**REPORT OF THE**
**NCAA DIVISION I COMMITTEE ON ACADEMIC PERFORMANCE**
**JULY 10, 2007, MEETING**

## ***ACTION ITEMS*.**

**1. Legislative Action Item.**

- None.

**2. Nonlegislative Item.**

- None.

## ***INFORMATIONAL ITEMS*.**

**1. Measuring NCAA Division I Academic Progress Rate (APR) Improvement within the NCAA Division I Academic Performance Program (APP) Penalty Structure.** The NCAA Division I Committee on Academic Performance approved a revision to the historical-penalty review process to require institutions to have a Fishers Exact Test (FET) score of less than or equal to 0.5 in order to satisfy the review factor requiring meaningful APR improvement in the historical-penalty model. This will result in a greater number of teams meeting the improvement standard. The committee noted that using the 0.5 standard was an appropriate measure to demonstrate improvement within the penalty structure, because that score indicates a team has demonstrated a better than chance probability of true improvement.

**2. Evaluating Team APR Improvement When Considering APP Penalty Relief.** The committee considered several models for reviewing APR improvement when considering APP penalty waivers, including a model that used institutional resources in the application of mitigation for historical penalties. In this model, NCAA Division I institutions were divided into quartiles by institutional resources using the average of: per capita institutional expenditures; per capita athletics expenditures and per capita Pell Grant expenditures for the campus. Then, each quartile was assigned a standard of improvement to meet in order to satisfy this review. This approach was considered in an effort to more precisely identify the impact of available resources on an institution's ability to improve a team's APR in a relatively short timeframe. The committee directed the staff to use this model, as specified by the NCAA Division I Committee on Academic Performance Subcommittee on Appeals, when considering providing historical-penalty relief.

**3. APR Improvement Plan Requirements and Review.** The committee revised the APR Improvement Plan guidelines for teams with an APR below 925. The committee also noted that teams with a rate below 900, teams submitting waivers, institutions applying

for Supplement Support Funds and institutions subject to data reviews all will be required to submit APR improvement plans according to the guidelines adopted by the committee. Teams with a multi-year APR below 900 are required to submit previous improvement plans, progress reports of the implementation of the plans and specific target annual APR goals as part of the improvement plan submitted to the NCAA national office in fall 2007. The committee noted that the establishment of specific target APR goals will be useful to the staff in the future evaluation of improvement plans and consideration through the waiver process, if necessary. In addition, the committee discussed the possible public announcement of plan initiatives when those initiatives factor into a decision to conditionally approve APP penalties. The committee will continue to explore implementation of this public announcement concept during its October meeting. [Attachment A]

4. **Review of Student-Athlete Transfer Data and Consideration of Potential Policy Changes.** The committee continued its extensive review of the impact of transfer student-athlete behavior on the APR and graduation rates. The NCAA research staff provided comprehensive data on the academic impact of transferring, which was analyzed in an effort to assess which variables were the most accurate in predicting graduation. The APR data confirms that retention is a strong predictor of graduation and, as such, the committee is considering adjustment opportunities to be reviewed on a case-by-case basis, rather than altering the APR calculation for all transfers. In particular, the committee examined a model that would permit an adjustment of the retention point for a transfer with a strong academic profile (e.g., as indicated by the student-athlete's grade-point average). If approved, such student-athletes would earn a "1/1" in the final term in the cohort. The committee noted the importance of considering an additional year of data, which will permit the examination of three years of student-athlete transfer behavior. Data will be prepared for such a review to occur during the committee's October 2007 meeting.

5. **Research regarding "0 for 2" Student-Athletes.** The committee heard a presentation from the research staff on the demographics and trends in the number of Division I student-athletes in the 2003-04, 2004-05 and 2005-06 APR cohorts who left their respective institutions prior to meeting academic eligibility requirements (i.e., "0 for 2"). Research indicates that the number of "0 for 2" student-athletes overall has decreased over the three-year period. In addition, there have been noteworthy decreases in the sports of men's baseball and football and a smaller decrease in men's basketball. Overall, student-athletes in most sports were more likely to leave their institution academically ineligible after their first or fifth years of full-time enrollment at the institution than in years two, three or four. The committee also noted that even with the increased progress-toward-degree requirements that went into effect August 1, 2003, the preliminary data indicate the number of "0 for 2" student-athletes has been stable or decreased in some sports. The research staff also noted that a lower high school core-

course grade-point average and transferring at least one time subsequent to initial full-time enrollment at any collegiate institution were reliable predictors of a student-athlete's likelihood of leaving an institution academically ineligible. In fact, high school grade-point average had an impact ten times greater than other factors, including transfer status, sport, gender and ethnicity. The committee will expand its review of this research during a future meeting.

6. **Implementation of Additional Historical Penalties for Low-Performing Baseball Teams.** The committee was directed by the NCAA Division I Board of Directors to develop policies to implement APP penalties that require any baseball program with a four-year average APR less than 900 to reduce its playing season by 10 percent in both the number of contests and length of season (i.e., not more than 50 contests and not more than a 119-day playing and practice season). The committee noted several issues that should be considered before implementing this concept, including when the penalty should be imposed, how the penalty should overlap with other penalties and specificities of the corresponding appeals process. An ad hoc group comprised of current committee members was formed to continue the development of this penalty. The group will make recommendations to the full committee during its October meeting.

7. **Proposed Division I Governance Structure.** The committee received a report regarding the NCAA Division I Management Council Governance Subcommittee's work and recommendations for modifications to the Division I governance structure. The Governance Subcommittee has proposed the elimination of the committee after the APP penalties and rewards are fully developed. Ongoing APP work then would be assumed by the new Academics Cabinet. The committee generally was supportive of the proposed modifications to the overall governance structure; however, the committee made the following recommendations:

   a. The committee should remain intact at least through full implementation and evaluation of historical and contemporaneous penalties (e.g., for an estimated four or five years). Then, at an appropriate time, the committee could be phased out and related work transitioned to the new Academics Cabinet. The committee noted that its work will not be complete until behavior has changed. Further, it was suggested that the committee be phased slowly into the Academics Cabinet to ensure continuity and transfer of knowledge.

   b. The committee's reporting line to the Board of Directors should continue. Committee members expressed concern with the eventual elimination of direct presidential involvement in the APP reform initiatives, other than the Board of Directors, since the Academics Cabinet will not have any presidential members.

c. Consideration should be given to the appeals procedures once the program transitions to the new cabinet. The committee noted that once historical penalties are fully implemented, institutions subject to the most-serious penalties have the opportunity to present an appeal during an in-person hearing and such procedures should be considered when determining the size, composition and structure of the body identified to hear appeals. The committee does not believe the proposed Academic Cabinet is necessarily the body to hear such appeals, but acknowledges there is sufficient time to identify the most appropriate body.

**8. Update regarding the Men's Basketball Academic Enhancement Working Group.** The committee received an update regarding the work of the Men's Basketball Academic Enhancement Working Group, which is a group of presidents and chancellors, head coaches, commissioners, campus athletics administrators and faculty athletics representatives charged with developing strategies to enhance the academic performance and graduation rates in Division I men's basketball. The committee expressed its support for the group's work and forwarded an incentive concept regarding access to athletics activities (e.g., summer skill instruction) for its consideration. The committee also suggested the working group examine the "year of academic readiness" concept, which would permit prospective student-athletes to attend a member institution on athletics aid for a remedial academic year and practice without triggering the current progress-toward-degree requirements, to determine its relevance and value to the sport of men's basketball.

**9. Incentive Concept Regarding Access to Athletics Activities for Women's Basketball.** The committee received a report from the NCAA Division I Women's Basketball Issues Committee, who expressed interest in pursuing the concept of providing the opportunity for increased access to women's basketball student-athletes through skill instruction as a possible incentive for those teams achieving academic success. The committee directed the staff to work with the Women's Basketball Issues Committee over the next year to further discuss and develop specific recommendations for the full committee's consideration at a future meeting.

**10. Requests from Other Sport Communities Interested in Improving Student-Athlete Performance.** The committee was informed that the football and wrestling sports communities have expressed interest in examining the academic culture of their respective sports and in developing strategies to enhance the overall level of academic performance of student-athletes in their respective sports. The committee expressed its support and willingness to assist these groups in their reviews as appropriate and will consider such requests on a case-by-case basis.

**11. Possible Adjustment to APR calculation to Account for Institutional Characteristics.** The committee continued its discussion regarding the inclusion of institutional

characteristics as factors in the calculation of the APR. The committee reviewed possible alternatives to alter the APR formula to consider institutional characteristics and to judge how well student-athletes at a given institution are performing compared to student-athletes from similar institutions. Given this determination, the committee asked the research staff to conduct similar analyses on three years of APR data to be presented at the next meeting. In the interim, the committee will continue to use institutional characteristics as part of the penalty-waiver process.

**12.** **Division I Membership Requirements.** In response to a request from the NCAA Division I Management Council Membership Subcommittee, the committee supported the Membership Subcommittee's efforts to include team academic performance as a factor for consideration when institutions advance to active Division I status. The committee asserted that whether or not an institution has a team(s) subject to penalty while in the membership reclassification process is an important indicator for the Membership Subcommittee to consider. For example, the Membership Subcommittee could identify a maximum number of teams that could be subject to penalty in order to meet the criteria. Further, the committee noted that historical penalties in particular could be a key identifier, as these are the most severe penalties and ultimately can lead to restricted membership status for an active Division I member institution. The committee emphasized that using APR alone does not account for institutional characteristics and improvement factors that are keys in the determination of penalties. While the APR could be used in conjunction with penalty considerations, the committee suggests the APR alone should not be used as a membership requirement.

**13.** **Requests to Delay the Application of Occasion-Two Historical Penalties.** The committee amended its policies and procedures and the penalty waiver directive to permit an institution to request a delay in applying an Occasion-Two Historical Penalty for one or more of its teams. However, the committee noted such requests will be approved only in rare cases when an institution can demonstrate that it is unable to apply such penalties within the prescribed period due to unanticipated and extraordinary circumstances outside the control of the institution, team and involved student-athlete(s). At this time, a team subject to historical penalties must impose these penalties in the academic year immediately following notification of the penalty. For example, a team notified during the 2007-08 academic year that it is subject to Occasion-Two Historical Penalties must impose such penalties during the 2008-09 academic year. However, the committee recognized that there could be situations and/or circumstances (e.g., natural disaster) that may require an institution to delay the application of an Occasion-Two Historical Penalty. Finally, the committee noted that institutions are on notice of the potential for Occasion-Two Penalties after receiving notification that it is subject to Occasion-One Historical Penalties. [Attachments B and C]

14. **Penalty for Institutions that do not Apply the Historical Penalty within the Prescribed Period.** The committee amended its policies and procedures to indicate that institutions that fail to apply historical penalties within the prescribed time period are required to report violations of applicable NCAA bylaws (e.g., NCAA Bylaws 23, 15 and/or 17) to the NCAA enforcement staff. If an institution has failed to apply a historical penalty in the prescribed timeframe and has exhausted its waiver and delay appeal opportunities through the committee, then a violation of NCAA bylaw(s) has occurred and the enforcement staff and the NCAA Committee on Infractions will have jurisdiction in the matter.

15. **Staff Discretion in Application of the APR Adjustment Directive to Cases Involving Unique Mitigating Circumstances.** During its April 2007 meeting, the committee delegated to the staff the authority to use its discretion in the application of the APR adjustment directive depending on the unique mitigating circumstances of a particular adjustment request. The committee approved language clarifying this change to the APR adjustment directive amendment. [Attachment D]

16. **Adjustment of the Retention Point When the Missed-Term Exception Criteria are Satisfied.** The committee approved an amendment to the APR adjustment directive to permit institutions to request, one time during the student-athlete's academic career, an APR adjustment to a lost retention point in cases where the missed-term exception requirements are met, based on the following criteria:

    a. The student-athlete must meet all criteria for the missed-term exception as outlined in Bylaw 14.4.3.5-(a);

    b. The student-athlete must return to the institution as a full-time student in a subsequent term; and

    c. The student-athlete must have lost the retention point but earned the eligibility point in his or her last term in the APR cohort prior to departure. [Attachment D]

    At its April 2007 meeting, the committee adopted a policy permitting an institution to request relief for the lost retention point when the missed-term exception is applied. The committee clarified the application of this relief as an APR adjustment and noted that such an adjustment may be requested for a student-athlete who is not enrolled full time in multiple regular-academic terms.

17. **APR and Penalty Reporting Forms.** The NCAA Division I Committee on Academic Performance Subcommittee on Data Collection and Reporting approved the final version of the institutional and public APR and penalty reports to be used in the 2007-08 academic year. The reports are intended to communicate team APR's and

contemporaneous and/or historical penalties. In addition, the reports will include detailed worksheets explaining how the penalties were calculated.

**18.** **APP data reviews.** The Subcommittee on Data Collection and Reporting received a list of the 20 institutions selected for APP data reviews for the 2007-08 academic year. Additionally, the subcommittee was informed that three institutions carried over from the 2006-07 academic year also will complete the data review process this year.

**19.** **Request from a Member Institution Related to Advance Approval of an APR Adjustment Request.** The Subcommittee on Data Collection and Reporting reviewed correspondence from a member institution requesting an APR adjustment prior to a student-athlete's re-enrolling at the institution so that it can determine the impact of his or her inclusion in the APR cohort. The Subcommittee on Data Collection and Reporting was not supportive of providing an institution with a conditional adjustment, in that the awarding of athletics aid, which would trigger inclusion in the cohort, is ultimately an institutional decision. Additionally, the subcommittee began preliminary discussions regarding a possible revision to the current definition of the APR cohort to remove student-athletes who professionalize themselves from the APR cohort in subsequent terms of enrollment at the institution. The Subcommittee on Data Collection and Reporting charged the staff with collecting data and additional information for further consideration during its October meeting.

**20.** **Request from Member Institution Related to Institutional Characteristics and Student-Athlete Departures Due to Campus Judicial or Disciplinary Issues.** The Subcommittee on Data Collection and Reporting heard a request from a member institution seeking relief for student-athletes who lose retention and/or eligibility points due to disciplinary reasons at any time during their enrollment at the institution. The institution requested special consideration due to its unique characteristics, which, it believes, have a negative impact on team APR. More specifically, the institution requested a blanket waiver for points lost for student-athletes who are suspended by the institution for disciplinary reasons. While acknowledging the uniqueness of the institution, the Subcommittee on Data Collection and Reporting was not supportive of a blanket waiver and noted that the Division I membership is comprised of member institutions with varied academic and institutional missions. The Subcommittee on Data Collection and Reporting further noted that institutional characteristics and mission may be considered during the penalty-waiver process.

**21. Consideration of "Student-Athlete Learning Assessment" Research Request.** The committee reviewed the proposal "Creating a Student-Athlete Learning Assessment (SALA)" and agreed not to request NCAA funding for the program. The committee noted that the NCAA Data Analysis Research Network (DARN), a group of highly regarded scientists from institutions across the country, also were not supportive of the funding request. The committee concurs with DARN's assessment that the Collegiate Learning Assessment, the basis of the SALA, does not provide the NCAA with any significant information beyond what the association already captures in graduation rates, the APR, the Academic Performance Census (APC), and initial-eligibility information (i.e., SAT/ACT scores, core-course taking behavior).

**22. Update on APP Educational Initiatives.** The committee received a report regarding educational initiatives conducted by the national office and partner organizations to assist institutions in implementing strategies to support academic reform on their respective campuses. These initiatives included one-day seminars in conjunction with the NCAA regional rules seminars; development of an online course and summer institute in partnership with the National Academic Advising Association (NACADA); and an APR Workshop Pilot conducted in conjunction with the National Association of Athletic Advisors (N4A). The committee noted participation by 312 member institutions in one or more of these initiatives in 2006-07 and work is underway to develop additional educational initiatives for the 2007-08 academic year.

*Committee Chair: Walter Harrison, University of Hartford, America East Conference*
*Committee Liaisons: Julie Cromer, Membership Services*
*Diane Dickman, Membership Services*
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**ATTACHMENT A**

# NCAA Division I Academic Performance Program
# NCAA Division I Academic Progress Rate Improvement Plans Guidelines

## Purpose.

This document is intended to provide institutions with steps to consider when developing a plan to improve student-athlete academic performance, retention and graduation. In addition, the document highlights those items the NCAA Division I Committee on Academic Performance requires institutions to include in the plan.

The committee recommends that institutions use Attachment Nos. 1, 2 and 3 to collect and analyze data regarding individual student-athlete and team NCAA Division I Academic Progress Rate (APR) performance. Attachment No 1 is an example of how to organize the data collected in an effort to determine what issues need to be addressed.

After identifying issues that need to be addressed, an APR improvement plan must be developed for each identified issue. [Attachment No. 4]

## Background.

During its April 2005 meeting, the committee approved a requirement that each institution must develop an APR improvement plan for any team(s) that fails to meet the established APR benchmarks in the contemporaneous- and historical-penalty structure. The committee believed this requirement would encourage low-scoring teams and institutions to make improvements in student-athlete academic performance, retention and graduation. The committee identified specific guidelines requiring institutions to: (1) Address athletics and institutional cultural changes needed to support better student-athlete academic performance, retention and graduation; (2) Specify appropriate, progressive goals for improvement; and (3) Outline active engagement of academic support services. The guidelines also require involvement of the head coaches and appropriate approval of the plan by executive-level institutional authorities.

In January 2007, the committee continued its review of the APR improvement plans and confirmed that these plans need to address the areas of: admissions, retention, academic support and graduation. Finally, at its April 2007 meeting, the committee amended its policies to require teams with an APR below 900 to submit their APR improvement plans to the NCAA national office. In addition to submitting its APR improvement plans, each institution must submit copies of all previous APR improvement plans, progress reports of those plans and any intended plans amendments.

As part of an institution's request for relief from a contemporaneous and/or historical penalty, it will be required to submit the applicable team's APR improvement plans. Additionally, the institution will have to provide evidence of the plan's implementation, effectiveness in addressing current issues, evaluation and revision of the plans, and specific APR goals for the team(s). APR improvement plans will also be collected and evaluated through data reviews, athletics certification and Supplemental Support Fund applications.

**Step One: Identify APR Improvement Plan Development Team.**

The committee requires broad-based campus participating in the APR improvement planning process. Institutions should establish a team that will be responsible for development, assessment, evaluation and submission (as appropriate based on the requirements) of the institutions APR improvement plans. Planning teams should include representatives from both in and outside of the athletics department including, but not limited to some of the following individuals:

1. Faculty athletic representative.

2. Director of the academic support program.

3. Compliance director.

4. Head coach.

5. Academic administrator.

6. Athletics administrator.

7. Faculty athletics council member.

8. Admissions officer.

9. Financial aid administrator.

10. Enrollment management administrator.

11. Campus academic advisor.

Planning teams should identify a primary contact responsible for electronically submitting the plan to the national office by the established deadline.

**Step Two: Data analysis.**

Institutions should complete and submit a data analysis to identify the specific issues impacting the team's APR. Factors that could be reviewed in this analysis include:

1. Overall APR.

    a. The team's percentile rank compared against:

(1) All other NCAA Division I teams.

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

(3) The institution's teams.

b. Multi-year APR trends.

2. Eligibility.

a. Academic profile of student-athletes losing "E" points.

b. Multi-year APR trends.

c. Team's eligibility APR compared against the institution's teams.

3. Retention.

a. Academic profile of student-athletes losing "R" points.

b. Multi-year APR trends.

c. Team's retention APR compared against the institution's teams.

d. Point of departure.

e. Athletics profile of student-athletes not retained.

f. Qualitative analysis of reasons for departure (e.g., exit interview result, team culture survey results).

4. Analysis of any 0/2's.

a. Academic standing prior to term that was 0/2.

b. Seasons of competition used.

c. Engagement of student-athlete during the 0/2 term.

d. Athletics standing prior to term that was 0/2.

5. Entering academic profile of the team members.

6. Team academic record, including term-by- term grade-point averages and term-by-term hours earned.

7. Mitigating factors that affect the team's APR (e.g., coaching change). Demonstrate a clear connection between the mitigating factor and the impact on the team's APR.

**Step Three.**

Summarize observations, draw conclusions of data analysis and identify primary issues/areas needing improvement. Describe specific events or mitigating circumstances that impacted the team's APR.

**Step Four.**

The committee has identified a list of program areas that impact academic performance, retention and graduation of student-athletes. Those areas can be grouped into three categories: pre-enrollment, enrollment and graduation/post enrollment.

Review the program areas that your institution has identified as connected to your areas needing improvement. The committee does not require that all program areas are reviewed.

Additional program areas for review can also be included in the plan.

**Pre-Enrollment.**

1. Recruitment of prospective student-athletes.

    a. Policies and procedures: Include individuals involved and their specific responsibilities.

    b. Areas of evaluation (e.g., athletics, academic, character).

2. Evaluation of academic readiness of prospective student-athletes and assessment to determine individual and collective academic support needs.

3. Special admissions policies and procedures.

4. Admission of prospective student-athletes.

**Enrollment.**

1. Academic support.

    a. **Academic Advising:** Course selection, class scheduling, degree program assistance and priority registration.

    b. **Defining "At-Risk" Status:** Institutional criteria for determining status.

    c. **Tutoring:** Availability; procedures and criteria for obtaining assistance; assignment, qualifications, training, experience, etc.; compensation, rate of pay, pupil loads, qualifications, experience and other terms and conditions of employment.

    d. **Success Skills**: Study skills, note and test taking, writing and grammar skills and time-management skills.

    e. **Study Hall:** Availability, facilities and policy for mandatory attendance.

    f. **Freshman/Transfer Orientation:** Availability and attendance requirements.

    g. **Academic Progress Monitoring and Reporting:** Individual's responsibility, frequency, procedures for periodic grade and attendance checks.

    h. **Assistance for Special Academic Needs:** Provisions for diagnosis and treatment of learning disabilities.

    i. **Learning Assessments:** Provisions for testing and evaluation (e.g., placement testing).

    j. **Mentoring:** Availability of mentors, identification and assignment methods and frequency of interaction.

    k. **Assistance for At-Risk Students:** Availability including institutional-wide assistance.

    l. **Assistance For Students Who Have Exhausted Eligibility:** Availability of support services and frequency of interaction.

2. Missed class time.

    a. Policies to minimize conflicts with class time and/or final examination periods.

b. Academic support for student-athletes missing class/support services due to athletics participation.

c. Monitoring missed class time.

d. Scheduling of practice, travel, athletics activities, pre/post game activities (e.g., pregame, field preparation) and voluntary workouts

3. Student-athlete development.

a. Career planning programming.

b. Programming addressing life skills.

4. Retention.

a. Coaching/administrative changes.

b. Scholarship management/personnel management.

c. Counseling/support services.

d. Administrative practices when student-athletes request transfer release.

e. Professional departures.

**Graduation/Post-Enrollment.**

1. Post-eligibility programs: Availability of scholarships, assistantships and academic support.

2. Monitoring progress toward graduation.

3. Programs for student-athletes leaving the institution to pursue professional athletics careers.

**Step Five: Development of APR Improvement Plan.**

APR Improvement Plans must meet the following requirements:

1. Broad-based campus participation: The plan must be developed with opportunities for significant input from appropriate constituency groups inside and outside of athletics.

2. Issues/problems: The plan must include identification of challenges, issues or problems confronting the team in its pursuit of improved student-athlete academic performance.

3. Measurable goals: The plan must include the measurable goals the institution intends to achieve to improve the APR/Graduation Success Rate (GSR) of the team.

4. Steps to achieve the goals: The plan must outline specific steps the institution will take to achieve the goals and address the identified issues/problems.

5. Timetable(s): The plan must include unambiguous timetables for completing each step of the work.

6. Individuals/offices responsible for carrying out the specific actions: The plan must designate individuals and/or offices responsible for carrying out the actions identified by the institution.

7. Institutional approval: The plan must be formally adopted by the institution's final authority in such matters to ensure that it carries the commitment and support of the entire institution. If funding is needed for plan implementation, approval of the plan by the appropriate institutional authority signifies the institution's commitment to fund the plan. Further, such approval implies continued institutional implementation of the plan in the event of personnel turnover and/or executive leadership changes. Finally, the plan should be reviewed and approved by three of the following individuals: chancellor/president; provost, director of athletics; faculty athletics representative; head coach, compliance director, and/or director of academic support. At least one of these individuals must report outside of the athletics department.

8. Stand alone and in writing: The plan shall be committed to paper and be a stand-alone document.

9. Ongoing evaluation: The plan must be evaluated for effectiveness at least bi-annually and revised appropriately.

**Step Six: Establish Specific Target APR Goals.**

Institutions are required to develop specific APR goals as part of their APR Improvement Plan. Additionally, for any team with an APR less than 900 and as part of any request for relief from a contemporaneous and/or historical penalty, an institution will need to provide single-year APR goals (i.e., overall APR, eligibility and retention) for the immediate year and for each subsequent year until the team's multi-year APR has improved to 925.

The goals established should be reasonable for the team to achieve, and must demonstrate that the team's APR will improve to 925 within a reasonable period of time given the team's current

APR, characteristics of the institution and available resources. Additionally, the goals must demonstrate improvement in the areas of noted deficiencies. For example if a team's eligibility rate is above 925, but its retention rate is 825, the team's APR goal must demonstrate an improvement to the team's retention APR, as well as an improved overall APR.

It is important to note that the goals provided as part of an APR Improvement Plan may be used to establish the conditions a team must satisfy as part of a conditionally approved waiver of a contemporaneous and/or historical penalty.

**Implementation, Progress and Changes.**

Any team with an APR below 900 will be required to submit its APR Improvement Plan to the national office. In addition to the plan, the institution must submit the following:

1. All previous APR Improvement Plans;

2. Progress reports of previous improvement plans;

3. Information regarding any intended amendments to the plan;

4. Outline of process for evaluation/assessment of APR Improvement Plan;

5. Identification of individuals involved in broad-based assessment and plan development; and

6. Identification of a primary contact.

Institutions are expected to continually evaluate a team's APR improvement plan to ensure the plan addresses the current academic performance of the team.

## Multi-Year Team APR Analysis

| | | | ----------Points Earned---------- | | | | |
|---|---|---|---|---|---|---|---|
| **Academic Year** | **Academic Year APR** | **Multi-Year APR** | **Eligibility** | **Retention** | **Total Points Earned** | **Delayed Graduation Points Earned** | **Total Points Possible** |
| 2003-04 | 896 | 896 | 22 | 21 | 43 | 0 | 48 |
| 2004-05 | 935 | 915 | 23 | 20 | 43 | 0 | 46 |
| 2005-06 | 960 | 931 | 25 | 23 | 48 | 0 | 50 |
| | | | 70 | 64 | 134 | 0 | 144 |

**ATTACHMENT NO. 2**
**ATTACHMENT A**

SAMPLE

## Semester School Summary of Points Lost

| SPORT | NAME | Eligible for Next Semester(1pt) | Retained for Next Semester (1pt) | Points Earned | Points Possible (2pts) | Semester/Year | COMMENTS | HS GPA | Trans GPA | Trans Hrs | Trans Hrs. Toward Degree | Test Score | Entering Major | TGPA | Sem Pts. Lost GPA | THP | # of Sem Enr | Major |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 1 | 0 | 1 | 2 | F04 | Transferred/ Left in Good Standing | 4.00 | - | - | - | 990 | Undecided | 3.867 | 3.867 | 16 | 1 | Undecided |
| | | 0 | 0 | 0 | 2 | SP04 | Not Academically Eligible - Did not return | 3.13 | 2.72 | 34 | 34 | 910 | Communications | 1.780 | 1.400 | 51 | 4 | Communications |
| | | 1 | 0 | 1 | 2 | SP04 | Transferred/ Left in Good Standing | Intl. | | | | 950 | Sports Man. | 3.086 | 3.231 | 27 | 2 | Sports Man. |
| | | 0 | 0 | 0 | 2 | SP04 | Withdrew from the university | 2.84 | | | | 1100 | Communications | 2.114 | W | 71 | 5 | Communications |
| | | 1 | 0 | 1 | 2 | SP05 | Transferred/ Left in Good Standing | 3.38 | - | - | - | 1060 | Biological Sc. | 2.360 | 2.100 | 28 | 2 | Biological Sc. |
| | | 1 | 0 | 1 | 2 | S05 | Transferred/ Left in Good Standing | 3.58 | | | | 1140 | Business | 3.340 | 3.220 | 54 | 4 | Business |
| | | 1 | 0 | 1 | 2 | S06 | Transferred/ Left in Good Standing | 2.42 | | | | 1000 | Undecided | 2.115 | 2.214 | 29 | 2 | Undecided |
| | | 1 | 0 | 1 | 2 | S06 | Transferred/ Left in Good Standing | 4.15 | | | | 1340 | Business | 3.778 | 4.000 | 41 | 2 | Business |

**Team Academic Profile:**

| | |
|---|---|
| 2003-2004 Team GPA: | 3.22 |
| 2004-2005 Team GPA: | 3.1 |
| 2005-2006 Team GPA: | 3.23 |
| 2003-2004 Ave Hr. Earned: | 27 |
| 2004-2005 Ave Hr. Earned: | 28 |
| 2005-2006 Ave Hr. Earned: | 28 |

**OTHER:**

* New Head Coach hired in Spring 2005

**Key:**
HS GPA – High school grade-point average.
Trans GPA – Transfer grade-point average of incoming transfer student-athletes.
Trans Hrs – Transfer hours of incoming transfer student-athletes.
Trans Hrs. Toward Degree– Degree applicable transfer hours of incoming transfer student-athletes.
Test Score – SAT or ACT score.
Entering Major – Major of student-athlete on enrollment.
TGPA – Cumulative grade-point average at the conclusion of the term student-athlete lost point(s).
Sem Pts. Lost GPA – Term grade-point average in the term where student-athlete lost point(s).
THP – Total hours passed.
# of Sem Enr. – Number of full-time semesters enrolled by the student-athlete.

**APR Points Lost**
**2003-2006 Institutional Summary**
*** Number reflects the number of students; not the points lost.**

48 – Transferred.

18 – Suspended (4 walked away in final season of eligibility).

10 – Did not pass six hours (2 walked away in final season of eligibility).

6 – Did not meet NCAA grade-point average requirements.

4 – Disciplinary issues; removed from the team.

14 – Went professional (adjustments approved – 1/1).

2 – Working on completing graduation requirements (late grade change/paperwork).

2 – Did not graduate in five years.

2 – Withdrew from the university (0/2).

1 – Withdrew mid-semester; transferred.

**APR Points Lost**
**2003-2006 Team Summary**
*** Number reflects the number of students; not the points lost.**

6 – Transferred/left in good academic standing.

1 – Not academically eligibility/did not return (0/2).

1 – Withdrew from the university (0/2).

**ATTACHMENT NO. 4**
**ATTACHMENT A**

# SAMPLE APR IMPROVEMENT PLAN

| Elements | | | | | Steps | | | |
|---|---|---|---|---|---|---|---|---|
| **Program Area** | **Issue(s).** | **Measurable Goals.** | **Steps to Achieve Goal.** | **Specific Target APR Goals (not required for teams <900).** | **Individuals Responsible for Implementation.** | **Specific Timetable for Completing the Work.** | **Met Goal. Did not meet goal. If not, what reason?** | **What adjustments/revisions occurred as result of plan evaluation?** |
| Pre-Enrollment | Institution special admits 30 percent more student-athletes than the general student body. | Review the special admit policy; specifically, determine whether the minimum threshold for granting special admits should be changed. | Assign admissions office and athletics department to review standards and policies annually and modify as needed.<br><br>Determine the discrepancy regarding the larger number of special admit student-athletes.<br><br>Determine whether institutional/ academic support programs are sufficient to support this proportion of special admits | | Director of admissions and director of athletics. | Three-year plan (2005-08).<br><br>Annually monitor and review the special admit program. | | |
| Enrollment | Large number of students transferring to other institutions. Current retention APR is 885 | Reduce the number of students transferring and improve overall APR to 925.<br><br>Increase single year retention score to >920. | 2006-2007 Require all students requesting release to meet with sport administrator and have exit interview. Coach not allowed to grant release until meeting has occurred.<br><br>Review exit interviews and identify any areas requiring attention, take appropriate action. | 2006-07 895 Retention.<br><br>2007-2008 910 Retention.<br><br>2008-2009 920 Retention. | Senior associate athletics director for internal affairs.<br><br>Head Coach.<br><br>Faculty Athletics Representative. | Beginning in Fall 2006.<br><br>Annually monitor the process. | | |

## SAMPLE APR IMPROVEMENT PLAN

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Enrollment | High number of 0/2's. | Increase eligibility APR and decrease the number of 0/2's. | Prior to the fall semester identify student-athletes who may be considering professional departure. Work with student-athletes to develop academic plan and establish expectations. Reevaluate academic plan after fall semester and the season.<br><br>Develop programming to have former college players currently playing professionally to speak to student athletes about importance of using all resources while enrolled, seeking sound advice about professional departure, and share personal stories. | Eligibility APR of 935. | Head Coach, Director of Academic Support, Sport Administrator.<br><br>Life Skills Coordinator, Head Coach. | Fall 2007.<br><br>Spring 2008. | | |
| Enrollment | "Walk aways" by student-athletes pursuing professional opportunities. | Reduce the number of 0/2's in baseball, men's basketball and football due to student-athletes "walking away" while pursuing professional opportunities. | Identify student-athletes who may be pursuing professional opportunities.<br><br>Establish meeting between student-athlete, coach, sport administrator and academic support staff to review expectations and academic plan. | | Head Coach.<br><br>Director of Academic Support Unit.<br><br>Sport Administrator. | Immediately. | | |
| Pre-Enrollment | Number of transfer student-athletes not meeting eligibility requirements. | Reduce the number of transfer student-athletes not meeting eligibility requirements. | Evaluate the incoming profile of transfer student-athletes.<br><br>Determine if a more rigorous review process needs to be implemented to determine ability of student-athlete to be successful at institution | | Director of admissions.<br><br>Associate athletics director.<br><br>Director of Academic Support Unit. | 2005-2006 Review the profile of transfer student athletes who did not meet eligibility requirements. Note any trends and make suggestions for revision of review process if necessary. | | |

**ATTACHMENT B**

**NCAA Division I Committee on Academic Performance**
**Academic Performance Program Penalty Waiver Directive**
**NCAA Bylaws 15.5.7, 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 925, that team becomes subject to penalties if any student-athlete on that team is not retained and does not earn academic eligibility. This penalty, known as a "contemporaneous penalty," is a financial aid restriction that is meant to be a catalyst for change for teams that are underperforming academically. Contemporaneous penalties provide immediate support to the behavioral shift that will be necessary to assist student-athletes in meeting progress-toward-degree requirements leading to graduation.

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

Waivers for both contemporaneous and historical penalties are provided for in NCAA Bylaws 15.5.7.3, 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 APP penalty waiver requests.

## 2. Guiding Principles.

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

Therefore, the review of waiver requests shall consider all student-athletes included in the team's 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 APP penalties.

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

c. Institutions seeking a waiver of APP penalties must present evidence of compelling mitigating circumstances along with a reasonable expectation that the team's academic performance will improve and the team will achieve an APR of 925 or higher in a reasonable period of time.

**3. Squad-Size Adjustment.**

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

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

**4. Use of Conditional Approvals.**

APP penalty waivers may receive "conditional" approval. A waiver that is conditionally approved does not "forgive" the team's penalty unless the team satisfies the stated condition(s). These conditions may include, but are not limited to, 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 APP penalty being applied to the team. The institution must impose the applicable penalty within the prescribed period of time.

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

**5. 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 NCAA Division I teams.

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

(3) The institution's teams.

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

(1) All other Division I teams.

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

(3) The institution's teams.

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

(1) All other Division I teams.

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

(3) The institution's teams.

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

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

g. History of contemporaneous and/or historical penalties.

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

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

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

k. 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: Nonretained Ineligible Student-Athletes for Contemporaneous Penalties.**

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

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

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

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

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

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

f. Academic progress in term of departure; and

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

**8. Mitigating Circumstances to be Considered.**

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

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

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

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

b. Institutional lack of understanding regarding the APP; or

c. Failure to develop and 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 or graduation point. If the institution received relief for those circumstances by way of an APR adjustment, the same circumstance may not be considered in the review of the APP penalty waiver for that student-athlete.

**9. Institutional Characteristics.**

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

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

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

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

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

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

b. Compare differences between the team's expected Federal Graduation Rate based on the multi-year APR and the institution's student-body projected Federal Graduation Rate as determined by characteristics of the applicant institution. Comparing a team's performance to an institution's projected (rather than actual) Federal Graduation Rate takes into account the possibility that an institution may be outperforming institutions with similar characteristics in a manner not assessed by the review outlined in 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 team's expected Federal Graduation Rate, 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 Federal Graduation Rate based on various characteristics of the institution. This rate will be determined by a series of statistical models that will include a list of variables from the following categories that have shown to be the most predictive of an institution's Federal Graduation Rate:

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

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

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

Based on information supplied by the institution, the list of variables employed by the staff/subcommittee can be changed to

match the variables the institution believes best defines its institutional characteristics.

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

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

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

(1) Per capita educational expenses;

(2) Per capita athletics department operating expenditures; and

(3) Average Pell Grant among all students.

**10. Automatic Waivers of Contemporaneous Penalties.**

a. Institutional Characteristics. Teams with an expected Federal Graduation Rate based on its multi-year APR that is at least 10 percentage points higher than the institution's student-body Federal Graduation Rate, will receive an automatic waiver of contemporaneous penalties.

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

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

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

a. Team APR Improvement.

(1) Occasion-One Historical Penalty. A waiver for a team(s) subject to an Occasion-One Historical Penalty that meets the improvement factor 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 improvement are fulfilling the goal of the APP and should be provided the opportunity to continue to improve without having to impose a historical penalty.

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

b. By-Sport Comparison. A waiver for a team(s) that compares favorably in the by-sport comparison but fails to meet the improvement factor will be reviewed in accordance with this directive and are expected to demonstrate that relief is warranted (e.g., mitigating circumstances).

c. Institutional Characteristics. A waiver for a team(s) that demonstrates that the team(s) is out performing its general student-body but fails to meet the improvement factor will generally be reviewed based on the following: level of APR improvement, level of institutional resources as defined in Section 9, the institution's APR improvement plan and any other relevant factor(s).

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

## 12. Contemporaneous Penalty Tiered System of Review

The staff/subcommittee shall consider contemporaneous-penalty waiver requests using a "tiered" approach. The goal of this approach is to encourage improved academic performance of teams. Generally, low performing teams seeking waivers of

contemporaneous penalties are expected to improve the team's multi-year APR above 925 in a reasonable period of time.

Tier No. 1 (APR below 925 to 900): Appeals of contemporaneous penalties in this range are generally conditionally approved without significant review of the mitigating circumstances. A team in this range is expected to improve its APR with the goal of achieving a 925 multi-year APR within a reasonable period of time.

Tier No. 2 (APR below 900): Waivers of contemporaneous penalties are only granted when the institution presents evidence of compelling mitigating circumstances and demonstrates that the team will achieve a multi-year APR of 925 within a reasonable period of time.

**13. APR Improvement Plans.**

APR improvement plans are meant to encourage a team with an APR below 925 to make immediate improvement in student-athlete academic performance. Institutions seeking relief from an APP penalty are expected to demonstrate that the team's academic performance will improve and will achieve an APR of 925 in a reasonable period of time. Therefore, APR improvement plans will be reviewed as follows:

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

(1) Identify all steps the institution has taken toward completion of the previous APR improvement plan and progress toward ultimate completion of the measurable goals.

(2) 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.

(3) Identify any new issues that confront the team(s) and develop measurable goals and steps the institution intends to take that will lead to improvement of a team's academic deficiencies that have made them subject to an APP penalty.

(4) Identify specific APR goals for the team(s) for the current academic year.

b. Institutions requesting an APP penalty waiver for a team that does not have an APR improvement plan will be required to develop an APR improvement plan. If an institution was required to develop an APR improvement for a team, but failed to develop a plan or implement the plan it developed, the staff/subcommittee will consider this in evaluating whether the team can be expected to improve its academic performance and achieve an APR of 925 within a reasonable period of time. Institutions shall address the following for each waiver request:

(1) Identify challenges, issues or problems that confront each team subject to APP penalties in its pursuit of improved academic achievement.

(2) Identify measurable goals and define specific steps the institution intends to take that will lead to improvement of a team's academic deficiencies that have made the team subject to an APP penalty.

(3) Identify specific APR goals for the team(s) for the current academic year.

**Delays of Occasion-Two Historical Penalties**

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

**Delays of Contemporaneous Penalties**

**1. Standard for Review.**

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

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

b. Identification of the current student-athletes with remaining eligibility whose countable financial aid is expected to be renewed for the next academic year; and

c. The countable financial aid equivalencies for prospective student-athletes who signed a valid National Letter of Intent (NLI) and/or financial aid agreement prior to the institution receiving notice of its APP financial aid penalties.

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

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

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

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

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

Approvals will generally be based on the following conditions:

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

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

c. If any current student-athlete departs the institution prior to the next academic year or if any prospective student-athlete does not enroll or is not eligible for institutional financial aid based on athletics ability (i.e., is a nonqualifier), the

team must impose part or all of the APP financial aid penalty based on the equivalency amount and/or the number of counters that become available.

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

Deliberations and Decisions

The subcommittee will receive and review the penalty notice, appeal application (including supporting documents), staff decision and rationale and team APP data.

The subcommittee may conduct its deliberations by facsimile, teleconference, e-mail, Internet or in-person meeting. Such deliberations shall include only subcommittee members and NCAA staff members supporting the work of the committee.

A simple majority of the subcommittee members present and voting is necessary for a decision. The chair, or person serving as chair on a particular appeal, shall not vote unless there is a tie vote among present and voting members. In situations where there is a tie vote, the chair shall cast the deciding vote.

Written confirmation of the decision must be provided by the subcommittee to the institution within 21-calendar days of the decision.

## OCCASION-TWO PENALTIES (BYLAW 23.2.1.2.2-FINANCIAL AID, PLAYING AND PRACTICE SEASONS AND/OR RECRUITING)

*A member institution that seeks to delay or waive an Occasion-Two penalty shall submit an online waiver application to the national office only after it has received electronic notification indicating that one or more of its teams are subject to Occasion-Two historical penalties.*

Application Procedures

All Occasion-Two waivers must be submitted electronically to the NCAA national office via the LSDB*i* portal. Waivers must be submitted within 14-calendar days of the institution entering the penalty waiver period. The online waiver application program will produce a signature page that must be signed by the institution's chancellor or president.

The waiver must set forth the reasons the institution believes that application of Bylaw 23.2.1.2.2 should be waived. The waiver must identify all team penalties the institution wishes to waive. The waiver will be considered a single case and will not be complete until each team penalty is addressed.

The institution may include additional information and supporting documentation relevant to its request.

The reviewing body may request additional pertinent information before a decision is rendered.

**ATTACHMENT D**

# NCAA Division I Academic Progress Rate Adjustment Directive

## Background

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

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

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

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

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

## Guiding Principles

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

## Circumstances Warranting an Adjustment of the E or R Point

In general, a student-athlete who leaves an institution at the end of a term and has not graduated will be a "1 for 2" (1/2) or a "0 for 2" (0/2) depending on whether he or she earns the E point. Adjustments will be granted only if stated conditions described below are met.

1. A student-athlete who did not complete a regular academic term due to circumstances outside of his or her control (e.g., student-athlete suffers from a serious medical condition

early in the academic term), failed to earn an E point and was not retained based on one of the accepted reasons for departure listed below will be considered a 0/0. [Please note that a student-athlete who failed to return to the institution because of his or her participation in professional athletics as a vocation MUST earn the E point in order to recoup the lost retention point and be considered a "1 for 1" (1/1).]

a. Situations clearly supported by contemporaneous-medical documentation, which states that a student-athlete is unable to remain at or return to the institution as a result of incapacitating physical or mental circumstances.

b. The student-athlete is unable to attend an intercollegiate institution full time as a result of a life-threatening or incapacitating injury or illness suffered by a member of the student-athlete's immediate family, which is clearly supported by contemporaneous-medical documentation.

c. Natural disasters (e.g., earthquakes, floods).

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

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

f. Participation in the following Olympic or international competition:

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

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

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

g. Other unforeseen events and/or circumstances beyond the student-athlete's and/or institution's control.

2. A student-athlete who completed a regular academic term as a full-time student-athlete may receive an adjustment to a lost E point. If one of the reasons listed below applies, the E point will not be granted or denied, but will be removed from both the numerator and the denominator.

   a. The student-athlete is rendered academically ineligible and the institution is not able to submit a progress-toward-degree waiver (e.g., transfer, withdrawal).

   b. Situations clearly supported by contemporaneous-medical documentation, which states that a student-athlete is unable to successfully complete the academic term as a result of incapacitating physical or mental circumstances.

   c. The student-athlete is unable to attend an intercollegiate institution full time as a result of a life-threatening or incapacitating injury or illness suffered by a member of the student-athlete's immediate family, which is clearly supported by contemporaneous-medical documentation.

   d. Financial hardship.

   e. Natural disasters (e.g., earthquakes, floods).

   f. Other unforeseen events and/or circumstances beyond the student-athlete's and/or institution's control.

3. Student-athletes who completed a regular academic term as a full-time student-athlete must earn the academic E point for the last regular academic term in which he or she was enrolled in order to have the R point adjusted. If the student-athlete earned the E point, but was not retained as a full-time student-athlete the following term because of one of the reasons listed below, the student-athlete will be considered a 1/1. The R point is not granted or denied; rather, it simply is removed from both the numerator and the denominator.

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

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

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

d. Situations clearly supported by contemporaneous-medical documentation, which states that a student-athlete is unable to remain at or return to the institution as a result of incapacitating physical or mental circumstances.

e. The student-athlete is unable to attend an intercollegiate institution full time as a result of a life-threatening or incapacitating injury or illness suffered by a member of the student-athlete's immediate family, which is clearly supported by contemporaneous-medical documentation.

f. Natural disasters (e.g., earthquakes, floods).

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

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

i. Participation in the following Olympic or international competition:

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

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

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

j. Participation in professional sports as a vocation. Such participation may be demonstrated by the following:

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

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

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

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

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

(1) Signing a contract with an agent;

(2) Signing a commercial endorsement agreement;

(3) Declaring for a professional sports draft; or

(4) Participating in professional sports tryouts.

k. Student-athlete qualifies for the missed-term exception pursuant to NCAA Bylaw 14.4.3.5-(a). The student-athlete must return to the institution as a full-time student in a subsequent term and meet all criteria for the missed term-exception. A student-athlete may only have the retention point adjusted one time during his or her academic career based on this mitigation.

l. Other unforeseen events and/or circumstances beyond the student-athlete's and/or institution's control.

**Circumstances that Do Not Warrant an Adjustment of the Retention Point**

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

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

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

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

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

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

6. Student-athlete departed an institution because his or her team is subject to disciplinary measure (e.g., infractions sanctions, NCAA Division I Academic Performance Program penalties).

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

**Reconsideration**

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

**Staff Authority in APR Adjustment Requests**

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