**REPORT OF THE**
**NCAA DIVISION I COMMITTEE ON ACADEMIC PERFORMANCE**
**OCTOBER 24, 2006, MEETING**

***ACTION ITEMS*.**

- None.

***INFORMATIONAL ITEMS*.**

1. **Public and Media Relations Issues Associated with the Announcement of NCAA Division I Academic Performance Program (APP) Rates and Penalties.** The NCAA Division I Committee on Academic Performance discussed the schedule for the public release of member institutions' NCAA Division I Academic Progress Rate (APR), APP rewards and APP penalties. Graduation Success Rate (GSR) data for all teams will continue to be released in the fall. The announcement of team APR and all penalties (i.e., contemporaneous and historical) will occur in late spring and the release of top performers is scheduled to occur in late spring or early summer. The committee also expressed interest in considering a change in the terminology used to describe penalties (e.g., contemporaneous and historical) to facilitate easier communication and greater understanding among the membership and the general public. The staff will provide a comprehensive-communications plan that complements existing strategies and outlines initiatives designed to highlight the academic success of student-athletes, to communicate relevant APP information and to identify steps that should be taken early in a student's career to ensure higher education is accessible.

2. **Annual GSR and Federal Graduation Rate Announcement.** The committee reviewed a summary of the most recent GSR and Federal Graduation Rate data and noted the increase in the overall Division I student-athlete GSR from 76 percent in 2005 to 77 percent this year. The first of two GSR data releases was announced September 27, 2006, and focused on team GSR and Federal Graduation Rates using a four-class aggregate of entering classes from 1996 to 1999. The second release, scheduled to occur November 9, 2006, will include additional GSR and federal graduation data, including specifics related to gender and ethnicity.

3. **Improvement Review within the Historical-Penalty Model.** The committee agreed to use the Fishers Exact Test (FET) as the statistical model to identify meaningful APR improvement within the historical-penalty review process. This analysis takes into account squad-size differences that impact observed APR variations, as well as the difference between a penalized team's APR and pre-established benchmarks (e.g., 925)

within the APP. Teams identified through this methodology with FET scores of less than or equal to 0.4 will satisfy this review factor. In addition, teams will be evaluated using the most favorable of two methods to evaluate improvement: (1) A comparison of the team's most recent single-year raw APR to the previous single-year raw APR (e.g., 2005-06 single-year APR compared to 2004-05 single-year APR); and (2) A comparison of the team's most recent single-year raw APR to the multi-year raw APR (e.g., 2005-06 single-year APR compared to 2003-04 and 2004-05 combined APRs).

4. **Occasion-Two Historical-Penalty Structure.** The committee approved, in concept, the penalty structure for Occasion-Two Historical Penalties and agreed to circulate the model for membership comment. Specifically, the committee supported a two-tiered penalty structure that emphasizes improvement and imposes meaningful penalties in the areas of recruiting, financial aid and playing/practice seasons. The first tier of penalties would apply to teams that demonstrate significant improvement, yet do not favorably meet a second review factor (i.e., by-sport review or one of two institutional characteristics). The second tier of penalties would apply to teams that do not meet the "improvement" review. Applicable recruiting penalties would impact the number of official visits a team may provide and financial aid penalties would apply to the amount of aid awarded by the institution in the penalized team's sport, rather than to the NCAA maximum. Playing/practice seasons penalties would reduce the number of hours per week a team is allowed to practice. The committee noted the Occasion-Two Penalties will encourage underperforming academics teams to improve. [Attachment A]

5. **Student-Athlete Retention and Transfer Issues.** The committee reviewed a comprehensive document that provided the history of the NCAA Division I academic-reform movement, detailed how the current model for calculating the APR was devised and outlined related student-athlete transfer issues. The committee noted the importance of considering an additional year of data, which will permit the examination of two years of student-athlete transfer behavior. Data will be prepared for such a review to occur during the committee's April 2007 meeting.

6. **Appeals of Occasion-One and Occasion-Two Historical Penalties.** The committee adopted a waiver directive to provide guidance to the NCAA staff, committee and membership regarding evaluation of appeals for relief from public warning, recruiting, financial aid and playing/practice seasons penalties. This directive was developed with the understanding that the staff and committee may use discretion in its application. Further, exceptions to this directive may be applied by the staff or the committee when warranted by the circumstances of a specific case. [Attachment B]

7. **Historical-Penalty Appeal Procedures.** The committee revised its historical-penalty policies and procedures to provide institutions adequate time to file such appeals. The new policy requires institutions to submit an appeal of a historical-penalty waiver within 21 days from its first opportunity to file the waiver. The online waiver program notifies institutions of its first opportunity to appeal historical penalties.

8. **NCAA Proposal No. 2005-97 Academic Performance Program – Academic Progress Rate – Exception – Student-Athletes Who Have Graduated With Remaining Eligibility.** The committee received an update regarding the NCAA Division I Board of Director's consideration of Proposal No. 2005-97, which would exclude from the APR cohort those student-athletes who have graduated but have athletics eligibility remaining. The committee maintained its opposition to this proposal and believes it is important to include such student-athletes in the APR cohort. Further, the committee noted that, from a competitive-equity standpoint, student-athletes representing an institution in athletics competition should be engaged academically and should be expected to satisfy a minimum standard of academic performance.

9. **APP Data Reviews.** The committee received a status report on the data review process for the 15 institutions selected for this year. The data review includes an audit of institutionally submitted APP data from the 2003-04 and 2004-05 academic years. It is anticipated that the NCAA Division I Committee on Academic Performance Subcommittee on Data Collection and Reporting will complete all reviews and will provide reports to institutions in March 2007.

10. **Policies and Procedures for Review of APP Data.** The committee approved various amendments to the auditing policies and procedures for the review of submitted APP data. [Attachment C]

11. **Data Submission Requirements for Institutions/Teams Transitioning From Division I or Discontinuing a Division I Sport.** The committee amended its policies and procedures regarding the submission of APP data to specify that institutions or teams transitioning out of Division I or discontinuing a Division I sport are not required to submit APP data beginning the academic year the institution has publicly announced its intention to transition out of Division I or its intention to discontinue a Division I sport. The institution must provide the NCAA staff with written notification of the timeline and the effective date of the transition. However, if an institution later rescinds its decision and never discontinues the sport or transitions the athletics program, APP data from any

year that was previously excluded would have to be submitted and any applicable penalties must be taken. This policy will ensure consistency for institutions and teams transitioning from Division I or discontinuing a Division I sport and it is reasonable for these institutions to no longer submit APP data or receive reports generated from that data.

**12. Impact of New Legislation Requiring Full-Year Athletics Scholarships.** The committee reviewed a supplement that provided background information on NCAA Bylaw 15.3.3.1, which requires institutions to award athletically related financial aid for a period of one year. Due to this legislation, a student-athlete who begins the academic year on athletics aid generally will be included in the APR cohort for the entire academic year. The committee noted concerns raised regarding situations in which teams lose APR points when student-athletes who are preparing for professional-athletics careers exhaust athletics eligibility in the fall term, return for the spring term, then render themselves academically ineligible. However, institutions, at their discretion, can include specific wording in athletically related financial aid agreements that permits an institution to revoke the aid for a term if the institution can demonstrate that a student-athlete is academically disengaged (e.g., low or no class attendance) by a certain date in the term. Under these circumstances, it may be possible for a student-athlete to be removed from the APR cohort, depending on the date the scholarship is revoked. As such, the committee agreed to take no formal legislative or policy action at this time. The committee noted this legislation has a minimal impact on the APP, as it involves a small number of student-athletes, mainly in two sports, who wish to pursue professional athletics as a vocation. Further, since this is the first year the legislation has been in effect, the committee agreed that it may be beneficial to observe the effects of the legislation before taking any formal action. The staff will provide educational updates as appropriate to the membership with regard to institutional financial aid agreements.

**13. Impact of Conference Academics Eligibility Rules on APR.** The committee reviewed a summary of conference academics eligibility requirements for competition that are more stringent than NCAA academic requirements. The committee discussed the potential impact on the APR when a student-athlete who satisfies NCAA requirements is ineligible for competition under conference requirements. The committee did not support a change to the APP's definition of "academics eligibility" to exclude conference-academics requirements. The committee charged the staff with collecting additional data that would inform future discussion on this matter.

14. **APR Adjustment Procedure for Requests for Ineligible Student-Athletes Who Have Transferred or Withdrawn from Institution.** The Subcommittee on Data Collection and Reporting reviewed and approved a staff procedure for processing APR adjustment requests involving mitigation typically examined under progress-toward-degree waiver evaluations. In review of such requests, the Subcommittee on Data Collection and Reporting directed the staff to consider the likelihood of the student-athlete graduating within five years, along with equal weight placed on the student-athlete's overall academic record, the size of the deficiency and the impact of the mitigating circumstances on the student-athlete's ability to be academically successful. Also, the Subcommittee on Data Collection and Reporting agreed that institutions should submit a completed electronic adjustment request, a clear explanation of the request, official academic transcripts from all institutions the student-athlete attended and documentation supporting the mitigating circumstances impacting the student-athlete's academic success. The Subcommittee on Data Collection and Reporting noted that the APR adjustment directive should include a statement that the successful adjustment of a lost eligibility point does not equate to earning the eligibility point for the purpose of submitting an adjustment request for a lost retention point.

15. **Requests for Retroactive Relief of Penalties Based on Amendments, Adjustments and Delayed-Graduation Points Amended for Prior Academic Years.** The Subcommittee on Data Collection and Reporting discussed its current policy, which states that any amendments, adjustments and delayed-graduation points amended for prior academic year(s) data will not affect the status of any previously earned penalties or incentives. Further, an institution may not request retroactive relief from contemporaneous penalties or retroactive incentives based on the award of a delayed-graduation point, amendment or adjustment to data made in subsequent academic year(s). The Subcommittee on Data Collection and Reporting directed the staff to examine this policy and explore possible alternatives to this policy to be discussed at its next meeting.

16. **Contemporaneous-Penalty Waiver Policies and Procedures.** The committee amended its policies and procedures for the review of conditionally approved contemporaneous-penalty waivers to permit the staff to forward a denied waiver to the NCAA Division I Committee on Academic Performance Subcommittee on Appeals for its review. Allowing the staff to forward a staff-denied waiver directly to the Subcommittee on Appeals will decrease the administrative burden on an institution and ensure that a waiver is reviewed by the staff and the Subcommittee on Appeals in an expeditious manner.

**17. Head-Coaching Change as a Mitigating Factor for Contemporaneous-Penalty Waivers.** The Subcommittee on Appeals reviewed the issue of a head-coaching change as a mitigating factor in a contemporaneous-penalty waiver. Specifically, the Subcommittee on Appeals reviewed the impact of a head-coaching change on the retention and eligibility of student-athletes. As part of its review, the Subcommittee on Appeals examined previously submitted contemporaneous-penalty waiver requests citing a coaching change as a mitigating circumstance. The Subcommittee on Appeals agreed that head-coaching changes should be considered as mitigating circumstances for relief of contemporaneous penalties, provided there is a demonstrated correlation between the head-coaching change and the team's APR. However, the Subcommittee on Appeals noted that such reviews must be considered within the context of the contemporaneous-penalty waiver directive.

**18. APR Improvement Grants.** The committee reviewed preliminary draft guidelines for the proposed APR Improvement-Grant Program and supported its development in an effort to assist institutions in its efforts to increase team APR and graduation rates. The group will continue to refine the guidelines and requirements for the proposed program in preparation for review by the Board in January.

**19. APR Improvement Plan Requirements for Institutions Subject to Historical Penalties.** The NCAA Division I Committee on Academic Performance Subcommittee on Penalties and Rewards received an update regarding the development of APR improvement plan requirements for teams subject to historical penalties. The ad hoc group will continue to refine the APR improvement plan draft materials, which address the following areas: admissions, retention, academic support and graduation. The Subcommittee on Penalties and Rewards will review a final draft of these documents during its January 2007 meeting.

**20. APP Educational Initiatives.** The committee received a report regarding various educational initiatives to assist institutions in understanding academic reform and the APP, including ongoing updates to existing educational materials and tutorials, APP workshops, teleconferences and Web casts. The NCAA staff has established partnerships with the National Academic Advising Association (NACADA) and the National Association of Athletic Academic Advisors (N4A) to develop additional initiatives to be launched later this year. The NACADA partnership will focus on delivery of an online course and a summer institute covering academic reform and principles of student-athlete academic success. In addition, the staff and N4A leadership are exploring concepts

regarding student-athlete retention and potential educational initiatives designed for coaching staff members.

**21. Degree Completion Incentive Concept.** The Subcommittee on Penalties and Rewards reviewed a recommendation from the NCAA Division I Academics/Eligibility/ Compliance Cabinet Subcommittee on Financial Aid regarding degree-completion grants as a possible incentive program. The Subcommittee on Penalties and Rewards delayed further discussion until the Division I membership has acted on Proposal No. 2006-70 [Financial Aid – Eligibility of Student-Athletes for Institutional Financial Aid – NCAA Degree Completion Award], which would permit an institution to provide athletically related financial aid to a student-athlete who is selected for an NCAA Degree Completion Award.

**22. Incentive Concepts to Motivate Graduation of At-Risk Student-Athletes.** The Subcommittee on Penalties and Rewards began discussing a possible incentives concept that would provide rewards to teams and/or institutions that demonstrate success with "at-risk" student-athletes.

*Committee Chair: Walter Harrison, University of Hartford, America East Conference*
*Committee Liaisons: Julie Cromer, Membership Services*
*Diane Dickman, Membership Services*
*Kevin Lennon, Membership Services*
*Todd Petr, Research*
*Bill Regan, Membership Services*

**ATTACHMENT A**

# NCAA DIVISION I ACADEMIC PERFORMANCE PROGRAM
# PROPOSED STRUCTURE FOR OCCASION-TWO HISTORICAL PENALTIES

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**LESS THAN 900 AND MEETS "IMPROVEMENT PLUS" REVIEW = NO HISTORICAL PENALTY**

| | **Less than 900 and does not meet IMPROVEMENT review** | **Less than 900 and meets only IMPROVEMENT review** | **900----------** | **925----------1000** |
|---|---|---|---|---|
| **Recruiting Penalties** | Reduction of total official visits hosted by institution. + | Reduction of total official visits hosted by institution.+ | NO HISTORICAL PENALTIES APPLY.<br><br>CONTEMPORANEOUS PENALTIES MAY APPLY, DEPENDING ON "0/2" DEPARTURES. | NO PENALTIES APPLY. |
| **Financial Aid Penalties** | Automatic reduction of scholarships by 10% (deducted from total aid awarded).^ | Greater of the following two penalty options:<br><br>-Automatic reduction of scholarships by 5% (deducted from total aid awarded);^<br><br>OR<br><br>-Total contemporaneous penalties. | | |
| **Playing/Practice Season Penalties** | Reduction of practice time by four hours per week throughout the playing season.* | Reduction of practice time by two hours per week throughout the playing season.* | | |

+Will include consideration of number of new scholarships available in year of penalty. Reduction formula (e.g., only two visits per open scholarship) to be determined in January 2007.

^Reduction extends for a period of one year. Total aid awarded shall be determined using a four-year average of total countable aid awarded during the same four years recorded in multi-year APR.

*Penalized practice time shall be replaced with academic support activities.

The National Collegiate Athletic Association
October 25, 2006 JLC:ld

**ATTACHMENT B**

**NCAA Division I Committee on Academic Performance**
**Historical-Penalty Waiver Directive**
**NCAA Division I Bylaws 23.2.1.2.1.1 and 23.2.1.2.2.1**

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## 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 900 and the team fails to demonstrate meaningful APR improvement and a favorable review of the established by-sport comparison or institutional characteristics, that team becomes subject to historical penalties. Historical penalties are progressive penalties intended to penalize teams that have a demonstrated history of academic underachievement.

Historical penalties go into effect during the 2006-07 academic year and a waiver process is provided for in NCAA Division I Bylaws 23.2.1.2.1.1 and 23.2.1.2.2.1. 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 historical-penalty waiver requests for Occasion-One: Public Warning and Occasion-Two: Financial Aid, Playing and Practice Season, and Recruiting historical penalties.

## 2. Guiding Principles

a. Waiver requests of NCAA Division I Bylaws 23.2.1.2.1.1, and 23.2.1.2.2.1, Occasion-One and Occasion-Two historical penalties will be considered based on the academic performance of the entire athletics team. The APR is a team rate and not a rate 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 multi-year 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 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 historical penalties.

b. In the review of appeals of historical penalties teams will be subject to review of multiple factors. Appeals will include consideration of the following: APR improvement, institutional characteristics (i.e. academic and financial), and academic by-sport comparison.

c. 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 unique one-time circumstances, but otherwise is not historically an underperforming team, should be treated differently than a team that has a history and pattern of academic underachievement.

**3. <u>Squad-Size Adjustment</u>**

The APR is intended to be 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 (a) unusual circumstances in any specific year, and/or (b) small samples. The solution to these issues, particularly while four years of data does not exist, is to add a squad-size adjustment. All teams are evaluated using the upper-confidence boundary while the squad-size adjustment is in effect. 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 900 "cut" line. 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 a historical-penalty waiver request as the squad size has already been factored into the determination of the penalty.

[Note: the squad-size adjustment will be eliminated at the conclusion of the 2006-07 academic year for all teams with a four-year APR and with 30 or more student-athletes in the four-year APR cohort.]

**4. Use of Conditional Approvals**

Historical-penalty waivers may receive "conditional" approval. A waiver that is conditionally approved does not "forgive" the team's historical penalty unless the team satisfies the stated conditions. These conditions may include, but are not limited to, compliance with the institution's written APR improvement plan, attendance at mandatory educational sessions, and/or, meeting or maintaining a specified APR. An institution/team that fails to meet the stated condition(s) by the given timeframe shall result in the waiver decision converting to a denial and the penalty being applied to the team. This team is then potentially subject to the next occasion historical penalty if it again fails to meet the historical penalty benchmarks.

**5. 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.

**6. 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 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 meaningful improvement over previous year APRs.

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, and 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 historical penalty benchmark (e.g. 900)

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

l. Mitigating factors that affect the team's APR. (See Section 8)

**7. Academic Factors Considered for Individual Student Athletes**

The major emphasis for review of waiver cases is the team's academic performance; however, the staff/subcommittee also may review the individual performance of student-athletes when considering a waiver of historical penalties.

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

a. 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;

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

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

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

e. Mitigating circumstances (see Section 8);

f. Academic progress in term of departure; and

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

**8. Mitigating Circumstances to be Considered**

After reviewing the academic profile of the team and student-athletes, the staff/subcommittee may consider the circumstances provided by the institution to explain a team's APR or other elements. 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 and/or retention points and it must be supported by objective documentation.

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; or

c. Failure to follow an APR improvement plan.

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 point. If the institution has previously received relief for those circumstances by way of an APR adjustment for a student-athlete, the same circumstance may not be considered in review of the historical-penalty waiver for that student-athlete.

## 9. Institutional Characteristics

The staff/subcommittee may consider comparisons of institutional characteristics as a mitigating circumstance when reviewing a waiver of historical 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 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 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 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:

a. Review the size of the variance between a team's expected Federal Graduation Rate based on its multi-year APR (Attachment) and the institution's student-body Federal Graduation Rate.

   Teams with an expected Federal Graduation Rate based on its multi-year APR, that is at least 10 percent higher than the institution's student-body Federal Graduation Rate, will be reviewed in accordance with section 10 of this document.

b. Compare differences between the expected team Federal Graduation Rate based on the multi-year APR and the institution's 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) 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 letter (a) 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 expected graduation rate of the team, based on the team's multi-year APR;

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

   (c) The institution's projected 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 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 dollars)?

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

2. 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:

a. Per capita educational expenses;

(2) Per capita athletics department operating expenditures; and

(3) Average Pell Grant among all students.

Institutions identified in the bottom 10 percent based on institutional resources will be reviewed in accordance with section 10 of this document.

**10. Review of Historical-Penalty Determination Factors**

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

a. Team APR Improvement. A waiver for a team(s) that demonstrates meaningful improvement toward an APR of 925 but fails all other factors 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 meaningful improvement toward an APR of 925 are fulfilling the goal of the APP and should be provided the opportunity to continue to improve without having to impose a historical penalty.

b. By-Sport Comparison. A waiver for a team(s) that compares favorably in the by-sport comparison but fails to demonstrate meaningful improvement toward an APR of 925 are generally considered within the context of the waiver directive and must present an APR improvement plan that demonstrates a reasonable expectation that the team will improve to a 925 APR.

c. Institutional Characteristics. A waiver for a team(s) that demonstrates that the team(s) is out performing its general student-body but fails to demonstrate meaningful improvement toward an APR of 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. A team(s) that is outperforming its general student-body is demonstrating academic success given the characteristics of that institution, and should be provided with the opportunity to continue to improve its APR.

d. Institutional Resources. A waiver for a team(s) 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 demonstrate meaningful improvement 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.

**11. APR Improvement Plans**

Institutions previously required to complete an APR improvement plan as a result of having a multi-year APR below 925, without the squad-size adjustment, must re-evaluate their current APR improvement plan specific to each of the team(s) now penalized within the historical-penalty structure by addressing the following areas for the penalized team(s).

a. Explain all actions the institution has taken toward completion of the previous APR improvement plan. Identify challenges, issues or problems that were identified in the previous plan that continue to confront the team(s) in its pursuit of improved academic achievement.

b. Clarify goals and redefine measurable steps the institution intends to accomplish that will lead to improvement of a team's academic deficiencies that have made them subject to a historical penalty.

Institutions that currently do not have an APR improvement plan but now have team(s) subject to historical penalties will be required to develop an APR improvement plan. A team's academic progress may be measured by consistently improving APR team trending patterns and successful implementation of an institution's APR improvement plan, which leads to increased academic achievement by the team(s) subject to historical penalties. Institutions should address the following areas for each penalized team(s) when preparing their plans:

a. Identify challenges, issues or problems that confront each team subject to historical penalties in its pursuit of improved academic achievement.

b. Clarify goals and define specific actions the institution intends to take that will lead to improvement of a team's academic deficiencies that have made the team subject to a historical penalty.

**ATTACHMENT**

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# 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 multi-year 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 |
|---|---|
| 925 – 923 | 45 percent |
| 922 – 912 | 40 percent |
| 911 – 900 | 35 percent |
| 899 – 890 | 30 percent |
| 889 – 875 | 25 percent |
| 874 – 863 | 20 percent |
| 862 – 851 | 15 percent |
| 850 – 831 | 10 percent |
| 830 and below | 0 percent |

[Note: This table was created by comparing APRs to historical-squad Federal Graduation Rates for N=5,455 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 as we move toward a four-year data collection.]

# NCAA Division I Committee on Academic Performance Policies and Procedures
# Data Review

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Review of NCAA Division I Academic Performance Program Data.

NCAA Division I Bylaw 23.01.3 and the NCAA Division I Committee on Academic Performance's policies and procedures require NCAA Division I Academic Performance Program (APP) data [Federal Graduation Rate (IPEDs), Graduation Success Rate (GSR), NCAA Division I Academic Progress Rate (APR) and Academic Performance Census (APC)] to be submitted for all NCAA Division I teams and all teams/institutions that are in the process of transitioning its membership to Division I and is subject to NCAA Division I legislation. All APP data submitted pursuant to Bylaw 23.01.3 must conform to the committee's policies and procedures. In order to ensure the uniformity and accuracy of submitted APP data, the committee will review APP data submitted by selected institutions annually.

The NCAA staff and/or the NCAA Division I Committee on Academic Performance Subcommittee on Data Collection and Reporting will conduct all reviews of APP data.

Selection of Institutions for Review.

The staff/subcommittee will select institutions for data review based on the following indicators:

- Comparison of academic rates previously submitted;
- Warnings generated by the APP data collection program;
- Manual review of submitted data;
- Any data irregularities*; and*
- *Random selection.*

There are no specified guidelines regarding sample size or selection method. Individuals performing the data review will use an appropriate sample size based on professional judgment in the particular circumstances.

Notification.

During the fall of each academic year, the staff will notify in writing the chancellor/president of institutions selected for data review. The written notification will inform the institution of its selection and will provide an overview of the data review process and the initial request for documents.

*Institutional Involvement.*

*Institutions, as part of the request for documentation, will be required to designate a primary and secondary contact. The primary and secondary contact must be full-time employees of the institution and must have the authority from the institution's chancellor/president to respond on behalf of the institution.*

*Use of Outside Individuals or Agencies.*

*Institutions may involve individuals or agencies not otherwise employed by the institution on a full-time basis to perform functions associated with the review of APP data. In such cases, the institution's personnel, designated contacts and/or chancellor/president must review and verify the accuracy of all responses and information before submission to the NCAA. Additionally, the institution's personnel, designated contacts and/or chancellor/president must sign off on all responses and submission to the NCAA that require a signature.*

Scope of Review.

The Data Review Guide includes all areas that are subject to review. The individual conducting the review will determine which of these areas to include in the review. Depending on the circumstances, the reviewer may choose to cover every area or limit the review to particular areas.

Preliminary Reporting of Findings.

After an institution receives notification that its APP data has been identified for review, the institution has four weeks to submit all documentation and information requested with the notification of review.

After receipt of the documentation, NCAA staff will notify the institution in writing the extent of the review, including but not limited to areas to be reviewed, the sample and any additional documentation the institution must submit. All additional documentation must be submitted within four weeks of receipt of notification.

After receipt of all remaining documents, the NCAA staff will ~~complete its review and will~~ *determine whether an on-campus review of the institution's APP data is necessary. If an on-campus review is required, the staff will inform the institution of the scope of the review and any documents that the staff will need to review on campus to complete the review.*

*The staff, after reviewing the documents submitted by the institution or after completing the on-campus review, will* submit a preliminary report summarizing the findings of the review to the respective institution. The institution may submit a written response to any or all of the staff's findings in the preliminary report. The institution must submit its response within four weeks of receipt of the preliminary report. The staff or subcommittee will not consider any response received after this period.

The staff is permitted to extend the period for the institution to respond to the preliminary report based on the individual circumstances presented by the institution.

Final Reporting of Findings.

After receiving any institutional response to the staff's preliminary report, the staff will prepare a final report summarizing its findings. The staff, within six weeks of receipt of the institution's response to the staff's preliminary report, will submit to the subcommittee the final report and the institution's response to the staff's preliminary report. If the institution does not provide a response, the staff will submit its final report 10 weeks after the date the institution received the staff's preliminary report.

Subcommittee Review.

The subcommittee will review the final report and any applicable institutional response. After reviewing the final report and institutional response, if provided, the subcommittee will provide the institution with a final report that will include recommended and/or required actions for the institution.

The subcommittee may recommend the institution take any or all of the following actions:

- **No Action Required.** Based on the results of the review, the subcommittee considers the institution's APP data to be in substantial conformity with applicable NCAA legislation and the committee's policies and procedures and the institution is not required to take any action regarding its APP data.

- **Recommended Action.** Based on the findings of the review, the subcommittee considers the institution's APP data to be in general conformity with applicable NCAA legislation and the committee's polices and procedures, but recommends the institution implement steps to ensure that the institution's APP data remains in conformity with all applicable legislation and policies and procedures.

- **Required Action.** Based on the findings of the review, the subcommittee does not consider the institution's APP data to be in conformity with applicable NCAA legislation and the committee's policies and procedures. The institution is required to take one of the following actions:

  - Make required changes for data submitted in the future;
  - Amend previously submitted data; and
  - Amend previously submitted data and make required changes for data submitted in the future.

If the institution fails to take the required action within the stated period, the institution's data will be considered invalid and the institution will be considered to have not submitted APR/APC and/or IPEDs and GSR and will be ineligible for any NCAA championship or bowl game until the required action is taken.

The subcommittee's recommendations are final and are not subject to further review. The subcommittee will provide the committee with an aggregate report of its findings and recommendations on an annual basis.

Required Changes to Submitted Data.

If one of the required actions the institution must take based on the recommendations of the committee is amending previously submitted data, any resulting change to the institution's APR and/or GSR will not affect the status of any previously earned contemporaneous and/or historical penalty.

*Rules Violations*

*The staff and/or subcommittee will advise the institution of any information discovered during the review concerning possible violation(s) of NCAA legislation that may affect the accuracy and/or integrity of the institution's APP data. The staff and/or subcommittee will also advise the institution of its obligation to self-report violations. The subcommittee may delay issuing all or part of its final report until the institution has determined whether a violation has occurred and the effect, if any, the violation has on the institution's APP data.*

*The staff and/or subcommittee may refer potential violation(s) of NCAA legislation that may affect the accuracy and/or integrity of the institution's APP data to the NCAA enforcement staff for review. If the staff and/or subcommittee refers a potential violation to enforcement, the subcommittee may delay issuing all or part of its final report until the institution has determined whether a violation has occurred and the effect, if any, the violation has on the institution's APP data.*