**REPORT OF THE**
**NCAA DIVISION I COMMITTEE ON ACADEMIC PERFORMANCE**
**JANUARY 4-5, 2007, MEETING**

***ACTION ITEMS*.**

**1. Legislative Action Items.**

- None.

**2. Nonlegislative Items.**

**a. Occasion-Two Historical-Penalty Structure.**

(1) Recommendation. The NCAA Division I Committee on Academic Performance recommends the NCAA Division I Board of Directors approve the attached penalty structure for Occasion-Two Historical Penalties.

(2) Rationale. The recommended Occasion-Two Historical-Penalty structure will encourage continued behavioral change for teams subject to the historical-penalty structure. Specifically, the committee supported a two-tiered penalty structure that emphasizes improvement and uses meaningful penalties in the areas of financial aid and playing and practice seasons. The first tier of penalties will apply to teams that demonstrate significant improvement, as evidenced by a favorable review of the "improvement" factor previously approved by the committee. The second tier of penalties will apply to teams that do not meet the "improvement" review. Occasion-Two Financial Aid Penalties will be either a standard reduction applied to the amount of aid awarded by the team, or the total (uncapped) number of contemporaneous penalties, whichever is higher. 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 NCAA Division I Academic Progress Rate (APR). The standard five- or ten-percent financial aid reductions, noted in the attachment, will be rounded up to the next whole number for head-count sports as is done in determining contemporaneous penalties. Additionally, playing and practice seasons penalties will reduce the number of hours and/or days per week a team will be allowed to participate in countable athletically related activity during the playing season. The playing and practice season penalties will not impact activity outside the playing season. The committee recommends recruiting penalties not be included at this time to continue to encourage institutions to use the available recruiting opportunities to make informed decisions throughout the recruiting

process. Lastly, the committee noted the historical-penalty structure will have a cumulative effect that continues to apply each year as a team advances through the historical-penalty structure. [Attachment A] Each year a team fails the historical-penalty review another layer of penalties will be added. For example:

(a) Spring 2007 - public announcement.

(b) Spring 2008 - public announcement, PLUS scholarship reductions and practice restrictions.

(c) Spring 2009 - public announcement, scholarship reductions, practice restrictions, PLUS post-season competition restrictions.

(3) Budget Impact. None.

**b. NCAA Division I Academic Performance Program (APP) Supplemental Support Fund.**

(1) Recommendation. The committee recommends the Board approve the attached APP Supplemental Support Fund.

(2) Rationale. The APP Supplemental Support Fund is recommended to support campus-based initiatives designed to foster student-athlete academic success at limited-resource institutions. Grants will be awarded for innovative solutions to barriers preventing student-athlete retention and progress-toward-degree completion and success will be measured by team APR and Graduation Success Rate (GSR) improvement. In addition, the program encourages sharing and adaptation of successful programs on all Division I campuses, including institutions that do not receive supplemental support. Further, establishing this fund will demonstrate the Association's commitment to a meaningful program that encourages academic achievement and facilitates academic improvement. [Attachment B]

(3) Budget Impact. The program will be funded through reallocation of a portion of the NCAA Division I Academic Enhancement Fund. Specifically, the 4.25 percent annual incremental increase to the fund will be set aside for grant recipients in the initial year. If taken in the current fiscal year, this reallocation will total approximately $800,000 in available

supplemental support. In the 2008 fiscal year, approximately $1.6 million dollars will be available through the APP Supplemental Support Program. Any monies allocated to this fund but not awarded will be returned to the Academic Enhancement Fund for general distribution.

***INFORMATIONAL ITEMS.***

1. **Public and Media Relations Issues Associated with the APP Rates and Penalties.** The committee discussed key themes related to academic reform that will be emphasized by the NCAA branding and communications group in all public communications. The committee also received a staff update regarding the development of academic messaging to take place during NCAA championship events, which will be designed to change perceptions regarding student-athlete academic performance and to celebrate student-athlete academic achievement. 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.

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 7y6 percent in 2005 to 77 percent this year. The first of two GSR data release 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, which occurred November 9, 2006, included additional GSR and federal graduation data, including additional GSR and federal specifics related to gender and ethnicity. The committee noted that according to the federal graduation rate, 63 percent of Division I student-athletes who started college in 1999 graduated within six years, while college students nationally graduated at a 61-percent rate in the same period. Both rates increased one-percentage point from last year.

3. **APP Penalties Following Coaches and/or Coaches Rate.** The committee reviewed a comprehensive document regarding APP penalties following coaches and development of an academic coaches rate. The document provided a history of discussions that have occurred on these topics, legal considerations and a number of issues that need to be resolved before these two concepts could be implemented. The committee does not support penalties that would follow coaches to their next institutions. This concept is complicated by legal and administrative complexities such that the committee does not intend to pursue this idea. However, the committee noted interest in considering a

coaches rate and directed the staff to examine this concept in greater detail and to provide sample models to be considered in the future.

4. **Input from Various Organizations.** The committee reviewed written correspondence from the National Association of Basketball Coaches (NABC) and supports establishment of a group charged with developing possible initiatives that would help to improve the academic performance of men's basketball student-athletes. This group would be similar to the task force established for baseball and will provide regular updates on its work to the committee. Work is underway to identify individuals to serve on this group, which will include committee members, and it is anticipated this group will meet semi-annually over a two-year period.

5. **Historical-Penalty Waiver Directive.** The committee amended its historical-penalty waiver directive regarding the review of waivers for teams to accommodate the two-tiered penalty model for Occasion-Two Penalties. The committee amended the directive to fairly evaluate a waiver request for a team(s) that has satisfied one or more of the following historical-penalty determination factors: by sport, institutional characteristics and/or institutional resources. Additionally, the amended directive provides the staff and the NCAA Division I Committee on Academic Performance Subcommittee on Appeals with the ability to render a decision warranted by the circumstances for that particular team(s). [Attachment C]

6. **Establishing and Reviewing Conditions for Conditionally Approved Contemporaneous-Penalty Waivers.** The Subcommittee on Appeals discussed whether delayed-graduation points earned by a team in a given academic year should be considered by the staff and the Subcommittee on Appeals when establishing and reviewing an APR goal as part of a conditionally approved waiver. Previously, the Subcommittee on Appeals agreed that a primary, but not exclusive, condition for a conditional approval is the achievement of a single year APR by the team(s). During its review of conditionally approved waivers, the staff recognized the significant impact the delayed-graduation point could have on a team's APR. The Subcommittee on Appeals agreed that any APR goal established as part of a conditional approval should be based on an APR that does not include any delayed-graduation points. Additionally, the Subcommittee on Appeals acknowledged that delayed-graduation points should not be considered when determining whether a team has satisfied the APR goal as part of a conditional approval. The Subcommittee on Appeals noted a true picture of the team's academic performance can be affected by including delayed-graduation points. As such, conditional approvals should be based on the academic behavior of the current team.

7. **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 final reports to institutions in March 2007.

8. **Requests for Retroactive Relief of Penalties Based on Amendments, Adjustments, and Delayed-Graduation Points to APP Data from Prior Academic Years.** The committee amended its policies and procedures to permit institutions that discover amendments, adjustments and delayed-graduation points from prior academic years that would have resulted in the team not being subject to penalties to request relief of the previously earned penalties that have not been taken. An institution must submit a formal request to the Subcommittee on Data Collection and Reporting and provide any necessary supporting documentation. The current policy allows institutions to request amendments, adjustments and delayed-graduation points to any academic year that makes up its multi-year APR. However, the policy does not permit changes to prior years' data to change the status of any previously earned penalties or incentives. The Subcommittee on Data Collection and Reporting recognized there are instances when an institution subject to a penalty may discover that the penalty was based on inaccurate or incomplete data. Permitting an institution to request a waiver of the penalty based on a correction to the data will ensure that penalties are accurately incurred by institutions. By allowing an appeal process in which an institution must present its fact scenario for relief of contemporaneous and/or historical penalties, institutions will be offered flexibility while providing an external review that an automatic waiver of the penalties does not provide. The policy applies in situations only where the penalty was not taken. If the penalties were taken, there is no recourse (e.g., no "banking" of penalties).

9. **Definition of the APR Cohort.** The committee approved an amendment to the definition of the APR cohort to exclude from the APR cohort any scholarship student-athletes enrolled beyond the fifth year (i.e., 10th semester/15th quarter), with no athletics eligibility remaining. Amending the definition of the APR cohort will allow institutions to continue to provide athletics aid beyond the fifth year of enrollment, when permissible under NCAA financial aid legislation, without negatively affecting a team's APR. In such instances, institutions have indicated they are truly providing incentives for a student-athlete who has exhausted his or her athletics eligibility to return or to continue at the institution to graduate. Under the current cohort definition, a sixth-year student-athlete receiving athletics aid is included in the cohort. By changing the definition of the cohort, a sixth-year student-athlete on athletics aid would be eligible for the delayed-

graduation point. Further, data provided by the NCAA research staff indicated that the population of student-athletes who are provided athletics aid beyond their fifth year of enrollment is very small and affects relatively few sports. The committee determined it was appropriate to exclude this population from the cohort once five years (i.e., 10 semesters/15 quarters) of enrollment have passed. Finally, the amended definition of the APR cohort will not apply retroactively. The new definition of the APR cohort will be effective with the 2006-07 APR cohort data, to be collected fall 2007.

**10. Request from Member Institution Related to APP Data Collection and Graduation Issues.** The Subcommittee on Data Collection and Reporting reviewed a request from a member institution to allow an institution, through graduation, to recover a point lost at any time during a student-athlete's enrollment at the institution when he or she is a part of the APR cohort. For example, if a student-athlete lost a retention point in the first year of enrollment, subsequently returned to the institution, was included in the APR cohort and graduated, the team would be credited with an additional point to make up for the retention point lost in the first year of enrollment. This point would be in addition to the two points credited in the term of graduation. The Subcommittee on Data Collection and Reporting did not support this change.

**11. APR Improvement Plan Requirements for Teams Subject to Historical Penalties.** The NCAA Division I Committee on Academic Performance Subcommittee on Penalties and Rewards received an update regarding the continued development of the APR Improvement Plan requirements for institutions subject to historical penalties. The APR Improvement Plan materials will address the areas of: admissions, retention, academic support and graduation. The ad hoc group will finalize its work over the next several months and submit a final draft document for the Subcommittee on Penalties and Rewards' review late spring 2007.

**12. Academic Incentive Concept.** The Subcommittee on Penalties and Rewards received a presentation by members of the Atlantic Coast Conference regarding an academic incentive concept that would provide institutions flexibility in application of select progress-toward-degree requirements if they graduate their student-athletes at a rate significantly higher than the national average for student-athlete graduation and can show that the attainment of the higher graduation rate is commonplace, continuing and inherent in the culture of the institution. The Subcommittee on Penalties and Rewards agreed to continue discussions on this concept as a possible incentive, and also noted this issue may be more appropriately addressed via progress-toward-degree waivers.

**13. APP Educational Initiatives.** The committee received a report regarding various educational initiatives to assist institutions in understanding academic reform and the APP. 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. The online course will be made available to the membership by late February 2007 and the institute will take place this summer. In addition, the staff and N4A leadership are exploring similar concepts.

**14. Summary of Historically Black Colleges and Universities (HBCU) Ad Hoc Advisory Group**. The committee received an update regarding the work of the HBCU ad hoc advisory committee, which was established to develop strategies to enhance academic support at HBCUs and to serve as a conduit to communicate issues and concerns with the NCAA that may impact HBCUs collectively.

*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*

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

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

| | **Less than 900 and does not meet IMPROVEMENT review[1]** | **Less than 900 and meets only IMPROVEMENT review[1]** | **900----------** | **925----------1000** |
|---|---|---|---|---|
| **Financial Aid Penalties** | Greater of the following two one-year penalties:<br><br>Reduction of scholarships by 10% (deducted from total aid awarded)[2];<br><br>OR<br><br>Reduction of scholarships by total uncapped contemporaneous penalties[3] (deducted from NCAA maximums). | Greater of the following two penalties:<br><br>Reduction of scholarships by 5% (deducted from total aid awarded)[2];<br><br>OR<br><br>Reduction of scholarships by total uncapped contemporaneous penalties[3] (deducted from NCAA maximums). | NO HISTORICAL PENALTIES APPLY.<br><br>CONTEMPORANEOUS PENALTIES MAY APPLY, DEPENDING ON "0/2" DEPARTURES. | NO PENALTIES APPLY. |
| **Playing/Practice Season Penalties** | Reduction of practice time by one full day throughout the playing season[4]. Team is limited to five days of countable activity, and 16 hours. | Reduction of practice time by four hours per week throughout the playing season.[4] | | |
| **Occasion-One Penalty** | Public announcement | | | |

[1] This improvement review uses the same standard being applied to determine all historical penalties.

[2] 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.

[3] Contemporaneous penalties are "capped" at approximately 10 percent of the team scholarship maximum. This penalty results in a team applying scholarship penalties for all "0/2" student-athletes.

[4] Penalized practice time shall be replaced with academic support activities. For teams who meet only the improvement review, institutions have the discretion to apply the penalized hours throughout the week (i.e., maximum of 16 hours spread over six days per week). Teams who do not meet the improvement review have a maximum of 16-countable hours to be spread over five days per week.

**EXAMPLE IMPACT OF OCCASION-TWO HISTORICAL PENALTIES ON SAMPLE MEN'S BASKETBALL TEAM**

Men's Basketball NCAA Maximum Limit = 13 scholarships
Percent Reductions Determined by NCAA Maximum Limit:
5% Reduction = 1 scholarship
10% Reduction = 2 scholarships

Sample Men's Basketball Team
Aid Awarded = 13 scholarships (fully funded)
Total Contemporaneous Penalties = No "0/2" student-athletes

**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** |
|---|---|---|---|---|
| **Financial Aid Penalties** | Greater of the following two one-year penalties:<br><br>Reduction of scholarships by 10% (deducted from total aid awarded)<br>**= 2 scholarships**<br>**(13 – 2 = 11)**<br><br>OR<br><br>Reduction of scholarships by total uncapped contemporaneous penalties (deducted from NCAA maximums).<br>**= No "0/2"**<br>**(13 – 0 = 13)**<br><br>**Penalty = 2 scholarships**<br>**(reduced from 13)**<br>**Limit = 11 scholarships** | Greater of the following two penalties:<br><br>Reduction of scholarships by 5% (deducted from total aid awarded);<br>**= 1 scholarship**<br>**(13 – 1 = 12)**<br><br>OR<br><br>Reduction of scholarships by total uncapped contemporaneous penalties (deducted from NCAA maximums).<br>**= No "0/2"**<br>**(13 – 0 = 13)**<br><br>**Penalty = 1 scholarship**<br>**(reduced from 13)**<br>**Limit = 12 scholarships** | NO HISTORICAL PENALTIES APPLY.<br><br>CONTEMPORANEOUS PENALTIES MAY APPLY, DEPENDING ON "0/2" DEPARTURES. | NO PENALTIES APPLY. |
| **Playing/Practice Season Penalties** | Reduction of practice time by one full day throughout the playing season. Team is limited to five days of countable activity, and 16 hours. | Reduction of practice time by four hours per week throughout the playing season. | | |
| **Occasion-One Penalty** | Public announcement | | | |

## EXAMPLE IMPACT OF OCCASION-TWO HISTORICAL PENALTIES ON SAMPLE FOOTBALL TEAM

Football Bowl Subdivision NCAA Maximum Limit = 85 scholarships
Percent Reductions Determined by NCAA Maximum Limit:
5% Reduction = 5 scholarships
10% Reduction = 9 scholarships

**Sample Football Bowl Subdivision Team**
Aid Awarded = 78 scholarships (not fully funded)
Total Contemporaneous Penalties = 10 "0/2" student-athletes

**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** |
|---|---|---|---|---|
| **Financial Aid Penalties** | Greater of the following two one-year penalties:<br><br>Reduction of scholarships by 10% (deducted from total aid awarded);<br>**= 9 scholarships**<br>**(78 – 9 = 67)**<br><br>OR<br><br>Reduction of scholarships by total uncapped contemporaneous penalties (deducted from NCAA maximums).<br>**= 10 "0/2"**<br>**(85 – 10 = 75)**<br><br>**Penalty = 9 scholarships**<br>**(reduced from 78)**<br>**Limit = 67 scholarships** | Greater of the following two penalties:<br><br>Reduction of scholarships by 5% (deducted from total aid awarded);<br>**= 5 scholarships**<br>**(78 – 5 = 73)**<br><br>OR<br><br>Reduction of scholarships by total uncapped contemporaneous penalties (deducted from NCAA maximums).<br>**= 10 "0/2"**<br>**(85 – 10 = 75)**<br><br>**Penalty = 5 scholarships**<br>**(reduced from 78)**<br>**Limit = 73 scholarships** | NO HISTORICAL PENALTIES APPLY.<br><br>CONTEMPORANEOUS PENALTIES MAY APPLY, DEPENDING ON "0/2" DEPARTURES. | NO PENALTIES APPLY. |
| **Playing/Practice Season Penalties** | Reduction of practice time by one full day throughout the playing season. Team is limited to five days of countable activity, and 16 hours. | Reduction of practice time by four hours per week throughout the playing season. | | |
| **Occasion-One Penalty** | Public announcement | | | |

## EXAMPLE IMPACT OF OCCASION-TWO HISTORICAL PENALTIES ON SAMPLE BASEBALL TEAM

Baseball NCAA Maximum Limit = 11.7 scholarships
Percent Reductions Determined by NCAA Maximum Limit:
5% Reduction = .585 scholarships
10% Reduction = 1.17 scholarships

**Sample Baseball Team**
Aid Awarded = 9.50 scholarships (not fully funded)
Total Contemporaneous Penalties = 1.30 represents total aid received by "0/2" student-athletes

**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** |
|---|---|---|---|---|
| **Financial Aid Penalties** | Greater of the following two one-year penalties:<br><br>Reduction of scholarships by 10% (deducted from total aid awarded);<br>**= 1.17 scholarships**<br>**(9.50 – 1.17 = 8.33)**<br><br>OR<br><br>Reduction of scholarships by total uncapped contemporaneous penalties (deducted from NCAA maximums).<br>**= 1.30 total "0/2" aid**<br>**(11.7 – 1.30 = 10.4)**<br><br>**Penalty = 1.17 scholarships**<br>**(reduced from 9.50)**<br>**Limit = 8.33 scholarships** | Greater of the following two penalties:<br><br>Reduction of scholarships by 5% (deducted from total aid awarded);<br>**= .585 scholarships**<br>**(9.50 - .585 = 8.915)**<br><br>OR<br><br>Reduction of scholarships by total uncapped contemporaneous penalties (deducted from NCAA maximums).<br>**= 1.30 total "0/2" aid**<br>**(11.7 – 1.30 = 10.4)**<br><br>**Penalty = .585 scholarships**<br>**(reduced from 9.50)**<br>**Limit = 8.915 scholarships** | NO HISTORICAL PENALTIES APPLY.<br><br>CONTEMPORANEOUS PENALTIES MAY APPLY, DEPENDING ON "0/2" DEPARTURES. | NO PENALTIES APPLY. |
| **Playing/Practice Season Penalties** | Reduction of practice time by one full day throughout the playing season. Team is limited to five days of countable activity, and 16 hours. | Reduction of practice time by four hours per week throughout the playing season. | | |
| **Occasion-One Penalty** | Public announcement | | | |

**ATTACHMENT B**

# NCAA DIVISION I ACADEMIC PERFORMANCE PROGRAM SUPPLEMENTAL SUPPORT FUND

The NCAA Division I Academic Performance Program (APP) Supplemental Support Fund was established to support campus-based initiatives designed to foster student-athlete academic success at limited-resource institutions. Grants will be awarded for innovative solutions to barriers preventing student-athlete retention and progress-toward-degree completion and success will be measured by team NCAA Division I Academic Progress Rate (APR) and Graduation Success Rate (GSR) improvement. In addition, the program encourages sharing and adaptation of successful programs on all Division I campuses – including institutions that do not receive supplemental support.

## Purpose and Goals.

The program's purpose is to support academic reform by funding campus initiatives designed to increase team APRs and GSRs at limited-resource institutions. Success will be indicated through the increased team APRs and GSRs of recipient institutions.

## Funding Priorities.

The NCAA Division I Committee on Academic Performance will give preference to funding proposals that fall within the following three categories:

1. **Eligibility.** Successful requests will present integrated approaches engaging appropriate campus academic personnel and resources in efforts designed to ensure student-athletes maintain steady progression toward fulfillment of degree requirements, as measured by eligibility status. Effective measures will result in increased "E" points earned by each participating team.

2. **Retention.** Preferred initiatives will include innovative strategies for enhancing student-athlete persistence, including application of demonstrated retention practices and integration of student-athletes into the broader campus community. Effective measures will result in increased "R" points earned by each participating team.

3. **Graduation.** Support may be given to degree-completion programs developed to assist student-athletes who need a minimal number of hours to fulfill graduation requirements. Effective measures will result in increased GSRs.

**Appropriations.**

Funding for this grant program will be provided through reallocation of a portion of the Division I Academic Enhancement Fund. Specifically, the 4.25 percent annual incremental increase to the fund will be set aside for grant recipients each year. If taken in the current fiscal year, this reallocation will total approximately $800,000 in available supplemental support. In the 2008 fiscal year, approximately $1.6 million dollars will be available through the APP Supplemental Support Program. Any monies allocated to this fund but not awarded will be returned to the Academic Enhancement Fund for general distribution.

**Annual Report.**

In an effort to ensure the program is meeting its objectives, the Committee on Academic Performance will review this program semi-annually and will provide to the NCAA Division I Board of Directors an annual report outlining funding awards and summarizing project evaluations. In four years, after a reasonable body of evidence has been accrued, a comprehensive evaluation will be conducted to assess the program's effectiveness and determine its ongoing viability.

**Identification of "Limited-Resource" Institutions.**

Institutional characteristics will be reviewed to identify "limited-resource" institutions. Specifically, the following three measurements will be reviewed: (a) per capita Pell Grant dollars received (to assess neediness of student body); (b) per capita institutional spending (to assess neediness of institution); and (c) per capita athletics spending (to assess neediness of the athletics department). Institutions with most-limited resources as measured by this metric will be eligible to apply for supplemental support.

**Program Guidelines.**

1. Only active members of Division I determined to be "limited-resource" institutions are eligible to receive funds. Multi-divisional limited-resource institutions with Division I teams are not eligible to receive funds, even if such institutions sponsor teams subject to the APP.

2. Grant applications must include detailed APR improvement plans linking specific initiatives to measurable outcomes of improved student-athlete academic performance.

3. Initiatives must be designed after a thorough assessment has been conducted to reveal the nature of each team's particular challenges to academic success.

4. Recipient institutions must demonstrate effective collaboration with nonathletics campus units to ensure all institutional resources are maximized and to underscore integration of athletics into the broader university community.

5. Recipient institutions must be willing to share successful programs and model practices with other institutions, including institutions that have not received APP Supplemental Support Program funding.

6. Institutions receiving grant money must submit annual reports outlining the progress of implementation of the new initiatives. In addition, recipient institutions must complete an evaluation after funded initiatives have been fully implemented.

7. Institutional personnel from recipient institutions may be required to complete APP-related educational programming.

8. Grant sizes will vary based on the scale of proposed initiatives. Smaller awards may be granted for equipment and professional development requests.

9. Funded projects should demonstrate a capacity for long-term sustainability. In addition, multi-year funding requests must include an institutional commitment to provide matching funds.

10. Grant support may be renewable up to three years. Recipient institutions must demonstrate progress in meeting measurable goals outlined in the grant application in order to be considered for renewal.

11. The institution's faculty athletics representative (or other senior academic official designated by the institution's chancellor or president) must review and sign the grant inquiry, application and subsequent evaluation.

**Examples of Projects/Initiatives Meeting Program's Purpose and Guidelines.**

1. Programs based on careful, complete assessment of barriers to student-athlete academic success.

2. Projects proposed after a review of demonstrated best practices.

3. Academic support personnel (requires institutional match).

4. Professional development of academic support personnel.

**Examples of Projects/Initiatives that Do Not Meeting Program's Purpose and Guidelines.**

1. Athletics operations.

2. Recruiting budget increases.

3. Team travel budget increases.

4. Research projects.

5. Requests for fundraising efforts/events.

6. Team/student-athlete celebratory or recognition events.

7. Operating deficits.

8. Endowments.

**Inquiry and Application Processes.**

Inquiries will be accepted via online application on an ongoing basis; however, inquiries must by received by December 1 to be reviewed for formal application within the same fiscal year. The NCAA staff will review all complete inquiries and will respond to contact individuals identified on the inquiry form. After initial review, staff will determine whether proposed activity fits within the APR Improvement Program guidelines. If full proposal is requested, additional instructions will be provided. Formal applications, including all supporting documentation, must be submitted not later than March 1.

**Review Timeline.**

The Committee on Academic Performance will have oversight of final selections of grant recipients. Applications will be formally reviewed once per year and resulting distributions will be made not later than August 31. Applicant institutions will be notified of funding decisions prior to public release.

**Project Evaluations.**

Grant recipients will be required to submit annual project evaluations for each year funding is awarded. Institutions requesting renewals or multi-year awards must demonstrate progression toward stated goals during previous years in order to be considered for subsequent awards or renewals.

**ATTACHMENT C**

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

## 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 a meaningful APR improvement plan 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 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 and Playing and Practice Season historical penalties.

## 2. Guiding Principles.

a. Waiver requests of 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 plan, 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. Squad-Size Adjustment.**

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)?

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

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

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

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

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

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

(1) Per capita educational expenses;

(2) Per capita athletics department operating expenditures; and

(3) Average Pell Grant among all students.

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 APR improvement, institutional characteristics, institutional resources, or by-sport comparison will be generally reviewed as follows:

a. Team APR Improvement Plan. 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 will be reviewed in accordance with this directive and are expected to demonstrate that relief is warranted (e.g. mitigating circumstances).

c. Institutional Characteristics. A 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 will generally be reviewed based on the following: level of APR improvement, level of institutional resources as defined in section 9, the institution's APR improvement plan and any other relevant factor(s).

d. Institutional Resources. 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 toward an APR of 925 will generally be reviewed based on the following: level of APR improvement, the team's academic performance compared to the institution's student-body (See section 9), the institution's APR improvement plan and any other relevant factor(s).

**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**

# 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.]