REPORT OF THE
NCAA DIVISION I AWARDS, BENEFITS, EXPENSES AND FINANCIAL AID CABINET
JUNE 1-2, 2010, MEETING

***KEY ITEMS*.**

1. **Review of Feedback from Financial Aid Discussion Document No. 2.** The NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet continued its review of the financial aid items prioritized during its February 2010 meeting. In April 2010, the cabinet distributed Discussion Document No. 2 outlining seven possible legislative concepts for future submission into the Division I legislative cycle.

   Based on its discussion and review of the feedback received, the cabinet agreed to sponsor legislative proposals for the 2010-11 legislative cycle for Concept Nos. 1, 2, 3-b, 4, 5 and 6 (see Legislative Informational Items A-F in this report).

2. **Discussion of Eligibility of Student-Athletes for Institutional Financial Aid and Period of Award Legislation (Bylaw 15.3.3.1).** The cabinet revisited its discussion of the current NCAA legislation limiting athletically related financial aid to a maximum of one year. The cabinet reiterated its position that the current period of award legislation allows an institution the autonomy to provide the most deserving student-athletes athletics financial aid and ensures the best product available to the general public. Members of the cabinet also reasserted their position that athletics financial aid is a "merit" award and an annual review of whether an individual meets the standards of a merit award is the most appropriate way to ensure that the most deserving student-athletes receive that award each year. Further, the cabinet noted handling renewals on an annual basis supports a pro-competitive environment by providing annual opportunities for student-athletes to be awarded athletics aid, while a system that allows multiyear athletics aid agreements would limit opportunities for additional student-athletes to receive athletics aid because less aid would be available each year if an institution chose to award athletics aid for multiple years. Finally, the cabinet noted that allowing athletics aid for multiple years could create a need for additional legislation to address concerns related to student-athletes who want to transfer during the period of their award or are asked to transfer during the period of their award and to ensure the accountability of a student-athlete who was awarded athletics aid for multiple years.

3. **Proposed Definition of a Walk-On Student-Athlete.** As a result of its discussions related to the effect of recruited status on counter status, the cabinet agreed to sponsor legislation to define a walk-on student-athlete for the purposes of NCAA financial aid legislation. The cabinet agreed that rather than using the recruited status of an individual (Bylaw 13.02.12.1) to determine if a student-athlete's financial aid should trigger counter status, counter status should be based on whether the involved student-athlete satisfies the

definition of a "walk-on" student-athlete in Bylaw 15. (See Legislative Informational Item G in this report).

4. Identification of Future Agenda Items and Determination of Priorities.

a. Cabinet's List of Priority Items. The cabinet identified the following priority topics to review, and noted that data collection will be necessary to fully examine these issues:

(1) Examination of maximum grant-in-aid limitations.

(2) Equivalency versus head count designations.

(3) Review of the NCAA Compliance Assistant software's financial aid module.

(4) Outreach to financial aid community.

(5) Review of departure/return expense legislation.

(6) Participation awards limitations.

b. Item for Staff to Explore for Future Meetings. During this discussion, the cabinet directed the staff to explore the following item and report back to the cabinet during its September meeting:

- Bylaw 16 waivers. The cabinet directed the staff to provide a compilation of frequently requested waivers associated with Bylaw 16.

ACTION ITEMS.

1. Legislative Items.

- **None.**

2. Nonlegislative Items.

- **NCAA Division I Legislative Council Subcommittee for Legislative Relief Blanket Waiver - Yellow Ribbon G.I. Education Enhancement Program**. The cabinet requests the NCAA Division I Legislative Council Subcommittee for Legislative Relief grant a blanket waiver of Bylaw 15.2.5, effective for the 2010-11 academic year, to exempt the U.S. Department of Veterans Affairs (VA)-funded portion of the Yellow Ribbon G.I. Education Enhancement Program (Yellow Ribbon Program) from counting toward the individual limit and, for counters, toward the team limit. The cabinet agreed to sponsor legislation in the 2010-11 legislative cycle to exempt the VA-funded portion of the Yellow Ribbon Program from counting toward the individual limit and, for counters, toward the team limit (see Legislative Informational Item No. H in this report), but that proposal will not be considered by the NCAA membership in time for the 2010-11 academic year. In the interim, the cabinet believes that granting relief via a blanket waiver is appropriate, and is the same type of relief the cabinet requested when it agreed to sponsor legislation for the 2010-11 legislative cycle to add VA funds awarded through the Post-9/11 G.I. Bill to the list of exempted government grants in Bylaw 15.2.5.1.

***INFORMATIONAL ITEMS*.**

1. Legislative Items.

a. Bylaw 15.2.5.1 - Exempted Government Grants - Federal Need-Based Financial Aid.

(1) Recommendation. The cabinet agreed to sponsor legislation to exempt all federal need-based aid [e.g., Supplemental Educational Opportunities Grant (SEOG)] from counting towards a team's maximum financial aid limits (team limit).

(2) Effective Date: August 1, 2011.

(3) Rationale. Currently, select federal government grants are exempted from team and individual limit calculations (see Bylaws 15.02.4.1, 15.1.2 and 15.2.5.1 and Figure 15-1). However, not all federal need-based aid (e.g., SEOG) is exempted when calculating maximum team financial aid limits. This proposal would specify that all federal government grants awarded based on a student's demonstrated financial need would be exempt from

counting towards the maximum team financial aid limits. The aid would continue to count against the individual limit. In sponsoring this proposal, the cabinet noted: (1) This change would have a positive impact on student-athlete well-being by permitting additional sources of aid (e.g., aid for the neediest students) to be exempt from the team financial aid limits thereby reducing the amount of financial aid that counts toward a team's maximum financial aid limit (e.g., reduce equivalencies) and requiring fewer student-athletes to choose between accepting athletics aid or federal need-based aid; (2) There are safeguards (e.g., defined awarding criteria for all candidates, predetermined federal methodologies for calculating students with financial need, audits) already in place when determining the recipients of federal need-based aid, thus minimizing the potential for abuse; (3) This change would reduce bureaucracy for NCAA compliance monitoring and financial aid offices; and (4) The SEOG is exempted from team financial aid limits in Division II.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. May result in a student-athlete being able to accept additional financial aid that would not count toward team limits.

b. Bylaw 15.2.5.1 - Exempted Government Grants - State Need-Based Financial Aid.

(1) Recommendation. The cabinet agreed to sponsor legislation to exempt all state need-based financial aid from counting towards team limits provided the aid is administered in accordance with the federal methodology for determining a student's financial need and has no relationship to athletics ability.

(2) Effective Date. August 1, 2011.

(3) Rationale. Currently, if a student-athlete is a counter and receives state need-based aid that is administered by an institution (i.e., the institution, through its regular committee or other agency for the awarding of financial aid to students generally, makes the final determination of the student-athlete who is to receive the award and of its value), then the aid must count against the team limit. Further, aid from government sources for which the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient is considered institutional aid.

As a result, such aid counts against the team limit. This proposal would specify that all state aid based on demonstrated financial need (regardless of whether the aid is administered by an institution) would be exempt from counting towards a team's maximum financial aid limits provided the aid is administered in accordance with the federal methodology for determining a student's financial need and has no relationship to athletics ability. The aid would continue to count against the individual limit. Further, this concept would not change the current application of the football or basketball, varsity competition legislation. In sponsoring this proposal, the cabinet noted: (1) This change would have a positive impact on student-athlete well-being by permitting additional sources of aid to be exempt from team financial aid limits thereby reducing the amount of financial aid that counts toward a team's maximum financial aid limit (e.g., reduce equivalencies) and requiring fewer student-athletes to choose between accepting athletics aid or state need-based aid from their institution; (2) There are safeguards (e.g., use of federal methodology for determining need, defined awarding criteria for all candidates, audits) already in place when determining the recipients of state need-based aid, minimizing the potential for abuse; (3) This change would reduce bureaucracy for NCAA compliance monitoring and financial aid offices; and (4) Such aid is currently exempt from counting against team financial aid limits in Division II.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. May result in a student-athlete being able to accept additional financial aid that would not count toward the team limit.

c. Bylaw 15.2.5.1 - Exempted Government Grants - State Merit-Based Aid Administered by an Institution.

(1) Recommendation. The cabinet agreed to sponsor legislation to exempt state merit-based aid that is administered by an institution provided the awarding criteria satisfy the academic honor award or institutional academic scholarship legislative requirements and have no relationship to athletics ability.

(2) Effective Date. August 1, 2011.

(3) Rationale. Currently, if a student-athlete who is a counter also receives a merit-based state scholarship that is administered by the institution (i.e.,

the institution, through its regular committee or other agency for the awarding of financial aid to students generally, makes the final determination of the student-athlete who is to receive the award and of its value), the state scholarship must count against the team limit, regardless of the specified awarding criteria. Further, aid from government sources for which the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient is considered institutional aid and, as a result, is countable against the individual limit and, for counters, the team limit. This proposal would specify that all merit-based state aid would be exempted from counting against team limits if the awarding criteria satisfy the legislative requirements for an academic honor award or institutional academic scholarship and has no relationship to athletics ability. The aid would continue to count against the individual limit. Further, this concept would not change the current application of the football or basketball, varsity competition legislation. In sponsoring this proposal, the cabinet noted: (1) This change would have a positive impact on student-athlete well-being by permitting additional sources of aid to be exempt from team financial aid limits thereby reducing the amount of financial aid that counts toward a team's maximum financial aid limit (e.g., reduce equivalencies) and requiring fewer student-athletes to choose between accepting athletics aid or state merit-based aid from their institution; (2) Permitting an institution to exempt an award that is provided in a manner consistent with institutional policies would not create additional NCAA rules bureaucracy for financial aid offices, but would ensure some safeguards are in place to minimize the potential for abuse; and (3) Such aid is currently exempted from counting against team financial aid limits in Division II.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. May result in a student-athlete being able to accept additional financial aid that would not count toward the team limit.

d. Bylaws 15.5.1.2.2, 15.5.3.2.2.2 and 15.5.3.2.2.3 - Institutional Academic Aid /Scholarships and Academic Honor Awards - Transfer Students- 3.000 Grade-Point Average.

(1) Recommendation. The cabinet agreed to sponsor legislation to specify a 3.000 grade-point average, as opposed to a 3.300 grade-point average, as necessary to exempt institutional financial aid from team limits under the

following NCAA legislation: (1) Receipt of institutional academic aid only; (2) Institutional academic scholarships; and (3) Academic honor awards - transfer students.

(2) Effective Date. August 1, 2011.

(3) Rationale. Currently, the legislation in Bylaws 15.5.1.2.2, 15.5.3.2.2.2 and 15.5.3.2.2.3 specifies that such institutional academic aid may be exempt from counting against team limits provided the recipient has completed at least one academic year of full-time enrollment at the certifying institution and has achieved a cumulative grade-point average of at least 3.300 (on a 4.000 scale) at the certifying institution. This proposal would specify that student-athletes could qualify for these legislated exceptions by completing at least one academic year of full-time enrollment at the certifying institution and achieving a cumulative grade-point average of at least 3.000 (on a 4.000 scale) at the certifying institution. These awards/scholarships would continue to be included when determining a student-athlete's individual limit. In sponsoring this proposal, the cabinet noted: (1) This change would have a positive impact on student-athlete well-being by permitting additional sources of aid to be exempt from the team financial aid limits, thereby reducing the amount of financial aid that counts toward a team's maximum financial aid limit (e.g., reduce equivalencies) and requiring fewer student-athletes to have to choose between accepting athletics aid or academic aid/scholarships from their institution; (2) This change standardizes the cumulative grade-point average needed to exempt academic aid based on the student-athlete's academic record in college and maintains a national standard for such exemptions; and (3) This change addresses concerns that in some instances, the general student population has the opportunity to receive these awards while a student-athlete who is a counter may be permitted to receive the award only if the team has room in its maximum financial aid limitation.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. May result in a student-athlete being able to accept additional financial aid that would not count toward the team limit.

e. Bylaw 15.2.6.4 - Financial Aid from Outside Sources - Athletics Participation as a Major Criterion.

(1) Recommendation. The cabinet agreed to sponsor legislation to exempt all established and continuing outside scholarships from counting towards team limits provided:

(a) The choice of institutions is not restricted by the donor of the aid;

(b) There is no direct connection to institution; and

(c) Should the total value of all such awards exceed 10 percent of the value of the institution's full grant-in-aid, documentation of aid must be kept on file with the conference office.

(2) Effective Date. August 1, 2011.

(3) Rationale. The financial aid from outside sources legislation outlines the various types of outside sources of financial aid. Specifically, the athletics participation as a major criterion legislation specifies several conditions that must be satisfied in order for a student-athlete to receive an outside scholarship that is determined to have athletics as a major criterion (i.e., aid that is only awarded to individuals who participate in athletics). In addition, if the recipient of such aid is recruited, then the student-athlete is considered a counter and the award amount is applied to the team's maximum financial aid limits. This concept would specify that, provided specific conditions are satisfied, aid awarded by an established and continuing program, regardless of the type of outside award or the student-athlete's recruitment status, would be exempt from counting toward the team's maximum financial aid limits. In sponsoring this proposal, the cabinet noted: (1) This change would have a positive impact on student-athlete well-being by permitting additional sources of aid to be exempt from the team financial aid limits, thereby reducing the amount of financial aid that counts toward a team's maximum financial aid limit (e.g., reduce equivalencies) and requiring fewer student-athletes to have to choose between accepting athletics aid or outside awards; (2) This change promotes the simplification of the review of outside awards for compliance and financial aid offices by reducing bureaucracy associated with monitoring and researching outside awards; (3) The 10 percent limitation is appropriate because in cases where the total value of such awards exceeds this limit, institutions and conferences should be aware of which student-athletes receive these awards in order to limit the opportunities to abuse the legislation; and (4) Such outside scholarships would still be included when determining a student-athlete's individual

financial aid limit and no changes would be made to the current legislative requirement that the outside aid must be awarded through an established and continuing award program.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. May result in a student-athlete being able to accept additional financial aid that would not count toward the team limit.

f. Bylaw 15.3.4.2 - Reduction or Cancellation Permitted - Replacement of Athletics Aid Agreement with Nonathletics Institutional Financial Aid.

(1) Recommendation. The cabinet agreed to sponsor legislation to allow a student-athlete to replace his or her signed athletics financial aid agreement (on his or her own initiative) with a institutional nonathletics financial aid package that is at least equal to the value of the signed athletics financial aid agreement before becoming a counter for the academic year.

(2) Effective Date. August 1, 2011.

(3) Rationale. Currently, the decrease not permitted legislation specifies that once a student-athlete signs an institution's athletically related financial aid agreement, the institution may not reduce or cancel the athletics aid until the conclusion of the period of the award unless one of the conditions in the reduction or cancellation permitted legislation is satisfied. In addition, an institution may include nonathletically related conditions in the financial aid agreement and those conditions may serve as the basis to permissibly reduce or cancel a student-athlete's athletics aid. Thus, under the current legislation, the only permissible way for this replacement to occur is for an institution to include a nonathletically related condition in its financial aid agreement. In sponsoring this proposal, the cabinet noted: (1) This change would have a positive impact on student-athlete well-being by permitting student-athletes opportunities to accept the financial aid package that is more beneficial to financing the cost of their college educations; (2) Institutional, need-based aid could be awarded to prospective student-athletes with less risk that such aid would impact a team's maximum financial aid limit; (3) This change may increase participation levels; and (4) If a student-athlete who has signed a National Letter of Intent (NLI) elects to cancel his or her athletics aid, the institution must take the necessary steps to address any issues with the

involved student-athlete's NLI. The cabinet directed the staff to develop a discussion document for the Collegiate Commissioners Association that includes pros and cons related to nullifying/voiding a student-athlete's NLI.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. Student-athletes would have an opportunity to accept the more beneficial financial aid package.

g. Bylaws 15.02, 15.5.1, and 15.5.1.2.2 - Financial Aid Definitions and Applications - Definition of a Walk-On Student-Athlete.

(1) Recommendation. The cabinet agreed to sponsor legislation to define a walk-on student-athlete for the purposes of NCAA financial aid legislation. Specifically, the cabinet proposed that a walk-on student-athlete is any individual who has not:

(a) Been provided with an official visit to the institution's campus;

(b) Had an arranged, in-person, off-campus encounter with a member of the institution's coaching staff (this provision includes a coach's arranged, in-person, off-campus encounter with the prospective student-athlete or the prospective student-athlete's parents, relatives or legal guardians); or

(c) Been issued a National Letter of Intent or a written offer of athletically related financial aid from the institution. This provision does not apply to an individual who is only issued a written offer of athletically related financial aid to attend a summer session prior to full-time enrollment.

(2) Effective Date. August 1, 2011.

(3) Rationale. During its February 2010 meeting, the Division I Recruiting and Athletics Personnel Issues Cabinet (RAPIC) discussed the current definition of a "recruited" prospective student-athlete (Bylaw 13.02.12.1) and considered how it impacts the current financial aid model. Although the RAPIC acknowledged that the current definition of recruited status may detrimentally impact an individual's ability to accept financial aid, the impact that any modifications would have on other areas of legislation

(e.g., eligibility and transfer status) led the RAPIC to suggest that the cabinet address the financial aid issues by proposing an alternative definition of a counter that is not tied to the definition of a recruited student-athlete set forth in Bylaw 13.

As a result of the concerns surrounding the various methods by which a coach may choose to communicate with a prospective student-athlete (e.g., telephone calls, electronic mail, general correspondence), the cabinet agreed to sponsor legislation to create a definition for a "walk-on" student-athlete for the purposes of Bylaw 15. This definition retains several of the items that currently results in a prospective student-athlete being considered a recruited student-athlete, but does not include any reference to the number of telephone calls or other general correspondence a student-athlete received from an institution. Specifically, the cabinet agreed that rather than using the recruited status of an individual (Bylaw 13.02.12.1) to determine if a student-athlete's financial aid should trigger counter status, counter status should be based on whether the involved student-athlete satisfies the definition of a "walk-on" student-athlete in Bylaw 15.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. May result in fewer student-athletes triggering counter status and thus, being able to accept additional financial aid that would not count toward the team limit.

h. Bylaw 15.2.5.1 - Exempted Government Grants - Yellow Ribbon G.I. Education Enhancement Program.

(1) Recommendation. The cabinet agreed to sponsor legislation to add the portion of the Yellow Ribbon Program funded by the VA to the list of exempted government grants. The portion of the Yellow Ribbon Program funded by the institution will remain countable toward the individual limit and, for counters, toward the team limit.

(2) Effective Date. August 1, 2011.

(3) Rationale. This proposal would expand the current list of government grants that are exempted from counting toward a student-athlete's individual limit. In addition, for student-athletes who are counters, this proposal would permit an institution to exempt from the team limit the

VA-funded portion of Yellow Ribbon Program. This proposal supports the principle of student-athlete well-being by providing additional opportunities for student-athletes to receive financial aid that does not count toward his or her individual limit or team limit.

Finally, the cabinet noted that during its February 2010 meeting, a proposal was sponsored for the 2010-11 legislative cycle that would add VA funds awarded through the Post-9/11 G.I. Bill to the list of exempted government grants in Bylaw 15.2.5.1. In addition, a blanket waiver was granted in March 2010 by the Subcommittee for Legislative Relief to exempt, through the 2010-11 academic year, Post-9/11 G.I. Bill funds from counting toward a student-athlete's individual limit (i.e., cost of attendance).

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. May result in a student-athlete being able to accept additional financial aid that would not count toward individual or team limits.

i. Bylaw 15.3.3.1.1 - Financial Aid - Terms and Conditions of Awarding Institutional Financial Aid - Period of Institutional Financial Aid Award - One-Year Period - Exceptions - Student-Athlete Who Has Graduated in a Previous Academic Year and Will Exhaust Athletics Eligibility during the Fall Term of the Next Academic Year.

(1) Recommendation. The cabinet agreed to sponsor legislation to create an additional exception to the one-year period legislation to specify that a student-athlete who graduates during the previous academic year (including summer) may receive athletically related financial aid for less than one academic year, provided the student will exhaust his or her remaining athletics eligibility during the fall term of the next academic year.

(2) Effective Date. August 1, 2011.

(3) Rationale. Under current legislation, NCAA rules prohibit an institution from awarding athletics aid for less than one academic year to a student-athlete with eligibility remaining, even if the student-athlete has graduated prior to the academic year in question. The cabinet noted that it is appropriate to allow institutional discretion to determine, on a case-by-

case basis, whether to provide athletics aid for less than one year to a student-athlete with eligibility remaining who graduated during the previous academic year. Currently, if an institution decides to offer athletics aid to such a student-athlete, it must provide such student-athletes a one-year athletics aid agreement, even if the institution believes the student-athlete may not attend the entire spring semester. In many cases, a student-athlete may attend classes at the beginning of the spring or winter term in order to obtain their athletics aid, and then limit their engagement in academic work in order to focus on training for a professional career. Permitting an institution to review the appropriateness of a second term of athletics aid for these situations could encourage student-athletes to remain engaged academically during the second semester. The proposal would still permit an institution to use its discretion to decide whether to renew a student-athlete's athletics aid for the following term(s) of the academic year.

(4) Estimated Budget Impact. Potential cost savings based on permissibility of awarding athletics aid for less than one full academic year.

(5) Student-Athlete Impact. While this is permissible legislation (institution is not required to use this exception), this proposal could have a detrimental impact on a student-athlete's ability to receive athletics aid to pursue a second baccalaureate degree or graduate degree.

j. Bylaw 15.01.5 - Eligibility of Student-Athletes for Institutional Financial Aid - Exhausted Eligibility Student-Athletes Enrolled Part-Time for Multiple Terms to Complete Degree.

(1) Recommendation. The cabinet agreed to sponsor legislation for the 2010-11 legislative cycle to specify that it is permissible for an institution to award financial aid to a student-athlete who has exhausted athletics eligibility and is enrolled in less than a minimum full-time program of studies, provided the student-athlete is carrying for credit the courses necessary to complete degree requirements. In addition, to allow a student-athlete who has exhausted athletics eligibility to receive athletics aid while enrolled in less than a full-time program of studies for more than one regular academic term, provided he or she is carrying for credit all degree-applicable courses necessary to complete degree requirements that are offered by the institution during that term.

(2) Effective Date. August 1, 2011.

(3) Rationale. Current legislation governing eligibility of student-athletes for institutional financial aid requires student-athletes to enroll initially in a minimum full-time program of studies for the term as defined by the certifying institution. An exception to the full-time enrollment requirement is currently available for student-athletes who are carrying all courses necessary to graduate per an official interpretation [Reference: 11/17/98, Item No. 2]. Specifically, this official interpretation permits an institution to award financial aid to a student-athlete who has exhausted intercollegiate eligibility and is enrolled in less than a minimum full-time program of studies, provided the student-athlete is carrying for credit the courses necessary to complete degree requirements.

The cabinet's position is the current legislation and the official interpretation do not account for situations in which a student-athlete who has exhausted intercollegiate eligibility is unable to enroll in all courses necessary to earn his or her degree in a single academic term due to limited course availability and/or degree-sequencing issues. For example, a softball student-athlete who exhausted athletics eligibility during the 2010-11 academic year returns for her fifth year of enrollment during the 2011-12 academic year. She needs 12 hours to complete her degree requirements; however, only nine credit hours are offered during the 2011 fall term. Thus, she will need to enroll during the 2012 spring term to complete the remaining three credit hours for her degree program. The institution would like to provide her with athletics aid to attend both the 2011 fall and 2012 spring terms as a part-time student. Although the official interpretation allows the institution to provide her athletics aid for the 2012 spring term if she is enrolled less than full-time, the only permissible way to provide her with athletics aid for the 2011 fall term is to have her enroll initially as a full-time student.

Even though the institution could pursue a Subcommittee for Legislative Relief waiver for the 2011 fall term, the cabinet expressed concerns that requiring a student-athlete who has exhausted eligibility to enroll initially as a full-time student seems unnecessary, particularly since a student-athlete in this situation could enroll initially as a full-time student in order to receive her athletics aid, and then drop to part-time enrollment. Such an approach, however, results in student-athletes enrolling in courses only to maintain their eligibility for athletics aid and, as a result, potentially denying access to those courses to other students at the institution.

In sponsoring this proposal, the cabinet noted: (1) This legislation supports student-athlete well-being by providing an additional opportunity to receive athletics aid to earn his or her degree; (2) Since this proposal only applies to student-athletes who have exhausted athletics eligibility, there are no competitive-equity concerns regarding a student-athlete who is practicing and competing while enrolled in less than a full-time program of studies during one or more terms; (3) This proposal reduces bureaucracy by eliminating the need for an institution to go through the procedures of having a student-athlete unnecessarily enroll initially as a full-time student and/or having an institution file a waiver request; and (4) This proposal expands the application of the official interpretation. If this legislation is adopted, the official interpretation will be archived.

Finally, it should be noted that the cabinet anticipates Subcommittee for Legislative Relief waivers may be submitted requesting relief to provide a student-athlete who has exhausted eligibility with athletics aid while enrolled part-time during the 2010-11 academic year. The cabinet recommends the Subcommittee for Legislative Relief review such requests on a case-by-case, but would be supportive of relief for student-athletes who are unable to enroll in additional degree-applicable courses due to limited availability of such courses and/or course-sequencing issues.

(4) Estimated Budget Impact. Will vary.

(5) Student-Athlete Impact. This proposal promotes student-athlete well-being by providing an additional opportunity to receive athletics aid to earn his or her degree.

k. Update on Proposals in the 2009-10 Legislative Cycle Referred to the Awards, Benefits, Expenses and Financial Aid Cabinet. The cabinet received an update on Division I legislative proposals that were assigned to it for review.

2. Nonlegislative Items.

a. Discussion of California Assembly Bill No. 2079. The cabinet discussed the California Assembly Bill No. 2079, which addresses recruitment of student-athletes. The bill provides its own definition of "student-athlete", which is much broader than current NCAA definition, and would require collegiate athletic recruiters to provide in writing a "disclosure letter" or, in the case of a student-athlete who has not yet entered grade 11, direction to a disclosure letter posted on

the institution's Web site. The disclosure letter would be required to contain information about athletic scholarships (including renewals), athletically-related medical expenses and athletic releases. In addition to the disclosure letter, the bill also contains requirements for providing a written offer of aid within a prescribed time period after making a verbal offer and a few other items. In enacted, the bill would be effective January 1, 2011.

During its review, the cabinet noted that current NCAA legislation addresses many of the provisions listed in the bill. The cabinet also noted that the Higher Education Opportunity Act of 2008 currently regulates specific areas of financial aid for all students, namely early awareness of financial aid eligibility. The cabinet also noted that the bill's requirement that student-athletes be provided a written offer of aid one week after making a verbal commitment to the institution conflicts with Bylaw 13.9.2.2, which states that prior to August 1 of a prospective student-athlete's senior year in high school, an institution is not permitted to provide a written offer of athletically related financial aid or indicate in writing that it will offer a grant-in-aid and takes effect August 1, 2010. Finally, the cabinet stated that the bill may have a negative recruiting impact for institutions outside of the state of California. The cabinet asked the staff to provide updates, as needed, on this topic.

b. **Outreach to financial aid community.** During its September 2008 meeting, the cabinet prioritized outreach to the financial aid community. The cabinet was provided an update that the NCAA staff will present an overview of the NCAA Division I governance structure, the role of the cabinet within that structure, a review of the cabinet's recent work related to Bylaw 15 and suggestions for being aware of, and involved in discussions of changes to NCAA financial aid legislation to attendees at the July 2010 National Association of Student Financial Aid Administrators Convention.

c. **Referral to Division I Academics Cabinet.** During discussion of Legislative Informational Items Nos. I and J in this report, members of the cabinet were interested in whether current legislation governing post-baccalaureate participation, which requires student-athletes to be full-time students, should provide an exception for student-athletes who graduated in the previous academic term (or summer) and are returning to the institution for the fall term only to complete their final season of eligibility. Further, members of the cabinet were interested in whether the current exception to the full-time enrollment legislation, which allows a student-athlete to be enrolled less than full-time during the final semester or quarter of the baccalaureate program, provided the institution certifies the student is carrying (for credit) the courses necessary to complete the degree

requirements, should be expanded to apply to the final academic year of the degree program, provided the institution certifies the student is carrying (for credit) the courses necessary to complete the degree requirements. The cabinet believes that changes to the current legislation in these areas would reduce the number of courses that student-athletes and institutions need to fund, even though the student-athlete may not have any interest in the courses and the courses are not applicable to the student-athlete's degree program, and asks that the NCAA Division I Academics Cabinet review these issues and determine whether it wants to propose legislative change in those areas.

Committee Chair: *M. Grace Calhoun, Indiana University, Bloomington, Big Ten Conference*
Staff Liaisons: *Kris Richardson, Academic and Membership Affairs*
Shauna Cobb, Academic and Membership Affairs
Vanessa Fuchs, Academic and Membership Affairs