REPORT OF THE
NCAA DIVISION I COMMITTEE ON ACADEMIC PERFORMANCE MEETING
October 25-26, 2005

1. ACTION ITEMS.

a. Public-Warning Appeal Opportunity.

(1) Recommendation. The NCAA Division I Committee on Academic Performance recommends that the NCAA Division I Board of Directors sponsor a legislative proposal for the 2005-06 legislative cycle to permit an institution to appeal the NCAA Division I Academic Performance Program (APP) Public-Warning Penalty. [Attachment A]

(2) Rationale. Currently there is no legislative provision for appealing the public-warning penalty. The committee believes there may be legitimate, extenuating factors that contribute to a team's inability to meet the established NCAA Division I Academic Performance Program (APP) benchmarks, and such circumstances may warrant relief from the prescribed penalty. Further, given public relations issues certain to surround such penalties, an institution should have the opportunity to present such information on appeal.

(3) Budget Impact. None.

b. Second-Occasion Penalties – Playing and Practice Season Restrictions.

(1) Recommendation. The committee recommends the Board of Directors sponsor a legislative proposal for the 2005-06 legislative cycle to indicate that an institution or team subject to APP Second-Occasion Penalties must apply restrictions in the area of playing and practice seasons, as determined by the policies and procedures of the APP. [Attachment B]

(2) Rationale. The committee supports including the area of playing and practice seasons among the Second-Occasion Penalties, with a focus on reduction of penalized teams' practice opportunities. Coaches place a high priority on playing schedule and want to have as many practice and competition opportunities as possible. This penalty would encourage behavior change for academically underperforming teams. In addition, this penalty could impact all institutions (e.g., scholarship and nonscholarship programs). Finally, limitations placed on a team's playing and practice season may give time back to student-athletes and allow them time to focus on academics. The specific penalties will be determined by the committee, with policies approved by the Board of Directors.

(3) Budget Impact. None.

c. Eligibility for Institutional Athletically Related Financial Aid for Transfers.

Recommendation. The committee recommends the Board sponsor a legislative proposal for the 2005-06 legislative cycle to require a transfer student-athlete to have earned academic eligibility for competition in the next regular academic term at the previous four-year institution in order to be eligible to receive athletics aid during his or her first academic year at the certifying institution. [Attachment C]

Rationale. The committee noted that this proposal is consistent with the Division I progress-toward-degree model that requires student-athletes to move continuously toward earning a degree. In addition, this requirement is an added incentive for student-athletes to continue academic progress by placing the responsibility on each student-athlete to maintain academic progress to earn athletics aid if he or she chooses to transfer to another four-year institution. Finally, this proposal is consistent with the overall Division I academic-reform movement and initiatives to motivate change in academic behavior of member institutions, teams and individual student-athletes.

Budget Impact. None.

d. Distribution of APP Reports to Prospective Student-Athletes by Member Institutions. [Attachment D]

(1) Recommendation. The committee recommends the Board of Directors sponsor a legislative proposal for the 2005-06 legislative cycle to require institutions to include Graduation Success Rate (GSR) and NCAA Division I Academic Progress Rate (APR) data in the recruiting material provided to prospective student-athletes.

(2) Rationale. NCAA Bylaws 13.3.1.1 and 13.3.1.2 require institutions to produce and provide federal graduation rate data to all recruited prospective student-athletes and those prospects' parents or legal guardians. Requiring institutions to include GSR and APR information in their recruiting materials will ensure that prospective student-athletes and their parents or legal guardians will receive relevant information concerning the institution's historic academic performance.

2. INFORMATIONAL ITEMS.

a. Rewards and Incentives Package. The committee has developed the following draft outline of a possible incentives/rewards program. The package contains three major elements: rewards for absolute academic performance; rewards for academic improvement; and incentives programs, including need-based institutional grants and funding for academic support partnerships. The committee is seeking membership feedback on this package with the intent of forwarding a final recommendation to the Board of Directors in January 2006.

(1) Awards for Absolute Academic Performance. [$2 million total]

(a) Public Recognition Program.

- Team-centered public recognition program that highlights team academic performance.
- Intent is to target a broad range of teams within each sport.
- Criteria to select teams should be simple to apply and explain.
- The top 10 percent (including ties at 1000 APR) of team APRs within each sport shall be recognized.
- NCAA staff should seek corporate sponsorship, provided student-athlete academic achievement remains the central focus and the program does not become over commercialized.

(b) Rewards for Team Achievement.

- Reward top academic achievement, based on team performance.
- Maintain a balanced distribution among Division I institutions (e.g., subdivision).
- Expenditure guidelines will be established.

(2) Awards for Academic Improvement. [$5 million total]

- **Rewards for Team Improvement.**
  - Reward top academic improvement, based on team performance.
  - Maintain a balanced distribution among Division I institutions (e.g., subdivision).
  - Expenditure guidelines will be established.

(3) Academic Support Partnerships and Need-Based Institutional Grants. [$3 million total]

(a) NCAA Academic Improvement Grants.

- Provide assistance to penalized institutions that show a steady improvement of team APRs and can demonstrate a financial "need" (e.g., due to limited resources).
- Develop matching-grant program that requires application and long-term planning, including institutional commitment through designation of institutional funding sources to be used in conjunction with NCAA grant money.

(b) Academic Support Partnerships.

- Development of programs focused on providing academic support for historically underperforming student-athlete populations.
- Development of training, professional development and educational programs designed to assist institutional personnel in their implementation of appropriate APP policies and procedures.
- Creation of consultants' bureau to assist underperforming institutions in assessment, planning and programming for academic improvement.

b. **Preliminary Identification of Filter Ranges.** The committee continues development of benchmark(s) to be used in the historical-penalties program. The committee considered data presented by the NCAA research staff regarding possible penalty benchmarks for historical penalties. The committee recognizes that a "natural break" point in data may not exist; therefore, the setting of benchmarks may require a principled decision, based on a rational evaluation of the characteristics of the APR(s) chosen. The committee recognizes that it needs to determine a benchmark that correlates to a standard that people find meaningful (e.g., graduation rate). Further, the committee noted that inclusion of small squads in the historical-penalties filter system may have varying effects and recommends the NCAA Division I Committee on Academic Performance Subcommittee on Data Collection and Reporting revisit the definition of the APR cohort in relation to small squads. The committee will review second year APR data at its January 2006 meeting with the goal of making a formal recommendation to the Board at that meeting.

c. **Preview of Graduation Success Rate (GSR) data.** The committee reviewed preliminary GSR data. The data will be final in approximately three weeks and in preparation, the committee discussed the process for public release of GSR data.

d. **Budget Requests.** The committee is forwarding the following three budget requests into the 2006-07 budget cycle.

(1) **Academic Data:** To ensure the accuracy and integrity of APR and GSR data through educational efforts, audits and processes. **$50,000 annually** [Additional details are provided in Attachment E.]

(2) **Incentives/Rewards:** To provide for a comprehensive incentives and rewards package beginning 2006-07 including public recognition, financial rewards and grants. **$10 million annually** [Additional details are provided in Informational Item 2a of this report.]

(3) **Educational Efforts:** To allow NCAA staff to provide educational efforts regarding the APP (e.g., presentations at conference meetings; Web casts; videoconferencing; publications). **$50,000 annually**

e. **Olympic/International Competition as a Circumstance Warranting an Adjustment of the NCAA Division I Academic Progress Rate.** The committee reviewed a request from the Ivy Group to revise the APR adjustment directive to provide an adjustment of the retention point for student-athletes who participate in Olympic or international competition. The committee supported the request and

amended the APR Adjustment Directive by adding the following language in the section outlining the circumstances warranting an adjustment:

"The student-athlete was not retained due to his or her participation in the following Olympic or international competition:

(1) Official Pan American, World Championships, World Cup, World University 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."

f. **Review of Metro Atlantic Athletic Conference's Recommendation Regarding the APR Adjustment Directive.** The committee reviewed a request from the Metro Atlantic Athletic Conference to revise the APR Adjustment Directive to permit an adjustment of the retention point for a student-athlete who transfers to another institution because the student-athlete's desired degree program was not offered at the departing institution or the student-athlete was inadmissible to his or her desired degree program at the departing institution. Although the committee recognizes these are nonathletically related reasons to transfer, the committee is not supportive of this change to the APR Adjustment Directive at this time. The committee intends to review the impact of transfer issues on APRs over the next year and will include this request in that broader review.

g. **Impact of Proposal No. 2005-86 on retention points of penalized teams.** The committee discussed Proposal No. 2005-86, which, under specified circumstances, would permit an exception to the transfer year in residence for a student-athlete at an institution that is subject to APP historical penalties. The committee recognizes that granting this exception would cause the institution that the student-athlete transfers from to lose the retention point for the student-athlete and will continue to discuss whether an adjustment for the retention point is warranted in this situation.

h. **NCAA Division I Degree Completion Scholarship Program.** The committee supports the NCAA Division I Degree Completion Scholarship Program, noting that the program has helped over 1,900 student-athletes complete their

undergraduate education. The program is currently able to fund only 44 percent of qualified applicants, compared to 67 percent of applicants at the inception of the program in 1989. The committee believes the program's initiative is directly in line with the committee's goal of encouraging all student-athletes to graduate from college. Further, the committee requested additional information regarding all academic programs supported by the NCAA that may be aligned with the goals of the APP.

i. **Issues Related to Unusable data.** For institutions that do not submit usable data prior to the submission deadline, the committee adopted the same policy that exists for institutions that do not submit usable data subsequent to the submission deadline. The committee authorized the NCAA research staff to determine the difference between egregious intent to delay submission of required data and inadvertent errors of omission by an institution. This change in policy will ensure that an institution that submitted unusable data just to meet the submission deadline will not delay the release of its final data or jeopardize the integrity of the data being released.

j. **Cover letter for academic-improvement plan materials.** The committee approved the cover letter to be sent to institutions required to create academic-improvement plans. The letter will inform an institution that it is required to create an academic-improvement plan due to a team(s) earning an APR below 925. In addition, attached to the cover letter will be a sample academic-improvement plan and self-study assessment tool to be used by institutions.

k. **Policies and Procedures for Waivers of Historical Penalties.** The committee reviewed an initial draft of the historical-penalty appeals policies and procedures for the filing and processing of appeals of historical penalties. The committee recommended the staff make some additional changes to the draft and then distribute the draft polices and procedures document to the membership to solicit comments and feedback prior to finalizing.

l. **Interpretation Regarding Application of Contemporaneous Penalties for Student-Athletes Enrolled in Less Than a Full Academic Year.** The committee supported the concepts outlined in the staff interpretation regarding the application of contemporaneous penalties for student-athletes enrolled in less than a full academic year. [Attachment F]

m. NCAA Proposal No. 2005-97 (Academic Performance Program – Academic Progress Rate – Exception – Student-Athletes who have Graduated with Eligibility Remaining). The committee recommends the Board of Directors and the NCAA Division I Management Council not support NCAA Proposal No. 2005-97 (academic performance program – academic progress rate – exception – student-athletes who have graduated with eligibility remaining). This proposal would exclude from the APR cohort those student-athletes who have graduated but have athletics eligibility remaining. Available data demonstrate that student-athletes who have graduated but remain in the cohort are earning 94 percent of their possible APR points. Removal of post-graduates from the APR cohort would mean that, while some teams may benefit from eliminating a few post-graduate student-athletes who did not earn the eligibility point from the cohort, many teams would be negatively affected. In addition, the committee noted that, from a competitive-equity standpoint, student-athletes representing an institution in athletics competition should be held to a minimum standard of academic performance.

DI Proposal

2005 ACADEMIC PERFORMANCE PROGRAM -- PENALTIES AND REWARDS -- PROGRESSION OF PENALTIES -- PUBLIC WARNING -- APPEAL OPPORTUNITY

Status: Submission Process Diagram
Intent: To permit an institution to appeal the public warning penalty to the Committee on Academic Performance.
Bylaws: Amend 23.2.1.2.1.1, page 399 , as follows:

"23.2.1.2.1 Public Warning. After the first occasion that an institution or team fails to satisfy the academic performance program, a public warning shall be issued to the institution or team by the Committee on Academic Performance and a monitoring period shall begin.

"**23.2.1.2.1.1 Appeal Opportunity. An institution or team may appeal the application of the public warning to the Committee on Academic Performance. The committee's determination shall be final, binding and conclusive and not subject to further review by any other authority.**"

[23.2.1.2.1.1 renumbered as 23.2.1.2.1.2]

Source:
Effective Date: August 1, 2006
Proposal Category: Amendment
Topical Area: Academic Performance Program
Rationale: The purpose of the public warning penalty is to encourage teams with poor academic performance to change academic behavior. However, there may be legitimate, extenuating nonacademic factors that contribute to a team's inability to meet the established Academic Performance Program benchmarks and may warrant relief from the prescribed penalty. An institution should have the opportunity to present such information to the committee.
Estimated Budget Impact: None.
Impact on Student Athlete's Time: None.
Primary Contact Person:
na

2005— ACADEMIC PERFORMANCE PROGRAM—PENALTIES AND REWARDS—PENALTIES—SECOND-OCCASION PENALTIES

Status:

Intent: To specify that an institution or team that fails to satisfy the NCAA Division I Academic Performance Program (APP) a second time may be subject to restrictions in the area of playing and practice seasons based on the policies and procedures of the APP.

A. Bylaws: Amend 23.2.1.2.2, page 399, as follows:

"23.2.1.2.2 Financial Aid**, Playing and Practice Seasons** and Recruiting Limitations. After the second occasion that an institution or team fails to satisfy the academic performance program, it must apply additional restrictions in the areas of financial aid**, playing and practice seasons** and recruiting based on the policies and procedures of the academic performance program.

"23.2.1.2.2.1 Appeal Opportunity. An institution or team may appeal the application of additional restrictions in the areas of financial aid**, playing and practice seasons** and recruiting to the Committee on Academic Performance. (See Bylaws 15.01.9**, 17.01.2** and 13.01.7). The committee's determination shall be final, binding and conclusive and not subject to further review by any other authority."

B. Bylaws: Amend 17.01 by adding new 17.01.2, page 239, as follows:

"17.01.2 Additional Playing and Practice Seasons Limitations. The Committee on Academic Performance shall have the authority to determine the circumstances which would require an institution or team(s) that fails to satisfy the academic performance program to apply additional playing and practice seasons limitations. The committee shall establish and annually publish to the membership such circumstances.

> **17.01.2.1 Appeal Opportunity. An institution may appeal the application of additional playing and practice seasons limitations to the Committee on Academic Performance (see Bylaw 23.3). The committee's determination shall be final, binding and conclusive and shall not be subject to further review by any authority."**

Source:

Effective Date: August 1, 2007.

Proposal Category: Amendment.

Topical Area: Academic Performance Program

Rationale: Coaches place a high priority on their playing schedule and want to have as many practice and competition opportunities as possible. This proposal will encourage behavior change for academically underperforming teams. In addition, this proposal could impact all institutions (e.g., scholarship and nonscholarship). The specific penalties will be determined by the Committee on Academic Performance policies approved by the NCAA Division I Board of Directors.

Estimated Budget Impact: None.

Impact on Student Athlete's Time: Possible increase in time spent on academic matters.

History

2005- ELIGIBILITY—FOUR-YEAR COLLEGE TRANSFERS—ELIGIBIILITY FOR INSTITUTIONAL ATHLETICALLY RELATED FINANCIAL AID

Status:

Intent: To require a transfer student to have earned academic eligibility for competition in the next regular academic term at the previous four-year institution in order to be eligible to receive institutional athletically related financial aid during his or her first academic year at the certifying institution.

A. Bylaws: Amend 14.5.5 by adding new 14.5.5.4, page 179, as follows:

"14.5.5.4 Eligibility for Institutional Athletically Related Financial Aid. A transfer student from a four-year institution may receive institutional athletically related financial aid during his or her first academic year at the certifying institution only if he or she would have been academically eligible to compete during the next regular academic term had the student-athlete remained at that institution."

B. Bylaw: Amend 14.5.5.1, page 177, as follows:

"14.5.5.1.1 Attendance for One Academic Year. A transfer student from a four-year institution who attended a four-year institution at least one academic year may be eligible for financial aid **(see Bylaw 14.5.5.4)** and practice at a member institution under the rules of the institution and the conference of which the institution is a member, regardless of the student's qualification status (per Bylaw 14.3.2.1) at the time of initial enrollment.

"14.5.5.1.2 A transfer student from a four-year institution who was a partial qualifier or a nonqualifier (as defined in Bylaw 14.02.9.2) and who attended the four-year institution less than one full academic year shall not be eligible for competition during the first academic year of attendance at the certifying institution. Participation in practice sessions and the receipt of financial aid during the first academic year of attendance at the certifying institution by such students is governed by the provisions of Bylaws 14.3.2.1 (partial qualifiers) and 14.3.2.2 (nonqualifiers). **(See Bylaw 14.5.5.4)**."

C. Bylaws: Amend 15.01.5, page 197

"15.01.5 Eligibility of Student-Athletes for Institutional Financial Aid. A student-athlete must meet applicable NCAA (see Bylaw 14), conference and institutional regulations to be eligible for institutional financial aid. If these regulations are met, the student-athlete may be awarded institutional financial aid during any term in which a student-athlete is in regular attendance [i.e., was enrolled initially in a minimum full-time program of studies as defined by the certifying institution during that term (see Bylaw 14.1.8.2.1.3 for final term exception and Bylaw 15.2.8 for summer-term exception)] under the following circumstances:

[15.01.5-(a) through 15.01.5-(c) unchanged]

"[Note: See Bylaw 13.1.1.3 for the financial aid implications in the prohibition against contacting student-athletes of another four-year collegiate institution without permission of that institution's athletics director. **See Bylaw 14.5.5.4 for financial aid implications related to the academic eligibility of four-year college transfers.]"**

Source:

Effective Date: August 1, 2007

Proposal Category: Amendment

Topical Area: Eligibility

Rationale: This proposal is consistent with the Division I progress-toward-degree requirements designed to ensure that a student-athlete continuously moves toward earning a degree. In addition, this requirement is an added incentive to student-athletes to continue academic progress by placing the responsibility on the student-athlete to maintain academic progress in order to qualify for athletics aid if he or she chooses to transfer to another four-year institution. Finally, this proposal is consistent with the overall Division I academic-reform movement and initiatives to motivate change in academic behavior of member institutions, teams and individual student-athletes.

Estimated Budget Impact:

Impact on Student Athlete's Time:

History

2005—RECRUITING—ADMISSIONS AND GRADUATION DATA—DISCLOSURE REPORT

Status:

Intent: To require an institution to provide prospects and prospects' parents or legal guardians with information contained in its academic progress rate and academic performance census disclosure report and graduation success disclosure report.

A. Bylaws: Amend 13.3.1.1, page 104, as follows:

"13.3.1.1 Report Publication. The Association's national office annually shall publish the admissions and graduation-rate data, **academic progress rate and graduation success rate** specified in Bylaw**s** 30.1, **30.1.1 and 30.1.2** and shall identify the information on an institution-specific basis."

Source:

Effective Date: Immediate.

Proposal Category: Amendment

Topical Area: Recruiting

Rationale: Currently, institutions must provide prospects and prospects' parents or legal guardians graduation data based on the federal graduation report. Inclusion of an institution's academic progress rate and graduation success rate will provide prospects with additional, arguably more relevant information concerning an institution's historic academic performance.

Estimated Budget Impact:

Impact on Student Athlete's Time:

History

ATTACHMENT E

Excerpt from the NCAA Division I Committee on Academic Performance
July 2005 Report

f. <u>Methods to Ensure Integrity of Submitted APR Data</u>.

The committee approved the following initiatives to ensure the accuracy and integrity of APR data:

(1) Development of the following educational initiatives for those individuals who collect and submit APR data on behalf of member institutions:

(a) Continued publication of existing resource materials (e.g., APP Data Collection Guide, APP Penalties and Rewards Guide, Committee on Academic Performance Policies and Procedures).

(b) NCAA staff will produce an annual educational online presentation that will review current changes to the APP. All individuals responsible for submitting and collecting data for the APR will be required to watch the presentation. Each institution will be required to submit to the NCAA written confirmation that all individuals responsible for collecting and submitting APP data have reviewed the presentation.

(c) Web broadcasts and/or teleconferences to explain and review APP data collection and waivers programs.

(d) Staff-conducted educational presentations relative to the APP (e.g., regional seminars, conference meetings).

(2) Conduct audits of institutional data submissions. NCAA staff will use the following protocol to determine institutions subject to an audit of APR data:

(a) NCAA staff will run validation reports for every institution data set and will review all warning messages on a case-by-case basis.

(b) NCAA staff will review historical comparisons of APR data with graduation rates to identify anomalies and significant increases in APRs from year to year.

(c) NCAA staff may conduct a full audit of an institution's APR data on findings from systematic audit measures as noted. NCAA staff, if warranted, will conduct a full review of an institution's APR, which may include an in-person campus review of an institution's APR data gathering and reporting methodologies.

Any errors or inconsistencies discovered through these audits will require the institution to explain or correct the questioned data. If the institution does not provide a satisfactory explanation or correct the data within two weeks, the institution's data is unusable and is considered not submitted, which results in the applicable penalty for nonsubmission (i.e., ineligibility for NCAA championships).

(3) Require the chief executive officer to approve the institution's procedures for collecting and submitting APR-related data.

(4) Addition of the APR to the checklist of required topics during the review of an institution's compliance program.

The committee noted that providing institutional personnel with educational materials regarding gathering and reporting APP data, and auditing that data are essential to ensuring the integrity and accuracy of the data. In addition, requiring the chief executive officer to approve the institution's collection and submission procedures will ensure that the process is committed to writing and will assign specific responsibilities to designated individuals. Finally, adding the APR to the checklist of required topics in an institution's compliance review will ensure the APP is reviewed by an external agency at least once every for years.

The cost of these initiatives is $50,000 annually.

Application of Contemporaneous Penalties for Student-Athletes Enrolled in Less than a Full Academic Year

On behalf of the NCAA Division I Committee on Academic Performance, the staff confirmed that a term in which a student-athlete is not in attendance during an academic year prior to being awarded athletics aid at an institution awarding term-by-term financial aid, shall not be included in the calculation of the value of the contemporaneous penalty if the student-athlete subsequently does not earn eligibility and is not retained. However, for a term a student-athlete was not in attendance subsequent to his or her enrollment and being awarded athletics aid during an academic year, the institution shall assign the greatest equivalency value previously awarded to a student-athlete for any term in that academic year. The following examples demonstrate application of this interpretation:

1. A student-athlete participating in an equivalency sport during his or her second year at the awarding institution does not enroll in the fall and winter quarters. The student-athlete enrolls in the spring quarter and is awarded countable aid (equivalency value is .33). The student-athlete is academically ineligible for competition the following fall quarter and does not return to the institution. The contemporaneous penalty for this student-athlete is based only on aid awarded in the spring quarter (.33 spring = .33). The applicable penalty in this example is .33.

2. A student-athlete participating in an equivalency sport during his or her second year at the awarding institution does not enroll in the fall quarter, enrolls in the winter quarter and is awarded countable aid only for the winter quarter (equivalency value is .2). The student-athlete is academically ineligible to compete in the spring quarter and does not return to the institution for the spring quarter. The contemporaneous penalty for this student-athlete is based on aid awarded in the winter quarter and the assigned value for the spring quarter (.2 winter + .2 spring = .4). The applicable penalty in this example is .4.

3. A student-athlete participating in an equivalency sport enrolls in the fall quarter and is not awarded countable aid. The student-athlete does not enroll in the winter quarter. The student-athlete enrolls in the spring quarter and is awarded countable aid for the spring quarter (equivalency value is .2). The student-athlete is academically ineligible for competition the following fall quarter and does not return to the institution. The limitation on re-awarding financial aid is based on the sum of countable aid awarded in the fall and spring quarters (.0 fall + .2 spring = .2). The applicable penalty in this example is .2.

[References: NCAA Division I Bylaws 15.5.7 (limitation on re-awarding financial aid) and 15.5.7.1.1.2.2 (term-by-term awards -- student-athlete not in attendance for all terms of the academic year)].