anyone other than NCAA staff or other subcommittee members. Under no circumstances shall information related to a student's academic record or waiver be communicated with any other person (e.g., media representative, parent, member institution, conference office).

Conflict of Interest.

(Excerpt from the August 2008 NCAA Executive Committee minutes.)

> "The NCAA is a voluntary Association comprised of colleges, universities, conferences and other organizations, and governed through a membership-led committee structure. Within the governance structure, committee members must carefully balance their responsibilities to their respective institutions and/or conferences with the obligation to advance the interests of the Association, the division, or the sport, and ultimately enhance the student-athlete experience. While the fiduciary obligations of committee members to their own institution, their conference, and to the Association ordinarily are not in conflict, it is recognized that as a representative membership organization, committee members' fiduciary obligations are first to their institution, second to their conference, and third to the Association. NCAA committee service involves important ethical and moral obligations. Committee integrity is critical to the decision-making process and includes trust, confidentiality and honesty in all issues and aspects of service and representation. NCAA committee members shall disclose any conflict or potential conflict between their respective personal, professional, institutional, conference, or business interests and the interests of the Association that may affect or otherwise threaten such integrity, in any and all actions taken by them on behalf of the Association, for committee evaluation under this Statement.
>
> In addition to any fiduciary obligation to their institution and conference, committee members also have a fiduciary duty to the Association not to use knowledge or information obtained solely due to service on that committee to the disadvantage of the Association during the term of committee service. Further, a Committee member shall not participate in the committee's discussion or vote on any action that might bring direct or indirect personal financial benefit to the member or any organization (other than the member's institution or conference) in which the member is financially interested. A committee member should also not participate in a discussion or vote for which the member's institution or conference is to be accorded a special benefit beyond benefits shared with other institutions or conferences or is to receive a penalty or disqualification. A violation of either of the above rules by a member of the committee shall not invalidate the action taken by the committee if, following disclosure of the conflict of interest, the committee authorizes, ratifies or approves the action by a vote sufficient for the purpose, without counting the vote of the committee member with the conflict of interest, and the appropriate oversight body approves the action.

A committee member is responsible for advising the chair of any actual or potential conflicts of interest or obligations which he/she may have hereunder, and should recuse him/herself from participating in proceedings, as may be warranted by this policy. Abuse of one's position as a member of a committee may result in dismissal from that position. Where such abuse appears evident, a committee member will be notified by the committee chair and will have the opportunity to present a rebuttal or details of the situation."

Speaking Agent Policy.

(Excerpt from the April 2001 Executive Committee minutes.)

"The president of the Association and the chair of the Executive Committee are the only individuals authorized to speak on behalf of the Association except as outlined below. An individual representing a member institution or conference who speaks or opines on an Association issue only has the authority to express the view of that individual or the member institution or conference unless the individual has been designated by the Executive Committee of the Association as a speaking agent of the Association on that issue. Committee chairs are hereby designated as speaking agents of their committees regarding issues within their committees' jurisdiction on which there is consensus, except that positions of advocacy on behalf of the committee or the Association to be communicated in writing or orally to persons or entities external to the Association must have prior approval by the NCAA Executive Committee or the president of the Association. The president of the Association is hereby granted authority to designate additional speaking agents of the Association."

Federal Education Right to Privacy Act.

Pursuant to Federal Education Right to Privacy Act (FERPA) regulations, each student-athlete whose institution is filing a waiver signs under the following statement:

I hereby authorize representatives of this institution and/or my high school(s) to provide the NCAA with, and identify as such, any nonstandardized ACT or SAT results I have received. I give my consent to disclose only to authorized representatives of this institution, its athletics conference (if any), my high school(s) and the NCAA, any documents or information pertaining to my NCAA eligibility.

> Additionally, I give my consent to the NCAA to disclose personally identifiable information from my education records to a third party (including but not limited to the media) as necessary to correct any inaccuracies reported by the media or related to this waiver, without such disclosure constituting a violation of my rights under the Family Educational Rights and Privacy Act.

Absences.

The processing of initial-eligibility waivers is a very time-sensitive process. Student-athletes need timely decisions in order to practice, receive institutional financial aid and compete. The staff and subcommittees work to ensure institutions receive waiver decisions as quickly as possible.

Since the subcommittees make many of these waiver decisions, it is imperative that all subcommittee members are present on each call. Lack of a subcommittee quorum can result in decisions being delayed, which is not a desirable outcome. There may be times that a subcommittee member is unable to attend a call due to other commitments, or to circumstances beyond his or her control. However, if those circumstances arise, it is the responsibility of the subcommittee member to inform the staff immediately so an alternate call may be scheduled, if needed.

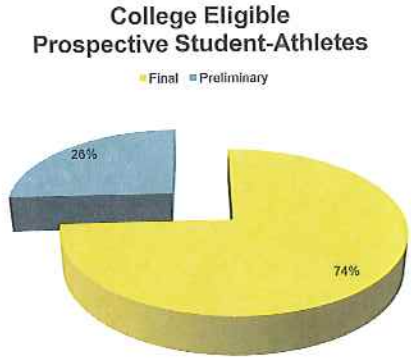
Division I Academic Cabinet Meeting

September 15, 2009

Mission Statement

- Primary: Certify prospective student-athletes' (PSA) academic status and amateur sports participation in accordance with NCAA legislation and philosophy.
- Secondary: Ensure prospective student-athletes, member institutions and high schools understand the initial-eligibility requirements to participate in NCAA Divisions I and II athletics.

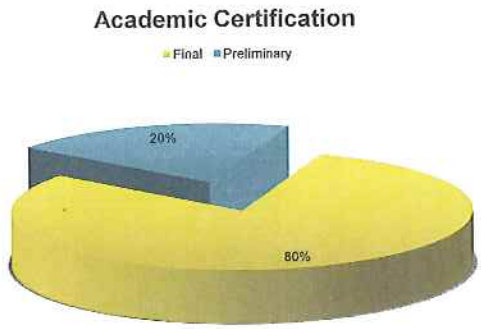
College Eligible PSAs



Row Labels	# of PSA's	%
Final	62,431	74%
Preliminary	21,444	26%
Grand Total	83,875	100%

NCAA Eligibility Center

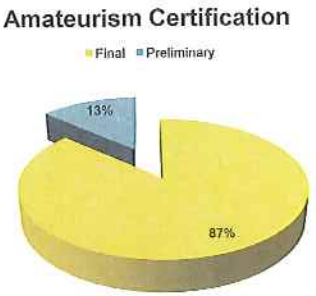
Academic Certification



Row Labels	# of PSA's	%
Final	67,124	80%
Preliminary	16,751	20%
Grand Total	83,875	100%

NCAA Eligibility Center

Amateurism Certification



Row Labels	# of PSA's	%
Final	72,791	87%
Preliminary	11,084	13%
Grand Total	83,875	100%

NCAA Eligibility Center

Early Academic Qualifier

To date: 20,505 of which 17,983 are currently active (institution request list).

NCAA Eligibility Center

Eligibility Center Update

- Rolled out New Prospective Student-Athlete Web site.
- Rolled out Eligibility Center Membership Portal – LSDB*i*.
- Continued efforts to get prospective student-athlete records "ready to process."
  - E-mail campaigns (test scores, transcripts, amateurism).
  - Transcript Request mailings to high schools.
  - Follow up with member institutions on missing documents.

NCAA Eligibility Center

Legislative Proposal Updates

- **ADMISSIONS AND GRADUATION DATA, BANNED DRUG LIST AND INITIAL-ELIGIBILITY STANDARDS – REPORTS AND NOTIFICATION (2008-21).**
  - ***On Track.***

NCAA Eligibility Center

Legislative Proposal Updates

- FRESHMAN ACADEMIC REQUIREMENTS – ELIGIBILITY FOR FINANCIAL AID, PRACTICE AND COMPETITION – QUALIFIER – EXCEPTION – EARLY ACADEMIC CERTIFICATION – SUBMISSION OF TRANSCRIPT (2008-75)
  - ***Implemented New Eligibility Center Membership Portal.***

NCAA Eligibility Center

Legislative Proposal Updates

- TRANSFER REGULATIONS – TWO-YEAR COLLEGE TRANSFERS – SUBMISSION OF INFORMATION NECESSARY TO DETERMINE ACADEMIC INITIAL-ELIGIBILITY STATUS (2008-77) .
  - ***On Track - New Eligibility Center Membership Portal.***

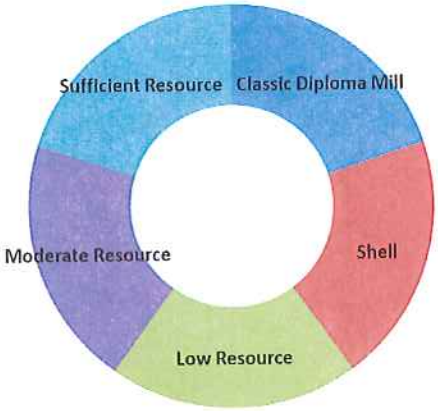
NCAA Eligibility Center

Legislative Proposal Updates

- FRESHMAN ACADEMIC REQUIREMENTS – CORE CURRICULUM TIME LIMITATION – STUDENTS WITH EDUCATION IMPACTING DISABILITIES (2008-34).
  - *On Track.*

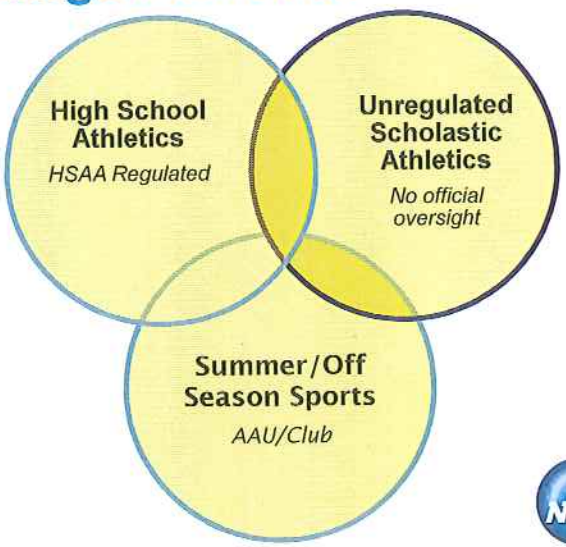
NCAA Eligibility Center

Types of Schools Evaluated by High School Review



NCAA Eligibility Center

Pre-College Athletics



NCAA Eligibility Center

What is Unregulated Scholastic Athletics?

Talent
+
(*Ineligibility and/or Exposure*)
+
Prep Program
+
Competition
+
Adult Influence
+
Pressure to Win
=
UNREGULATED
SCHOLASTIC ATHLETICS

NCAA Eligibility Center

Practical Reality

Educational

- Academically unprepared.
- No formal oversight.
- Unqualified teachers.
- Limited instruction time.
- Outsourcing education.

Human Impact

- PSAs – living the dream and paying for it.
- Unsafe living conditions.
- Parasitic environment.
  - Coaches ≠ Educators.
  - Personal gain at cost of student-athlete.

NCAA Eligibility Center

Trends

- Education outsourcing.
- Distance learning courses.
- Growing international presence.
- Rising high school seniors transferring to preparatory schools.
- Multiple high school transfers.
- Late education-impacting disability diagnoses.
- Increase in early high school graduation for mid-year enrollee PSA's.

NCAA Eligibility Center

Questions?

Thank you!

NCAA Eligibility Center

A G E N D A

National Collegiate Athletic Association

Teleconference Regarding Nontraditional Courses Legislation

Dial-in: 877/272-0685 August 25, 2009
Pass code: 180648 10 a.m. Eastern time

1. Welcome and purpose of the call. [Supplement No. 1] (Diane Dickman)

2. Overview of the current legislation governing nontraditional college courses. [Supplement No. 2] (Lynn Holzman and Steve Mallonee)

3. Overview of legislative proposals recently defeated. [Supplement No. 3] (Matt Burgemeister and Julie Cromer)

4. Review concerns noted regarding defeated proposals. [Supplement No. 4] (All)

5. Discuss next steps.

6. Other business.

7. Adjournment.

Excerpts from the
Report of the NCAA Division I Board of Directors meeting
August 6, 2009

1. Opening remarks.

BOARD ACTION: Heard from the chair regarding his thoughts on issues that should be examined as part of the Division I agenda. Those issues included:

- The need to address issues associated with the nontraditional delivery of courses relative to the eligibility of student-athletes.
- The impact of Division I initial-eligibility standards and the impact of those standards on academic support personnel.
- The proliferation of noncoaching personnel and the impact on competitive equity.
- The need to assess whether the Division's academic reform efforts are having the desired impact.
- The need to promote intercollegiate athletics in a way that promotes a healthy balance between fiscal responsibility and athletic success in an effort to assist member institutions in making decisions that are consistent with their values.

Division I Nontraditional Coursework Legislation Related to 2008 Proposals

Bylaw Number: 14.1.8.2.5

Title: Extension Courses.

A student-athlete may use a combination of hours taken in residence during a regular term and extension courses taken from the certifying institution during that term to meet the minimum 12-hour enrollment requirement, provided the institution considers enrollment in such extension courses as regular course enrollment for all students during term time. *(Revised: 1/11/94 effective 8/1/94)*

Bylaw Number: 14.1.8.2.6

Title: Correspondence Courses.

A student-athlete may not use a correspondence course to meet the minimum 12-hour enrollment requirement.

Bylaw Number: 14.4.3.4.3

Title: Correspondence and Extension Courses from Another Institution.

Correspondence, extension and credit-by-examination courses taken from an institution other than the one in which a student-athlete is enrolled as a full-time student shall not be used in determining a student's academic standing or progress toward degree.

Bylaw Number: 14.4.3.4.3.1

Title: Waivers.

Waivers of this restriction may be granted by the Progress-Toward-Degree Waiver Committee in response to written requests from member institutions. *(Revised: 1/9/96 effective 8/1/96, 10/28/97)*

Bylaw Number: 14.4.3.4.3.2

Title: Centralized Correspondence-Course Exception.

In a state that centralizes the offering of correspondence courses through one state institution, a student enrolled in another of the state's institutions may use a correspondence course from the institution authorized to offer such courses in determining the student's academic standing or progress toward degree.

Bylaw Number: 14.4.3.4.8

Title: Distance-Learning Courses.

Credit hours earned via distance learning may be used to meet all progress-toward-degree requirements provided: (a) Evaluation of student's work is conducted by the appropriate academic authorities in accordance with the institution's established academic policies; and (b) The course is available to any student at the certifying institution and is reflected on the certifying institution's transcript. *(Adopted: 4/26/01 effective 8/1/01)*

Nontraditional Coursework Proposals

Proposal Number: 2008-32-A

Title: ELIGIBILITY — GENERAL ELIGIBILITY REQUIREMENTS — FULL-TIME ENROLLMENT — REQUIREMENT FOR COMPETITION — NONTRADITIONAL COURSES

Intent: 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 specified conditions are met.

Bylaws: Amend 14.1.8.2, as follows:

14.1.8.2 Requirement for Competition. To be eligible for competition, a student-athlete shall be enrolled in at least a minimum full-time program of studies leading to a baccalaureate or equivalent degree, which shall not be less than 12 semester or quarter hours.

[14.1.8.2.1 through 14.1.8.2.4 unchanged.]

14.1.8.2.5 ~~*Extension Courses. A student-athlete may use a combination of hours taken in residence during a regular term and extension courses taken from the certifying institution during that term to meet the minimum 12-hour enrollment requirement, provided the institution considers enrollment in such extension courses as regular course enrollment for all students during term time.*~~ **Nontraditional Courses. 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:**

(a) The course is available to any qualified student at the institution;

(b) The institution considers enrollment in the course as regular course enrollment for all students;

(c) Enrollment in the course occurs within the institution's regular enrollment periods (pre-registration or drop-add period) in accordance with the institution's academic calendar and applicable policies and procedures;

(d) 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;

(e) The course involves regular interaction with the instructor (in-person or electronically);

(f) Evaluation of the student's work in the course is conducted by the appropriate academic authorities in accordance with the institution's established academics policies;

(g) The institution uses a conventional grading scale consistent with similar courses offered by the institution and in accordance with applicable policies and procedures; and

(h) The course is acceptable for degree credit (no remedial or noncredit courses) and is reflected on the student's official academic record.

~~*14.1.8.2.6 Correspondence Courses. A student-athlete may not use a correspondence course to meet the minimum 12-hour enrollment requirement.*~~

[14.1.8.2.7 renumbered as 14.1.8.2.6, unchanged.]

Date Printed: August 14, 2009

Source: NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Continuing Eligibility).

Effective Date: August 1, 2009

Category: Amendment

Topical Area: Eligibility

Rationale: 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 for purposes of full-time enrollment for competition.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)

none

History

Jun 10, 2008: Submit; Submitted for consideration.

Jun 11, 2008: Academics/Eligibility/Compliance Cabinet, Sponsored

Sep 09, 2008: Academics Cabinet, Modified the Proposal; The cabinet modified the proposal to also specify that the certifying institution must consider enrollment in such nontraditional courses as regular course enrollment for all students, and that the courses must be available to any qualified students at the certifying institution.

Oct 27, 2008: Proposal renumbered as Proposal No. 2008-32-A. An alternative is Proposal No. 2008-32-B.

Jan 14, 2009: Leg Council Init Review, Defeated

Jan 14, 2009: Defeated; Defeated - Final

Proposal Number: 2008-32-B

Title: ELIGIBILITY — GENERAL ELIGIBILITY REQUIREMENTS — FULL-TIME ENROLLMENT — REQUIREMENT FOR COMPETITION — NONTRADITIONAL COURSES — UP TO 50 PERCENT OF MINIMUM REQUIREMENT

Intent: 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 up to 50 percent of the minimum full-time enrollment requirement for competition, provided the specified conditions are met.

Bylaws: Amend 14.1.8.2, as follows:

14.1.8.2 Requirement for Competition. To be eligible for competition, a student-athlete shall be enrolled in at least a minimum full-time program of studies leading to a baccalaureate or equivalent degree, which shall not be less than 12 semester or quarter hours.

[14.1.8.2.1 through 14.1.8.2.4 unchanged.]

14.1.8.2.5 ~~*Extension Courses. A student-athlete may use a combination of hours taken in residence during a regular term and extension courses taken from the certifying institution during that term to meet the minimum 12-hour enrollment requirement, provided the institution considers enrollment in such extension courses as regular course enrollment for all students during term time.*~~ **Nontraditional Courses. 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 up to 50 percent of the minimum full-time enrollment requirement for competition, provided the following conditions are met:**

(a) The course is available to any qualified student at the institution;

(b) The institution considers enrollment in the course as regular course enrollment for all students;

(c) Enrollment in the course occurs within the institution's regular enrollment periods (pre-registration or drop-add period) in accordance with the institution's academic calendar and applicable policies and procedures;

(d) 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;

(e) The course involves regular interaction with the instructor (in-person or electronically);

(f) Evaluation of the student's work in the course is conducted by the appropriate academic authorities in accordance with the institution's established academics policies;

(g) The institution uses a conventional grading scale consistent with similar courses offered by the institution and in accordance with applicable policies and procedures; and

(h) The course is acceptable for degree credit (no remedial or noncredit courses) and is reflected on the student's official academic record.

~~*14.1.8.2.6 Correspondence Courses. A student-athlete may not use a correspondence course to meet the minimum 12-hour enrollment requirement.*~~

[14.1.8.2.7 renumbered as 14.1.8.2.6, unchanged.]

Source: Big Ten Conference.

Effective Date: August 1, 2009

Category: Amendment

Topical Area: Eligibility

Rationale: This alternative proposal would establish a limit on the number of nontraditional courses that may be used to fulfill the minimum full-time enrollment requirement for competition. As proposed, a 50 percent limit is suggested based on the applicable full-time enrollment requirements for each institution. This approach is intended to provide more flexibility than assigning a specific unit limit. Such flexibility is necessary due to varying course values.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)

Academics Cabinet: The cabinet supports the proposal. The cabinet recognizes the increasing prevalence of nontraditional courses within higher education and the need to modernize NCAA legislation related to such course formats. Student-athletes should be permitted to use nontraditional courses to satisfy the full-time enrollment requirement when an institution considers such enrollment as regular course enrollment for all students. The cabinet acknowledges the proposal as a reasonable alternative to Proposal No. 2008-32-A.

History

Oct 27, 2008: Submit; Submitted for consideration as an alternative to Proposal No. 2008-32-A.

Jan 14, 2009: Leg Council Init Review, Forwarded for Membership Comment

Jan 18, 2009: Comment Period; Start of Comment Period

Feb 03, 2009: Academics Cabinet, Recommends Approval

Mar 18, 2009: Comment Period; End of Comment Period; (Official Comment Totals: Support = 5, Oppose = 7, Abstain = 0)

Apr 20, 2009: Leg Council Final Review, Defeated

Apr 20, 2009: Defeated; Defeated - Final

Proposal Number: 2008-35-A

Title: ELIGIBILITY — PROGRESS-TOWARD-DEGREE REQUIREMENTS — REGULATIONS FOR ADMINISTRATION OF PROGRESS TOWARD DEGREE — NONTRADITIONAL COURSES

Intent: To specify that nontraditional courses (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) completed at a four-year institution other than the certifying institution, may be used to meet credit hour and percentage-of-degree requirements, provided the specified conditions are met.

Bylaws: Amend 14.4.3.4, as follows:

14.4.3.4 Regulations for Administration of Progress Toward Degree.

[14.4.3.4.1 through 14.4.3.4.2 unchanged.]

14.4.3.4.3 Correspondence and Extension Courses From ~~*Another*~~ **a Two-Year Institution**. Correspondence, extension and credit-by-examination courses taken from ~~*an*~~ **a two-year** institution other than the one in which a student-athlete is enrolled as a full-time student shall not be used in determining a student's academic standing or progress toward degree.

[14.4.4.3.1 through 14.4.4.3.2 unchanged.]

[14.4.3.4.4 through 14.4.3.4.7 unchanged.]

14.4.3.4.8 Distance-Learning Courses **From a Two-Year Institution**. Credit hours earned via distance learning **from a two-year institution** may be used to meet all progress-toward-degree requirements provided:

[14.4.3.4.8-(a) through 14.4.3.4.8-(b) unchanged.]

14.4.3.4.9 Nontraditional Courses from Another Four-Year Institution. Nontraditional courses (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) completed at a four-year institution other than the certifying institution, may be used to meet credit hour and percentage-of-degree requirements, provided the following conditions are met:

(a) The course is available to any qualified student at the certifying institution;

(b) The certifying institution considers enrollment in the course as regular course enrollment for all students;

(c) Enrollment in the course occurs within the offering institution's regular enrollment periods (pre-registration or drop-add period) in accordance with the institution's academic calendar and applicable policies and procedures;

(d) The course involves regular interaction with the instructor (in-person or electronically);

(e) 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;

(f) 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

(g) 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.

[14.4.3.4.9 renumbered as 14.4.3.4.10, unchanged.]

Source: NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Continuing Eligibility).

Effective Date: August 1, 2009

Category: Amendment

Topical Area: Eligibility

Rationale: After extensive review of traditional and nontraditional courses, the 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 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 for progress-toward-degree requirements.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History

Jun 10, 2008: Submit; Submitted for consideration.

Jun 11, 2008: Academics/Eligibility/Compliance Cabinet, Sponsored

Sep 09, 2008: Academics Cabinet, Modified the Proposal; The cabinet modified the proposal to also specify that the institution considers enrollment in such nontraditional courses as regular course enrollment for all students, and that the courses must be available to any qualified students at the certifying institution.

Oct 27, 2008: Proposal renumbered as Proposal No. 2008-35-A. An alternative is Proposal No. 2008-35-B.

Jan 14, 2009: Leg Council Init Review, Defeated

Jan 14, 2009: Defeated; Defeated - Final

Proposal Number: 2008-35-B

Title: ELIGIBILITY — PROGRESS-TOWARD-DEGREE REQUIREMENTS — REGULATIONS FOR ADMINISTRATION OF PROGRESS TOWARD DEGREE — NONTRADITIONAL COURSES — UP TO 50 PERCENT OF MINIMUM REQUIREMENTS

Intent: To specify that nontraditional courses (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) completed at a four-year institution other than the certifying institution, may be used to meet up to 50 percent of a student-athlete's credit hour and percentage-of-degree requirements, provided the specified conditions are met.

Bylaws: Amend 14.4.3.4, as follows:

14.4.3.4 Regulations for Administration of Progress Toward Degree.

[14.4.3.4.1 through 14.4.3.4.2 unchanged.]

14.4.3.4.3 Correspondence and Extension Courses From ~~*Another*~~ **a Two-Year Institution**. Correspondence, extension and credit-by-examination courses taken from ~~*an*~~ **a two-year** institution other than the one in which a student-athlete is enrolled as a full-time student shall not be used in determining a student's academic standing or progress toward degree.

[14.4.4.3.1 through 14.4.4.3.2 unchanged.]

[14.4.3.4.4 through 14.4.3.4.7 unchanged.]

14.4.3.4.8 Distance-Learning Courses **From a Two-Year Institution**. Credit hours earned via distance learning **from a two-year institution** may be used to meet all progress-toward-degree requirements provided:

[14.4.3.4.8-(a) through 14.4.3.4.8-(b) unchanged.]

14.4.3.4.9 Nontraditional Courses from Another Four-Year Institution. Nontraditional courses (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) completed at a four-year institution other than the certifying institution, may be used to meet up to 50 percent of a student-athlete's credit hour and percentage-of-degree requirements, provided the following conditions are met:

(a) The course is available to any qualified student at the certifying institution;

(b) The certifying institution considers enrollment in the course as regular course enrollment for all students;

(c) Enrollment in the course occurs within the offering institution's regular enrollment periods (pre-registration or drop-add period) in accordance with the institution's academic calendar and applicable policies and procedures;

(d) The course involves regular interaction with the instructor (in-person or electronically);

(e) 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;

(f) 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

(g) 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.

[14.4.3.4.9 renumbered as 14.4.3.4.10, unchanged.]

Source: Big Ten Conference.

Effective Date: August 1, 2009

Category: Amendment

Topical Area: Eligibility

Rationale: The use of nontraditional coursework taken at other four-year institutions presents challenges for the certifying institution. In its review of Proposal No. 2008-35-A, the Legislative Council noted that the proposal's rationale supports the idea that "a student-athlete should be permitted to use nontraditional courses from any four-year institution to satisfy progress-toward-degree requirements, provided the courses are accepted by the certifying institution and satisfy graduation requirements for all students at the certifying institution." Although, the proposal's rationale also indicates that "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," the proposal would establish consistent legislated minimum standards that would apply in addition to any institutional policies. Establishing a limit on the amount of nontraditional coursework taken from other institutions that may be used to fulfill progress-toward-degree requirements will address the concern for potential abuse and provide an opportunity for the membership to initially monitor the impact of the legislation.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s)
none

History
Oct 27, 2008: Submit; Submitted for consideration as an alternative to Proposal No. 2008-35-A.

Jan 14, 2009: Leg Council Init Review, Defeated

Jan 14, 2009: Defeated; Defeated - Final

2008-32-B

ELIGIBILITY -- GENERAL ELIGIBILITY REQUIREMENTS -- FULL-TIME ENROLLMENT -- REQUIREMENT FOR COMPETITION -- NONTRADITIONAL COURSES -- UP TO 50 PERCENT OF MINIMUM REQUIREMENT

Support: 5

Oppose : 7

Abstain: 0

Total Comments Received: 12

Detailed Listing of Comments:

Support:

Pacific-10 Conference - 4 institutions.

University of Texas at Austin - Supports although would like to further explore allowing institutional discretion to treat the use of non-traditional courses for student-athletes' progress toward degree similar to all other students at the institution.

Oppose:

East Carolina University Limiting the use of internet/distance learning courses to only 50% will be a severe handicap to our student-athletes. Several classes offered to the general student body, including a majority of upper-level classes in certain majors, only offer classes through the internet, distance learning, or independent study. Also, with the economy being as it is, several departments are encouraging their professors to teach their classes online, if possible. So, we do not support any proposal that would place a limit on the number of "nontraditional" courses such as these.

Pacific-10 Conference - 6 institutions.

NCAA Division I Academic Cabinet
Communication Strategies
(Updated August 2009)

General Strategies: NCAA Web site; NCAA News stories; Academic Cabinet report posted online; academic update during NCAA Regional Rules Seminars.

Group/Conference	Academic Cabinet Member	NCAA Staff Contact	Strategy Ideas
Big Sky Conference	Ken White	Matt Burgemeister	*Pre-meeting e-mail with "key agenda items" bullet points and invitation to contact prior to meeting to provide input. *Post-meeting e-mail with "key take-aways" bullet points and invitation to contact after meeting for additional detail or context. *Periodic participation by cabinet reps in regularly scheduled teleconferences with conference compliance administrators, FARs, academic support administrators or others to discuss key agenda items.
Big West Conference	Kim Caprioti		
Horizon League	Anne Woodrick		
Ivy Group	Annette O'Connor		
Mid-Eastern Athletic Conference (MEAC)	Pat Howey		
Northeast Conference (NEC)	Barbara Church		
Southern Conference	Mary Newton		
The Summit League	Pete Carlon		
West Coast Conference (WCC)	Barbara Church		

Group/Conference	Academic Cabinet Member	NCAA Staff Contact	Strategy Ideas
FARA	Tom Adair; Kim Capriotti, and Rhonda Hatcher	Matt Burgemeister and Julie Cromer	**Communication from DI Academic Cabinet to FARA** *FARA Web site will have link to Academic Cabinet's NCAA page, which includes the roster of members, agendas and minutes of meetings. *The chair of the Academic Cabinet annually should contact the FARA DI vice president about having an Academic Cabinet member give a brief presentation at the DI Issues session at the FARA Annual Meeting and Symposium to communicate the current issues for the Academic Cabinet. *If there is an important issue that the Academic Cabinet wants the DI FARs to be aware of, an Academic Cabinet member can submit an article to The FARA Voice, FARA's monthly online newsletter. **Communication from FARA to DI Academic Cabinet** *The FARA Voice will be e-mailed to the chair of the Academic Cabinet and the NCAA staff liaison. *If FARA has a media release from the FARA Annual Meeting and Symposium, it will be sent to the chair of the Academic Cabinet and the NCAA staff liaison.
1A FAR	J. Patrick Dobel; and Ken White	Matt Burgemeister and Julie Cromer	*Provide cabinet updates via regular FAR bulletins (e.g., NCAA Academic Reform Bulletin, FARA Voice). *Forward each Academic Cabinet report to be posted on organization's Web site or distributed via e-mail listserve. *Representatives contact organization's president prior to each meeting to seek feedback regarding key agenda items. *Staff or representative(s) provide updates during meetings (e.g., NCAA Convention, annual meeting).
COIA	John Bruno	Julie Cromer	

N4A	Anna Taylor James; and Elaine Wise	John Shukie	*Provide cabinet updates via NCAA Academic Reform bulletins tailored to academic support personnel. *Forward each Academic Cabinet report to be posted on organization's Web site or distributed via e-mail listserve. *Representatives contact organization's president prior to each meeting to seek feedback regarding key agenda items. *Staff members provide updates during meetings (e.g., annual convention, regional meetings).
NAAC	Loretta Lamar	Brad Hostetter	*Provide cabinet updates via NCAA Academic Reform bulletins tailored to compliance personnel. *Representative contacts legislative/governance committee chair prior to each meeting to seek feedback regarding key agenda items. *Provide updates for NAAC Connections, seek feedback through monthly question. *Work through CCACA to push information out to compliance personnel for input (for those not on NAAC site). *Cabinet update at NAAC annual meeting. *Post key updates on CA main page or LSDB*i*. *Issues having to do with prospective student-athletes/NCAA Eligibility Center should be addressed in the Eligibility Center newsletter.

NACADA	Jill Varnes	Matt Burgemeister	*Provide cabinet updates via NCAA Academic Reform bulletins tailored to academic support personnel. *Forward each Academic Cabinet report to be posted on organization's Web site or distributed via e-mail listserve. *Representative contacts chair of organization's Advising Student-Athletes Commission prior to each meeting to seek feedback regarding key agenda items. *Staff members provide updates during meetings (e.g., annual convention, regional meetings).
NACDA	Pete Carlon; and Warde Manuel	Various NCAA Staff	*Provide cabinet updates via NCAA Academic Reform bulletins tailored to athletics administrators.
1A ADs	Warde Manuel	Various NCAA Staff	
NCAA Division I Committee on Academic Performance	Herman Holt, Jr.	Julie Cromer and Diane Dickman	*Staff provides cabinet report and meeting highlights during each NCAA Division I Committee on Academic Performance meeting. *Calls between committee representatives as need for "cross-over" items.
Selected Coaches Groups	David Dosser; and Nonie Wiggins	Various NCAA Staff	*Provide cabinet updates via NCAA Academic Reform bulletins tailored to coaches. *Contact organizations' executive directors prior to meetings during which relevant agenda items will be discussed.
Two-Year College	Warde Manuel	Matt Burgemeister	*Staff updates during Two-Year College Relations Panel meetings.
DI SAAC	Jarrett Newby	Kelly Groddy and Cela Shukie	

NCAA Division I Academic Cabinet
Tentative Schedule for Review of Key Items

NCAA Division I Academic Cabinet's Prioritized Goals.

1. Two-year college transfer student-athletes;
2. Nontraditional courses;
3. Impact of academic reform on academic support personnel;
4. Time demands on student-athletes; and
5. Impact of progress-toward-degree requirements on degree program selection.

Academic Cabinet Schedule for Review of Key Items.		**Priority Number**
In-Person Meeting September 14-15, 2009 Indianapolis	1. Continue review of initial-eligibility standards, including finalizing goals and principles; review of additional research, including college outcomes of student-athletes who complete nontraditional course in high school. 2. Review academic support survey results. 3. FLAG update. Each September: 1. Annual update from the Eligibility Center president. 2. Review and comment on legislation in the current cycle.	2 3
In-Person Meeting February 1-2, 2010 Indianapolis	1. Review data on 2-4 transfers. 2. Initial-eligibility standards: initial consideration of possible revisions/models. 3. College outcomes of student-athletes who complete nontraditional courses in high school. Each February: 1. Report from N4A president.	1 2
In-Person Meeting June 28-29, 2010 Indianapolis	1. Finalize 2-4 transfer recommendations. 2. Nontraditional college courses - finalize recommendation. 3. Finalize initial-eligibility standards review - finalize legislation recommendation. 4. Continued discussion regarding degree selection. 5. Early academic certification standards - review data. Each June: 1. Review latest research on existing academic standards. 2. Annual academic update (GSR, Federal Graduation Rate, APR, penalties), including review initial-eligibility and progress-toward-degree waiver statistics and outcomes.	1 2 - 5 -

Righting the Ship

David Moltz
Inside Higher Ed
August 4, 2009

After years of perceived leniency, the message of the National Collegiate Athletic Association's new, stern line on academic reform is becoming all too clear to sports teams whose athletes have been underperforming in the classroom: get better or get out.

Last year at about this time, 26 teams at 22 Division I colleges were subject to the second level of punishment in the NCAA's four-tier penalty system for their athletes' poor academic performance. Either their scholarships were reduced, their number of practices was limited, or both.

If the teams in question did not quickly reverse their academic performance, they could have been subject to the harshest of the third-level penalties, a yearlong ban from all postseason play. And if these prior penalties were not motivation enough, any team that reaches the fourth and final tier could be subject to a yearlong ban from all activity not only for itself but for its entire athletics program, the so-called "death penalty."

This reform system issues penalties based on a team's Academic Progress Rate (APR), an NCAA-developed score that assesses athletes' success in remaining in good academic standing, staying enrolled from semester to semester, and ultimately graduating. Teams are subject to specific punishments in this tiered system for each year they remain below the 900-point threshold. (A perfect score is 1,000, and teams are judged annually on the four-year average of their APR.) There are, however, various other ways to avoid certain punishment, including self-requested waivers or proof of dramatic short-term improvement in scores.

Under the gun of these unprecedented penalties -- the NCAA banned its first teams from postseason play for poor academic performance just this year -- coaches and athletics directors representing these 26 academically troubled teams have been trying to alter just about everything in their power to reverse their fortunes and avoid further punishment. Some institutions have even abandoned ship, cutting academically troubled teams for fear that their susceptibility to penalty might endanger their entire athletics department.

Still, those teams on the brink that are not cut must submit detailed plans to the NCAA, outlining changes they plan to make to improve the known weaknesses in their academic structures and subsequently improve their APR. Sometimes, these plans mention such simple changes as requiring athletes to attend all of their classes or to sit in certain areas of the classroom. More often, however, the plans outline sweeping changes in the recruiting process and method by which athletes qualify for scholarship money.

This article is based on a review of some of these teams' plans for getting out of trouble with the NCAA. In response to questions about their improvement plans, many officials at institutions facing penalties complained that the APR system is complex and sometimes unfair in how it

levies punishment. They, however, do concede one thing: It is changing their behaviors, for better or worse.

More-Selective Recruiting

Nowhere, perhaps, is the APR's influence most evident than in the often dog-eat-dog world of recruiting men's basketball and football players. For example, it used to be common practice at a number of institutions to conditionally admit underperforming athletes who either did not quite meet their institutions' admissions standards or the NCAA's initial eligibility standards, with the understanding that they would have to meet certain academic benchmarks before they could play. At least among those institutions that have faced harsher APR penalties, this practice seems to have all but vanished, based on a review of their improvement plans. For example, the University of Tennessee at Chattanooga recently made the decision to stop letting in provisional admits, partially because of its low APR in many sports.

In the wake of receiving harsh NCAA penalties, many of these institutions have also recently adopted formal recruiting policies outlining whom they consider to be "risky" prospects to be avoided. Weaker or penalized basketball and football programs had routinely been recruiting community college athletes, since these programs are often less successful than their higher-profile peers in recruiting top athletes directly out of high school.

Community colleges athletes, however, are often perceived to be "risky" recruits because their two-year institutions have bare-bones initial and continuing eligibility requirements, causing some to overload on non-academic courses like physical education so that they stay enrolled but make little progress toward any degree. As a result, once these athletes arrive at a four-year institution, they have a significantly reduced chance of staying enrolled and graduating.

The new coaches of the University of Tennessee at Chattanooga's football team -- currently one of only three teams to be banned from postseason play this year as a result of third-tier penalties -- recently decided that they will no longer recruit community college athletes. Russ Huesman, the head coach who took over the troubled program eight months ago, admitted that the decision might reflect an overly sweeping conclusion about community college athletes, but said the team was in such dire straits with its APR that the move was necessary to improve its score.

"When you recruit junior college kids at this level, either they were not recruited by a Division I institution prior because they were not ready athletically, or there might be something socially or academically keeping them from it," Huesman said. "There are so many risks that you have to take, and I just didn't think this was worth it. To fall in love with a place, you've really got to be there four or five years. We're going to recruit only high school kids. We want them to love the university and have pride in getting a degree here. You can mold them academically, athletically and socially in a way that you can't with junior college kids."

Though they aren't taking as dramatic a step, officials representing the men's basketball team at California State University at Fresno -- which, after facing scholarship reductions last year, avoided further penalty this year by improving its APR from 816 to 891 -- said they would look twice before recruiting community college athletes in the future.

"Dealing with these penalties gave people a bad perception of us," said Steve Cleveland, the head coach who has presided over Fresno State's turnaround since 2005 and is, himself, a former community college coach. "No high school student-athlete's mother or father would even let us into their home, so we had to go the junior college route which complicated our success. You have to really, really have an attention to detail when evaluating those transcripts and finding transferable credits. There's very little margin for error when recruiting at two-year colleges. I mean, we might take a few junior college athletes, but when you already have issues in your program, it's hard."

Although Fresno State officials did not have figures to back up their assertion that community college recruits are less likely to graduate or stay in good academic standing than are high school recruits, its basketball team's changing demographics appears to have had some positive impact on its APR. Thomas Boeh, Fresno State's director of athletics, noted that five years ago more than a third of the players on the basketball team were community college recruits, and the team's single-year APR was in the mid-600s. Now, he added, there are far fewer community college recruits -- typically just one or two -- and the team's single-year APR is in the low 900s.

Aside from singling out certain types of prospects, other teams report simply making sure players have academics goals that align with those of the team and the institution.

"From a football standpoint, our admissions standards have not changed, but what has changed is the philosophy of our coaching staff," said Al Golden, head coach of Temple University's football team, whose APR improvement plan and progress impressed the NCAA enough to qualify the team for a waiver from third-tier penalties, after it suffered from major scholarship reductions last year.

"When we sit down with parents, we ask them if they want the same thing we want: students that are committed on and off the field and want to graduate. We don't want kids whose parents act like agents and ask, 'Do you think he can play in the NFL? Can he start as a freshman? Can he wear number 6?' We don't want them. It eliminates risk and uncertainty."

Keeping Up with Classwork

Not all of a troubled team's problems can be solved by bringing in new, more academically motivated athletes. Realistically, coaches have to discipline the athletes they already have on their rosters, presumably including some whose negligence in their studies has contributed negatively to their team's APR.

To combat his basketball players' inconsistent academic performance, Cleveland, at Fresno State, has now required that they meet weekly with either him or another member of his coaching staff to discuss grades, study habits and time management. The new policy was a hard sell, Cleveland said, but he believes the improved coach-player relationship can only help his students' performance in the classroom.

Additionally, Cleveland has required his players to have a "progress check" signed by all of their instructors at least once every semester to ensure that they are on track to pass their courses and advance toward graduation. While there is a standardized format, procedure and timeline for these checks, not all of the players' professors have been eager to help the cause.

"Among some faculty, department heads and deans, the perception remains that our basketball program has not always been committed to doing things the proper way," admitted Cleveland, noting that some professors simply do not feel as if it is their job to check up on an athlete's progress. "There's been a real lack of trust between athletics and the faculty, and I'm not just talking about basketball here. Recently, however, faculty have been more supportive."

Some of the faculty anxiety likely stemmed from the rocky tenure of Jerry Tarkanian, head men's basketball coach at Fresno State from 1995 to 2002. In 1997, Tarkanian's team was the topic of a federal point-shaving investigation. Tarkanian also had a penchant for recruiting "at risk" students, several of whom ended up in trouble with the law on charges ranging from drug abuse to domestic violence. Before taking over at Fresno State, Tarkanian was head coach at California State University at Long Beach and, famously, at the University of Nevada at Las Vegas, both of which were punished by the NCAA while he was there.

Now at Fresno State, Cleveland noted that the newly implemented "progress checks" have been particularly helpful keeping athletes in line when the playing season is over and most have their minds on getting in workouts to stay in shape or acquiring an agent if they are eligible for the professional draft. In fact, all draft-eligible basketball players at Fresno State must submit these forms every month prior to receiving their scholarship check. This is a major departure from the method of distributing funds before Cleveland's arrival.

"In the past, checks were given out without any academic pretense," Boeh said. "There was a time when some folks would simply pass out a check that was intended for room and board at the beginning of the semester with no questions asked. What motivation is there? You've got the money. You're no longer accountable to anybody. You need a system where everybody stays in rhythm and student-athletes have these progress checks."

Members of Chattanooga's football team do not have to submit instructor-validated paperwork, but they are now required to sit in the first two rows of all of their classes or face punishment from the coaching staff. As with the recruiting changes at Chattanooga, this policy is laid out in the team's APR improvement plan in hopes of boosting its score.

"It's important to build relationships with professors," Huesman stressed. "If a professor sees how important it is to a student to do well academically, it certainly helps that student. If I'm coaching a football player and I don't think he cares about what I'm trying to coach or teach him, then I don't care about him or his future because he doesn't care about it."

Still, attendance checks and seating requirements can only go so far. Some teams struggle to find the happy medium between lending their students an occasional helping hand to reach their academic goals and providing them with a silver spoon to meet their every need.

"We really want our student-athletes to graduate, but we also have to make sure we're not hand-holding either," said Rick Hart, Chattanooga's director of intercollegiate athletics. "You can't have it be to the point where, when that net is pulled out from under them, they can't be successful in life. Still, when we talk about programs like these, I think they're really intended to get the attention of those student-athletes who have problems transitioning into college; because, if too much time goes by, you're in a hole that's too big to dig out of, and that hurts them and us."

An Imperfect System

Though coaches and athletic directors at academically troubled institutions acknowledge that the threat of NCAA penalties has changed their behavior and talking points -- for example, Cleveland said his coaching colleagues talk about the APR as much as they talk about zone defense -- they all say that the system has its faults and unintended consequences.

Golden bemoans that he cannot cut players that either simply do not gel with his team or whose poor classroom performance poses a grave risk to its Academic Progress Rate scores. For instance, if a player who is not in good academic standing is either removed from a team or decides to leave, the move will hurt a team's APR.

"There were so many players from the previous staff that there was no way for us to institute our policy and our culture right away," he said of his Temple football squad. "We knew we just couldn't get rid of them because of the APR losses. Ten or 15 years ago, if people didn't want to be part of a program, they could just move on. Now, there's this residual effect that can make it hard to rebuild a program."

In a similar vein, Hart even says that some players at Chattanooga who were in poor academic standing have threatened to drop off the football team or transfer to another institution, with the knowledge that their actions would cost the team APR points.

"Kids are smart and savvy, and they're learning how to leverage with the APR," he said. "They understand that they're in the driver's seat. For instance, in the fall, about four or five students came forward and said they didn't like the coaching change we were going to make and that they understood if they dropped out they would hurt our APR. Now, what you'll see is student-

athletes, if they're disgruntled -- either they felt that they weren't playing enough or whatever -- they'll understand that if they don't leave in good academic standing or had not designs to return that they can hurt the program."

Hart also said some athletes have even used their poor academic standing and the threat of lowering the team's APR to lobby the institution to pay for summer classes, a luxury not traditionally covered for scholarship athletes at Chattanooga.

Perhaps what irks most penalized teams about the APR system is that it appears to disproportionately punish colleges and universities from "mid-major" conferences, often defined as those conferences in Division I that do not belong to the prestigious Bowl Championship Series. Officials from these institutions argue that they simply do not have the financial resources to upgrade their academic services for their athletics programs to be judged against wealthier institutions.

"I don't want to be negative, but places like Chattanooga simply don't have the resources and money that the BCS schools have," Huesman said. "We've got to work so much harder than they do; there's no question about it. [The University of] Tennessee [at Knoxville], for example, has millions and millions of dollars to build academic resource centers for their athletes and pay tutors. I'm not begrudging them for that, but for us, we have fewer resources."

Upon announcing this year's APR figures, Myles Brand, NCAA president, acknowledged the gap between the haves and the have-nots in Division I. Still, when it comes to academics, he seemed to offer little sympathy for the latter.

"The truth of the matter is that if you're going to participate in high-level intercollegiate athletics, you have to provide for academic opportunities for the students," Brand said at a May press conference. "And that's not inexpensive."

Some in the "mid-major" ranks have taken issue with this attitude, but still defend the necessity of the APR in improving academic performance among athletes.

"I think that's an elitist attitude," Cleveland said of the notion that less-wealthy institutions should not be allowed to remain in Division I if they cannot compete head-to-head academically with wealthier institutions. "The way things are in this economy, we're all doing everything we can do academically. I do understand Myles saying, 'If they want to be successful, then you have to take care of both athletics and academics.'

"But, to say that we can dedicate just as much money to this as other [wealthier] schools is unrealistic. I hope that the NCAA will be more sensitive to finances. Still, even though all things aren't equal, I think we need the APR and I believe it's working."

Taking Notes Beyond the Classroom

Ben Eisen
InsideHigherEd.com
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In 2001, the Massachusetts Institute of Technology announced an OpenCourseWare system that would post videos and other course materials for virtually all MIT classes online for the world to see, thereby starting to break down the traditional barriers to higher education.

Eight years later, we may be seeing the student response.

The development of free note sharing Web sites, where students upload their class notes to share with their peers, has begun to create an open stockpile of downloadable information that some say is further leveling the academic playing field. With an influx of note sharing sites -- from the innocuous sounding GradeGuru to the most "college" sounding isleptthroughclass.com (soon to be relaunched as Wise Campus) -- many of them advocate the spread and collaborative use of knowledge beyond the classroom and university.

"The movement very much spouted from an academic spectrum with professors sharing materials, and spilled over into students sharing materials," said Emily Sawtell, founder of GradeGuru, a subset of McGraw-Hill Companies, for which she is the director of new business ventures. "MIT started a tidal wave with open sharing and more will [come of it.]"

The possibilities are great for "open educational resources," like note sharing, said Steve Carson, external relations director for MIT Open Courseware, but one must differentiate between sharing information from credentialed teachers at accredited institutions and sharing student notes that are not verified or fact-checked. Note sharing could lead to issues of questionable factuality similar to those that arise with the user-updated Wikipedia.

And because of the controversial nature of sharing notes, these Web sites have raised eyebrows across academia, especially with regard to professors' intellectual property. Some, too, have expressed the concern that these websites blur the line between cheating and doing one's own work, which could be seen as propagating laziness among students. And some professors worry that these sites could devolve into gossipy commentary on the course.

Despite mixed reactions, note sharing has continued to grow in popularity. "Broadly, what we're seeing is a trend in the increase of recognition that learning is collaborative. We've often treated what students do as private segments, they just go back to their dorms and study, when in fact they study together a lot," said David Parry, assistant professor of emerging media and communications at the University of Texas-Dallas. Parry is also part of McGraw-Hill's Academic Advisory Committee. "We've seen Facebook and MySpace collaboration to share

information. There are opportunities for [the note sharing] Web sites to play that role for students."

The Players

The growth of the note sharing industry has certainly attracted its fair share of small time entrepreneurs looking to cash in on a growing trend in higher education. But it has also attracted heavy hitters in academe like McGraw-Hill, which started GradeGuru as a home-grown project. Sawtell said that the Web site was spawned from McGraw-Hill's own research into study habits, in which students were asked to videotape themselves while they were studying. The video responses often featured two students in the frame, suggesting that collaboration was more prominent than the researchers had anticipated. So, they set to work developing Grade Guru to bring the age-old practice of sharing notes into the 21st century.

GradeGuru features a star rating system in which users can tell the note provider how good their notes are. The best notes are displayed more prominently, a feature that Sawtell said allows students to "build reputations" on the site. Plus, students get paid for uploading their materials depending on how good they are.

So where does the funding come from? As with many Internet ventures, a solid revenue stream has yet to be put into place. But Sawtell said GradeGuru provides a forum in which McGraw-Hill can observe how students study and develop products to better help them.

"From our perspective, we see note sharing as evolving into a more collaborative community of notes, more real time discussion, students helping each other in more real time," Sawtell said. "If other social networks should be taken as an example, that is what may ultimately play out."

ShareNotes.com was developed about three years ago by a couple of University of Texas medical school students who wanted an easy way to pass around notes within their own classes. Now, the mission has come to be more like that of GradeGuru -- pay students to upload their notes while at the same time "building a community and helping it grow," said Bill Novak, the CEO. ShareNotes.com has not yet instituted a viable business model either. However, Novak said that once the Web site -- which has about 10,000 users rights now -- attracts enough participating schools and notes, it could become a subscription service.

isleptthroughclass.com advertises notes for students who just couldn't quite make it to their 8:30 lectures. Despite the name of the site, Allison Barber, director of marketing and public relations, stated in an e-mail that, "we have found that the most active members on the site are among the top of their class and enjoy the educational and community aspects of the site more than finding it a perpetuator of laziness."

The Web site itself, however, features a promotional video with a student diligently taking notes, while two others drink beer on a porch, apparently missing class. Because of the negative image

portrayed by the name, the site is relaunching as Wise Campus. "The reason for the relaunch/rebrand was to counteract the sometimes negatively perceived attributes given to the site.... We are looking to do a little more partnering with universities and the isleptthroughclass brand would never be supported by them," Barber stated. Instead, the site's name will better match its goal of intellectual collaboration and community, she said.

Andrew Magliozzi, a Harvard graduate who founded a tutoring service right out of college, decided to start FinalsClub.org after becoming increasingly disconcerted with the barriers to attaining knowledge. His Web site, now up and running, features notes and commentary on Harvard courses posted by other Harvard students. Magliozzi hopes that FinalsClub.org, the only not-for-profit note sharing site, will spread to other schools as well. He also hopes to expand the services offered on the site in order to move it forward.

Other note sharing sites include knetwit.com, koofers.com, coursehero.com, studyblue.com, and a handful of others.

Doubts Amidst Development

Note sharing technologies have undergone a good deal of scrutiny as they've increased in popularity. Some skeptical professors see them as a forum for plagiarism, prompting many if not all of these sites to prominently display warnings against the practice. One source of dismay is that certain Web sites go beyond note sharing -- delving into the world of problem set answers and old test dissemination. Sites like PostYourTest.com and koofers.com allow users to access old exams and quizzes, which is why PostYourTest.com has a petition for permission to use the site that students can present to their professors.

Michele Tillman, coordinator of academic appeals at Oklahoma State University, says that her office has dealt with students who have gotten in trouble through misuse of note sharing and other information sharing websites, but that such can happen through university course Web sites as well. Most recently, one student posted a paper for a course on a university site that was then handed in by another student with minor changes. The issue becomes more widespread with online courses, she said. The academic integrity handbook at Oklahoma State has provisions for use of information sharing websites -- generally allowing note sharing, but prohibiting the spread of information about what might be on an exam or paper -- but discretion on what is and is not cheating is usually left up to the professors.

Most of the note sharing Web sites have their employees read the uploaded notes before publishing to make sure that none of the information would be considered cheating.

"It was something I found concerning, but when i think about it ... it all depends on how any particular student decides to use it," said Karen Pressley, professor of psychology at the University of Illinois at Springfield and chair of its academic integrity council. She emphasized that while students should avoid posting old tests online, professors have equal responsibility not

to give out exams and then use them over and over again in a way that provides room for cheating.

Another distinguishing factor between acceptable and unacceptable use of the note sharing sites is the type of lecture material being shared. "Whether or not it's undermining education has to do with the understanding between teacher and student," said Teddi Fishman, director at the Center of Academic Integrity within the Rutland Institute for Ethics at Clemson University. "If it's just sharing notes, it probably accomplishes the same purpose as students [sharing] notes [in person]. But it probably undermines what the teacher is trying to do when the purpose of the activity is for students to have some sort of process-based activity [in which they must engage with and analyze the material], and it's not a flat transfer of information."

Intellectual property issues have also come to light as note sharing has gained traction. "Are you going to profit off my intellectual property?" is one of the key questions professors ask about the site, said Magliozzi, who has met with a number of professors at Harvard while getting FinalsClub.org off the ground. Furthermore, sharing knowledge developed and prepared by a professor raises the question of who in fact owns the knowledge.

Pressley did not see an issue with intellectual property on note sharing sites. "I kind of consider information not really mine. It's the information I give in class, once I impart it to students, it's theirs." Fishman said that while she did not know of any professors who had problems with the intellectual property aspect, many certainly exist.

Because of discontent from professors, FinalsClub.org instituted a new policy whereby each note uploaded to the site gets sent to a professor for approval. Some notes are open only to other Harvard students, while others are available for anyone to see, depending on whether the professor wants their lecture shared. That policy was put into place after the Web site ran into trouble with professors who felt that their intellectual property was being violated.

Another concern about online note sharing is the fear that it is essentially spoon-feeding material to students and propagating a culture of laziness. However, supporters of the sites say they attract ambitious students, rather than class skippers. Keith Hampson, director of digital education strategies at Toronto's Ryerson University, who is also part of McGraw-Hill's Academic Advisory Committee, said that his original sense of skepticism has dissipated. "The more I've looked into this, the more I realized that the people who are using [note sharing sites] are proactive students. They want to have their notes in their hands before they enter class, they may want two or three copies of those notes when studying for an exam."

Fishman added that, "If all they're getting from the content is notes, that would be a sign to me that we need to spice things up."

But one of the biggest issues, at least according to Magliozzi, is that many professors feel like these sites could become forums for negative commentary about their courses. "Professors are

most scared that this is going to be a Gawker-like thing in their classroom," he said, referring to the New York-based gossip blog. Especially with the advent of sites like ratemyprofessor.com -- whose mission is in part to provide a forum for criticism of professors -- sharing notes could be construed as further politicizing the course. "I think the biggest thing people are wary of is invading the sacred space of the classroom," Magliozzi said.

Classroom 2.0

Despite challenges, many of the Web sites' creators are lauding note sharing technology as the next step in taking down the ivory tower of academe. Whereas OpenCourseWare started knowledge dissemination from the top down, Magliozzi said, note sharing and, more broadly online knowledge collaboration, is helping to spread knowledge from the bottom up, further increasing access to educational materials.

But even with tools like note sharing, students are continuing to reinvent the wheel, as the saying goes, every time they produce their own set of notes. So where does note taking collaboration go from here?

Magliozzi envisions that as technology develops, integrating note taking across the classroom will become easier and easier. He is working to come up with a system -- propelled by collaboration technologies like the forthcoming Google Wave -- that will allow students to produce one set of "*uber*notes," instead of multiple sets of mediocre notes. With technology that allows a document to be constantly updated on multiple computers, one student can write down what the professor is saying while another can go through and correct errors. A third student can follow up and create diagrams within the notes while another can find links and images to add in. All of this can be supplemented by audio and video recordings of the lecture so that by the end, a couple of students have created a detailed copy of the material imparted that can be shared with the rest of the class and world with the click of a button.

Meanwhile, the rest of the students in the lecture can focus on digesting and applying the material, rather than simply copying it down. Note taking would be supplemented with chatroom-like forums throughout the class where students can ask questions that other students can vote to agree with if they also don't understand that material. Questions would eventually get answered by the professor or teaching assistant. In such a way, professors "get real time information on how well they are conveying the information."

Last month, a new book by the former *Wired* magazine editor Chris Anderson called *Free: The Future of a Radical Price* (Hyperion Books) hit bookstores. Anderson asserted in his work that the consistently decreasing cost of Internet bandwidth, along with other converging factors, is trending toward a "zero cost economy." In other words, soon enough companies will make the most money by charging nothing for their products. The sharing of notes and free course videos may be the first step in bringing the cost of college-level knowledge down to that same accessible price, according to Magliozzi.

"I suppose as this goes on, it's all going to be free, we're going to give away an education to every school. You'll never get a diploma -- you've got to get admitted and pass all the courses [for that]. It's never going to be quite as good as going to the school. The reason you go to school is to learn, there's a lot more to going to university than just that," said Magliozzi, noting that even if the cost of an education becomes free, the university experience probably never will be.

Even if technology brought down the cost of knowledge, universities could stop all of this information sharing at their will. For example, according to Magliozzi, they "can say you cannot bring computers into class," which would put a serious damper on information sharing. And with the questions raised, in essence, by making information disseminated by professors entirely free, the idea of knowledge sharing will likely be met with some resistance.

"I think there's a real divide in higher education as to how we ought to be teaching, how students ought to be learning," Hampson said. However, he acknowledged that whichever direction education moves in, change is inevitable. "We are obviously moving towards a more active and collaborative style of learning. These social technologies and practices enable to us to do this on a much grander scale."

Terps' Frese not alone in dealing with transfers
Maryland coach one of many to experience offseason departures

Jeff Barker
Baltimore Sun
July 3, 2009

Maryland women's basketball coach Brenda Frese says an alarming number of women are transferring this year from Division I programs in the sport, leaving coaches and experts to figure out why.

"It's amazing," Frese said as she examined the names of about 100 recent transfers on a list compiled by Dan Olson, owner of the Collegiate Girls Basketball Report, a subscription service.

"I've never seen a list like that before," Frese said this week. "It's almost a new trend, and not a positive trend."

Two of Frese's players from last season have transferred. Guard Marah Strickland, a two-time Baltimore Sun All-Metro Player of the Year at Towson Catholic, will play for South Carolina. Drey Mingo, a 6-foot-2 forward, is headed to Purdue. Their departures - along with the more significant losses of senior standouts Kristi Toliver and Marissa Coleman to the WNBA - leave Frese to retool a team that was upset by Louisville in its bid to reach last season's Final Four.

Maryland wasn't hit as hard as some schools. Four Arizona players are leaving, including two transferring to San Diego State, according to Olson's list and the San Diego State athletics Web site. Wichita State, which underwent a coaching change in 2008, has seen four players depart since the season ended.

Louisville lost three players to transfers after making it to the NCAA tournament championship game, according to Olson and media reports. Calls to Louisville were referred to assistant sports information director Kim Pemberton, who was not immediately available.

An increasing number of coaches are expressing concern about high transfer rates in women's and men's basketball.

Frese said young college athletes and their supporters often bring high - and sometimes unrealistic - expectations about playing time and their abilities.

"I also think these kids are committing at early ages without doing their homework and doing the visits," Frese said. "They're deciding sooner, and maybe they didn't have a full picture of what everything is going to be like."

Frese said she already has three oral commitments for players entering in 2010. Because of NCAA rules, Frese declined to comment on the recruits. The players are Alyssa Thomas, a 6-1 wing from Central Dauphin High in Harrisburg, Pa., Natasha Cloud, a 6-0 combo guard from Cardinal O'Hara in Springfield, Pa., and Laurin Mincy, a 6-0 shooting guard from University High in Newark, N.J. According to ESPN HoopGurlz, Mincy is the No. 13 player nationally in the class of 2010, while Thomas (42) and Cloud (95) also crack the top 100.

In men's basketball, the National Association of Basketball Coaches says it has talked with the NCAA about whether transfer rules need to be reformed.

Athletes who transfer are required to sit out one academic year at their new school. But there are exceptions. For example, a waiver is granted when an athlete transfers because his or her sport was discontinued at his or her former school.

The NABC says it is concerned waivers are being granted too liberally for players who offer personal reasons - such as an ill family member - for switching schools.

"As coaches, we certainly understand the empathy one would have for someone transferring because, say, a parent was terminally ill or something of that nature," said Jim Haney, the NABC's executive director. "But the concern is that once you open the door, then those extreme, rare cases become increasingly common."

The NCAA didn't have publicly available data on numbers of transfers, spokesman Chris Radford said.

But Olson, who annually compiles lists of transfers in women's basketball, said the numbers appear to be up this year.

"Last year I did the list and it didn't seem like there were nearly as many" as now, said Olson, a former coach who evaluates and ranks players. "You've got a lot of pressure on these kids that has continued to go higher and higher for them to produce. In their younger years, they may make decisions that maybe aren't the best."

Strickland started 23 games for the Terps last season and averaged nearly nine points. But her playing time decreased from her freshman season. "She actually just sat down and expressed an interest in leaving," her mother, Joanna, said in April. The younger Strickland could not be reached for comment through her parents or the University of South Carolina.

Asked about Strickland and Mingo, Frese replied: "We wish them all the happiness."

Toliver and Coleman were first-round WNBA draft picks.

"We were in the same situation last year when we lost Crystal Langhorne and Laura Harper in the first round" of the draft, Frese said. "The biggest thing you always say is, 'Who is going to bring the level of consistency that Toliver and Coleman bring to the table?' "

Maryland also lost two assistant coaches. Longtime assistant Erica Floyd left after her fiance got a position with LSU. Daron Park left for Louisiana Tech. Marlin Chinn, a former Seton Hall assistant, and David Adkins, an ex-DeMatha and Montrose Christian boys basketball assistant, filled the vacancies.

The Terps return two starters from a 31-5 team - forward Dee Liles and center Lynetta Kizer, the 2009 Atlantic Coast Conference Rookie of the Year.

The backcourt will be largely new. Among those competing for playing time will be incoming freshman point guard Dara Taylor from Wilmington, Del.

"She's probably the fastest guard we've ever had in the program," Frese said.

Wave of transfers among hoop prospects raising some doubts

Robert Klemko
USA TODAY
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The NBA dream is very real for Noah Cottrill.

It's what drives the 6-foot, 17-year-old from West Virginia to do things the average teen wouldn't even consider.

He transferred from his hometown Poca High, where he had spent two years as the star point guard, to Mountain State Academy (Beckley, W. Va.), a prep school that boasts a nationally recognized basketball team. Cottrill said the chance to have college scouts see him play against the best competition in the country lured him to MSA.

Cottrill is part of a wave of high school hoops prospects across the country who skip from high school to high school purely for basketball reasons. Many transfer to play for top basketball programs like MSA, Oak Hill Academy (Mouth of Wilson, Va.) or Findlay Prep (Henderson, Nev.), foregoing hometown glory for national exposure.

"You've got to make sacrifices, and I made the sacrifice to go to a school where there's not that many kids and there's no girls," Cottrill said. "I have to chase my dream."

Critics of the practice say the values taught in a four-year experience at one school are lost on the new generation of "jumpers." Satch Sullinger, father of top-rated class of 2010 center Jared Sullinger, vowed his son will spend all four years at Northland (Columbus, Ohio) where he is the coach.

"There's no positive from jumping from one high school to the next," Sullinger said. "These decisions need to be made in middle school. These are the same kids who end up transferring colleges because they never learned how to be accountable.

"There has to be a certain amount of pride that comes with wearing the uniform of one school."

Tristan Thompson doesn't buy it. Thompson, 17, has played for three teams in a three-year high school career that has taken him to the top of Scout.com's list of power forwards in the class of 2010. The 6-9, 215-pounder from Canada transferred from St. Marguerite D'Youville (Brampton, Ontario) to St. Benedict's (Newark, N.J.) after his sophomore year. During his junior year, he transferred to Findlay Prep in the middle of the season.

"There was a rumor that I was transferring schools while I was at St. Benedict's, and it drove a wedge between me and the coaches," Thompson said. "In high school basketball, everyone's

transferring schools so if I say 'Hi' to a player at Oak Hill after a game, it'll be in the newspaper and all the blogs."

Thompson has given a non-binding oral commitment to play for Texas in 2010.

Phil Pressey, son of former NBA player Paul Pressey, has long been a topic of attention since he emerged as an elite point guard. The 17-year old from Boston will go into his senior year at his third high school. He jumped from Waltham (Mass.) to Cushing Academy (Ashburnham, Mass.) to "face better competition." Last summer, he left for Episcopal School of Dallas where his mother relocated.

"It's like a higher step everywhere I go," Pressey said. "I make friends everywhere, but I'm just now getting used to the high school experience."

Shonn Brown is a coach at Charlotte Christian School where he mentored Davidson star and 2009 NBA Draft top-10 pick Stephen Curry. Brown said for kids like Pressey, the toughest challenge is creating meaningful relationships.

"Every kid needs to be able to have someone to talk to that they trust outside of their parent base who wants nothing from you but for you to be successful," Brown said. "The problem is that these kids never really connect to the institution and the people who can look out for them."

But Pressey says he's found plenty of support at Dallas Episcopal, where his goal is a Southwest (Texas) Prep Conference Tournament title in 2010.

What's next for Cottrill? He's considering transferring from Mountain State because coach Rob Fulford has left. Said Cottrill, "I'm going to do whatever it takes to make it."