A G E N D A

National Collegiate Athletic Association

Division I Committee on Academic Performance

Teleconference
Dial-in number: 866-590-5055
Passcode: 2082597
JW Marriott – White River Ballroom J

January 12, 2012
1 – 3:30 p.m. Eastern Time

1. Welcome and announcements. [Supplement No. 1]

2. Review the October 2011 report of the NCAA Division I Committee on Academic Performance. [Supplement No. 2] (Jenn Strawley)

3. Update on October 2011 NCAA Division I Board of Directors meeting. [Supplement No. 3] (Walter Harrison)

4. Review educational materials provided to the membership. [Supplement No. 4] (Jenn Strawley)

5. Review and approve initial eligibility sliding scales/concordance of SAT/ACT based on the technical analysis coordinated by the Data Analysis Research Network (DARN). [Supplement No. 5] (Tom Paskus/Todd Petr)

Anticipated Action Items:

- **Approve sliding scale and concordance tables.**

6. Further vetting and consideration around the issue of the timing for announcing/taking penalties. (John Shukie)

   a. Consider possible changes. [Supplement No. 6]

   b. Feedback from the Colonial Athletic Association. [Supplement No. 7]

7. Review and approve the NCAA Division I Academic Performance Plan penalty waiver directive. [Supplement No. 8 – to be distributed at the meeting] (Katy Yurk)

Anticipated Action Items:

- **Approve APP penalty waiver directive.**

8. Update on changes to the make-up of the Data and Appeals Subcommittees to accommodate APP penalty waiver appeals volume. [Supplement No. 9] (Bill Regan) [Note: In addition to adding Barbara Luebke and Jerry Bovee, it is anticipated one president may be added to this subcommittee.]

9. Update on Historically Black Colleges and University and limited-resourced institution advisory meeting. [Supplement No. 10] (Strawley)

10. Update on NCAA Working Group on Collegeiate Model – Rules. [Supplement No. 11] (Regan)

    a. NCAA Division I Bylaws 14 and 23 and the "academic bylaw" concept.

    b. Review principles.

11. Legislative update. [Supplement No. 12] (Binh Nguyen)

    a. NCAA Division I Proposal No. 2011-65 - year of academic readiness.

    b. Proprosal No. 2011-68 - Big East Conference football proposal.

12. Review future meeting schedule.

    a. February 20, 2012; Indianapolis.

        - February 19 - Travel anytime.

        - February 20 - Full committee meets from 8 a.m. to 5 p.m. (Hearings included.)

Return travel after 6 p.m.

b. April 23-25, 2012; Indianapolis.

- April 22 - Travel anytime.
- April 23 - Full committee meets from 8 a.m. to 5 p.m. (Hearings included.)
- April 24 - Full committee meets from 8 a.m. to 5 p.m. (Hearings included.)
- April 25 - Full committee meets from 8 a.m. to noon. (Hearings included.) Return travel after 2 p.m.

c. July 11-13, 2012; Indianapolis.

- July 11 - Travel anytime.
- July 12 - Full committee meets from 8 a.m. to 5 p.m. (Dinner at 6 p.m.)
- July 13 - Full committee meets from 8 a.m. to noon. Return travel after 2 p.m.

d. October 1-3, 2012; Indianapolis.

- October 1 - Travel anytime.
- October 2 - Full committee meets from 8 a.m. to 5 p.m.
- October 3 - Full committee meets from 8 a.m. to noon. Return travel after 2 p.m.

13. Other business. [Supplement No. 13]

14. Adjournment.

NCAA DIVISION I COMMITTEE ON ACADEMIC PERFORMANCE

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SUPPLEMENT NO. 1

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REPORT OF THE
NCAA DIVISION I COMMITTEE ON ACADEMIC PERFORMANCE
OCTOBER 24-25, 2011, MEETING

***KEY ITEM*.**

- **Comprehensive Package of Academic Proposals.** Charged by the NCAA Division I Board of Directors to provide recommendations setting academic success as a first expectation, the NCAA Division I Committee on Academic Performance, with the help of the NCAA Division I Academic Cabinet, presents the Board of Directors with a package of proposals. The proposals are in three main areas: initial eligibility, two-year college transfer requirements and the NCAA Division I Academic Performance Program (APP) penalty structure. The recommendations emphasize the primacy of academics within Division I and further the embedding of academic success as a first expectation. Attachment A provides some highlights of the recommendations contained in this report.

***ACTION ITEMS*.**

1. Legislative Items.

a. NCAA Division I Proposal No. 2011-69 Eligibility -- Transfer Regulations -- 2-4 and 4-2-4 College Transfers and Proposal No. 2011-70 Eligibility and Committees -- 2-4 and 4-2-4 Transfers -- Waivers -- Progress-Toward-Degree Waivers Committee.

(1) Recommendation. The Committee on Academic Performance recommends the Board of Directors adopt Proposal No. 2011-69 and Proposal No. 2011-70.

(2) Effective Dates. For Proposal No. 2011-69: August 1, 2012; for student-athletes initially enrolling full time in a collegiate institution on or after August 1, 2012. For Proposal No. 2011-70: April 1, 2012.

(3) Rationale. The Academic Cabinet developed the proposals regarding two-year college transfers based on extensive research. Transfer student-athletes from two-year institutions underperform academically at four-year institutions in all academic measures studied by the NCAA [e.g., graduation rates, NCAA Division I Academic Progress Rate (APR), eligibility after initial year in residence, "0/2" rates] compared to transfers from four-year institutions or nontransfers. Additionally, statistical prediction modeling of four-year college outcomes from two-year college academic variables indicated three key predictors of academic success at the four-year institution. The key predictors are: (1) two-year college grade-point average; (2) a low number of physical education activity

courses; and (3) successful completion of core credits in English, math, and natural or physical science. The recommendations put forth in the proposal increase the academic requirements of two-year transfers consistent with the research and are intended to improve the academic success of two-year college transfer student-athletes at the time of enrollment at an NCAA Division I institution.

The focus on the academic preparedness and potential academic success of two-year transfers when transferring to NCAA four-year institutions, requires waiver appeals be heard by an academic governance body with the appropriate expertise to evaluate such waivers. Thus, the second proposal expands the NCAA Division I Progress-Toward-Degree Waiver Committee to consider waivers of two-year college transfer requirements.

(4) Estimated Budget Impact. Minimal in that the current committee only meets by teleconference, not in person.

(5) Student-Athlete Impact. Establishes legislation that data predict will assist two-year college student-athletes in achieving improved academic success at four-year institutions.

b. Initial-Eligibility Standards.

(1) Recommendation. The Committee on Academic Performance, based in large part on the recommendations of the Academic Cabinet, recommends the Board of Directors sponsor legislation in the area of initial eligibility as outlined below thus providing the membership with the opportunity to comment prior to final action from the Board in January or April, 2012:

(a) Require prospective student-athletes meet the current qualifier standard for eligibility for practice during the first regular academic term and receipt of athletically related financial aid during the first year. Second semester (and second and third quarter) eligibility for practice will be based on successful completion of nine semester or eight quarter hours in the first regular academic term of enrollment.

(b) To require prospective student-athletes to meet the following standard in order to compete in the first year of full-time collegiate enrollment:

(i) Obtain a core grade-point average/test score combination that is set at approximately one-half of a standard deviation below the national student body mean. This represents an increase from the current one standard deviation below the national student mean. The new sliding scale requires a high school core grade-point average to be approximately 0.5 grade-point average units higher for a given test score compared to the current qualifier standard (e.g., SAT of 1000 requires a 2.5 high school core grade-point average for competition rather than the current 2.0 grade-point average).

(ii) Obtain a minimum core grade-point average of 2.3 in the 16 core courses currently required.

(iii) Complete successfully 10 core courses *prior to* the seventh semester (or equivalent) of high school. Seven of the 10 core courses must be successfully completed in English, math and natural/physical science. These 10 core courses and grades obtained must be used in the core grade-point average calculation for the purposes of meeting the grade-point average minimum and the sliding scale.

(iv) Expansion of the early academic qualifier program, details of which will be worked out over the next year.

(2) Effective Date. August 1, 2015; for students initially enrolling full time in a college institution on or after August 1, 2015.

(3) Rationale. Based on work done by the Academic Cabinet, these recommendations represent a philosophical shift requiring demonstration of academic success in order for a student-athlete to compete in his or her initial year of enrollment. The standards continue to use high school grades in core academic classes, ACT or SAT score and core course accumulation. However, these components are combined in a more nuanced way (as identified through NCAA research) to identify students at risk of academic difficulties in college and intervene with them in educationally appropriate ways through an academic redshirt year. The new competition standard targets those student-athletes that systematic research has shown to have the most academic difficulties in Division I colleges. Setting a higher standard for competition during the first year of

enrollment allows for identification of student-athletes who are likely to be academically successful to compete during their first year of enrollment. Student-athletes who need more time to acclimate to college life in order to ensure academic success may be provided athletically related financial aid and practice (assuming they meet the standard for practice and financial aid). In addition, academic redshirt student-athletes must demonstrate academic success in the first term of enrollment by passing nine semester or eight quarter hours in order to be eligible for practice in the second academic term.

(4) Estimated Budget Impact. Limited.

(5) Student-Athlete Impact. Establishes legislation that data predict will assist student-athletes in achieving academic success and ultimately graduation from an NCAA Division I institution.

c. Access to Postseason Competition.

(1) Recommendation. The Committee on Academic Performance recommends the Board of Directors adopt the following legislative recommendations regarding to access to postseason competition:

a. To stipulate that all teams must meet the APR benchmark identified within the Committee on Academic Performance policies and procedures to gain access to any postseason competition. This includes NCAA championships, bowl games, National Invitation Tournament, Women's National Invitation Tournament and all other postseason events.

b. To stipulate that in individual sports if a team's multiyear APR falls below the APR benchmark for access to postseason competition no individual from that team may compete in any postseason competition.

(2) Effective Date. Immediate for postseason competition conducted during the 2012-13 academic year and beyond.

(3) Rationale. This recommendation establishes a minimum academic standard necessary to participate in postseason competition. Postseason participation is contingent on minimally acceptable team academic performance. Creating an academic standard needed for access to

postseason furthers the commitment to embedding academic success as a first expectation. Waivers of postseason access will be limited and subject to a very high threshold for approval which includes demonstration of a significant impact on a team's four-year APR.

(4) Estimated Budget Impact. Reduction in revenue for some sports where revenue sharing is applicable based on postseason participation.

(5) Student-Athlete Impact. Student-athletes whose teams do not meet the standards or the APP will not be able to participate in postseason competition.

d. APP Penalty Structure.

(1) Recommendation. The Committee on Academic Performance recommends the Board of Directors adopt changes to the APP penalty structure, as specified in Attachment B. The proposed single-penalty structure will eliminate the current contemporaneous and historical penalties and replace them with a single three-level penalty structure. Level Three penalties will be assessed from a menu of penalties established by the committee. Once a final decision is reached by the committee, Level Three penalties may be appealed by the NCAA Division I Board of Directors Academic Performance Program Historical Penalties Appeals Subcommittee if the appellate threshold as outlined in the committee policies and procedures is met.

(2) Effective Date. Immediate: for penalties assessed during the 2012-13 academic year and beyond.

(3) Rationale. Data demonstrate that underperforming teams and institutions are positively influenced by the presence of some consequences for consistent academic underperformance. However, the primary purpose of the APP is not to penalize teams, but instead to promote academic improvement. Penalties should not only serve as a reason for avoiding academic underperformance, but also through a cumulative and progressive structure, serve as a motivating factor for teams and institutions to improve. The committee believes the new penalty structure will achieve the goals of the APP more effectively.

Specifically, integrating and streamlining the penalty structure will affirm the principle that the APP should be straightforward and understandable,

avoiding the complexities associated with the current two penalty structures. The contemporaneous-penalty structure has fulfilled its initial purpose, which was to bridge the gap between the inception of the APP and when historical penalties would eventually be applicable to teams. Thus, as was originally intended, this recommendation creates a single-penalty structure.

The waiver and appeals process will remain similar to the current historical-penalty structure with an initial NCAA staff review. All teams subject to Level Three penalties will be required to submit self-imposed penalties from the menu and/or other appropriate penalties. The institution's suggested penalties will be evaluated by the staff and will either be accepted or forwarded to the committee for a final penalty determination.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

e. Conference Policy.

(1) Recommendation. The Committee on Academic Performance recommends the Board of Directors adopt legislation that requires conferences to adopt a written policy regarding teams subject to a postseason restriction with respect to the conference's automatic qualification for postseason/championships and revenue distribution.

(2) Effective Date. Immediate: for postseason conducted during the 2012-13 academic year and beyond.

(3) Rationale. This requirement allows conference to develop their own policy and to determine what the best course of action is for their conference. The legislation simply requires that a written policy exist. Written policies are necessary to ensure conferences have discussed and are prepared to handle teams that may be ineligible for postseason competition.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

2. Nonlegislative Items.

- **New APP Penalty Structure, APR Penalty Benchmark and Filter.**

(1) Recommendation. The Committee on Academic Performance recommends the Board approve the following revisions to the committee's policies and procedures:

(a) Amend the APR penalty benchmark from the current multiyear rates of 900 and 925 to a multiyear rate of 930 or above in order to avoid penalties within the new penalty structure and for access to postseason competition. Transition for implementation to 930 benchmark is outlined in (c).

(b) Replace the current filter system used for determining historical penalties with the following filter system:

(i) Resource/Mission Filter: This filter is only available for access to postseason competition and is only available the first time a team falls below the established benchmark. In order to be eligible an institution must be in the bottom 15 percent of resources as defined by the current Committee on Academic Performance policy and the team must have a four-year Graduation Success Rate (GSR) of 50 percent or higher.

(ii) Improvement Filter: This filter is available the second time and beyond a team falls below the penalty benchmark and for Level Two and Level Three penalties only. In order to be eligible for the filter the team must demonstrate meaningful improvement defined as an APR of 950 or higher calculated using the two most recent years of data.

(c) Approve a transition timeline as follows:

Access to championships - Transition

Championship/Postseason Competition Year	Multiyear APR to Avoid Ineligibility for Postseason	Two Most Recent Years Average APR to Avoid Ineligibility for Postseason
2011-12	Status Quo – current penalty structure and benchmarks apply.	N/A
2012-13	Four-Year APR of 900 or higher OR	Two most recent years average at or above 930
2013-14	Four-Year APR of 900 or higher OR	Two most recent years average at or above 930
2014-15	Four-Year APR of 930 or higher OR	Two most recent years average at or above 940
2015-16 and beyond	Four-Year APR of 930 *Improvement Filter applies the second time and beyond a team is subject to postseason ineligibility. This filter requires two most recent years average at or above 950 APR.	N/A

*Note: Mission filter applies only the first time a team is subject to postseason ineligibility.

Level One, Two and Three Penalties - Transition

Championship/Postseason Competition Year	Multiyear APR to Avoid Ineligibility Level One, Two, Three Penalties	Improvement Filter
2011-12	Status Quo.	Status Quo.
2012-13	Four-Year APR of 900 or higher OR	Level One = None. Levels Two and Three = Two most recent years APR average of 950 or higher.
2013-14	Four-Year APR of 900 or higher OR	Level One = None. Levels Two and Three = Two most recent years APR average of 950 or higher.
2014-15 and beyond	Four-Year APR of 930 or higher OR	Level One = None. Levels Two and Three = Two most recent years APR average of 950 or higher.

(d) Teams Transitioning within the Penalty Structure. Teams will be reset to Level One of new penalty structure, except for those teams that have already been subject to Occasion-Two Historical Penalties. Teams that have been subject to Occasion-Two Historical Penalties will continue to move through the penalty structure (i.e., to Level Three penalties if they do not experience three "clean" years). Teams that are subject to the new penalty structure based on submission of 2010-11 data and that have

already been subject to Occasion-Two Historical Penalties would immediately be subject to the Level Three menu of penalties, and possible in-person hearings in spring 2012.

(e) Amend the APP policy consistent with the penalties identified for each of the three levels noted in Attachment B.

(2) Effective Date. Immediate for postseason competition conducted during the 2012-13 academic year and beyond and penalties applied during the 2012-13 academic year and beyond.

(3) Rationale. Based on a comprehensive review of the Academic Performance Program, the committee recommends these changes to enhance the Academic Performance Program. The Board has continued to emphasize the importance of the APR penalty benchmark equating to an approximate minimum GSR of 50 percent. It is estimated an APR of 930 equates to just above an approximate 50 percent GSR.

Further, the committee noted that for the first time a team falls below the penalty benchmark, limited filter and/or waivers would be available. The mission filter provides a limited exception for low-resourced teams that have shown historical success with graduation. The filter is available only one time and only for access to championships. This filter is intended to give low-resourced institutions more time to meet the benchmark provided they have demonstrated past graduation success.

The primary purpose of the APP is not to penalize teams, but instead to promote academic improvement. The improvement filter exempts from Level Two and Level Three penalties and postseason competition ineligibility in the second year and beyond teams that have demonstrated meaningful improvement while not yet achieving a four-year APR of 930 or above.

The transition timeline outlined provides for a fair transition to the new penalty structure and the access to championship component. The transition timeline allows for teams above 900 (the current APR penalty benchmark) to avoid penalties and remain eligible for postseason competition. The transition timeline also provided another avenue for teams to avoid ineligibility for championships by having an average APR for the last two years above a higher threshold. The timeline recognizes the need to provide adequate notice to teams regarding the increased

benchmark, while still holding teams accountable for past academic deficiencies and APRs below 900.

The penalty structure and access to championships continues existing APP policies related to three clean years and individual eligibility for championships. Specifically, teams will reset back to Occasion/Level One only after three years in which no penalties are assessed and teams that are ineligible for postseason competition also results in individual student-athletes from those teams being ineligible for any postseason events.

Finally, the penalties associated with the new three-level penalty structure identified in Attachment B, are cumulative and progressive and represent penalties intended to help institutions move toward meeting the 930 benchmark. The menu of penalties established at level three provides the committee with a variety of penalties that may be assessed base on the unique circumstances of a team's situation. The committee notes that financial aid penalties were removed at the earliest levels of the penalty structure. The committee may revisit this recommendation based on outcomes from other presidential retreat working groups. In addition, Level Two currently contains a variety of nonchampionship season penalties. If the concept of reducing or eliminating the nonchampionship season progresses, the committee will revisit these penalties.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

- **Formation of a Historically Black Colleges and University Advisory Group.**

(1) Recommendation. The Committee on Academic Performance recommends the Board of Directors form a Historically Black Colleges and Universities (HBCU) Advisory Group to assist on issues that impact HBCU institutions. Specifically, this group would serve in an advisory capacity to the Committee on Academic Performance on policy-related issues. A member of the group would serve as an ad hoc member of the Committee on Academic Performance if no committee member is on the advisory group.

(2) Effective Date. Immediate.

(3) Rationale. An in-depth examination of APR trends indicates that a higher proportion of HBCU teams are subject to APP penalties. The NCAA staff has begun several initiatives to assist HBCU institutions and to provide additional services to meet the NCAA and the institution's objectives. The formation of this advisory group would represent a collaborative and proactive effort between HBCU institutions and the NCAA to serve as a conduit to communicate issues and concerns that may impact HBCUs collectively within the Academic Performance Program. HBCU institutions have played an important role in helping shape the traditions and public impression of the NCAA. Therefore, it is of utmost importance to find ways to assist HBCUs as members of Division I.

(4) Estimated Budget Impact. Costs of meetings for advisory group. Travel costs for staff to attend advisory group meetings and travel costs for ad hoc member to attend the Committee on Academic Performance meetings.

(5) Student-Athlete Impact. None.

INFORMATIONAL ITEMS.

1. **Timing of Announcement of Postseason Access and Penalties.** The committee recommends continuation of the current data collection and penalty announcement process. Under this timeline, data are submitted each fall, waivers and appeals are conducted in the winter and spring and the announcement will be made after the last postseason event each year. Ineligibility for postseason competition and any penalties assessed will be taken in the next academic year (e.g., data years for eligibility for postseason in 2012-13 will be 2007-08, 2008-09, 2009-10 and 2010-11).

   The Committee on Academic Performance will continue to study the feasibility of a more rapid collection and turnaround of data to expedite the timing of the announcement of APRs.

2. **Review of NCAA Proposals in the 2011-12 Legislative Cycle.** The committee reviewed the following proposals in the current legislative cycle and provided its position as follows:

   - **Proposal No. 2011-65 – Two-Year Transfers - Academic Year of Readiness –** The committee recommends Proposal No. 2011-65 continue in legislative cycle, which could result in Board approval in January or April 2012. Although the

committee is generally supportive of the academic year of readiness, the committee believes further membership discussion is useful.

- **Proposal No. 2011-68 -- Eligibility -- Progress-Toward-Degree Requirements -- Eligibility for Competition -- Fulfillment of Credit-Hour Requirements -- Additional Requirements -- Football -- Exception -- Team Academic Progress Rate.** The committee opposes Proposal No. 2011-68, which would specify that in football, a student-athlete shall not be subject to the eligibility penalty for failure to successfully complete at least nine-semester hours or eight-quarter hours during the fall term and earn the APR eligibility point for the fall term, provided the institution's APR for football is 965 or higher as of the first day of classes of the fall term in which the penalty would otherwise apply. The committee noted the importance of maintaining a reasonable standard for ineligibility as a means to facilitate behavior change for individual student-athletes during the fall term in football. The committee also continues to support the work of the NCAA Division I Football Academic Working Group and noted the original concept derived from this group's work was recently adopted and has yet to be implemented fully. The committee noted that it would be prudent to see the impact of the adopted legislation prior to changing it.

3. **Annual Release of GSR and Federal Graduation Rate Information.** Release of the GSR and Federal Graduation Rate data for the 2001-04 cohort for all NCAA Division I institutions occurred Tuesday, October 25, 2011. This year's results indicate Division I student-athletes continue to perform well in the classroom. The single-year GSR for student-athletes who began college in 2004 is 82 percent, a new high for the NCAA, and three points higher than last year's data. The GSR for the last four graduating classes (2001-2004) is 80 percent as well, a new high for Division I athletics and one point higher than the last four-year average.

4. **Historically Black Colleges and Universities Summit.** During a meeting with a number of chancellors and presidents from Historically Black Colleges and Universities in Washington D.C., three main issues were discussed. These issues included an update on the proposed changes to the APP penalty structure; discussion regarding the funding and use of the NCAA Division I Academic Performance Program Supplemental Support Fund; and the creation of an advisory group to the Committee on Academic Performance made up of chancellors, presidents, faculty athletics representatives and others.

5. **APP Guides and Policy Documents.** The committee supported the concept of consolidating the Committee on Academic Performance Policies and Procedures, APP Penalty Guide, APP Data Collection Guide, and various other directives and policies into one document. Consolidation will allow the membership to locate APP-related

information in one document and will eliminate duplicative information. It is anticipated that a final document will be provided to the committee for its approval in spring 2012.

Committee Chair: Walter Harrison, University of Hartford, America East Conference
Staff Liaisons: Diane Dickman, Academic and Membership Affairs
Kevin Lennon, Academic and Membership Affairs
Todd Petr, Research
Bill Regan, Academic and Membership Affairs
John Shukie, Academic and Membership Affairs
Jennifer Strawley, Academic and Membership Affairs

NCAA Division I Committee on Academic Performance
Summary of Suggested Action Items for the NCAA Division I Board of Directors
Regarding Setting Academic Success as a First Expectation

This document outlines concepts and proposals in response to the NCAA Division I Board of Directors charge following the NCAA Presidential Retreat in August. The NCAA Division I Committee on Academic Performance, with help in a number of areas from the NCAA Division I Academic Cabinet, presents the Board of Directors with a package of academic concepts for its adoption and consideration. The recommendations are in three areas: (a) Access to championships; (b) Initial-eligibility standards; and (c) Two-year college academic requirements.

The recommendations emphasize the primacy of academics within Division I and further the embedding of academic success as a first expectation. **[Note: The details regarding these recommendations are included in the attached PowerPoint.]**

Student-Athlete Success – Initial Eligibility.

1. Sponsor legislation in the area of initial eligibility, to be acted on in January or April as summarized below.

   a. Require prospective student-athletes to meet the current qualifier standard for eligibility for practice during the first regular academic term of full-time enrollment and receipt of athletically related financial aid during the first year. Second semester (and second and third quarter) eligibility for practice would be based on passing nine semester or eight quarter hours in the first regular academic term of enrollment.

   b. Require prospective student-athletes to meet the following standard in order to compete in the first year of full-time enrollment:

      - Require a core grade-point average/test score that is set at approximately one-half of a standard deviation below the national student body mean. This represents an increase from the current one standard deviation below the national student mean. The new sliding scale requires a high school core grade-point average to be approximately 0.5 grade-point average units higher for a given test score compared to the current qualifier standard (e.g., SAT of 1000 would require 2.5 high school core grade-point average for competition).

      - Require successful completion of 10 core courses prior to the seventh semester (or equivalent) of high school. Seven of the 10 core courses must be successfully completed in English, math and natural/physical science. These 10 core courses must be used in the core GPA calculation.

   c. Expansion of the early academic qualifier program, details of which will be worked out over the next year after the initial-eligibility standard is adopted.

Student-Athlete Success – Two-Year College Transfer Standards.

1. Adopt NCAA Division I Proposal No. 2011-69 which increases two-year college transfer requirements for qualifiers and nonqualifiers with an effective date of August 1, 2012, for students first entering any collegiate institution (e.g., increases minimum grade-point average from 2.0 to 2.5; limits use of physical education activity credits to two units; requires a transferable physical/natural sciences course for nonqualifiers).

2. Adopt Proposal No. 2011-70, as written, with an effective date of August 1, 2012.

3. Allow Proposal No. 2011-65, the year of academic readiness, to progress through the normal legislative cycle.

Team Success - Access to Championships and a New NCAA Division I Academic Performance Program (APP) Penalty Structure.

Adopt legislation and amend policy, as summarized below, regarding the Academic Performance Program:

1. Establish 930 NCAA Division I Academic Progress Rate (APR) as a minimum academic standard to participate in postseason competition. This includes a mission filter only the first time a team fails to meet the benchmark and an improvement filter the second time and beyond.

2. Transition to the 930 APR to occur over the next three years.

3. Approve a three-level penalty structure.

4. Create a Historically Black Colleges and Universities Advisory Group.

5. Require all conferences to develop and maintain a written policy regarding teams subject to postseason restriction with respect to automatic qualifications for postseason competition and revenue distribution.

NCAA Division I Academic Performance Program Recommended New Penalty Structure

The NCAA Division I Committee on Academic Performance requests the NCAA Division I Board of Directors sponsor legislation to revise the current NCAA Division I Academic Performance Program (APP) penalty structure as noted in this attachment. This document outlines the penalties teams would be subject to at each level of the revised penalty structure. Note that current contemporaneous penalties will be eliminated.

Level One:

1. Public notice.

2. Playing and practice seasons (four-hour reduction per week to 16 hours, as well as loss of one day): Lost hours must be used for academic purposes.

Level Two:

1. Public notice.

2. Playing and practice seasons (four-hour reduction per week to 16 hours, as well as loss of one day): Lost hours must be used for academic purposes.

3. Additional playing season restrictions, as follows:

    a. For the penalized team, reduction from eight hours to four hours per week for athletics activities outside of the playing season. These four hours must be replaced with academically-focused activities. Of the remaining four hours of athletics activities, not more than two hours per week may be spent on skill-related workouts.

    AND

    b. For the penalized team, cancellation of the nonchampionship playing season in sports that maintain a legislated nonchampionship segment as well as football, which would include:

        (1) Baseball: No fall practice or competition.

        (2) Football: No spring practice.

        (3) Softball: No fall practice or competition.

        (4) Men's Volleyball: No fall practice or competition.

(5) Women's Volleyball: No spring practice or competition.

(6) Men's and Women's Soccer: No spring practice or competition.

(7) Field Hockey: No spring practice or competition.

(8) Women's Lacrosse: No fall practice or competition.

OR

c. For a penalized team in a sport without a legislatively declared nonchampionship playing season, a 10 percent reduction in the length of the playing season[1] and 10 percent reduction of allowable contests. (Attachment No. 1)

Level Three:

1. Public notice.

2. Playing and practice seasons (four-hour reduction per week, as well as one day): Lost hours must be used for academic purposes.

3. Additional playing season restrictions, as follows:

a. For the penalized team, reduction from eight hours to four hours per week for athletics activities outside of the playing season. These four hours must be replaced with academically-focused activities. Of the remaining four hours of athletics activities, not more than two hours per week may be spent on skill-related workouts.

AND

b. For the penalized team, cancellation of the nonchampionship playing season in sports that maintain a legislated nonchampionship segment as well as football, which would include:

(1) Baseball: No fall practice or competition.

(2) Football: No spring practice.
(3) Softball: No fall practice or competition.

[1] This 10 percent reduction would be *in addition to* any in-season playing and practice restrictions.

(4) Men's Volleyball: No fall practice or competition.

(5) Women's Volleyball: No spring practice or competition.

(6) Men's and Women's Soccer: No spring practice or competition.

(7) Field Hockey: No spring practice or competition.

(8) Women's Lacrosse: No fall practice or competition.

OR

c. For a penalized team in a sport without a legislatively declared nonchampionship playing season, a 10 percent reduction in the length of the playing season[2] and 10 percent reduction of allowable contests. (Attachment No. 1)

4. In addition to the penalties from Levels One and Two, the committee would have the legislated authority to implement any or all of the following additional types of penalties.

a. Financial Aid Penalties (any amount, any type);

b. Practice Penalties (in addition to the four hours and one day per week already imposed);

c. Contest Reductions (in addition to the ten-percent already imposed);

d. Restricted and Corresponding Membership;

e. Coach-specific Penalties, including, but not limited to game restrictions and recruiting restrictions;

f. Restricting access to practice for incoming student-athletes that fall below predetermined academic standards; and

g. Multiyear postseason competition ban.

[2] This 10 percent reduction would be *in addition to* any in-season playing and practice restrictions.

List of Playing and Practice Reductions for Applicable Sports

The following list outlines the additional playing and practice season penalties that teams would be subject to at Level Two of the revised penalty structure. Note that these penalties would only apply to sports where there is not a legislatively declared nonchampionship segment.

1. Men's and Women's Basketball:

a. Reduction of 10 percent of playing and practice days between first allowable practice and end of playing season.[3]

b. Reduction from 29 to 26 contests.[4]

2. Bowling:

a. Reduction from 144 day season to 130 day season.

b. Reduction from 26 to 23 dates of competition.

3. Cross Country:

a. Reduction from 144 day season to 130 day season.

b. Reduction from seven to six dates of competition.

4. Equestrian:

a. Reduction from 144 day season to 130 day season.

b. Reduction from 15 to 13 dates of competition.

5. Fencing:

a. Reduction from 144 day season to 130 day season.

b. Reduction from 11 to 10 dates of competition.

6. Golf:

a. Reduction from 144 day season to 130 day season.

b. Reduction from 24 to 22 dates of competition.

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[3] The start date for men's and women's basketball varies depending on the year.

[4] For teams that plan to participate in a qualifying regular-season multiple team event (e.g., Maui Invitational), the reduction would be from 27 to 24 contests.

7. Gymnastics:

a. Reduction from 144 day season to 130 day season.

b. Reduction from 13 to 12 dates of competition.

8. Ice Hockey:

a. Reduction from 132 day season to 119 day season.

b. Reduction from 34 to 31 contests.

9. Men's Lacrosse:

a. Reduction from 132 day season to 119 day season.

b. Reduction from 17 to 15 dates of competition.

10. Rifle:

a. Reduction from 144 day season to 130 day season.

b. Reduction from 13 to 12 dates of competition.

11. Rowing:

a. Reduction from 156 day season to 140 day season.

b. Reduction from 20 to 18 dates of competition.

12. Rugby:

a. Reduction from 132 day season to 119 day season.

b. Reduction from 11 to 10 contests.

13. Skiing:

a. Reduction from 144 day season to 130 day season.

b. Reduction from 16 to 14 dates of competition in both alpine and nordic events.

14. Squash:

a. Reduction from 144 day season to 130 day season.

b. Reduction from 15 to 13 dates of competition.

15. Swimming and Diving:

a. Reduction from 144 day season to 130 day season.

b. Reduction from 20 to 18 dates of competition.

16. Tennis:

a. Reduction from 144 day season to 130 day season.

b. Reduction from 25 to 22 dates of competition.

17. Track and Field (Indoor or Outdoor only):

a. Reduction from 144 day season to 130 day season.

b. Reduction from 18 to 16 dates of competition.

18. Track and Field (Indoor *and* Outdoor):

a. Reduction from 156 day season to 140 day season.

b. Reduction from 18 to 16 dates of competition.

19. Water Polo:

a. Reduction from 132 day season to 119 day season.

b. Reduction from 21 to 19 dates of competition.

20 Wrestling:

a. Reduction from 144 day season to 130 day season.

b. Reduction from 16 to 14 dates of competition.

REPORT OF THE OCTOBER 27, 2011, MEETING OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I BOARD OF DIRECTORS

1. **Report of the August 11, 2011, Board of Directors Meeting. The Board approved the report of its August 11, 2011, meeting.** (Unanimous voice vote)

2. **President's Report.** NCAA President Mark Emmert thanked the group for participating in a joint meeting with the Presidential Advisory Group (PAG) the previous day in order to review the reports of the four Transforming Intercollegiate Athletics Working Groups and the NCAA Division I Committee on Academic Performance (CAP). He noted that this Board meeting may be one of the most important in the NCAA's history as the Board will take actions that will begin a transformation of intercollegiate athletics. President Emmert emphasized the fact that the decisions made during this meeting should align with the NCAA's enduring values and support the Association's principles.

3. **Presidential Retreat Initiatives.**

   a. **NCAA Division I Committee on Academic Performance**. Walt Harrison, chair of the Committee on Academic Performance, presented the following recommendations:

      (1) Student-Athlete Success – Initial Eligibility.

         (a) That the Board adopt emergency legislation that requires prospective student-athletes, at a minimum, to meet the current qualifier standard in order to be eligible for practice during the first regular academic term and receipt of athletically related financial aid during the first year. Second semester (and second and third quarter) eligibility for practice will be based on successful completion of nine semester or eight quarter hours in the first regular academic term of enrollment.

         (b) That the Board adopt emergency legislation that requires prospective student-athletes to meet the following standard in order to compete in the first academic year:

            i. A grade-point average/test score average that is set at approximately one-half of a standard deviation below the national student body mean. This represents an increase from the current one standard deviation below the national student mean. The new sliding scale requires a high school core grade-point average to be approximately 0.5 grade-point average units higher for a given test score compared to the current qualifier standard (e.g., SAT of 1000 would require 2.5

high school core grade-point average for competition vs. 2.0 currently).

ii. A successful completion of 10 core courses *prior to* seventh semester (or equivalent) of high school. Seven of the 10 core courses must be successfully completed in English, math and natural/physical science.

(c) That the Board adopt legislation to expand the early academic qualifier program, details of which will be worked out over the next year.

(2) Student-Athlete Success – Two-Year College Transfer Standards.

(a) That the Board adopt as emergency legislation NCAA Proposal No. 2011-69, which increases two-year college transfer requirements for qualifiers and nonqualifiers with an effective date of August 1, 2012, for students first entering any collegiate institution (e.g., increases minimum grade-point average from 2.0 to 2.5; limits use of physical education activity credits to two units; requires a transferable physical/natural sciences course for nonqualifiers) on or after August 1, 2012.

(b) That the Board adopt as emergency legislation Proposal No. 2011-70, as written, with an effective date of August 1, 2012.

(c) That the Board allow Proposal No. 2011-65, the year of academic readiness, to progress through the normal legislative cycle.

(3) Team Success - Access to Championships and a New NCAA Division I Academic Performance Program (APP) Penalty Structure.

(a) That the Board approve a 930 NCAA Division I Academic Progress Rate (APR) as a minimum academic standard to participate in postseason competition. This includes a mission filter only in the first year a team fails to meet the benchmark and an improvement filter in the second year and beyond.

(b) That the Board approve the transition to the 930 APR to occur over the next three years.

(c) That the Board approve a three-level APP penalty structure.

(d) That the Board approve the creation of an Advisory Group for Historically Black Colleges and Universities and other low resourced institutions.

(e) That all conferences be required to develop and maintain a written policy regarding teams subject to postseason restriction with respect to automatic qualifications for postseason competition and revenue distribution.

BOARD ACTION: **The Board approved all recommendations and necessary legislative changes regarding student-athlete and team academic success as described above.** (Unanimous Voice Vote)

b. Transforming Intercollegiate Athletics Student-Athlete Well-Being Working Group. Sidney McPhee, vice chair of the Student-Athlete Well-Being Group, presented the following recommendations:

(1) Cost of Attendance.

(a) That the Board adopt legislation for aid awards that take effect August 1, 2012, or thereafter (awards may be executed before that date), to permit a Division I student-athlete who has received institutional financial aid equal to the value of a full grant-in-aid (i.e. tuition and fees, room and board and required course related books) to receive additional athletically related financial aid up to the value of the institution's "cost of attendance," or up to $2,000, whichever is less. The additional "miscellaneous expense allowance" amount is to be indexed annually to the consumer price index.

[Note: Student Athlete Opportunity Funds may be used at the institution's discretion toward these miscellaneous expenses as is currently permitted. A Pell Grant will not be included in the NCAA financial aid calculation and is considered an exempted government grant for purposes of applying NCAA regulations.]

(b) That the Board adopt legislation, effective August 1, 2012, to provide that only athletically-related aid will be counted toward team limits in equivalency sports.

[Note: All nonathletically-related financial aid now will be excluded from team equivalency computations, which will permit student-athletes to receive additional sources of financial aid without affecting team financial aid limits. The "miscellaneous expense allowance" would be applicable

once the total of athletics and other permissible aid exceeds the value of a full grant.]

(c) That the Board adopt a best practice that all prospective and enrolled student-athletes should submit the Free Application for Federal Student Aid (FAFSA). Further, because the "miscellaneous expense allowance" legislation is permissive in nature, conferences should be encouraged to consider common application of this legislation among their members and sports.

(2) Multiyear Grants-In-Aid.

(a) That the Board adopt legislation to redefine the period of award for aid awards that take effect August 1, 2012, or thereafter (awards may be executed before that date), to permit athletics aid to be awarded for a period beyond the minimum of one academic year, up to the date the student-athlete exhausts eligibility to compete in all sports.

[Note: Maintain, subject to existing exceptions, legislation to require the period of award for athletics aid to be not less than one academic year. Maintain only nonathletically-related conditions in athletics aid agreements regarding cancelation or reduction of aid during the period of its award. Gradation provisions should include:

i. Maintaining current restrictions and processes on reducing or canceling athletics aid during the period of the award;

ii. Permitting institutions discretion to increase athletics aid during the period of its award, and maintaining current requirements for hearing opportunities related to reducing or canceling aid during the period of the award.]

(b) That the Board adopt legislation to be effective for awards executed on or after August 1, 2012, to require institutions to award at least a prescribed minimum of an equivalency grant to each student-athlete who receives athletics aid in an equivalency sport.

[Note: Institutions currently are required in baseball to award a minimum 0.25 equivalency award but the Awards, Benefits, Expenses and Financial Aid Cabinet is developing a "block grant" system. The Student-Athlete Well-Being Working Group agreed that a .10 minimum may be appropriate for all sports, but the group will consider the alternative

minimum cabinet model and report a final recommendation to the Board for action in January or April 2012.]

(c) That the Board adopt legislation, effective immediately, to eliminate financial aid eligibility restrictions (five years of aid within a six-year period) to permit institutions to provide athletics aid to former student-athletes who remain at, or return to, the institution to complete their baccalaureate degree requirements.

BOARD ACTION: The Board approved all the working group's recommendations and necessary legislative changes as emergency legislation as described above. In addition, the Board agreed that the $2,000 "miscellaneous expense allowance" should be maintained for no less than three years. (Unanimous voice vote.)

c. **Transforming Intercollegiate Athletics Rules Working Group**. Steadman Upham, vice chair of the Rules Working Group, requested the Board endorse a resolution that summarizes the concepts and direction outlined by the working group as they do their part to transform intercollegiate athletics. [See Attachment A for the resolution.]

BOARD ACTION: The Board endorsed the resolution. (Unanimous voice vote)

d. **Transforming Intercollegiate Athletics Enforcement Working Group**. Ed Ray, chair of the Enforcement Working Group, noted that the working group continues to review a tiered violation structure, penalty structure and the process for adjudication. The working group plans to continue discussions and make recommendations to the Board in April or August 2012, depending on when the Rules Working Group concludes its work.

e. **Transforming Intercollegiate Athletics Resource Allocation Working Group**. Ann Millner, vice chair of the Resource Allocation Working Group, noted that the working group has received much feedback on various concepts it has discussed, particularly those regarding a reduction in playing seasons (championship and nonchampionship) and a reduction in scholarships (football and men's and women's basketball). The working group plans to continue discussions and make recommendations to the Board in January 2012.

4. **Communications Plan.** Bob Williams, NCAA vice president of communications, and Bob Knapp, chief executive officer of Neubrand, reviewed with the Board a communications plan/strategy that will be used to assist the NCAA in the communication of actions related to Presidential Retreat initiatives. The intent is that communication should be immediate

and consistent, so that the NCAA membership and the general public are aware of the context and importance of the changes, as well as the potential impact on intercollegiate athletics.

5. **Final Report of the Bowl Game Licensing Task Force.** Harvey Perlman, chair of the Task Force, presented the final report of the Task Force, which included the following recommendations in the area of governance, advertising and sponsorship, and student-athlete welfare:

a. NCAA regulation of postseason bowls should be consistent with and limited by the core mission of the NCAA.

b. That each bowl-sponsoring agency be governed by a Board of Directors that has a majority of its members from the community in which the bowl is located.

c. The title or presenting sponsor of a certified bowl shall not advertise or appear to promote products or activities that may be detrimental to the welfare of student-athletes or the image and best interests of higher education and intercollegiate athletcs. Each bowl-sponsoring agency shall adopt policies designed to exclude advertisements associated with bowls that are inconsistent with the welfare of student-athletes, or the image and best interest of higher education and intercollegiate athletics.

d. That conferences should require as part of their agreement with bowl title and presenting sponsors that the bowl-sponsoring agency avoid promotional activities inconsistent with the values of the NCAA or of higher education.

e. That participating conferences should contractually require each bowl to provide a certain number of advertisements promoting the value of intercollegiate athletics and the collegiate model.

f. That the Board for each bowl-sponsoring agency shall ensure that it is in compliance with the designated standards in the Task Force report relating to protecting student-athlete welfare, which includes the conduct of bowl games within a specified time period.

g. That the new academic standards applied to NCAA Division I championship participation shall be equally applied to postseason bowl games.

h. That the NCAA, in consultation with conference commissioners, determine whether or not the collection of financial information would serve the interests of intercollegiate athletics.

i. That the NCAA discontinue its current detailed licensing system and should embrace and develop a certification system that provides assurance that minimum standards of governance and operation are in place.

BOARD ACTION: The Board approved all the Task Force recommendations except the portion of Item No. 4-f above specifying the period of time within which bowl games may occur. [Unanimous Voice Vote of Football Bowl Subdivision (FBS) Board members.]

The Board directed staff to bring back to the Board recommendations regarding how to address the issue of possibly not having enough teams that qualify for the number of bowl games in a given year.

BOARD ACTION: While the Board endorsed the principles expressed in Item No. 4-f above, it directed staff/Task Force to work with the FBS commissioners to address a new time period for bowl games that can be considered by the Board at its April 2012 meeting. (Unanimous Voice Vote.)

6. <u>Division I Governance Structure Update</u>.

a. Report of the October 13, 2011, Meeting of the Leadership Council. Mike Alden, chair of the Division I Leadership Council, presented the following recommendations:

(1) Men's Basketball Recruiting Model. The Leadership Council concluded its discussions of concepts to be included in a men's basketball recruiting model. The Leadership Council recommended that the Board of Directors take final action to adopt a men's basketball recruiting model that provides for earlier and increased access to prospective student-athletes by Division I coaches. [Reference Attachment B for details of the new recruiting.]

BOARD ACTION: The Board adopted the recommended men's basketball recuiting model for full implementation by August 1, 2012. (Unanimous Voice Vote.)

(2) Summer Relationship and Skill Development for Student-Athletes. During its discussions regarding a men's basketball recruiting model, the Leadership

Council agreed to recommend that the Board of Directors take final action to permit entering and continuing student-athletes to engage in summer athletics development (eight hours of conditioning per week, of which no more than two hours can be devoted to skill instruction), regardless of enrollment in summer school.

BOARD ACTION: The Board supported the concept of coaches having access to prospective and current student-athletes during the summer, but asked the Leadership Council to bring back to the Board in January models for further consideration (e.g., requiring enrollment in summer school in order to participate in summer athletics activities; permitting participation in summer athletics activities without enrollment in summer school, provided student-athlete meets specified academic criteria) (Unanimous Voice Vote.)

(3) Multidivisional Reclassification – Opposite Gender -- NCAA Bylaw 20.4.1.2. The Leadership Council agreed to recommend that the Board of Directors adopt noncontroversial legislation that would permit current Division II and Division III institutions that had one sport (other than football and basketball) classified in Division I for the 2010-11 academic year to petition to have one sport of the opposite gender reclassified to Division I. The Leadership Council agreed that the reclassification process should be identical to the two-year process that existed before the adoption of Proposal No. 2010-100, that the application fee should be increased to $10,000 and that there be no time limitation for the opportunity to reclassify a second sport.

BOARD ACTION: The Board adopted noncontroversial legislation as recommended. (Unanimous Voice Vote.)

b. Report of the October 17-18, 2011, Meeting of the Division I Legislative Council. Carolyn Campbell-McGovern, chair of the Division I Legislative Council, noted that in light of the continuing work of the working groups and the potential for significant changes to Division I legislation, the Council discussed broad concepts related to the legislative proposals in the 2011-12 cycle and offered feedback to the working groups in a variety of areas and anticipate guidance on processing the legislative proposals in the current cycle.

7. <u>Division I Committee on Infractions</u>. The committee recommended the Board ratify the committee's revisions to specified provisions within Bylaw 32.

BOARD ACTION: The Board approved the bylaw revisions as recommended. (Unanimous Voice Vote.)

8. **National Association of Basketball Coaches (NABC) Report**. Jim Haney, executive director of the NABC, thanked the Board for the opportunities extended to the NABC and to him personally to participate in discussions regarding important matters facing the NCAA and that affect the sport of men's basketball. He outlined continuing concerns of coaches related to the APR effects when there are coaching changes and expressed support for initiatives to encourage summer school for prospective and enrolled student-athletes, and for the Leadership Council's men's basketball recruiting model. He noted that graduation and retention are key focus areas for the NABC and that new initial eligibility requirements, structure for academic redshirts and increased standards for two-year college transfers increase the need for coaches to build meaningful relationships with prospects and enrolled student-athletes to monitor and help manage academic performance.

9. **Future Meeting Dates**.

a. January 14, 2012, in conjunction with the NCAA Convention, Indianapolis, Indiana.

b. April 26, 2012, Indianapolis, Indiana.

c. August, 2, 2012, Indianapolis, Indiana.

d. Tuesday, October 30, 2012, Indianapolis, Indiana.

Board of Directors chair: Judy Genshaft, University of South Florida
Staff Liaisons: S. David Berst, Division I governance
Jacqueline Campbell, Division I governance

NCAA DIVISION I BOARD OF DIRECTORS
October 27, 2011, MEETING ATTENDANCE

Board members in attendance:
Stanley Albrecht, Utah State University, Western Athletic Conference
Guy Bailey, Texas Tech University, Big 12 Conference
William Beauchamp, University of Portland, West Coast Conference
Judy Genshaft, University of South Florida, Big East Conference, chair
Nathan Hatch, Wake Forest University, Atlantic Coast Conference
David Hopkins, Wright State University, Horizon League
Sidney McPhee, Middle Tennessee State University, Sun Belt Conference
William Meehan, Jacksonville State University, Ohio Valley Conference
Ann Millner, Weber State University, Big Sky Conference
Harris Pastides, University of South Carolina, Southeastern Conference
John Peters, Northern Illinois University, Mid-American Conference
Edward Ray, Oregon State University, Pacific-12 Conference
David Schmidly, University of New Mexico, Mountain West Conference
Lou Anna Simon, Michigan State University, Big Ten Conference
David Skorton, Cornell University, Ivy League
Steadman Upham, University of Tulsa, Conference USA

Board members not in attendance:
William R. Harvey, Hampton University, Mid-Eastern Athletic Conference
Timothy White, University of California, Riverside, Big West Conference

NCAA staff Liaisons in attendance:
S. David Berst, NCAA
Jacqueline Campbell, NCAA, recording secretary

Guests from other Division I governance bodies:
Michael Alden, University of Missouri, chair of the Division I Leadership Council
Carolyn Campbell-McGovern, Ivy League, chair of the Division I Legislative Council
Jim Haney, executive director of the National Association of Basketball Coaches (NABC)
Walter Harrison, University of Hartford, chair of the Division I Committee on Academic Performance
Harvey Perlman, University of Nebtraska, chair of the Division I Bowl Licensing Task Force

Guests from the NCAA Pathway Program:
Sherie Cornish Gordon, Norfolk State University
Kimberly Johnson, Texas Christian University
Monica Love, United States Military Academy
Diane O'Brien, University of California, Santa Barbara
Melody Reifel Werner, Eastern Michigan University
Alice Tym, University of Illinois at Chicago

Other Guests:
Bob Knapp, chief executive officer, Neubrand

Other NCAA staff members in attendance: Troy Arthur, Erik Christainson, Joni Comstock, Diane Dickman, Mark Emmert, Bernard Franklin, Lynn Holzman, Michelle Hosick, Tom Hosty, Jim Isch, Kevin Lennon, Steve Mallonee, Kathleen McNeely, Delise O'Meally, Tom Paskus, Todd Petr, Dennie Poppe, Bill Regan, Donald Remy, Wallace Renfro, Greg Shaheen, Jennifer Strawley, Robert Vowels, Wendy Walters and Bob Williams.

Resolution

"*Whereas*, the working group has concluded that bold actions are necessary to change the regulatory culture in meaningful ways that, in conjunction with an enhanced enforcement structure, will better support the collegiate model by placing emphasis on the most significant regulations;

"*Whereas*, the working group recognizes the challenges inherent to our current regulatory culture, including the creation of a number of rules that are nationally insignificant, difficult to enforce and do not clearly enhance the academic and athletics success of student-athletes;

"*Be it therefore resolved*, that the working group shall establish principle-based outcomes that will apply to each operating bylaw, promote the fundamental constitutional principle of each operating bylaw and serve as the basis for legislation of national significance that merits inclusion in the Manual;

"*Be it further resolved*, that the working group shall examine "competitive equity" in terms of fairness of opportunity to compete among institutions or groups of institutions;

"*Be it further resolved*, that the working group shall identify an appropriate penalty structure that reinforces the need to adhere to established principles;

"*Be it further resolved*, that the working group shall identify opportunities to increase shared responsibility for rules compliance among those who participate in, lead and administer intercollegiate athletics at the campus, conference and national levels;

"*Be it further resolved*, that the working group shall develop a filtering process to evaluate future proposals to ensure that such legislation is consequential, readily enforceable, promotes our enduring values and further identified principle-based outcomes;

"*Be it further resolved*, that the working group shall encourage NCAA staff to reach out to membership constituents to gather feedback on concepts identified by the working group; and

"*Be it further resolved*, that the working group shall review specific principle-based outcomes and operational bylaws at its December 2011 meeting."

Division I Men's Basketball Recruiting Model

Feature	Leadership Council Recommendation	Additional Comments	Effective Date
Recruiting calendar evaluations			
April	• Permit evaluations at certified nonscholastic events on two weekends. • Neither weekend can fall on ACT/SAT testing dates or Easter. • Events must be subject to NCAA certification program, which should include an additional requirement that the event may not begin before Friday 6 pm and must conclude no later than Sunday 4 pm.		**Immediately**
July	• Permit evaluations at nonscholastic certified events during a total of 12 days in July; the 12 days would consist of three four-day periods (with intervening dead periods) that run from Wednesday at 5 pm to Sunday at 5 pm.	• The evaluation period would consist of the first three four-day periods (Wednesday 5 p.m. – Sunday 5 p.m.) beginning with the first Wednesday on or after July 6. • The staff can continue discussion regarding whether event certification criteria should be modified to require events to conclude at an earlier time on the final day.	**Immediately**
Communication with PSAs			
Types of Communication and Phone Call Frequency	• Eliminate restrictions on all modes of communication on or after June 15 following the completion of the prospect's sophomore year in high school. • Eliminate communication restrictions applicable to prospects participating in certified basketball events (April/July).		**June 15, 2012**

Feature	Leadership Council Recommendation	Additional Comments	Effective Date
Off-campus contacts			
Off-campus contact starting point	• Off campus contacts may be made with a prospect during the junior year in high school. • Recruiting periods other than April – contacts during the junior year only at the prospect's educational institution. • April recruiting period – contacts during the junior year only at the prospect's educational institution or at the prospect's residence.	• Current rule limiting visits to a prospect's educational institution to not more than once a week would remain applicable.	**August 1, 2012**
Off-campus contact in conjunction with an evaluation	• Permit recuiting opportunities with juniors and seniors to be either contacts or evaluations. Contacts may not be made during the time period when classes are in session or during the day of a prospect's competition. • The current academic year recruiting calendar shall maintain recruiting periods, but will eliminate distinctions between contact and evaluation periods.	• Institutions are permitted to still have seven recuiting opportunities during each academic year.	**August 1, 2012**
Official visits			
Starting point	• January 1 of the junior year through the senior year of high school.	• Current requirements (standardized test score, high school transcript, register with Eligiblity Center, placed on institution's IRL) necessary to provide an official visit would remain applicable. • Included in the total number of permissible visits for the prospect and the institution.	**August 1, 2012**
Travel expenses	• May be provided to the prospect and two parents/legal guardians.		**August 1, 2012**

Embedding Academic Success

NCAA Division I Board of Directors
Actions Taken During October 2011 Meeting
November 4, 2011

Overview of Actions Taken by the NCAA Division I Board of Directors – October 2011

- Adopted increased initial-eligibility standards.
- Adopted increased two-year college transfer standards.
- Adopted changes to the NCAA Division I Academic Performance Program, including eligibility for postseason competition.

Initial-Eligibility Standards: Academics as a First Expectation

New Initial-Eligibility Standard Practice and Athletics Aid

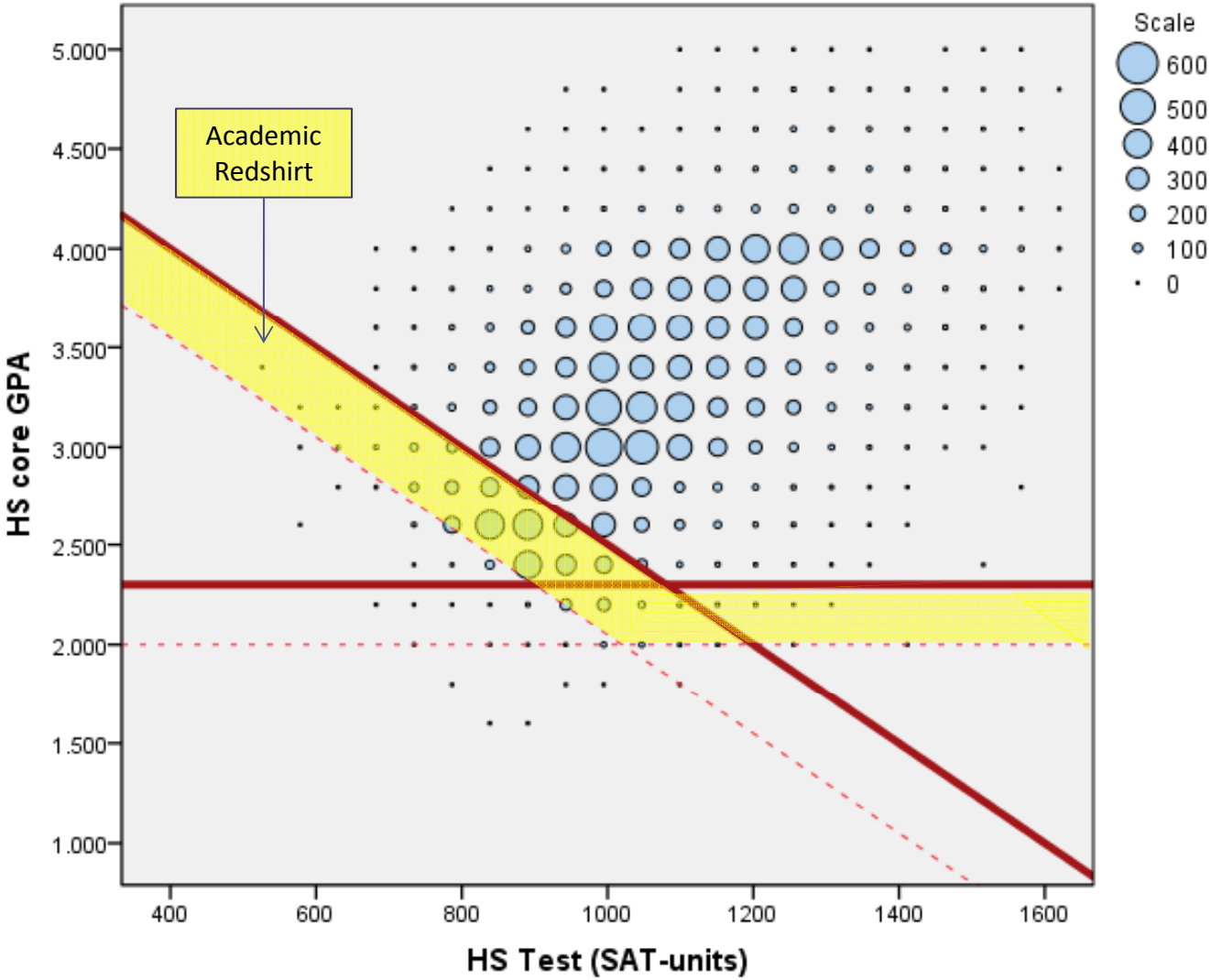
Adopted legislation in the area of initial eligibility, as outlined below:

- Require PSAs to meet the current qualifier standard for eligibility for practice during the first regular academic term and receipt of athletically related financial aid during the first year. Second semester (and second and third quarter) eligibility for practice based on successful completion of nine semester or eight quarter hours in the first regular academic term of enrollment.

New Initial-Eligibility Standard Competition

- PSAs must meet the following standard in order to compete in the first year of collegiate enrollment:
  - Obtain a core GPA/test score that is set at approximately one-half of a standard deviation below the national student body mean. This represents an increase from the current one standard deviation below the national student mean. The new sliding scale requires a high school core GPA to be approximately 0.5 GPA units higher for a given test score compared to the current qualifier standard (e.g., SAT of 1000 requires 2.5 high school core GPA for competition).
  - Obtain a minimum core GPA of 2.3 in the 16 core courses currently required.
  - Meet core-course requirements described in slide 7.

New Initial-Eligibility Standard
Sliding Scale Elevated to ~0.5 SD Below National Mean; 2.30 Floor



% Current SAs Ineligible for Practice/ Aid	0.4%
% Current SAs Ineligible for Competition Only	15.5%

Note: All SAs in yellow area would be ineligible for competition only. New sliding scale for competition requires HSCGPA ~ 0.50 units higher for given test score compared to current rule.

Core Course Progression Competition

- This requirement must be met in order to compete in the first year of collegiate enrollment.
- Students must successfully complete 10 core courses *prior to* seventh semester (or equivalent) of high school.
- Seven of the 10 core courses must be successfully completed in English, math and natural/physical science.
- These core courses (and grades) must be used in calculating the core GPA for purposes of meeting the sliding scale and GPA minimum.

Timeline for Implementing New Standards

- New initial-eligibility standards are effective for students entering any collegiate institution full time on or after of August 1, 2015.

Early Academic Qualifiers

- Continuation and enhancement of early academic certification for prospective student-athletes after six semesters of high school.

- Details to be finalized over the next year.

Two-Year College Transfer Standards

Academic Success as a First Expectation

Two-Year College Transfers

- Adopted NCAA Division I Proposal Nos. 2011-69 and 2011-70 sponsored by the NCAA Division I Academic Cabinet.
- New transfer requirements effective for students initially enrolling full time in any college on or after August 1, 2012. New waiver subcommittee effective April 1, 2012.
- Allowed Proposal No. 2011-65 (academic year of readiness) to continue in normal legislative cycle, which could result in Board approval in January or April 2012.

Two-Year College Transfers

- Proposal Nos. 2011-69 and 2011-70 include:
  - Increase the minimum transferable GPA for eligibility for competition to 2.5, from the current 2.0.
  - Permit use of no more than two credit hours of physical education activity courses in all sports to meet requirements.
  - Require completion of three semester or four quarter credits hours of transferable natural/physical science credit for nonqualifiers.
  - Modified the NCAA Division I Progress-Toward-Degree Waivers Committee structure so that it accommodates requests for waivers to these requirements.

Academic Performance Program

Team Success
and
Academic Accountability

Access to Postseason Competition

- Established 930 Academic Progress Rate (APR) as a minimum academic standard to participate in postseason competition. Transition to this benchmark to occur over next three years.
- Postseason includes all postseason events conducted after last regular season contest or end of conference tournament (e.g., includes bowl games, NIT, WNIT, etc.).
- Denied access to postseason includes individual competitors for teams not meeting academic standard.
- Appeals/waivers via penalty structure process.

Mission Filter for Postseason Access Only

- **Mission Filter**: Institution is in bottom 15% of resources as defined by the current Committee on Academic Performance policy AND the team's most recent four year Graduation Success Rate (GSR) is 50% or higher.
  - Filter provides relief only to access to postseason competition, not to Level One, Two or Three penalties.
  - This filter is only available the first time a team is below the penalty benchmark. A team that is below the penalty benchmark for a second occasion and beyond would not be permitted to use this filter and would therefore be ineligible for postseason competition.
  - The Historically Black Colleges and Universities (HBCU)/Lower Resource Advisory Group to the Committee on Academic Performance will be given an opportunity to provide feedback on this filter and offer possible modifications.

Improvement Filter for Access to Postseason Competition

Improvement filter for teams that have demonstrated meaningful improvement, defined as:

- Team must have an average APR of 950 over the two most recent years to demonstrate meaningful improvement.
- This filter only applies the <u>second time and beyond</u> that a team is subject to postseason ineligibility.

Conference Policy Regarding Postseason Restriction

- Requires that conferences adopt a written policy regarding teams subject to a postseason restriction with respect to the conference's automatic qualification for postseason/championships and revenue distribution.

- Allows conference to develop its own policy. Simply requires that a written policy exist.

NEW PENALTY STRUCTURE: THREE LEVELS

LEVEL ONE:

Playing and Practice:

(4 hours/1 day per week in -season, to be replaced with academic activities)

LEVEL TWO:

Playing and Practice: Four hours/1 day week in-season **AND** out of season as follows:

AND

Nonchampionship season/spring football eliminated

OR

10% of season/contests for sports with no nonchampionship season.

LEVEL THREE:

Menu of Penalties

Teams would be subject to level three penalties until APR improves.

Note on the Ongoing Work of Other NCAA Working Groups

- Financial aid penalties were removed at the earliest levels of the penalty structure. The committee may revisit this recommendation based on outcomes from other working groups.

- At Level Two, currently the committee has a variety of nonchampionship season penalties. If the concept of reducing or eliminating the nonchampionship season progresses, the committee will revisit these penalties.

Penalty Structure: Level One

Level One:

- Reduction by four hours/one day of practice per week in-season. Results in 16 hours per week rather than 20 and five days per week rather than six.

- Must be replaced by academic activities.

Penalty Structure: Level Two

1. Reduction of four hours/one day of practice per week in-season.
   - Must be replaced by academic activities.
2. Reduction of four hours of practice per week out-of-season.
   - Must be replaced by academic activities.
3. Cancellation of nonchampionship season or spring football.
4. For sports without nonchampionship season, 10% reduction in contests and length of season.

Penalty Structure: Level Three Menu of Penalties

Teams would be subject to Level Three menu of penalties repeatedly until APR improves

Menu options:

- Financial aid penalties (any amount, any type).
- Practice penalties (Reduction of four hours/week and up).
- Contest reductions (10% up to full season).
- Restricted and corresponding membership.
- Coach-specific penalties, including game restrictions, recruiting restrictions.
- Restricted access to practice for incoming student-athletes that fall below pre-determined academic standards.
- Multiyear postseason competition ban.

Three "Clean" Years Concept Penalty Structure

- The current policy that allows teams to "reset" back to Occasion/Level One only after three years in which no penalties are assessed would continue to apply in the new penalty structure.

- The new penalty structure is cumulative and progressive consistent with the current structure.

Improvement Filter for Penalty Levels Two and Three

Improvement filter for teams that have demonstrated meaningful improvement, defined as:

- Team must have a 950 APR average over the two most recent years to demonstrate meaningful improvement.
  - Does not apply to Level One penalties – applies to Level Two and Three penalties only.

Access to Championships

Access to championships – effective 2012-13
(see slide #26 for details of transition)

New penalty structure – effective 2012-13
(see slide #27 for details of transition)

- Data used – for 2012-13.

  2010-11.

  2009-10.

  2008-09.

  2007-08.

APR Benchmarks during Transitional Phase for Access to Postseason

Championship/Postseason Competition Year	Multiyear APR to Avoid Ineligibility for Postseason	Two Most Recent Years Average APR to Avoid Ineligibility for Postseason
2011-12	Status Quo – current penalty structure and benchmarks apply.	N/A
2012-13	Four-Year APR of 900 or higher OR	Two most recent years average at or above 930
2013-14	Four-Year APR of 900 or higher OR	Two most recent years average at or above 930
2014-15	Four-Year APR of 930 or higher OR	Two most recent years average at or above 940
2015-16 and beyond	Four-Year APR of 930 *Improvement Filter applies the second time and beyond a team is subject to postseason ineligibility. This filter requires two most recent years average at or above 950.	N/A

Note: Mission filter applies only the first time a team is subject to postseason ineligibility.

APR Benchmarks during Transitional Phase for Level One, Two, Three Penalties

Championship/Postseason Competition Year	Multiyear APR to Avoid Ineligibility Level One, Two, Three Penalties	Improvement Filters
2011-12	Status Quo.	Status Quo.
2012-13	Four-Year APR of 900 or higher OR	Level One = None. Levels Two and Three = Two most recent years APR average of 950 or higher.
2013-14	Four-Year APR of 900 or higher OR	Level One = None. Levels Two and Three = Two most recent years APR average of 950 or higher.
2014-15 and beyond	Four-Year APR of 930 or higher OR	Level One = None. Levels Two and Three = Two most recent years APR average of 950 or higher.

* Mission filter does not apply to Level One, Two, Three penalties.
** Improvement filter does not apply to Level One penalties, only to Level Two and Three penalties.

Waivers/Appeals Process

- Access to Postseason - First Occasion Team Below Penalty Benchmark / Level One Penalties:
  - Staff makes initial decision on any submitted waiver.
  - Institution may appeal to the NCAA Division I Committee on Academic Performance Subcommittee on Appeals "on paper."
  - Relief provided only for extraordinary mitigation. Expect few, if any, waivers to be granted.
- Access to Postseason - Second Occasion Team Below Penalty Benchmark / Level Two Penalties:
  - Staff makes initial decision on any submitted waiver.
  - Teleconference appeals with institution and the Committee on Academic Performance Appeals Subcommittee.
  - Relief provided based on waiver directive.

Waivers/Appeals Process

- Access to Postseason - Third Occasion Team Below Penalty Benchmark / Level Three Penalties:
  - Institutions are required to submit proposed penalties from menu of options (e.g., self-imposed). Staff makes initial decision.
  - If staff is unable to make decision or decision is not accepted, institution appears at an in-person Committee on Academic Performance hearing.
  - Relief provided based on waiver directive.
  - Appeals reviewed by NCAA Division I Board of Directors Academic Performance Program Historical Penalties Appeals Subcommittee.

APR Improvement Plans

- Will be required immediately for all teams under 930 multiyear APR.
- Plans must include element that assesses and evaluates team's academic admissions profiles and academic outcomes with resulting institutional changes.

Timing for Announcing/Taking Penalties

Board approved continuation of the current data collection and penalty announcement process.

- Data submitted in fall, opportunity for waivers in winter/spring and announcement after last postseason event.
- Penalties taken in next academic year.

Committee on Academic Performance will continue to study the feasibility of a more rapid collection and turn around of data to expedite the timing of the announcement of APRs.

Teams Transitioning within Penalty Structure

- Teams will be reset to Level One of new penalty structure, except for those teams that have already been subject to Historical Penalties Occasion Two penalties. Teams that have previously been subject to Occasion Two penalties will continue to move through the penalty structure (i.e., to Level Three penalties if do not experience three "clean" years).

- Teams that are subject to the new penalty structure based on submission of 2010-11 data AND that have already been subject to Historical Penalties Occasion Two penalties would immediately be subject to the Level Three menu of penalties, and possible in-person hearings in spring 2012.

Historically Black Colleges and Universities Advisory Group

- Approved a Historically Black Colleges and Universities (HBCU) Advisory Group to assist on issues that impact HBCU institutions.

Questions/Comments may be directed to:

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NCAA Division I Newly Adopted Academic Legislation
Question and Answer Document

This document contains questions and answers to assist the NCAA membership in its understanding of select proposals adopted October 27, 2011, by the NCAA Division I Board of Directors.

Proposal No. 2011-69 Eligibility -- Transfer Regulations -- 2-4 and 4-2-4 College Transfers.

Question: Does the additional natural/physical science credit require a lab component?

Answer: No.

Proposal No. 2011-70 Eligibility and Committees -- 2-4 and 4-2-4 Transfers -- Waivers -- Progress-Toward-Degree Waivers Committee.

Question: Will the NCAA Division I Progress-Toward-Degree Waivers Committee also consider waiver requests for 4-4 transfers?

Answer: No. Waiver requests for 4-4 transfers will continue to be reviewed by the NCAA Division I Legislative Council Subcommittee for Legislative Relief.

Proposal No. 2011-94 Eligibility -- Freshman Academic Requirements -- Eligibility for Financial Aid, Practice and Competition -- Core Course Requirements and Initial-Eligibility Index.

Adopted Change No. 1: Establishes separate requirements for competition and for receipt of athletically related financial aid and practice during initial year of full-time enrollment.

Question No. 1: Are student-athletes who are certified as qualifiers required to pass nine semester hours/eight quarter hours during the first regular academic term in order to be eligible for practice in the second semester or second and third quarters?

Answer: No.

Question No. 2: What are the initial-eligibility requirements for competition during the initial-year of full-time enrollment?

Answer: In order to compete during the initial year of full-time enrollment, a student-athlete must meet the requirements to be certified as a qualifier, which includes obtaining a minimum core-course grade-point average of 2.300 in the 16 required core courses. In addition, the sliding scale was

increased and the student-athlete must obtain a minimum SAT or ACT score that corresponds with his or her core-course grade-point average. Students must also successfully complete 10 core courses prior to the seventh semester (or equivalent) of high school. Seven of these 10 core courses must be successfully completed in English, math and natural/physical science. These core courses (and grades) will be used in calculating the core-course grade-point average for purposes of meeting the sliding scale and grade-point-average minimum.

Question No. 3: Will a separate initial-eligibility index (i.e., sliding scale) be published for purposes of the competition requirements? When will the full sliding scale be available?

Answer: Yes. The initial-eligibility index for qualifiers will require a core-course grade-point average that is approximately .500 grade-point-average units higher for a given test score than the current qualifier standard. The full scale with exact coordinates will be available in mid-to-late January. Technical issues are being reviewed by research experts and the concordance of test scores is being verified. It is likely there will also be some minor modifications to the current sliding scale which will be used to determine eligibility for athletics aid, effective August 1, 2015. This scale will be published in mid-to-late January.

Question No. 4: What is an academic redshirt?

Answer: An academic redshirt is a student-athlete who, at the time of initial-eligibility certification, did not present the core-course grade-point average, SAT/ACT score and/or core-course requirements to be certified as a qualifier, but meets the requirements for practice and the receipt of athletics aid during the initial year of full-time enrollment.

Question No 5: Is a student-athlete who is an academic redshirt included in a scholarship team's NCAA Division I Academic Progress Rate (APR) cohort?

Answer: Yes, if he or she receives athletically related financial aid and is enrolled full time as of the fifth week of class or the census date, whichever is earlier.

Question No. 6: If a student-athlete who is an academic redshirt earns at least six credit hours in the fall term but does not earn nine semester hours/eight quarter hours, may the APR eligibility point be awarded for the fall term?

Answer: Yes, provided institutional and conference requirements are also met.

Question No. 7: Is a qualifier required to complete nine semester hours/eight quarter hours in order to remain eligible in subsequent terms?

Answer: No.

Question No. 8: Do the nine semester hours/eight quarter hours needed for practice in the second semester, or second and third quarters, have to be degree applicable?

Answer: Yes, consistent with current legislation.

Question No. 9: Will compliance assistant be modified so that institutions can track each incoming freshman's qualification status?

Answer: The NCAA staff is examining options and some functionality will be added to compliance assistant in order to track this.

Question No. 10: When will the test scores be available for the new initial-eligibility indexes?

Answer: The full scale with exact coordinates will be published in mid-to-late January. Technical issues are being reviewed by research experts and the concordance of test scores is being verified.

Question No. 11: Is a student-athlete who is an academic redshirt required to earn 80 percent of his or her degree program at the beginning of the fifth year following initial full-time enrollment in order to be granted a fourth season of competition?

Answer: No. An academic redshirt is eligible for four seasons of competition upon enrollment.

Question No. 12: What type of waiver would an institution file on behalf of a student-athlete who fails to earn the nine semester/eight quarter hours for practice in the second semester/second and third quarters?

Answer: The institution may file a progress-toward-degree waiver.

Question No. 13: May a student-athlete who is an academic redshirt be permitted to use an exception to the residency requirement for a student-athlete who transfers during the first year of enrollment?

Answer: No.

Question No. 14: Does this legislation have any impact on conference rules related to qualification status?

Answer: It will be up to each conference to determine its rules in light of this newly adopted legislation.

Question No. 15: May remedial hours be used to meet the nine semester hours/eight quarter hours needed for practice in the second semester or second and third quarters?

Answer: Remedial, tutorial or noncredit courses may be used to satisfy six of the nine semester hours and eight of the eight quarter hours provided they are: (a) considered to be prerequisites for specific courses acceptable for any degree program, (b) given the same weight as others in the institution for determining the student's status for full-time enrollment and (c) if noncredit courses, do not exceed the maximum institutional limit for such courses in any baccalaureate degree program.

Question No. 16: May hours earned prior to the student's first full-time term of attendance at the certifying institution be used to meet the nine semester hours/eight quarter hours needed for practice in the second semester or second and third quarters?

Answer: No. The hours must be earned during the fall term.

Adopted Change No. 2: Requires the successful completion of 10 core courses before the seventh semester (or equivalent) of high school. At least seven of the 10 core courses must be in English, math and natural or physical science.

Question No. 1: Is there a specific number of English courses, or math and natural or physical science courses that must be completed to satisfy the seven of 10 core-course requirement?

Answer: No. Students may use any combination of English, math and natural or physical science courses for purposes of the seven of 10 core-course requirement; to the extent those courses also meet the 16 core-course distribution.

Question No. 2: Is a lab required for a natural or physical science course in order for it to be counted within the seven core courses?

Answer: No; however, a natural or physical science laboratory course, if offered by the high school, is required in order to satisfy the 16 core-course requirements.

Question No. 3: Is it permissible to use an English as a Second Language course to satisfy the English component of the seven of 10 core-course requirement?

Answer: It is permissible to use an advanced-level English as a Second Language course to satisfy the English component of the seven of 10 core-course requirement, provided the course is reviewed and approved through the initial-eligibility waiver process.

Question No. 4: If a student repeats a grade in high school, is he or she required to still complete 10 core courses before the start of the seventh semester, including any repeated semesters?

Answer: Yes.

Question No. 5: If a student fails to achieve 10 core courses before the seventh semester, may the student still be able to receive athletics aid and practice in the first year of enrollment?

Answer: Yes, provided the student presents 16 core courses and meets the necessary core-course grade-point average and test score requirement.

Question No. 6: What is the waiver process that is available if a student fails to complete 10 core courses before the seventh semester?

Answer: The institution may submit an initial-eligibility waiver on the student's behalf. However, the waiver may only be submitted after a final certification has been rendered.

Question No. 7: May a student re-take courses in the seventh semester (or equivalent) and beyond in order to improve the grades for the 10 core courses completed before the seventh semester?

Answer: No. The grades earned prior to the seventh semester (or equivalent) in the 10 core courses will be used in the student-athlete's final academic certification.

Question No. 8: NCAA Bylaw 14.3.1.2.8 (repeat courses) permits a repeated course to be used once to satisfy the core-course requirements. If a student wishes to use a repeated course for the purpose of satisfying the 10 core-courses requirement, must the repeated course be successfully completed prior to the student's seventh semester of high school?

Answer: Yes.

Question No. 9: Must a minimum grade be earned in the 10 core courses?

Answer: The student must achieve a passing grade. Grades from the 10 core courses will be included in the calculation of the core-course grade-point average.

Question No. 10: Is a student-athlete who has been certified as an early academic qualifier per Bylaw 14.3.1.1.1 (exception – early academic certification) also required to meet the 10 core-courses requirement?

Answer: The early academic qualifier standard will be amended by the NCAA Division I Academic Cabinet during a future meeting.

Question No. 11: Does this legislation also apply to international student-athletes?

Answer: The Academic Cabinet will examine this issue at a future meeting, based on recommendations from the NCAA International Student Records Committee.

Question No. 12: May a student-athlete replace a grade in one of the 10 core courses with a grade earned in a core course earned per Bylaw 14.3.1.2.1.1.1 (exception – one core course after high school)?

Answer: No.

Question No. 13: Does this legislation also apply to student-athletes who are home-schooled?

Answer: Yes.

Question No. 14: Does this legislation also apply to student-athletes who have education-impacting disabilities?

Answer: The Academic Cabinet will examine this issue at a future meeting.

Question No. 15: Will the NCAA Eligibility Center use the best grades in the 10 core courses that are in English, mathematics and natural/physical science?

Answer: Yes, while also accounting for each student-athlete's requirement to meet the 16 core-course requirement.

Question No. 16: How will the core-course grade-point average be calculated for a prospective student-athlete who fails to meet the 10 core-courses requirement but ultimately achieves 16 core courses in the correct distribution?

Answer: The NCAA Eligibility Center will use the best grades in 16 core courses that fit the legislated distribution that are earned over eight semesters. However, such a student-athlete would not be certified as a qualifier.

Question No. 17: May a student-athlete use core courses completed in the summer before the seventh semester to meet the 10 core-courses requirement?

Answer: Yes.

Question No. 18: May a student-athlete use core courses completed prior to the ninth grade to meet the seven core-courses requirement?

Answer: Yes, provided they appear on the high school transcript with a grade and credit.

Question No. 19: May a student-athlete use high school courses completed in the eighth grade to meet the 10 core-courses requirement?

Answer: Yes, provided they appear on the high school transcript with a grade and are assigned graduation credit.

Question No. 20: May a student-athlete use core courses completed online independent of his or her high school to meet the 10 core-courses requirement?

Answer: Yes, provided they meet the legislation related to nontraditional courses and are successfully completed prior to the beginning of the student-athlete's seventh semester.

Question No. 21: May a student-athlete use college courses to meet the 10 core-courses requirement?

Answer: Yes, provided they meet the requirements of Bylaw 14.3.1.2.3 (college courses).

Question No. 22: Will the NCAA Eligibility Center certify that a student-athlete has met the 10 core-courses requirement during a preliminary certification?

Answer: Yes.

****

This document contains questions and answers related to changes to the NCAA Division I Academic Performance Program.

Adopted Change No. 1: Establishes a 930 APR benchmark for eligibility to participate in postseason competition.

Question No. 1: Is the new 930 APR benchmark a single-year or multiyear rate?

Answer: The new 930 APR benchmark will continue to be a multiyear rate comprised of data from the four most recent academic years.

Question No. 2: Why was the penalty benchmark increased to 930?

Answer: The Board of Directors and the NCAA Division I Committee on Academic Performance have consistently indicated that the penalty benchmark should equate to approximately a 50 percent Graduation Success Rate (GSR). Based on appropriate changes and adjustments that have been incorporated into the APR metric, the retention point no longer predicts graduation as it was originally intended. Thus, the benchmark no longer predicts to a 50 percent graduation mark as was originally intended. 930 equates to approximately a 50 percent GSR.

Question No. 3: How is postseason competition defined?

Answer: Postseason is defined as any competition not considered regular season competition per Bylaw 17 (e.g., NCAA championships, national collegiate championships, Football bowl games, NIT, CIT, etc.).

Question No. 4: When will the loss of access to postseason competition be imposed?

Answer: The loss of access to postseason competition will be imposed the academic year after the loss of access is determined and announced (e.g., data for the 2010-11 academic year is submitted in fall 2011 and the multiyear APR is calculated; the school is notified and during 2011-12 there is a public announcement regarding loss of access to postseason; the team loses access to postseason competition during the 2012-13 academic year).

Question No. 5: Can a team that loses access to postseason competition compete in a conference tournament?

Answer: The loss of access to postseason competition does not affect a team's ability to compete in a conference tournament. However, each conference is required to adopt a written policy regarding teams subject to a loss of access to postseason competition with respect to the conference's automatic qualification for postseason/championships and revenue distribution. Thus a conference policy could preclude a team from competing in a conference tournament.

Question No. 6: Does the requirement for conferences to create a policy apply to all conferences or just multisport conferences?

Answer: The requirement requires all conferences, including single sport conferences (e.g., hockey conferences, lacrosse conferences, etc.) to create a policy regarding teams subject to a loss of access to postseason competition with respect to the conference's automatic qualification for postseason/championships and revenue distribution.

Question No. 7: In individual sports, if a team loses access to postseason competition can student-athletes on that team who otherwise qualify as individual competitors compete in postseason competition?

Answer: No.

Question No. 8: Is there a waiver process for the loss of access to postseason?

Answer: Yes. A waiver process does exist. However, the standard for relief is extremely rigorous. Relief will only be provided for teams that can show extraordinary circumstances that impacted multiple years of the team's APR. These waivers will be reviewed by the NCAA staff, and appeals would be reviewed on paper by a subcommittee of the Committee on Academic Performance. All decisions of the subcommittee are final, and not subject to further appeal.

Adopted Change No. 2: Proposal 2011-95: Revises the APP penalty structure to provide for one, three-tiered penalty structure.

Level One

Question No. 9: What are the Level One penalties?

Answer: The Level One penalty is the reduction of four hours and one day per week of countable athletically related activities during the team's playing season. This results in 16 hours per week and five days per week of countable athletically related activities allowed.

Question No. 10: Do the playing and practice season restrictions apply only to student-athletes who lost APR points, just to those in the APR cohort or to the entire team regardless of academic standing?

Answer: The playing and practice season restrictions apply to ALL student-athletes on the team regardless of their academic standing.

Question No. 11: Can institutions request a waiver of Level One penalties?

Answer: Yes. Institutions may submit a waiver requesting relief from Level One penalties. These waivers will be reviewed by the NCAA staff, and appeals would be reviewed on paper by a subcommittee of the Committee on Academic Performance. All decisions of the subcommittee are final, and not subject to further appeal.

Question No. 12: Must the four hours of practice time be replaced by academic activities?

Answer: Yes. The reduced practice time must be replaced with academic support activities. Acceptable academic support activities include study hall, tutoring, meeting with academic support personnel, meeting with departmental academic advisor, meeting with professor, meeting with formal or informal study groups, faculty mentoring, peer mentoring, meeting with career counselor, career development seminar, life skills development session, campus seminars, supplemental instruction session, study skills seminars. The following activities would NOT be considered acceptable academic activities: meeting with coaches in their offices to study, academic activity while traveling (e.g., on a bus, plane, at hotel), academic meetings with coaches, community service with athletics team/department, promotional activities, hosting recruits for official or unofficial visits, team meetings (not related to academics).

Level Two

Question No. 13: What are the Level Two penalties?

Answer: The Level Two penalties include the practice time reduction penalty from Level One, as well as the reduction of four hours of countable athletically related activities per week outside of the playing season. This results in four hours per week of countable athletically related activities allowed. In addition, depending upon the sport, teams are subject to either a 10 percent reduction in contests and length of the season, cancellation of nonchampionship season contests or cancellation of spring football. The impact for each sport in Level Two is outlined in the attachment.

Question No. 14: Are all teams in Level Two penalties subject to the four-hour reduction in practice time outside of the declared playing season?

Answer: Yes. All teams in Level Two penalties, regardless of sport, are subject to a four-hour reduction in countable athletically related activities per week. These four hours must be replaced by academic support activities.

Question No. 15: How do the Level Two penalties apply to sports that have an official nonchampionship season?

Answer: The following sports would be impacted by the nonchampionship season restriction: men's and women's volleyball, men's and women's soccer, field hockey, softball, women's lacrosse and cross country (only if the institution does not sponsor indoor or outdoor track and field). In each of these sports, the team is required to cancel all nonchampionship season contests. Teams are able to participate in out-of-season athletically related activities, subject to the four hour per week reduction in Level Two. The attachment outlines the impact of Level Two penalties on all sports teams.

Question No.16: For those sports without an official nonchampionship season, how do the Level Two penalties apply?

Answer: For all other sports, with the exception of football, the team is subject to a 10 percent in the length of its season and number of contests it may participate in. The 10 percent reduction of contests and playing season is taken from the maximum number of allowable contests and length of the season in that sport as outlined in Division I legislation. For example, in the sport of ice hockey, the maximum number of contests would be

reduced from 34 to 31, and the length of the playing season from 132 to 119 days. The attachment outlines the impact of Level Two penalties on all sports.

Question No. 17: How do the Level Two penalties apply in the sport of football?

Answer: In the sport of football, the 15 postseason practice sessions allowed under Bylaw 17.9.6.4 (spring practice) would be eliminated, and no spring football game would be permitted. Football teams would be able to participate in other out-of-season athletically related activities allowed under Bylaw 17.9.6 (out-of-season athletically related activities), subject to the out-of-season practice restrictions in Level Two (i.e., reduction of four hours per week).

Question No. 18: How does the 10 percent reduction on regular season competition in Level Two impact contracts for competitions that have already been signed?

Answer: If a team is subject to Level Two penalties, including the reduction of contests, it will be required to cancel 10 percent of its competitions. It will be incumbent upon the individual institution to determine which contests will be cancelled.

Question No. 19: Can institutions request a waiver of Level Two penalties?

Answer: Yes. Institutions may submit a waiver requesting relief from Level Two penalties. These waivers will be reviewed by the NCAA staff, and appeals will be heard via teleconference with a subcommittee of the Committee on Academic Performance. Representatives of the institution may participate on the teleconferences. All decisions of the subcommittee are final, and not subject to further appeal.

Level Three

Question No. 20: What are the Level Three penalties?

Answer: At Level Three, a menu of penalties approach is taken. The base penalties that the team would be subject to are the penalties found in Levels One and Two. In addition, the institution and the Committee on Academic Performance will choose from a menu of penalties to determine the appropriate penalty in each case.

Question No. 21: Is an institution required to identify self-imposed penalties at Level Three?

Answer: Yes. Each institution at Level Three will be required to submit prescribed self-imposed penalties from a menu of possible penalties. At a minimum, Level Three penalties would include the playing and practice season penalties within Levels One and Two. Institutions also may self-impose penalties that are not on the Committee on Academic Performance's menu of penalties.

Question No. 22: What is included in the menu of penalties at Level Three?

Answer: The penalties available at Level Three will include, but may not be limited to, the following: (a) playing and practice season restrictions, above what is imposed in Levels One and Two (b) contest reductions, up to a full-season cancellation, (c) financial aid penalties (d) multiyear postseason ineligibility, (e) coaches penalties such as a suspensions, recruiting limits or rules seminar attendance and (f) restricted membership.

Question No. 23: Will all teams in Level Three be required to attend a hearing in front of the Committee on Academic Performance?

Answer: No. Once a team has submitted its recommended self-imposed penalties, the NCAA staff may choose to accept that decision, and the institution would not attend a hearing. In addition, the institution may choose to accept additional penalties recommended by the NCAA staff, which would not require attendance at a hearing.

Question No. 24: Under what circumstances would an institution attend a Level Three in-person hearing?

Answer: If the NCAA staff does not accept the institution's self-imposition of penalties or if an institution does not agree to penalties recommended by the NCAA staff, the institution would be required to attend a hearing.

Question No. 25: Who is required to attend an in-person hearing at Level Three?

Answer: The required attendees for an in-person hearing are the institution's president, director of athletics, the coach(es) of the impacted team(s) and the person with direct oversight of the academic support program. In addition, the institution may choose to bring up to eight total

representatives. A representative from the institution's conference is also able to attend, in addition to the eight institutional representatives.

Question No. 26: If an institution remains below the penalty benchmark beyond a third year, do they remain subject to Level Three penalties for multiple years?

Answer: Yes. An institution remains subject to Level Three penalties. However, the penalties received each year could differ and would be likely to increase in severity on repeat occasions.

Question No. 27: Can an institution appeal the penalty determinations of the Committee on Academic Performance at Level Three?

Answer: Yes. An institution may appeal the Committee on Academic Performance's decision to the NCAA Division I Board of Directors Academic Performance Program Historical Penalties Appeals Subcommittee. The institution must demonstrate that the Committee on Academic Performance abused its discretion in applying the legislation and/or policy and procedures of the APP. The determination of the APP Historical Appeals Board Subcommittee is final, and not subject to further appeal.

General

Question No. 28: Will there be a transition period for the new 930 penalty benchmark?

Answer: Yes. The first chart shows the transition for access to championships and the second chart shows the transition for the penalty structure.

APR Benchmarks during Transitional Phase for Access to Postseason

Championship/ Postseason Competition Year	Multiyear APR to Avoid Ineligibility for Postseason	Two Most Recent Years Average APR to Avoid Ineligibility for Postseason
2011-12	Status Quo – current penalty structure and benchmarks apply.	N/A
2012-13	Four-Year APR of 900 or higher OR	Two most recent years average at or above 930
2013-14	Four-Year APR of 900 or higher OR	Two most recent years average at or above 930
2014-15	Four-Year APR of 930 or higher OR	Two most recent years average at or above 940
2015-16 and Beyond	Four-Year APR of 930 *Improvement Filter applies the second time and beyond a team is subject to postseason ineligibility. This filter requires two most recent years average at or above 950.	N/A

*Note: Mission filter applies only the first time a team is subject to postseason ineligibility.

APR Benchmarks during Transitional Phase for Level One, Two, Three Penalties

Championship/Postseason Competition Year	Multiyear APR to Avoid Ineligibility Level One, Two, Three Penalties	Improvement Filters
2011-12	Status Quo.	Status Quo.
2012-13	Four-Year APR of 900 or higher OR	Level One = None. Levels Two and Three = Two most recent years APR average of 950 or higher.
2013-14	Four-Year APR of 900 or higher OR	Level One = None. Levels Two and Three = Two most recent years APR average of 950 or higher.
2014-15 and beyond	Four-Year APR of 930 or higher OR	Level One = None. Levels Two and Three = Two most recent years APR average of 950 or higher.

Note: Mission filter does not apply to Level One, Two, Three penalties.

** Improvement filter does not apply to Level One penalties, only to Level Two and Three penalties.

Question No. 29: During the transition period, how is the APR of 930 or 950 over the past two years calculated?

Answer: The APR over the past two years is calculated by taking the number of points earned in the last two single academic years (including delayed-graduation points) and dividing by the total number of points possible in those two years. It is important to note that this APR may be different than the number reached by simply adding the two most recent single-year APRs together and dividing by two, as cohort sizes can differ from year to year.

Question No. 30: Will the concept of "three clean years" still apply in the new penalty structure?

Answer: Yes. Therefore, in order for a team to avoid progression in the penalty structure, it must have three consecutive years with no earned penalties, which would include years where a full waiver is received. After three years without penalties a team is reset to Level One upon the next occasion it fails to meet the APR benchmark.

Question No. 31: Will the application of penalties need to be reported to the NCAA?

Answer: Yes. As with the current historical and contemporaneous penalty structures, institutions will be required to demonstrate that they have taken the penalties that were applicable to any of its teams in the previous years.

Question No. 32: How will new teams and institutions be treated in the penalty structure?

Answer: Teams that are new to Division I will be subject to penalties after they have submitted three years of APR data.

Question No. 33: Will teams be required to take penalties received under the previous penalty structure, if they have not done so already?

Answer: Yes. Any penalties that a team received under the previous penalty structure remain applicable, and must be taken. This includes penalties associated with unmet conditions from a prior waiver request.

Adopted Change No. 3: Creation of mission and improvement filters to allow for relief from penalties in certain circumstances.

Question No. 34: What academic years will be used to determine if the improvement filter has been met for a team below the multiyear benchmark?

Answer: The two most recent single-year APRs will be used. For example, the 2009-10 and 2010-11 APR data will be used to determine if the improvement filter was met for 2012-13 postseason competition access.

Question No. 35: What data are used to determine if an institution is considered limited resource for purposes of the mission filter?

Answer: Based on the Committee on Academic Performance's policy, institutional characteristics are reviewed to identify "limited-resource" institutions. Specifically, the following three measurements are reviewed: (a) Per

capita Pell Grant dollars received, (b) Per capita institutional spending and (c) Per capita athletics spending.

Question No. 36: How many times can an institution use the mission filter to avoid the postseason competition restriction?

Answer: A team may only use the mission filter the first time it is subject to postseason competition ineligibility under the new APP structure. The purpose of this filter is to give limited-resource teams/institutions a longer timeframe to adjust to the increased APR benchmark. Thus, this is not a filter that applies in perpetuity.

Question No. 37: Does the mission filter allow institutions to avoid Level One, Level Two and Level Three penalties?

Answer: No. The mission filter is only applicable to access to postseason competition. It may only be used by a team the first time that team is subject to the postseason ineligibility.

Question No. 38: Is there a filter to avoid Level One penalties?

Answer: No. Level One penalties were amended to only include a reduction in practice time which is replaced by academic activities. All underperforming Level One teams are expected to take this penalty with the goal of improving overall academic performance of the team.

Question No. 39: Are the bottom 15 percent of institutions that are eligible to use the mission filter also able to apply for APP Supplemental Support Funds?

Answer: No. Only those institutions in the bottom 10 percent of resources are eligible to apply for Supplemental Support Funds.

Question No. 40: If a team meets the improvement filter for penalties is that year considered a "clean year"?

Answer: Yes.

Question No. 41: Are the filters automatically applied or does the institution have to apply the filters on its own?

Answer: The filters are automatically applied prior to producing the institution's penalty report.

Adopted Change No. 4: The continuation and expansion of the APR Improvement Plan process to ensure that the focus of the APP remains on improving the academic success of student-athletes.

Question No. 42: What teams will be required to submit APR Improvement Plans to the NCAA national office?

Answer: All institutions with a team that has a multiyear APR under 930 will be required to submit an APR Improvement Plan for each team under 930.

Question No. 43: Is there a transition period similar to the period for penalties and access to postseason competition?

Answer: No. Although teams with APRs between 900 and 929 will not be penalized or be restricted from access to postseason competition for the next two years, institutions will be required to submit APR Improvement Plans for all teams with a current multiyear APR below 930. This should help propel underperforming teams above the 930 benchmark over the next two years.

Question No. 44: When will APR Improvement Plans be due if an institution has no teams below 900 but teams below 930?

Answer: All APR Improvement Plans for institutions with no penalized teams but with teams under a 930 multiyear APR are due to the national office by Monday, January 16, 2012.

Question No. 45: Does an institution need to file an APR Improvement Plan for a team that is eligible to use the squad-size adjustment?

Answer: If the team's APR is below 930 with the squad-size adjustment, that team is required to submit an APR Improvement Plan with the NCAA staff. If the team's APR is above 930 with the squad-size adjustment, the team is not required to submit an APR Improvement Plan.

Question No. 46: Is a data analysis required for APR Improvement Plan submission?

Answer: Yes. Institutions must provide a meaningful analysis of current APR data for each team that is below the penalty benchmark. The expectation is that an institution will complete a thorough data analysis before the creation of the APR Improvement Plan. APR Improvement Plans must include an

assessment and evaluation of the academic admissions profiles and academic outcomes for all student-athletes on teams with a multiyear APR below 930. The APR Improvement Plan must include any initiatives (e.g., changes to the entering profile) based on this evaluation.

Question No. 47: How many years of data are required to be submitted before an institution is required to submit an APR Improvement Plan for a team that has a multiyear APR below 930?

Answer: If an institution has submitted any APR data for a team and that team has a multiyear APR below 930 with a squad-size adjustment, if applicable, the institution must submit an APR Improvement Plan for that team.

Impact of NCAA Division I Academic Performance Program Level Two Penalties

***All teams in Level Two are subject to the following penalties:**

1. Reduction of the penalized teams' practice time by four hours and one day per week of countable athletically related activity *during* the playing season. This results in 16 hours per week and five days per week of countable athletically related activities allowed. The reduced practice time must be replaced with academic support activities.

2. Reduction of the penalized teams' practice time by four hours per week *outside* of the playing season. This results in four hours per week of countable athletically related activities allowed. The reduced practice time must be replaced with academic support activities.

***The following charts indicate the application of all other Level Two Penalties:**

Sports with Nonchampionship Season Elimination

Sport	Penalty
Softball	No contests during nonchampionship segment.
Men's and Women's Volleyball	No dates of competition during segment other than segment in which NCAA championship is conducted.
Men's and Women's Soccer	No dates of competition during segment other than segment in which NCAA championship is conducted.
Field Hockey	No dates of competition during segment other than segment in which NCAA championship is conducted.
Women's Lacrosse	No dates of competition during segment other than segment in which NCAA championship is conducted.
Cross Country (but does not sponsor indoor or outdoor track and field)	No dates of competition during segment other than segment in which NCAA championship is conducted.

Sports with 10 Percent Reduction in Contests and Playing Season

Sport	Game Reduction	Season Reduction
Baseball	56 to 50 contests.	132 day season to 119 day season.
Men's and Women's Basketball	29 to 26 contests.[1]	Reduction of 10 percent of playing and practice days between first allowable practice and end of playing season.[2]
Women's Bowling	26 to 23 dates of competition.	144 day season to 130 day season.
Men's and Women's Cross Country	7 to 6 dates of competition.	144 day season to 130 day season.
Equestrian	15 to 13 dates of competition.	144 day season to 130 day season.
Fencing	11 to 10 dates of competition.	144 day season to 130 day season.
Men's and Women's Golf	24 to 22 dates of competition.	144 day season to 130 day season.
Men's and Women's Gymnastics	13 to 12 dates of competition.	144 day season to 130 day season.
Men's and Women's Ice Hockey	34 to 31 contests.	132 day season to 119 day season.
Men's Lacrosse	17 to 15 dates of competition.	132 day season to 119 day season.
Rifle	13 to 12 dates of competition.	144 day season to 130 day season.
Rowing	20 to 18 dates of competition.	156 day season to 140 day season.
Women's Rugby	11 to 10 contests.	132 day season to 119 day season.
Women's Sand Volleyball	16 to 14 dates of competition.	132 day season to 119 day season.
Men's and Women's Skiing	16 to 14 dates of competition in both alpine and Nordic events.	144 day season to 130 day season.
Squash	15 to 13 dates of competition.	144 day season to 130 day season.
Men's and Women's Swimming and Diving	20 to 18 dates of competition.	144 day season to 130 day season.
Men's and Women's Tennis	25 to 22 dates of competition.	144 day season to 130 day season.
Men's and Women's Track and Field (Indoor or Outdoor Only)	18 to 16 dates of competition.	144 day season to 130 day season.
Men's and Women's Track and Field (Indoor and Outdoor)	18 to 16 dates of competition.	156 day season to 140 day season.
Men's and Women's Water Polo	21 to 19 dates of competition.	132 day season to 119 day season.
Wrestling	16 to 14 dates of competition.	132 day season to 119 day season.

[1] For teams that plan to participate in a qualifying regular season multiple-team event (e.g., Maui Invitational), the reduction would be from 28 to 25 contests (includes the event as one contest).
[2] The start date for men's and women's basketball will vary depending on the year.

Football

Sport	Penalty
Football	Fifteen postseason practice sessions allowed under Bylaw 17.9.6.4 are eliminated, including spring football game.

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MEMORANDUM

December 15, 2011

TO: Diane Dickman
Managing Director of Academic and Membership Affairs, NCAA.

FROM: Dr. John J. McArdle, acting chair
NCAA Data Analysis Research Network.

SUBJECT: Recommendations on the Use of ACT and SAT Scores in the New Division I Initial Eligibility Sliding Scales.

At our December 5-6 meeting, the NCAA Data Analysis Research Network (DARN) reviewed the recent changes in the Division I initial-eligibility standards, including those that set a minimum core high school grade-point average for a given ACT or SAT score as an expectation for being able to participate in NCAA athletics competitions during a student's first year in college. Members of our group participated in a robust discussion of the new standards, the potential implications for various groups of student-athletes, the research studies that could be undertaken in the next several years to understand the effects of the standards changes and the details of the new standards that are still to be resolved.

In terms of those details needing to be resolved, we were asked by NCAA staff to determine whether the concordance table used in some form since the 1990s to match ACT and SAT scores is still appropriate given changes in the tests that have occurred over the past decade. Researchers from ACT, ETS and the College Board participated extensively in this process. Although each testing organization currently publishes concordance research on their websites that could be used to create test conversion tables, the researchers from each company cautioned that ACT and SAT composite scores do not exactly measure the same constructs, thus making the creation of concordance tables difficult. In addition, for any given ACT or SAT score, there may be factors such as gender or being a student-athlete for which alternative concordance values are more appropriate.

Options that were presented by the testing companies for consideration included creation of separate sliding scales for each test and conducting a concordance study using the NCAA's own data. Both, however, would be problematic for the NCAA in terms of requiring additional data or controlled circumstances (like the completion of both tests by a representative group of student-athletes) not available within the student-athlete population. Understanding that educational organizations like the NCAA have a need to use and relate both tests,

alternatives were considered by DARN in conjunction with the representatives of the testing companies, including staying with the current NCAA translation table or creating a new one based on a recently published ACT-SAT concordance study.

After reviewing alternative ACT-SAT translation tables and seeing that the impacts of differences in the tables would be very small (for instance, modeling of the two most discrepant options showed that only about 80 decisions changed out of more than 24,000) when applied practically in combination with grades to create the Division I initial-eligibility sliding scales, DARN recommends the following course of action to the NCAA:

1. Base ACT-SAT translations for the Division I practice/aid and competition sliding scales on the attached tables, which are very similar to the current NCAA ACT-SAT concordance table used in Division I.

2. Conduct research over the coming year using data that the NCAA has already collected through the NCAA Eligibility Center and the NCAA Division I Academic Performance Program to determine if translation table adjustments are warranted due to student-athlete demographic differences versus the populations studied by the testing companies in their concordance studies.

3. Examine within that research whether the NCAA's policy of making initial-eligibility determinations based on the best subscores from any SAT or ACT testing session impacts the ability to reliably translate between tests using current concordance tables.

4. Continue an examination that has already been started by the NCAA research staff on whether the tests and their various components (including the SAT and ACT writing tests) are currently predictive of student-athlete academic outcomes in college.

We will be pleased to work with the NCAA Division I Academic Cabinet and/or the NCAA Division I Committee on Academic Performance to discuss our current recommendations and review the results of these research studies.

JJM:seh

Enclosure

cc: Selected NCAA Staff Members

Division I Sliding Scales
December 2011

SUPPLEMENT NO. 5

GPA for Aid and Practice	GPA for Competition	SAT (CR+M)	ACT sum
3.550	4.000	400	37
3.525	3.975	410	38
3.500	3.950	420	39
3.475	3.925	430	40
3.450	3.900	440	41
3.425	3.875	450	41
3.400	3.850	460	42
3.375	3.825	470	42
3.350	3.800	480	43
3.325	3.775	490	44
3.300	3.750	500	44
3.275	3.725	510	45
3.250	3.700	520	46
3.225	3.675	530	46
3.200	3.650	540	47
3.175	3.625	550	47
3.150	3.600	560	48
3.125	3.575	570	49
3.100	3.550	580	49
3.075	3.525	590	50
3.050	3.500	600	50
3.025	3.475	610	51
3.000	3.450	620	52
2.975	3.425	630	52
2.950	3.400	640	53
2.925	3.375	650	53
2.900	3.350	660	54
2.875	3.325	670	55
2.850	3.300	680	56
2.825	3.275	690	56
2.800	3.250	700	57
2.775	3.225	710	58
2.750	3.200	720	59
2.725	3.175	730	60
2.700	3.150	740	61

SUPPLEMENT NO. 5

Division I Sliding Scales
December 2011

GPA for Aid and Practice	GPA for Competition	SAT (CR+M)	ACT sum
2.675	3.125	750	61
2.650	3.100	760	62
2.625	3.075	770	63
2.600	3.050	780	64
2.575	3.025	790	65
2.550	3.000	800	66
2.525	2.975	810	67
2.500	2.950	820	68
2.475	2.925	830	69
2.450	2.900	840	70
2.425	2.875	850	70
2.400	2.850	860	71
2.375	2.825	870	72
2.350	2.800	880	73
2.325	2.775	890	74
2.300	2.750	900	75
2.275	2.725	910	76
2.250	2.700	920	77
2.225	2.675	930	78
2.200	2.650	940	79
2.175	2.625	950	80
2.150	2.600	960	81
2.125	2.575	970	82
2.100	2.550	980	83
2.075	2.525	990	84
2.050	2.500	1000	85
2.025	2.475	1010	86
2.000	2.450	1020	86
	2.425	1030	87
	2.400	1040	88
	2.375	1050	89
	2.350	1060	90
	2.325	1070	91
	2.300	1080	93

NCAA Division I Academic Performance Program
Review of Options for Timing of Data Collection and Penalties

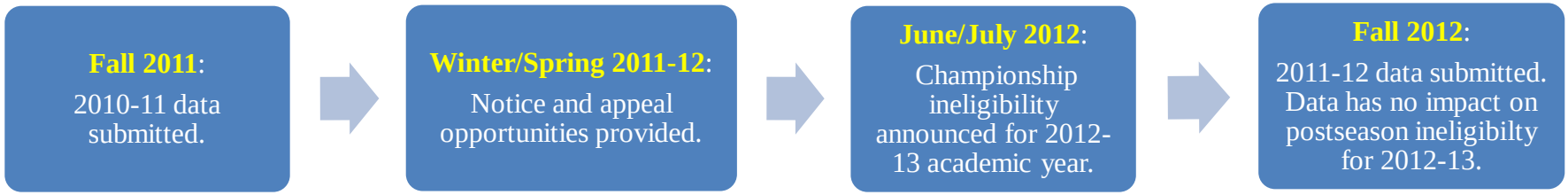
The following document outlines five different approaches for the annual collection of NCAA Division I Academic Performance Program (APP) data and implementation of APP penalties for review by the NCAA Division I Committee on Academic Performance. Each approach provides an example of how the process would work for the upcoming academic year and is followed by a summary of some of the positive and negative aspects to the approach.

Option Nos. 1 through 4 each would maintain the current, academic-year based, system of data collection and penalties, with each option providing some variation on how penalties are implemented. Option No. 5; however, outlines a switch to a calendar-year based approach to data collection. A threshold question for the Committee is whether the data collection process should be moved from its current academic-year based system to a calendar year approach.

After a determination is made regarding the data collection process, the Committee can move to whether it believes any variations should be made to the penalty implementation process to allow for review of more recent data and/or expedited review processes.

Option No. 1: Current Data Collection and Penalty Processes

Example:



Option No. 1.

1. Summary.

Maintenance of the current system of data collection and penalties.

2. Positives.

a. Maintains continuity from the current method of data collection and penalty processes, allowing for a smooth transition.

b. Notice is provided to institutions and student-athletes regarding post-season ineligibility.

c. Clarity for championships purposes at the beginning of the academic year regarding what teams will be ineligible for participation.

3. Negatives.

a. Penalties could be considered delayed and; therefore, impacting fewer student-athletes that had a role in the lower NCAA Division I Academic Progress Rates (APRs).

b. Unable to take into account the most recent year's APR in the determination of penalties. This is particularly challenging in cases in which the very recent APR would put a team over the 930 benchmark.

Option No. 2: Current Data Collection/Penalty Process with Conditional Approvals for Select Teams

Example:

Fall 2011:
2010-11 data submitted.

Winter/Spring 2011-12:
Notice and Appeal Opportunities provided.

Teams with 2010-11 single-year at or above pre-determined benchmark (e.g., 975 or 1000) may offer alternative penalties to the post-season ineligibility, conditioned on receipt of an APR in 2011-12 that would: (a) be above a predetermined benchmark (e.g., 975); and (b) take that team above the penalty threshold with its inclusion in the multiyear rate.

Staff/Committee would have to approve the self-imposed penalties.

June/July 2012:
Championship ineligibility announced for 2012-13 academic year.

Teams with conditions are noted as being ineligible pending review of 2011-12 data.

Fall 2012:
2011-12 data submitted early for penalized team. If 2011-12 ***single-year*** APR is at or above predetermined benchmark (e.g., 975 or 1000) and gets team above penalty benchmark, team imposes alternative penalties. If below the benchmark, team is subject to postseason ineligibility in 2012-13.

Option No. 2.

1. Summary.

Generally provides for continuation of the current system of data collection and penalties while allowing for consideration of the most recent single year APR in select cases where the fourth year of data demonstrates marked improvement when assessing penalties.

2. Positives.

a. Largely maintains continuity from the current method of data collection and penalty processes, allowing for a smooth transition.

b. Notice is provided to institutions and student-athletes regarding at least the possibility of postseason ineligibility.

c. Allows for teams that have posted a high most recent single-year APR to offer alternative penalties to post-season ineligibility and to have the opportunity to demonstrate a second year of a substantially increased APR.

d. Requires teams to have two recent high single-year APRs in order to get postseason relief. It is likely these cases represent true demonstrated institutional change.

3. Negatives.

a. Would be available to a small number of teams (e.g., only those with a most recent single-year APR above a 970).

b. Could be considered by media, membership and general public as a "watering down" of academic penalties.

c. If conditional APR is not met, penalties could be considered delayed because they are not imposed during the same year that the data is submitted and; therefore, impacting fewer student-athletes that had a role in the lower score.

4. Follow-up Issues to Consider.

a. The committee would need to identify the types of penalties that might be self-imposed and are acceptable substitutes for postseason ineligibility.

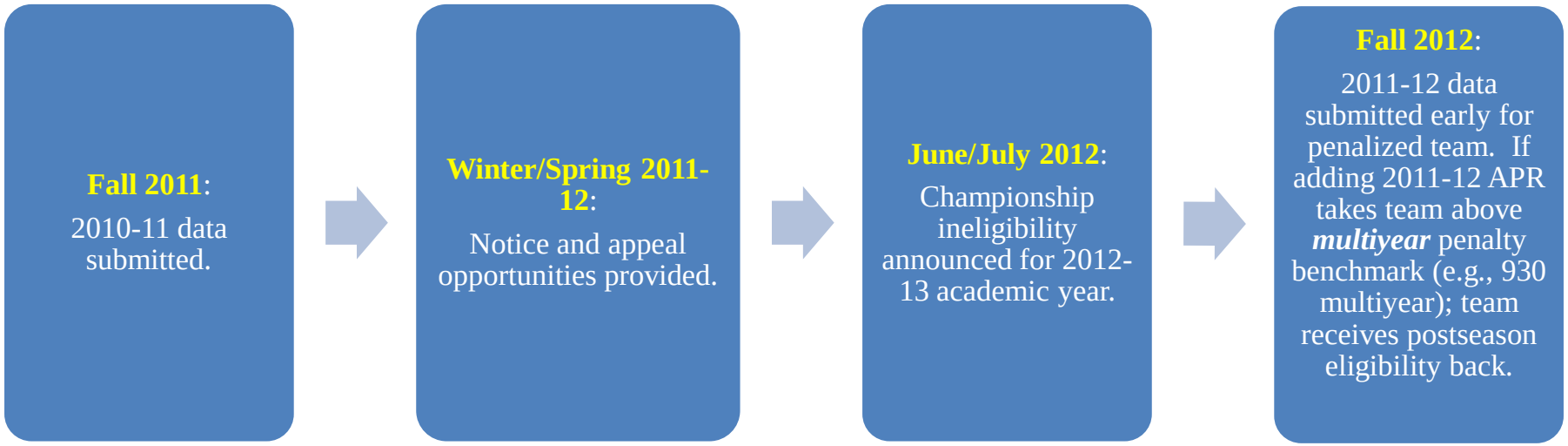
b. Should this approach be considered a temporary measure during transition into the new penalty structure or a permanent approach?

c. Can either of the two most recent-year APRs include points earned through delayed graduation bonuses or should all APRs reflect only the academic performance of the currently enrolled student-athletes?

d. For teams able to take advantage of the conditional, alternative penalties, what type of penalty announcement should be made in the public release? With respect to student-athletes on these teams, what type of notice will they receive of possible postseason ineligibility and what opportunities to transfer will be made available?

Option No. 3: Current Data Collection/Penalty Processes with Fall Review of New *Multiyear* APR

Example:



Option No. 3.

1. Summary.

Provides for continuation of the current system of data collection and penalties while allowing for consideration of most up-to-date multiyear APR for assessing whether penalties should be repealed for that academic year.

2. Positives.

a. Maintains continuity from the current method of data collection and penalty processes, allowing for a smooth transition.

b. Notice is provided to institutions and student-athletes regarding at least the possibility of postseason ineligibility.

c. Maintains a focus on the use of the multiyear APR for determining postseason ineligibility.

d. Allows for review of the most up-to-date multiyear APR for teams to avoid penalties, placing the focus on the most recent academic performance available and; therefore, including an impact on more of the student-athletes that may have been part of the academic issues.

3. Negatives.

a. Could be considered by media, membership and general public as a "watering down" of academic penalties.

b. Could be considered too lenient by allowing teams an extra year of data to determine eligibility. Essentially, this model provides for a four or five year APR review with the team benefitting from whichever number is higher.

4. Follow-up Issues to Consider.

a. Should this approach be considered a temporary measure during transition into the new penalty structure or a permanent approach?

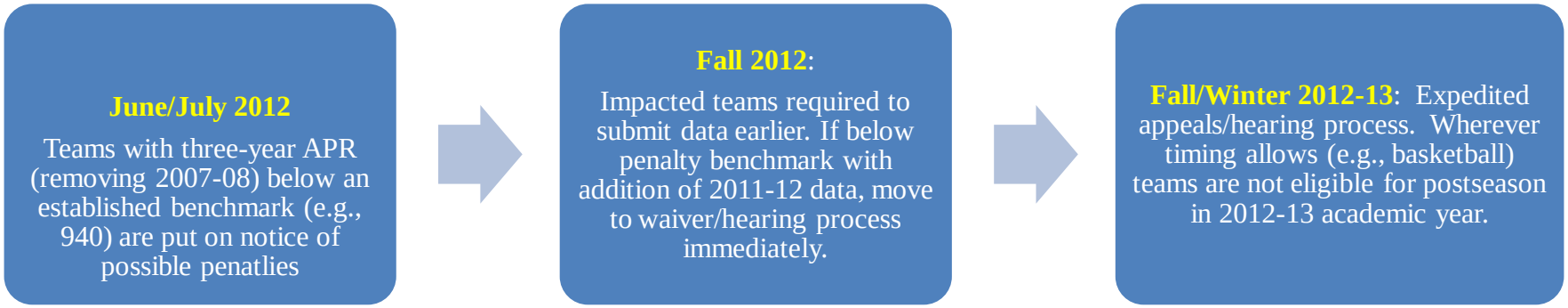
b. Can the most recent-year APR include points earned through delayed graduation bonuses or should it reflect only the academic performance of the currently enrolled student-athletes?

c. With respect to student-athletes on these teams, what type of notice will they receive of possible postseason ineligibility and what opportunities to transfer will be made available?

Option No. 4: Current Data Collection with Expedited Review to Allow for "Real Time" Penalties

(Assumes earliest possible implementation date of 2012-13 academic year)

Example:



Option No. 4.

1. Summary.

Provides notice to teams that have the possibility of postseason ineligibility that they will be required to undergo an expedited data submission process, with the push to have all teams through any hearing/appeals process prior to championship selection.

2. Positives.

a. Maintains some continuity from the current method of data collection and penalty processes, allowing for a smooth transition.

b. Notice is provided to institutions and student-athletes regarding at least the possibility of postseason ineligibility.

c. Maintains a focus on the use of the multiyear APR for determining postseason ineligibility.

d. Allows for review of the most up-to-date multiyear APR for teams to avoid penalties, placing the focus on the most recent academic performance available and; therefore, including an impact on more of the student-athletes that may have been part of the academic issues.

3. Negatives.

a. There may be some teams whose three-year APR may put them above a 940 but with a poor single-year APR may still fall below the penalty benchmark.

b. Would place a premium on very swift review of data and appeals, which could result in errors and inaccuracies.

c. Not all sports would be treated similarly, as selections for fall championships and bowl games would occur too soon for appeals to have been heard.

4. Follow-up Issue.

- With respect to student-athletes on these teams, what type of notice will they receive of possible postseason ineligibility and what opportunities to transfer will be made available?

Option No. 5: Submission of Data and Penalty Processes Occur in Spring,

Resulting in a Spring/Fall APR Year vs. the Current Academic Year

(Assumes earliest possible implementation of 2012-13 academic year)

Example:

Option No. 5.

1. Summary.

Changes the current data collection process from an academic year data collection to a calendar year data collection, moving the submission process to the spring semester.

2. Positives.

a. Would allow for inclusion of more timely data in the multiyear rate by taking into account the most recent fall academic performance.

b. Notice would be provided to institutions and student-athletes regarding at least the possibility of postseason ineligibility.

c. Maintains a focus on the use of the multiyear APR for determining postseason ineligibility.

d. Allows for review of the most up-to-date multiyear APR for teams to avoid penalties by adding one more recent semester, placing a greater focus on the most recent academic performance available and; therefore, including an impact on more of the student-athletes that may have been part of the academic issues.

3. Negatives.

a. Would be a major change on campus for APR administrators, which may not align with how academic eligibility/reporting is conducted nationally.

b. Would require recalibration of the data collection process to allow for submission in the fall.

c. Would likely require quicker movement to hearings/appeals if all decisions were needed to be made regarding penalties before a summer release.

d. May be data integrity issues with the movement from an academic year system to a calendar year system, which would need to be accounted for by research.

SUPPLEMENT NO. 7

University of Delaware
Hofstra University
Old Dominion University
Drexel University
James Madison University
Towson University
George Mason University
University of North Carolina Wilmington
Virginia Commonwealth University
Georgia State University
Northeastern University
College of William & Mary

December 18, 2011

Dr. Walt Harrison
Chair
NCAA Committee on Academic Performance
Indianapolis, IN 46206

Dear Walt:

After discussions with Kevin Lennon, he suggested that I write you with 2 scenarios regarding the APR championship benchmark legislation. Before discussing the scenarios, I strongly believe in the legislation and the consequence of postseason ineligibility for poor performance. I would encourage CAP to stand firm on one penalty that captures peoples' attention.

I agree with the comments that penalties should be meaningful, as contemporaneous as possible to the situations that caused the penalties, and fair to the student-athletes and coaches that will ultimately end up serving the penalties. These scenarios and suggested outcomes support those principles. For the purposes of these scenarios, let's assume that the program is already in place, so no initiation factors complicate the discussion.

Scenario #1 (Basketball or winter sport).
In the fall 2011, an institution realizes that it will not be eligible for the 2013 Basketball Championship due to its 4 year APR average and there are no legitimate areas for appeal. There has been a complete change in the team roster, head basketball coach, athletic director and President and the institution would like to serve its pending penalty at the first opportunity (2012 championship) in order to make the penalty more contemporaneous and to put the past behind.

If the institution waives any appeal process and accepts its ineligibility, I would like to recommend that the institution be permitted to serve its penalty at the first opportunity (i.e. the 2012 championship). This is similar to an institution voluntarily removing itself from postseason competition in advance of an infractions hearing to make the penalty more contemporaneous. Early service could serve as a motivating factor as there will be incentive during the 2011-12 year to correct the APR deficiency. A penalty in 2013 would minimize any 2011-12 incentive and may create a disincentive with the current roster. The institution will also effectively have a 2 year penalty – one year waiting and a second of service. I understand the necessity to delay some decisions until the spring to

accommodate appeals. However, if the institution concedes, let it serve its penalty as soon as possible.

Scenario #2 (Basketball or any sport).
In the fall 2011, an institution realizes that it "just missed" the APR benchmark and therefore will be ineligible for the 2013 basketball championship. Information presented for reconsideration/appeal does not change the committee's determination, but the institution believes that solid performance by the entire team during the 2011-12 academic year (the next year in the APR average), could satisfy the 2013 APR standard.

When the 2011-12 APR information is submitted in August 2012, the institution's new 4-year APR (for the 2012-13 academic year) satisfies the 2013 standard of 900. Since the institution has now satisfied the current year APR standard prior to the championship, can the institution "re-earn" its eligibility? This option would serve as a tremendous motivating factor for the team during 2011-12 and would be fair. Operationally, it might be considered as a standard option in the appeal process allowing those institutions to "re-earn" eligibility.

Kevin has cited concerns about differing academic calendars (quarter schools with late starting dates) having a disparate impact or unfair to fall sports. I don't believe this is necessarily a valid concern. The "no later than" 6 week deadline is an ending deadline similar to the April 15 tax filing – you could file January 1. Institutions can collect, process and submit the information much earlier, as soon as their census date which could be sometime in August or early September. To my knowledge, the quarter schools all start before October 1, so while later, not exclusionary. The first NCAA championships don't begin until the middle of November, so there would appear to be opportunity for all institutions and all sports to access this option.

To be clear, I am not advocating the reverse, that an institution becomes ineligible after the next year's APR information is known and calculated.

I believe that we generally try to preserve two important principles. One is to try to make any punitive action as "real time" as possible and the second, modify behavior in a positive manner. The outcomes I am suggesting in these two scenarios would appear to meet the objectives.

Thank you for the committee's consideration.

Sincerely,

Tom

Thomas E. Yeager
Commissioner

Cc: Kevin Lennon
Greg Sankey

NCAA Division I Committee on Academic Performance Academic Performance Program Access to Postseason and Penalty Waiver Directive

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 multiyear NCAA Division I Academic Progress Rate (APR), falls below 930, that team becomes ineligible for postseason competition and is subject to penalties. The NCAA Division I Committee on Academic Performance has established a two-year transition period in which the APP penalty benchmark will be 900 in 2011-12 and 2012-13. In addition, filters are applied to teams' data to account for improvement and resources in the penalty calculation. NCAA Division I Bylaws 18.4.2.3.1, 23.2.2.3 and 23.3 provide for waivers of APP penalties or access to postseason competition. The committee 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.

Guiding Principles.

1. Requests to waive ineligibility for postseason and APP Level One, Two and Three penalties will be considered independently. The requests are filed simultaneously, but the access to postseason competition and APP penalties have different standards for relief.

2. APP penalty and postseason waiver requests involve a review of the entire athletics team's overall academic performance. The APR is a team rate and not based on the academic performance of a single student-athlete. Therefore, the review of waiver requests shall consider all student-athletes included in the team's multiyear APR. This approach considers the loss of all APR points, not just those of select students. This approach could be referred to as the "top-down approach" (e.g., start at an APR of 1000 and explain the loss of all points).

3. APR Improvement Plans are reviewed with the waiver request. Plans should be designed to assist teams in achieving APRs above the penalty benchmarks in a reasonable time by identifying and addressing issues impacting a team's APR with measurable goals, steps to achieve the stated goals and a timetable for implementation.

4. The identification of academically under-performing teams that are subject to an APP penalty includes consideration of resource level and squad size. Therefore, the staff/subcommittee/committee will generally not consider these elements in its review of APP penalty waiver or loss of access to postseason waiver requests.

Waivers of Ineligiblity for Postseason Competition.

1. First Occasion Team is Ineligible for Postseason Competition. Institutions are permitted to submit a waiver request the first occasion a team is subject to postseason competition ineligibility. The committee has established a high threshold for relief in these cases and generally relief will not be provided.

   - Factors to be Considered. The staff/subcommittee will consider the following factors in reviewing such a request:

     (1) Extraordinary Mitigating Circumstances. The institution's cited mitigation must be clearly out of the control of the institution, the athletics department and the team's student-athletes. It must pertain to matters not previously addressed in the APP (e.g., small squad size, institutional mission). Finally it must have impacted the team over the multiple years that make up the four-year APR. An example of mitigation that would be considered extraordinary is a natural disaster that impact a team's APR over multiple years. An example of mitigation that would not be considered extraordinary would be head coaching, change significant leadership change at the institution or institutional reclassification.

     (2) APR Improvement Plan. An institution's commitment to improving the penalized team's academic performance as outlined in the APR Improvement Plan must be considered in reviewing a waiver requesting relief from postseason competition ineligibility. Plans will be reviewed for focus on critical areas impacting academic success as well as other components demonstrating the institution's accountability toward meeting the stated goals of the APP (e.g., graduating student-athletes).

(3) Academic Factors. A waiver request must include a comprehensive review of the team's historical academic trends to determine if the team's placement in the APP penalty structure is the result of habitual underperformance or the result of some anomaly event (see the list on Page No. 4). Trending will also be evaluated to determine if the team is making progress with respect to the penalty benchmark.

(4) Alternative Penalty Options. An institution may request that an alternative penalty be imposed in lieu of postseason ineligibility. The institution must include an explanation of how the alternate penalty equates to a loss of postseason access.

2. Second Occasion Team is subject to Loss of Postseason Competition. Institutions are permitted to request a waiver of a team's loss of access to postseason competition.

- Factors to be Considered. The second or subsequent time a team loses access to postseason competition, the staff/subcommittee/committee will review the request using the same factors used in considering an APP penalty waiver (see Page Nos. 4 – 7 for more information). However, the level of extraordinary mitigation required to receive relief is not as substantial after the team has been subject to one year of postseason competition ineligibility.

3. Notes on Outcomes. A loss of access to postseason competition waiver request will be approved, conditionally approved or denied.

a. First occasion loss of access to postseason waiver requests should be denied if the institution cannot demonstrate extraordinary mitigating circumstances as described on Page No. 2. Other factors listed in item number one above will be examined, but absent extraordinary mitigation are not likely to result in an approval.

b. Second and subsequent waivers of loss of access to postseason competition should be denied if the institution cannot demonstrate:

(1) Significant academic improvement that is sustainable;

(2) Mitigating circumstances as defined on Page No. 7; and

(3) An APR Improvement Plan that demonstrates the institution's commitment to improving the team's academic performance by identifying critical issues that have impacted the team's APR and addressing those issues with clear steps and measurable goals; and

(4) An expectation that the team will achieve an APR of 930 or higher

(5) in a reasonable period of time.

APP Penalty Waivers.

Institutions are permitted to request a waiver of a team's APP penalties. The staff/subcommittee/committee will consider the following factors in reviewing such a request:

1. Academic Factors. Evaluating a team's academic performance is an important part of the APP Penalty waiver process. The staff/subcommittee/committee's review of a team's academic performance may include consideration of the following elements:

   a. A comprehensive review of the team's historical APP performance, including any penalty history and academic trends to determine if the team's placement in the APP penalty structure is the result of habitual underperformance or the result of some anomaly event. Trending will also be evaluated to determine if the team is making sustainable progress toward the penalty benchmark.

   b. The team's Graduation Success Rate and Federal Graduation Rate, if available.

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

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

      (2) The institution's teams.

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

e. The 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.

f. The number of graduates the team has generated over the four years that make up the multiyear rate.

g. The number of student-athletes who were not academically eligible and not retained included in the multiyear APR.

h. Other academic data elements that may be relevant to the case.

2. Other Factors. The staff/subcommittee/committee's review of a team's academic performance may also include consideration of the following elements:

a. Size of variance between the team's APR and the applicable APP penalty benchmark (930).

b. The team's single-year APRs that comprise the multiyear rate. Specifically, the number of single-year APRs above or below the penalty benchmarks (930).

c. The institution's history of implementation of its APR Improvement Plan as well as the current plan's ability to address critical issues.

d. Mitigating circumstances that have affected the team's APR (see below).

e. An institution may request that an alternative penalty be imposed in lieu of the assigned APP penalty or a penalty option from the menu offered at Level Three. Should an institution offer an alternative penalty, the staff/committee/subcommittee would consider the various factors as well as the alternate penalty in the decision. The institution must demonstrate how the alternate penalty equates to the penalty it would replace.

f. Teams asserting that they have advanced in the penalty structure due to corrections to APP data identified in an APP data review must demonstrate that the current penalty is due to a lost opportunity for the institution to identify academic issues impacting the teams academic performance; to develop an appropriate APR Improvement Plan and to have an opportunity to rectify academic issues. If the institution can demonstrate this lost opportunity to identify and correct academic issues

affecting the team's academic performance the staff and/or subcommittee/committee may consider this a mitigating circumstance warranting relief from a penalty, however all such requests will be reviewed on a case-by-case basis to allow for other factors to be reviewed as well.

3. Mitigating Circumstances. 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 supported by objective documentation. The institution may reference mitigation that was considered in a previous waiver request if the impact of the mitigation is evidenced in the current APR. 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.

Circumstances not considered compelling mitigation 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;

c. Failure to develop and implement an APR Improvement Plan;

d. Conferences and/or institutions with more stringent academic standards than NCAA Division I progress-toward-degree requirements; or

e. Circumstances 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.

Institutions are limited to submitting information concerning mitigating circumstances only for the academic years used to calculate that team's current multiyear APR. However, the staff, subcommittee and committee reserve the right to consider any relevant information that would explain the team's historical performance.

4. Level Three Penalty Options. An institution with a team subject to Level Three penalties must self-impose penalties from a list of menu options. These penalties are in addition to the prescribed penalties. The institution may also elect to request an alternative penalty be imposed. The staff/committee will consider the institution's self-imposed penalty elements in the waiver decision. The staff/committee can also prescribe additional penalties for the team.

5. Notes on Outcomes. An APP penalty waiver request will be partially or fully approved or conditionally approved, or denied. Requests will likely be denied if the institution cannot demonstrate:

   a. Significant academic improvement that is sustainable; OR

   b. The team is performing well academically but for one or more years of APP data impacted by compelling, documented mitigating circumstances;

   c. An APR Improvement Plan that demonstrates the institution's commitment to improving the team's academic performance by identifying critical issues that have impacted the team's APR and addressing those issues with clear steps and measurable goals;

   d. An expectation that the team will achieve an APR of 930 or higher in a reasonable period of time; and

   e. Appropriate self-imposed penalties at Level Three.

Use of Conditional Approvals.

Waivers of APP penalties and ineligibility for postseason competition may receive conditional approval. A waiver that is conditionally approved does not waive the team's penalty unless the team satisfies the stated condition(s). These conditions may include, but are not limited to:

1. Acceptable implementation of the institution's written APR Improvement Plan;

2. Attendance at mandatory educational sessions;

3. Meeting or maintaining single-year eligibility and retention goals and/or, meeting or maintaining a specified single-year APR without the inclusion of delayed-graduation points;

4. Requiring the institution to implement certain elements of its APR Improvement Plan determined to be "critical" to improved academic performance;

5. Requiring the institution to demonstrate it has satisfied its commitment of resources to enhance academic support initiatives, that are part of the institution's APR Improvement Plan or cited in its APP penalty waiver/hearing rationale;

6. Requiring the institution to impose limits, restrictions or penalties that are part of its APR Improvement Plan or cited in its waiver/hearing rationale (e.g., withhold a head coach from contests);

7. Requiring an institution to use the NCAA Facilitating Learning and Achieving Graduation/Graduation Risk Overview program; and

8. Requiring an institution comply with identified minimal academic profiles for entering student-athletes that are part of its APR Improvement Plan or its waiver/hearing rationale. *(Revised: 10/2008;10/2010)*

An institution/team that fails to meet the stated condition(s) by the given timeframe shall have the waiver decision converted to a denial and the APP penalty must be applied to the team. The institution must impose the applicable penalty within the prescribed period of time.

Review of Conditionally Approved Penalty Waivers.

At some point established by the committee, such as the start of the academic year following the year in which the waiver was conditionally approved, the staff verifies that all established conditions were met (e.g., single-year APR, acceptable implementation of APR Improvement Plan). If the staff concludes that the team has not satisfied the condition(s) of the penalty waiver, the subcommittee and staff may consider mitigating circumstances presented by the institution. Such reviews shall occur on a case-by-case basis, and shall include consideration of any mitigation for the team's failure to reach the target APR, as well as the totality of the team's circumstances with regard to the imposed conditions. In such cases, the staff will review factors including improvement in the single-year and multiyear APR, how close the team came to meeting the target and mitigating circumstances. This action does not change an institution's opportunity to explain why it failed to meet the condition(s) or to appeal a decision by the staff to the subcommittee. The subcommittee will hear such appeals via teleconference. The subcommittee's decision is final.

Finally, if it is determined that a conditional waiver is not satisfied and the waiver is denied, the institution must impose the resulting penalties in the time period prescribed by the committee, but generally the academic year following denial of the appeal or, if there was no appeal, following determination that the conditions were not met (e.g., determined condition was not met in 2011-12 results in the imposition of the penalties in 2012-13).

If the team is subject to a penalty in the next academic year, the team is potentially subject to the penalty level that was conditionally waived and the next penalty level if it fails to meet the conditions of the waived penalty.

APR Improvement Plans.

APR Improvement Plans are meant to encourage institutions that have a team with an APR below 930 to implement strategies to improve the academic performance, retention and graduation of the student-athletes on the team. 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 930 in a reasonable period of time. Therefore, APR Improvement Plans submitted with a waiver will be reviewed as follows:

1. Institutions/teams will be accountable for identifying issues impacting the penalized team's ability to move its APR above the established penalty benchmark. The following shall be addressed:

    a. Identify any issues impacting the academic performance, retention and graduation of the team's student-athletes and develop specific and measurable goals to address the issues, steps to meet the goals, timetable for implementation and persons responsible for each step outlined in the plan.

    b. Identify specific target APR goals for the team(s) for the current academic year that will assist the team in meeting the 930 benchmark in a reasonable period of time.

    c. Identify all steps the institution has taken toward implementation of any previous APR Improvement Plan and progress toward the measurable goals.

2. If an institution fails to create and submit an acceptable APR Improvement Plan, as defined by the committee, there is a presumption that any penalty waiver request will be denied.

SUPPLEMENT NO. 9

NCAA DIVISION I COMMITTEE ON ACADEMIC PERFORMANCE
SUBCOMMITTEE ON APPEALS*

MAILING ADDRESS	PHONE/FAX/EMAIL	TERM EXPIRATION
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John Morris, chair Senior Associate Director of Athletics University of Washington Conibear Shellhouse Room 137 Seattle, Washington 98195-4070	Telephone: 206/543-4621 Fax: 206/616-4334 Email: jgmorris@u.washington.edu **Assistant:** **Phone:** **Email:**	**9/14**
Vince Nicastro Director of Athletics Villanova University 800 Lancaster Boulevard Villanova, Pennsylvania 19085	Telephone: 610/519-4110 Fax: 610/519-7987 Email: Vincent.nicastro@villanova.edu **Assistant: Susan Guarino** **Phone: 610/519-4110** **Email: susan.guarino@villanova.edu**	**09/15**
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*Additional members being considered.

A G E N D A

National Collegiate Athletic Association

HBCU and Limited Resource Institutions Academic Advisory Group

Sheraton Gateway Hotel Atlanta Airport
Atlanta, Georgia

December 12, 2011

1. Welcome.

2. Role and charge of the HBCU and Limited Resource Institutions Academic Advisory Group.

3. Changes recently adopted by the NCAA Division I Board of Directors. (Supplement Nos. 1 – 3)

    a. NCAA Division I Academic Performance Program (APP).

        (1) Review of legislation adopted by the Division I Board of Directors October 27, 2011.

        (2) Review of NCAA research metrics used for defining resource levels.

        (3) The NCAA definition of limited-resource for purposes of:

            (a) Access to APP mission filter; and

            (b) Supplemental support funds.

        (4) Review and discussion of the mission filter for restriction to postseason competition.

        (5) Review and discussion of penalties available to underperforming teams at Level Three of the penalty structure.

        (6) Review and discussion of improvement filters available for teams to avoid penalties.

        (7) Open discussion regarding academic characteristics:

- What are the characteristics of a team that should be penalized for academic underperformance, other than a low NCAA Division I Academic Progress Rate (APR)?

b. Initial-Eligibility Standards.

(1) Review of legislation adopted by the Division I Board of Directors October 27.

(2) What should be considered when reviewing an initial-eligibility waiver from limited-resourced institutions?

(3) Discussion of educational outreach efforts regarding heightened standards (secondary schools).

c. Two-Year Transfer Standards.

(1) Review of legislation adopted by the Division I Board of Directors October 27.

(2) Consideration of the concept of a year of academic readiness at the two-year institution.

4. Investigation of other tools (e.g., AP Max).

5. Greater connection to other organizations (greater collaboration).

- Availability of on-campus assessments from the National Association of Academic Advisors for Athletics (N4A).

6. Future discussions.

Academic Success Principle-Based Outcome Statements and Key Questions

The following is a list of the principle-base outcome statements developed to guide the academic behavior of student-athletes, teams and institutions.

1. <u>Principle-Based Outcome Statements</u>.

a. Student-athletes participating in intercollegiate athletics are generally expected to earn a four-year degree within five years of initial collegiate enrollment.

b. Academic standards should facilitate a student-athlete's opportunity to earn a four-year degree and serve as a means of access to practice, competition and receipt of athletics aid.

(1) Academic standards should ensure that prospective and transfer student-athletes are academically prepared for the academic rigors of pursuing an academic degree and participating in intercollegiate athletics.

(2) Academic standards should ensure that enrolled student-athletes are making meaningful progress toward a baccalaureate degree.

c. Student-athletes, prospective student-athletes and institutional staff members should engage in sound academic behavior that demonstrates academic integrity in accordance with institutional policies and NCAA legislation.

d. Academic progress, retention and graduation of student-athletes and team academic standards should serve as a means of access to postseason competition and other benefits of Division I membership.

e. Student-athletes should be provided appropriate support based upon their individual needs, institutional mission and academic standards and NCAA academic requirements. Institutions should consider their ability to provide such support in the recruitment and admission of student-athletes.

f. Admissions decisions for both entering freshmen and two- and four-year transfer student-athletes are the sole responsibility of each member institution and should adhere to the institution's regular admission standards and policies.

g. The association, member conferences and member institutions must establish policies to limit missed class time due to a student-athlete's participation in intercollegiate athletics and such policies shall be reviewed and approved by the appropriate institutional body/individual outside of athletics.

2. <u>Key Questions and Outcomes</u>.

a. Principle No. 3 addresses the issue of academic integrity. What is the proper role for the NCAA when investigating and resolving allegations of a violation of academic integrity?

b. The NCAA constitution currently includes concepts regarding certification of eligibility and sound academic standards that are not included in the principles. Should the principles be amended to include these items from the constitution?

c. The principles listed may result in the following outcomes:

(1) Elimination of any residency requirement for a student-athlete that transfers provided the act of transferring does not negatively impact a student-athlete's progress toward a degree. This would permit student-athletes in all sports, including football and basketball to be immediately eligible after transferring. [Note: The current limitations on transferring could be included in a new bylaw governing competition or an existing bylaw (e.g., recruiting).]

(2) Combine the bylaws that govern the NCAA Division I Academic Performance Program with those that regulate the academic performance of individual student-athletes.

2011-12 NCAA Division I Legislative Cycle

The following chart lists the proposals in the 2011-12 Division I legislative cycle of interest to the NCAA Division I Committee on Academic Performance. The proposals may be found in their entirety in the Attachment.

Proposal Number	Title	Source	Effective Date	Intent
2011-65	ELIGIBILITY -- TWO-YEAR COLLEGE TRANSFERS -- YEAR OF ACADEMIC READINESS AT TWO-YEAR COLLEGE	NCAA Division I Academic Cabinet	August 1, 2012, for student-athletes initially enrolling full time at a collegiate institution on or after August 1, 2012.	To establish a year of academic readiness for two-year college transfers, as specified. **The committee took no formal position. Although the committee is generally supportive of the academic year of readiness, the committee believes further membership discussion is useful.*
2011-68	ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- ELIGIBILITY FOR COMPETITION -- FULFILLMENT OF CREDIT-HOUR REQUIREMENTS -- ADDITIONAL REQUIREMENTS -- FOOTBALL -- EXCEPTION -- TEAM ACADEMIC PROGRESS RATE	Big East Conference	August 1, 2012	In football, to specify that a student-athlete shall not be subject to the eligibility penalty for failure to successfully complete at least nine-semester hours or eight-quarter hours of academic credit during the fall term and earn the Academic Progress Rate eligibility point for the fall term, provided the institution's Academic Progress Rate for football is 965 or higher as of the first day of classes of the fall term in which the penalty would otherwise apply. **The committee opposes the proposal.*

Former Student-Athlete Fund

White Case Settlement

A component of the White Case settlement included a total fund of $10 million to be distributed on a claims-made basis to qualifying former student-athletes who were members of the class of selected Division I student-athletes over a three year period. The purpose of the fund was to reimburse class members for bona fide educational expenses incurred such as tuition, fees, books supplies and equipment required for courses of instruction, subject to the following individual limits: (1) a single one-time payment from the NCAA of up to $500 to cover career development expenses, such as resume preparation, career counseling, or placement services, or at the NCAA's option, the provision of such services from vendor(s) identified by the NCAA; and (2) up to $2,500 per year for a maximum of three years to reimburse bona fide educational expenses incurred in connection with a program at an accredited institution leading to a two year or four year undergraduate degree or an accredited professional, graduate, post graduate or professional certificate such as a teacher or professional certificate.

The settlement also states that at the end of the three year period, any portion of the $10 million that has not been paid, will be the subject of a supplemental distribution by the NCAA over the three subsequent years, or fewer if the NCAA chooses, to the Division I schools to benefit their current student-athletes having substantially the same effect in the areas of student assistance and academic support. As of August 31, 2011 the former student-athlete fund claims process was completed. Over $1.19 million of the claims were made from the fund with insurance paying the entire amount of the claims made. Over $8.81 million will need to be disbursed through August 31, 2014 to be in compliance with the settlement agreement.

Based on internal discussions, it is recommended that $1.0 million a year over the next three years ($3.0 million in total) be used to augment the Division I supplemental support fund for low- resourced institutions to enhance their current student-athletes academic programs. The finance committee approved the $3.0 million over the next three years, but requested that staff further review whether additional dollars should be allocated to the low-resourced institutions and what accountability measures could be implemented to ensure that the funds are having a positive impact on improving academic performance. In April, the finance committee will review the proposal for the appropriate use of the remaining $5.81 million.

NCAA Division I Committee on Academic Performance Academic Performance Program Access to Postseason and Penalty Waiver Directive

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 multiyear NCAA Division I Academic Progress Rate (APR), falls below 930, that team becomes ineligible for postseason competition and is subject to penalties. The NCAA Division I Committee on Academic Performance has established a two-year transition period in which the APP penalty benchmark will be 900 in 2011-12 and 2012-13. In addition, filters are applied to teams' data to account for improvement and resources in the penalty calculation. NCAA Division I Bylaws 18.4.2.3.1, 23.2.2.3 and 23.3 provide for waivers of APP penalties or access to postseason competition. The committee 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.

Guiding Principles.

1. Requests to waive ineligibility for postseason and APP Level One, Two and Three penalties will be considered independently. The requests are filed simultaneously, but the access to postseason competition and APP penalties have different standards for relief.

2. APP penalty and postseason waiver requests involve a review of the entire athletics team's overall academic performance. The APR is a team rate and not based on the academic performance of a single student-athlete. Therefore, the review of waiver requests shall consider all student-athletes included in the team's multiyear APR. This approach considers the loss of all APR points, not just those of select students. This approach could be referred to as the "top-down approach" (e.g., start at an APR of 1000 and explain the loss of all points).

3. APR Improvement Plans are reviewed with the waiver request. Plans should be designed to assist teams in achieving APRs above the penalty benchmarks in a reasonable time by identifying and addressing issues impacting a team's APR with measurable goals, steps to achieve the stated goals and a timetable for implementation.

4. The identification of academically under-performing teams that are subject to an APP penalty includes consideration of resource level and squad size. Therefore, the staff/subcommittee/committee will generally not consider these elements in its review of APP penalty waiver or loss of access to postseason waiver requests.

Waivers of Ineligiblity for Postseason Competition.

1. First Occasion Team is Ineligible for Postseason Competition. Institutions are permitted to submit a waiver request the first occasion a team is subject to postseason competition ineligibility. The committee has established a high threshold for relief in these cases and generally relief will not be provided.

   - Factors to be Considered. The staff/subcommittee will consider the following factors in reviewing such a request:

     (1) Extraordinary Mitigating Circumstances. The institution's cited mitigation must be clearly out of the control of the institution, the athletics department and the team's student-athletes. It must pertain to matters not previously addressed in the APP (e.g., small squad size, institutional mission). Finally it must have impacted the team over the multiple years that make up the four-year APR. An example of mitigation that would be considered extraordinary is a natural disaster that impact a team's APR over multiple years. An example of mitigation that would not be considered extraordinary would be head coaching, change significant leadership change at the institution or institutional reclassification.

     (2) APR Improvement Plan. An institution's commitment to improving the penalized team's academic performance as outlined in the APR Improvement Plan must be considered in reviewing a waiver requesting relief from postseason competition ineligibility. Plans will be reviewed for focus on critical areas impacting academic success as well as other components demonstrating the institution's accountability toward meeting the stated goals of the APP (e.g., graduating student-athletes).

(3) Academic Factors. A waiver request must include a comprehensive review of the team's historical academic trends to determine if the team's placement in the APP penalty structure is the result of habitual underperformance or the result of some anomaly event (see the list on Page No. 4). Trending will also be evaluated to determine if the team is making progress with respect to the penalty benchmark.

(4) Alternative Penalty Options. An institution may request that an alternative penalty be imposed in lieu of postseason ineligibility. The institution must include an explanation of how the alternate penalty equates to a loss of postseason access.

2. Second Occasion Team is subject to Loss of Postseason Competition. Institutions are permitted to request a waiver of a team's loss of access to postseason competition.

- Factors to be Considered. The second or subsequent time a team loses access to postseason competition, the staff/subcommittee/committee will review the request using the same factors used in considering an APP penalty waiver (see Page Nos. 4 – 7 for more information). However, the level of extraordinary mitigation required to receive relief is not as substantial after the team has been subject to one year of postseason competition ineligibility.

3. Notes on Outcomes. A loss of access to postseason competition waiver request will be approved, conditionally approved or denied.

a. First occasion loss of access to postseason waiver requests should be denied if the institution cannot demonstrate extraordinary mitigating circumstances as described on Page No. 2. Other factors listed in item number one above will be examined, but absent extraordinary mitigation are not likely to result in an approval.

b. Second and subsequent waivers of loss of access to postseason competition should be denied if the institution cannot demonstrate:

(1) Significant academic improvement that is sustainable;

(2) Mitigating circumstances as defined on Page No. 7; and

(3) An APR Improvement Plan that demonstrates the institution's commitment to improving the team's academic performance by identifying critical issues that have impacted the team's APR and addressing those issues with clear steps and measurable goals; and

(4) An expectation that the team will achieve an APR of 930 or higher

(5) in a reasonable period of time.

APP Penalty Waivers.

Institutions are permitted to request a waiver of a team's APP penalties. The staff/subcommittee/committee will consider the following factors in reviewing such a request:

1. Academic Factors. Evaluating a team's academic performance is an important part of the APP Penalty waiver process. The staff/subcommittee/committee's review of a team's academic performance may include consideration of the following elements:

   a. A comprehensive review of the team's historical APP performance, including any penalty history and academic trends to determine if the team's placement in the APP penalty structure is the result of habitual underperformance or the result of some anomaly event. Trending will also be evaluated to determine if the team is making sustainable progress toward the penalty benchmark.

   b. The team's Graduation Success Rate and Federal Graduation Rate, if available.

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

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

      (2) The institution's teams.

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

e. The 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.

f. The number of graduates the team has generated over the four years that make up the multiyear rate.

g. The number of student-athletes who were not academically eligible and not retained included in the multiyear APR.

h. Other academic data elements that may be relevant to the case.

2. Other Factors. The staff/subcommittee/committee's review of a team's academic performance may also include consideration of the following elements:

a. Size of variance between the team's APR and the applicable APP penalty benchmark (930).

b. The team's single-year APRs that comprise the multiyear rate. Specifically, the number of single-year APRs above or below the penalty benchmarks (930).

c. The institution's history of implementation of its APR Improvement Plan as well as the current plan's ability to address critical issues.

d. Mitigating circumstances that have affected the team's APR (see below).

e. An institution may request that an alternative penalty be imposed in lieu of the assigned APP penalty or a penalty option from the menu offered at Level Three. Should an institution offer an alternative penalty, the staff/committee/subcommittee would consider the various factors as well as the alternate penalty in the decision. The institution must demonstrate how the alternate penalty equates to the penalty it would replace.

f. Teams asserting that they have advanced in the penalty structure due to corrections to APP data identified in an APP data review must demonstrate that the current penalty is due to a lost opportunity for the institution to identify academic issues impacting the teams academic performance; to develop an appropriate APR Improvement Plan and to have an opportunity to rectify academic issues. If the institution can demonstrate this lost opportunity to identify and correct academic issues

affecting the team's academic performance the staff and/or subcommittee/committee may consider this a mitigating circumstance warranting relief from a penalty, however all such requests will be reviewed on a case-by-case basis to allow for other factors to be reviewed as well.

3. Mitigating Circumstances. 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 supported by objective documentation. The institution may reference mitigation that was considered in a previous waiver request if the impact of the mitigation is evidenced in the current APR. 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.

Circumstances not considered compelling mitigation 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;

c. Failure to develop and implement an APR Improvement Plan;

d. Conferences and/or institutions with more stringent academic standards than NCAA Division I progress-toward-degree requirements; or

e. Circumstances 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.

Institutions are limited to submitting information concerning mitigating circumstances only for the academic years used to calculate that team's current multiyear APR. However, the staff, subcommittee and committee reserve the right to consider any relevant information that would explain the team's historical performance.

4. Level Three Penalty Options. An institution with a team subject to Level Three penalties must self-impose penalties from a list of menu options. These penalties are in addition to the prescribed penalties. The institution may also elect to request an alternative penalty be imposed. The staff/committee will consider the institution's self-imposed penalty elements in the waiver decision. The staff/committee can also prescribe additional penalties for the team.

5. Notes on Outcomes. An APP penalty waiver request will be partially or fully approved or conditionally approved, or denied. Requests will likely be denied if the institution cannot demonstrate:

   a. Significant academic improvement that is sustainable; OR

   b. The team is performing well academically but for one or more years of APP data impacted by compelling, documented mitigating circumstances;

   c. An APR Improvement Plan that demonstrates the institution's commitment to improving the team's academic performance by identifying critical issues that have impacted the team's APR and addressing those issues with clear steps and measurable goals;

   d. An expectation that the team will achieve an APR of 930 or higher in a reasonable period of time; and

   e. Appropriate self-imposed penalties at Level Three.

Use of Conditional Approvals.

Waivers of APP penalties and ineligibility for postseason competition may receive conditional approval. A waiver that is conditionally approved does not waive the team's penalty unless the team satisfies the stated condition(s). These conditions may include, but are not limited to:

1. Acceptable implementation of the institution's written APR Improvement Plan;

2. Attendance at mandatory educational sessions;

3. Meeting or maintaining single-year eligibility and retention goals and/or, meeting or maintaining a specified single-year APR without the inclusion of delayed-graduation points;

4. Requiring the institution to implement certain elements of its APR Improvement Plan determined to be "critical" to improved academic performance;

5. Requiring the institution to demonstrate it has satisfied its commitment of resources to enhance academic support initiatives, that are part of the institution's APR Improvement Plan or cited in its APP penalty waiver/hearing rationale;

6. Requiring the institution to impose limits, restrictions or penalties that are part of its APR Improvement Plan or cited in its waiver/hearing rationale (e.g., withhold a head coach from contests);

7. Requiring an institution to use the NCAA Facilitating Learning and Achieving Graduation/Graduation Risk Overview program; and

8. Requiring an institution comply with identified minimal academic profiles for entering student-athletes that are part of its APR Improvement Plan or its waiver/hearing rationale. *(Revised: 10/2008;10/2010)*

An institution/team that fails to meet the stated condition(s) by the given timeframe shall have the waiver decision converted to a denial and the APP penalty must be applied to the team. The institution must impose the applicable penalty within the prescribed period of time.

Review of Conditionally Approved Penalty Waivers.

At some point established by the committee, such as the start of the academic year following the year in which the waiver was conditionally approved, the staff verifies that all established conditions were met (e.g., single-year APR, acceptable implementation of APR Improvement Plan). If the staff concludes that the team has not satisfied the condition(s) of the penalty waiver, the subcommittee and staff may consider mitigating circumstances presented by the institution. Such reviews shall occur on a case-by-case basis, and shall include consideration of any mitigation for the team's failure to reach the target APR, as well as the totality of the team's circumstances with regard to the imposed conditions. In such cases, the staff will review factors including improvement in the single-year and multiyear APR, how close the team came to meeting the target and mitigating circumstances. This action does not change an institution's opportunity to explain why it failed to meet the condition(s) or to appeal a decision by the staff to the subcommittee. The subcommittee will hear such appeals via teleconference. The subcommittee's decision is final.

Finally, if it is determined that a conditional waiver is not satisfied and the waiver is denied, the institution must impose the resulting penalties in the time period prescribed by the committee, but generally the academic year following denial of the appeal or, if there was no appeal, following determination that the conditions were not met (e.g., determined condition was not met in 2011-12 results in the imposition of the penalties in 2012-13).

If the team is subject to a penalty in the next academic year, the team is potentially subject to the penalty level that was conditionally waived and the next penalty level if it fails to meet the conditions of the waived penalty.

APR Improvement Plans.

APR Improvement Plans are meant to encourage institutions that have a team with an APR below 930 to implement strategies to improve the academic performance, retention and graduation of the student-athletes on the team. 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 930 in a reasonable period of time. Therefore, APR Improvement Plans submitted with a waiver will be reviewed as follows:

1. Institutions/teams will be accountable for identifying issues impacting the penalized team's ability to move its APR above the established penalty benchmark. The following shall be addressed:

    a. Identify any issues impacting the academic performance, retention and graduation of the team's student-athletes and develop specific and measurable goals to address the issues, steps to meet the goals, timetable for implementation and persons responsible for each step outlined in the plan.

    b. Identify specific target APR goals for the team(s) for the current academic year that will assist the team in meeting the 930 benchmark in a reasonable period of time.

    c. Identify all steps the institution has taken toward implementation of any previous APR Improvement Plan and progress toward the measurable goals.

2. If an institution fails to create and submit an acceptable APR Improvement Plan, as defined by the committee, there is a presumption that any penalty waiver request will be denied.

Former Student-Athlete Fund

White Case Settlement

A component of the White Case settlement included a total fund of $10 million to be distributed on a claims-made basis to qualifying former student-athletes who were members of the class of selected Division I student-athletes over a three year period. The purpose of the fund was to reimburse class members for bona fide educational expenses incurred such as tuition, fees, books supplies and equipment required for courses of instruction, subject to the following individual limits: (1) a single one-time payment from the NCAA of up to $500 to cover career development expenses, such as resume preparation, career counseling, or placement services, or at the NCAA's option, the provision of such services from vendor(s) identified by the NCAA; and (2) up to $2,500 per year for a maximum of three years to reimburse bona fide educational expenses incurred in connection with a program at an accredited institution leading to a two year or four year undergraduate degree or an accredited professional, graduate, post graduate or professional certificate such as a teacher or professional certificate.

The settlement also states that at the end of the three year period, any portion of the $10 million that has not been paid, will be the subject of a supplemental distribution by the NCAA over the three subsequent years, or fewer if the NCAA chooses, to the Division I schools to benefit their current student-athletes having substantially the same effect in the areas of student assistance and academic support. As of August 31, 2011 the former student-athlete fund claims process was completed. Over $1.19 million of the claims were made from the fund with insurance paying the entire amount of the claims made. Over $8.81 million will need to be disbursed through August 31, 2014 to be in compliance with the settlement agreement.

Based on internal discussions, it is recommended that $1.0 million a year over the next three years ($3.0 million in total) be used to augment the Division I supplemental support fund for low- resourced institutions to enhance their current student-athletes academic programs. The finance committee approved the $3.0 million over the next three years, but requested that staff further review whether additional dollars should be allocated to the low-resourced institutions and what accountability measures could be implemented to ensure that the funds are having a positive impact on improving academic performance. In April, the finance committee will review the proposal for the appropriate use of the remaining $5.81 million.

REPORT OF THE
NCAA DIVISION I COMMITTEE ON ACADEMIC PERFORMANCE
JANUARY 12, 2012, TELECONFERENCE

***ACTION ITEMS*.**

1. Legislative Items.

- **NCAA Division I Proposal No. 2011-65 Eligibility -- Two-Year College Transfers -- Year Of Academic Readiness At Two-Year College.**

(1) Recommendation. The NCAA Division I Committee on Academic Performance recommends the NCAA Division I Board of Directors reinstate NCAA Division I Proposal No. 2011-65 to the 2011-12 legislative cycle and table it.

(2) Effective Date. Immediate.

(3) Rationale. Reinstating and tabling this proposal will provide the Committee on Academic Performance and the NCAA Division I Academic Cabinet additional time to solicit feedback from the membership and two-year college community and make any resulting modifications to the proposal. Tabling the proposal will allow further vetting of the proposal over the next year.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

2. Nonlegislative Items.

a. NCAA Division I Academic Performance Program Penalty Waiver Directive.

(1) Recommendation. The Committee on Academic Performance recommends the Board of Directors approve the NCAA Division I Academic Performance Program (APP) Penalty Waiver Directive [Attachment A].

(2) Effective Date. Immediate.

(3) Rationale. During its October 2011 meeting, the Board approved changes to the APP, including changes to the penalties and the addition of an academic requirement for access to postseason competition. The new APP penalty waiver directive was developed in response to this new

penalty structure, filters and the Committee on Academic Perforamnce's principles regarding relief of the new penalties and to postseason ineligibility.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

b. **Committee Policies and Procedures.**

(1) Recommendation. The committee recommends the Board approve an amendment to APP policies and procedures providing an additional waiver appeal opportunity for teams that do not meet the postseason competition academic requirements.

(2) Effective Date. Immediate.

(3) Rationale. The committee amended its policies and procedures to provide an additional appealate opportunity for institutions with a team(s) ineligible for postseason competition due to APP requirements. This policy change applies only to access to postseason requirements and not to any of the three penalty levels (e.g., the Level Three penalties which already include a second appeal opportunity to the Board). The additional appeal opportunity is as follows:

- When the NCAA Division I Committee on Academic Performance Subcommittee on Appeals denies a waiver of access to postseason competition, the institution may appeal this decision in writing to the Committee on Academic Performance chair, or in the event of recusal by the chair to the Committee on Academic Performance vice chair.

- Based only on the written record, the chair (or vice chair) may deny the appeal or may forward the appeal to the full committee for further review and consideration. If the chair or vice chair denies the appeal, this decision is final and no further appellate opportunity is provided.

- The chair (or vice chair's) consideration of the appeal must be based on the following criteria: the institution must demonstrate that the appeals subcommittee abused its discretion in denying the

request. Abuse of discretion occurs when the subcommittee fails to follow NCAA legislation and/or established APP policies and procedures, and the failure to adhere to legislation or policies reasonably could have resulted in a different decision by the appeals subcommittee.

- If, based on this criteria, the chair or vice chair does forward the waiver request to the full committee, the committee hearing may be conducted by teleconference or in-person meeting and shall include some opportunity for the institution to present its request orally as well as in writing. The full committee's decision shall be final and not subject to any further review.

  Losing access to postseason competition is significant and the committee noted the importance of ensuring the waiver process ensures appropriate polices and legislation are adhered to. While the chair review appeal opportunity includes a rigorous standard for review, this additional step is reasonable given the seriousness of the loss of postseason competition access.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

INFORMATIONAL ITEMS.

1. October 2011 Report of the NCAA Division I Committee on Academic Performance. The committee reviewed the report.

2. October 2011 NCAA Division I Board of Directors Meeting. The committee received an update from the meeting.

3. Educational Materials Provided to the Membership. The committee reviewed the materials developed to assist the membership in understanding the academic changes adopted by the Board during its October 2011 meeting.

4. Initial Eligibility Sliding Scales/Concordance of SAT/ACT. The committee approved the detailed SAT/ACT and grade-point average requirements (Attachment B) that correspond to the changes adopted by the Board in October that must be met in order for a student-athlete to receive athletics aid, practice and compete during his or her first year

at a Division I institution. In addition, with the recent adoption of changes to the initial-eligibility requirements, the coordinates of the current sliding scale, which have been in place since the 1990's, were reviewed. This review was necessary to determine if the ACT and SAT scores in the current sliding scale are appropriate given changes in the tests that have occurred over the past 10 years. The revised test score coordinates were developed with assistance from researchers from ACT, Education Testing Service and the College Board and vary slightly from the current sliding scale. Both the new competition sliding scale and the slight changes to the current sliding scale that remains for practice and athletics aid will be effective August 1, 2015, for students initially enrolling full time in a college institution on or after August 1, 2015. The committee appreciates and acknowledges the work and recommendations of the Data Analysis Research Network in finalizing these coordinates.

5. **Timing and Announcement of APP Penalties.** The committee continued its discussion on a more rapid collection and finalizing of APRs to expedite the announcement of APRs and application of penalties and/or postseason ineligibility. A number of options to expedite the submission, waiver and appeal processes were considered. The committee agreed to maintain the current process which will be used for the current year. The committee will continue to study the feasibility of a new, or revised, process for the future. Currently, data are submitted each fall, waivers and appeals are conducted in the winter and spring and the announcement will be made after the last postseason event each year. Ineligibility for postseason competition and any penalties assessed will be taken in the next academic year (e.g., data years for eligibility for postseason in 2012-13 will be 2007-08, 2008-09, 2009-10 and 2010-11).

6. **Composition of Subcommittees.** It was noted the committee chair appointed Jerry Bovee, Weber State University and Barbara Luebke, University of Rhode Island to the Committee on Academic Performance Subcommittee on Appeals, effective immediately. Bovee and Luebke will continue to serve on NCAA Division I Committee on Academic Performance Subcommittee on Data Collection and Reporting. Adding these members to the subcommittee will help accommodate the anticipated increase in waiver requests based on more rigorous academic standards.

7. **Historically Black Colleges and Universities and Limited-Resourced Institution Advisory Group.** The committee received an update from the December meeting of the Historically Black Colleges and Universities (HBCU) Limited-Resourced Institution Advisory Group. The group was formed based on a recommendation from the committee and is working to provide recommendations regarding the APP that impact limited-resource institutions.

8. **NCAA Working Group on the Collegiate Model -- Rules.** The committee received an

update on the NCAA Working Group on the Collegiate Model – Rules and reviewed the principles developed for NCAA Division I Bylaws 14 and 23.

9. **Legislative Update.** The committee received an update on Proposal No. 2011-65 Two-Year Transfers - Academic Year of Readiness and Proposal No. 2011-68 -- Eligibility -- Progress-Toward-Degree Requirements -- Eligibility for Competition -- Fulfillment of Credit-Hour Requirements -- Additional Requirements -- Football -- Exception -- Team Academic Progress Rate**.**

10. **Allocating Additional Funds to the Supplemental Support Fund (SSF).** The committee supports a recommendation to allocate a portion of the monies remaining from the White Case settlement to the SSF to assist limited-resourced institutions in improving the academic performance of student-athletes. In addition, the committee noted the importance of creating more strict accountability measures to ensure the funds are having a positive impact on improving academic performance.

Committee Chair: Walter Harrison, University of Hartford, America East Conference
Staff Liaisons: Diane Dickman, Academic and Membership Affairs
Kevin Lennon, Academic and Membership Affairs
Todd Petr, Research
John Shukie, Academic and Membership Affairs
Jennifer Strawley, Academic and Membership Affairs

January 12, 2012	
Attendees	Absentees
Jan Blade, Delaware State University	Melvin Johnson, Tennessee State University
Jerry Bovee, Weber State University	Barbara Luebke, University of Rhode Island
Jennifer Brown, Western Carolina University	Brennan O'Donnell, Manhattan College
Michael Cross, Bradley University	
Jack Evans, University of North Carolina, Chapel Hill	
Kenneth Ferguson, University of Missouri, Kansas City	
David Jamison, Robert Morris University	
Roderick McDavis, Ohio University	
Lisa Melz, Western Illinois University	
John Morris, University of Washington	
Vince Nicastro, Villanova University	
Greg Sankey, Southeastern Conference	
Other Participants Andy Cardamone, Michelle Hosick, Andy Louthain, Binh Nguyen, Tom Paskus, Katy Yurk	

ATTACHMENT A

NCAA Division I Committee on Academic Performance Academic Performance Program Access to Postseason and Penalty Waiver Directive

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 multiyear NCAA Division I Academic Progress Rate (APR), falls below 930, that team becomes ineligible for postseason competition and is subject to penalties. The NCAA Division I Committee on Academic Performance has established a transition period in which the APP penalty benchmark will be 900 for penalties taken in 2012-13 and 2013-14 (i.e., directive is effective immediately for review of waivers submitted in 2011-12). In addition, filters are applied to teams' data to account for improvement and resources in the penalty calculation. NCAA Division I Bylaws 18.4.2.3.1, 23.2.2.3 and 23.3 provide for waivers of APP penalties or access to postseason competition. The committee 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.

Guiding Principles.

1. Requests to waive ineligibility for postseason and APP Level One, Two and Three penalties will be considered independently. The requests are filed simultaneously, but the access to postseason competition and APP penalties have different standards for relief.

2. APP penalty and postseason waiver requests involve a review of the entire athletics team's overall academic performance. The APR is a team rate and not based on the academic performance of a single student-athlete. Therefore, the review of waiver requests shall consider all student-athletes included in the team's multiyear APR. This approach considers the loss of all APR points, not just those of select students. This approach could be referred to as the "top-down approach" (e.g., start at an APR of 1000 and explain the loss of all points).

3. APR Improvement Plans are reviewed with the waiver request. Plans should be designed to assist teams in achieving APRs above the penalty benchmarks in a reasonable time by identifying and addressing issues impacting a team's APR with measurable goals, steps to achieve the stated goals and a timetable for implementation.

4. The identification of academically under-performing teams that are subject to an APP penalty includes consideration of resource level and squad size. Therefore, the staff/subcommittee/committee will generally not consider these elements in its review of APP penalty waiver or loss of access to postseason waiver requests.

Waivers of Ineligibility for Postseason Competition.

1. First Occasion Team is Ineligible for Postseason Competition. Institutions are permitted to submit a waiver request the first occasion a team is subject to postseason competition ineligibility. The committee has established a high threshold for relief in these cases and generally relief will not be provided.

   - Factors to be Considered. The staff/subcommittee will consider the following factors in reviewing such a request:

     (1) Extraordinary Mitigating Circumstances. The institution's cited mitigation must be clearly out of the control of the institution, the athletics department and the team's student-athletes. It must pertain to matters not previously addressed in the APP (e.g., small squad size, institutional mission). Finally it must have impacted the team over the multiple years that make up the four-year APR. An example of mitigation that would be considered extraordinary is a natural disaster that impact a team's APR over multiple years. An example of mitigation that would not be considered extraordinary would be head coaching change, significant leadership change at the institution, or institutional reclassification.

     (2) APR Improvement Plan. An institution's commitment to improving the penalized team's academic performance as outlined in the APR Improvement Plan must be considered in reviewing a waiver requesting relief from postseason competition ineligibility. Plans will be reviewed for focus on critical areas impacting academic success as well as other components demonstrating the institution's accountability toward meeting the stated goals of the APP (e.g., graduating student-athletes).

(3) Academic Factors. A waiver request must include a comprehensive review of the team's historical academic trends to determine if the team's placement in the APP penalty structure is the result of habitual underperformance or the result of some anomaly event (see the list on Page No. 4). Trending will also be evaluated to determine if the team is making progress with respect to the penalty benchmark.

(4) Alternative Penalty Options. An institution may request that an alternative penalty be imposed in lieu of postseason ineligibility. The institution must include an explanation of how the alternate penalty equates to a loss of postseason access.

2. Second Occasion Team is subject to Loss of Postseason Competition. Institutions are permitted to request a waiver of a team's loss of access to postseason competition.

- Factors to be Considered. The second or subsequent time a team loses access to postseason competition, the staff/subcommittee/committee will review the request using the same factors used in considering an APP penalty waiver (see Page Nos. 4 – 7 for more information). If a team has demonstrated meaningful improvement and some of the factors in item 3-b below are present, the level of mitigation required to receive relief may be less stringent than what is required the first occasion a team was ineligible for postseason competition.

3. Notes on Outcomes. A loss of access to postseason competition waiver request will be approved, conditionally approved or denied.

a. First occasion loss of access to postseason waiver requests should be denied if the institution cannot demonstrate extraordinary mitigating circumstances as described on Page No. 2. Other factors listed in item number one above will be examined, but absent extraordinary mitigation are not likely to result in an approval.

b. Second and subsequent waivers of loss of access to postseason competition should be denied if the institution cannot demonstrate:

(1) Significant academic improvement that is sustainable;

(2) Mitigating circumstances as defined on Page No. 7;

(3) An APR Improvement Plan that demonstrates the institution's commitment to improving the team's academic performance by identifying critical issues that have impacted the team's APR and addressing those issues with clear steps and measurable goals; and

(4) An expectation that the team will achieve an APR of 930 or higher in a reasonable period of time.

APP Penalty Waivers.

Institutions are permitted to request a waiver of a team's APP penalties. The staff/subcommittee/committee will consider the following factors in reviewing such a request:

1. Academic Factors. Evaluating a team's academic performance is an important part of the APP penalty waiver process. The staff/subcommittee/committee's review of a team's academic performance may include consideration of the following elements:

   a. A comprehensive review of the team's historical APP performance, including any penalty history and academic trends to determine if the team's placement in the APP penalty structure is the result of habitual underperformance or the result of some anomaly event. Trending will also be evaluated to determine if the team is making sustainable progress toward the penalty benchmark.

   b. The team's Graduation Success Rate and Federal Graduation Rate, if available.

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

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

      (2) The institution's teams.

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

e. The 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.

f. The number of graduates the team has generated over the four years that make up the multiyear rate.

g. The number of student-athletes who were not academically eligible and not retained included in the multiyear APR.

h. Other academic data elements that may be relevant to the case.

2. Other Factors. The staff/subcommittee/committee's review of a team's academic performance may also include consideration of the following elements:

a. Size of variance between the team's APR and the applicable APP penalty benchmark (930).

b. The team's single-year APRs that comprise the multiyear rate. Specifically, the number of single-year APRs above or below the penalty benchmarks (930).

c. The institution's history of implementation of its APR Improvement Plan as well as the current plan's ability to address critical issues.

d. Mitigating circumstances that have affected the team's APR (see below).

e. An institution may request that an alternative penalty be imposed in lieu of the assigned APP penalty or a penalty option from the menu offered at Level Three. Should an institution offer an alternative penalty, the staff/committee/subcommittee would consider the various factors as well as the alternate penalty in the decision. The institution must demonstrate how the alternate penalty equates to the penalty it would replace.

f. Teams asserting that they have advanced in the penalty structure due to corrections to APP data identified in an APP data review must demonstrate that the current penalty is due to a lost opportunity for the institution to identify academic issues impacting the teams academic performance; to develop an appropriate APR Improvement Plan and to have an opportunity to rectify academic issues. If the institution can demonstrate this lost opportunity to identify and correct academic issues

affecting the team's academic performance the staff and/or subcommittee/committee may consider this a mitigating circumstance warranting relief from a penalty, however all such requests will be reviewed on a case-by-case basis to allow for other factors to be reviewed as well.

3. Mitigating Circumstances. 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 supported by objective documentation. The institution may reference mitigation that was considered in a previous waiver request if the impact of the mitigation is evidenced in the current APR. 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.

Circumstances not considered compelling mitigation 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;

c. Failure to develop and implement an APR Improvement Plan;

d. Conferences and/or institutions with more stringent academic standards than NCAA Division I progress-toward-degree requirements; or

e. Circumstances 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.

Institutions are limited to submitting information concerning mitigating circumstances only for the academic years used to calculate that team's current multiyear APR. However, the staff, subcommittee and committee reserve the right to consider any relevant information that would explain the team's historical performance.

4. Level Three Penalty Options. An institution with a team subject to Level Three penalties must self-impose penalties from a list of menu options. These penalties are in addition to the prescribed penalties. The institution may also elect to request an alternative penalty be imposed. The staff/committee will consider the institution's self-imposed penalty elements in the waiver decision. The staff/committee can also prescribe additional penalties for the team.

5. Notes on Outcomes. An APP penalty waiver request will be partially or fully approved or conditionally approved, or denied. Requests will likely be denied if the institution cannot demonstrate:

   a. Significant academic improvement that is sustainable; OR

   b. The team is performing well academically but for one or more years of APP data impacted by compelling, documented mitigating circumstances;

   c. An APR Improvement Plan that demonstrates the institution's commitment to improving the team's academic performance by identifying critical issues that have impacted the team's APR and addressing those issues with clear steps and measurable goals;

   d. An expectation that the team will achieve an APR of 930 or higher in a reasonable period of time; and

   e. Appropriate self-imposed penalties at Level Three.

Use of Conditional Approvals.

Waivers of APP penalties and ineligibility for postseason competition may receive conditional approval. A waiver that is conditionally approved does not waive the team's penalty unless the team satisfies the stated condition(s). These conditions may include, but are not limited to:

1. Acceptable implementation of the institution's written APR Improvement Plan;

2. Attendance at mandatory educational sessions;

3. Meeting or maintaining single-year eligibility and retention goals and/or, meeting or maintaining a specified single-year APR without the inclusion of delayed-graduation points;

4. Requiring the institution to implement certain elements of its APR Improvement Plan determined to be "critical" to improved academic performance;

5. Requiring the institution to demonstrate it has satisfied its commitment of resources to enhance academic support initiatives that are part of the institution's APR Improvement Plan or cited in its APP penalty waiver/hearing rationale;

6. Requiring the institution to impose limits, restrictions or penalties that are part of its APR Improvement Plan or cited in its waiver/hearing rationale (e.g., withhold a head coach from contests);

7. Requiring an institution to use the NCAA Facilitating Learning and Achieving Graduation/Graduation Risk Overview program; and

8. Requiring an institution comply with identified minimal academic profiles for entering student-athletes that are part of its APR Improvement Plan or its waiver/hearing rationale. *(Revised: 10/2008;10/2010)*

An institution/team that fails to meet the stated condition(s) by the given timeframe shall have the waiver decision converted to a denial and the APP penalty must be applied to the team. The institution must impose the applicable penalty within the prescribed period of time.

Review of Conditionally Approved Penalty Waivers.

At some point established by the committee, such as the start of the academic year following the year in which the waiver was conditionally approved, the staff verifies that all established conditions were met (e.g., single-year APR, acceptable implementation of APR Improvement Plan). If the staff concludes that the team has not satisfied the condition(s) of the penalty waiver, the subcommittee and staff may consider mitigating circumstances presented by the institution. Such reviews shall occur on a case-by-case basis, and shall include consideration of any mitigation for the team's failure to reach the target APR, as well as the totality of the team's circumstances with regard to the imposed conditions. In such cases, the staff will review factors including improvement in the single-year and multiyear APR, how close the team came to meeting the target and mitigating circumstances. This action does not change an institution's opportunity to explain why it failed to meet the condition(s) or to appeal a decision by the staff to the subcommittee. The subcommittee will hear such appeals via teleconference. The subcommittee's decision is final.

Finally, if it is determined that a conditional waiver is not satisfied and the waiver is denied, the institution must impose the resulting penalties in the time period prescribed by the committee, but generally the academic year following denial of the appeal or, if there was no appeal, following determination that the conditions were not met (e.g., determined condition was not met in 2011-12 results in the imposition of the penalties in 2012-13).

If the team is subject to a penalty in the next academic year, the team is potentially subject to the penalty level that was conditionally waived and the next penalty level if it fails to meet the conditions of the waived penalty.

APR Improvement Plans.

APR Improvement Plans are meant to encourage institutions that have a team with an APR below 930 to implement strategies to improve the academic performance, retention and graduation of the student-athletes on the team. 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 930 in a reasonable period of time. Therefore, APR Improvement Plans submitted with a waiver will be reviewed as follows:

1. Institutions/teams will be accountable for identifying issues impacting the penalized team's ability to move its APR above the established penalty benchmark. The following shall be addressed:

    a. Identify any issues impacting the academic performance, retention and graduation of the team's student-athletes and develop specific and measurable goals to address the issues, steps to meet the goals, timetable for implementation and persons responsible for each step outlined in the plan.

    b. Identify specific target APR goals for the team(s) for the current academic year that will assist the team in meeting the 930 benchmark in a reasonable period of time.

    c. Identify all steps the institution has taken toward implementation of any previous APR Improvement Plan and progress toward the measurable goals.

2. If an institution fails to create and submit an acceptable APR Improvement Plan, as defined by the committee, there is a presumption that any penalty waiver request will be denied.

ATTACHMENT B

Division I Initial-Eligibility Index
Effective August 1, 2015, for students initially enrolling full time in a college institution on or after August 1, 2015.

GPA for Aid and Practice	GPA for Competition	SAT	ACT Sum
3.550	4.000	400	37
3.525	3.975	410	38
3.500	3.950	420	39
3.475	3.925	430	40
3.450	3.900	440	41
3.425	3.875	450	41
3.400	3.850	460	42
3.375	3.825	470	42
3.350	3.800	480	43
3.325	3.775	490	44
3.300	3.750	500	44
3.275	3.725	510	45
3.250	3.700	520	46
3.225	3.675	530	46
3.200	3.650	540	47
3.175	3.625	550	47
3.150	3.600	560	48
3.125	3.575	570	49
3.100	3.550	580	49
3.075	3.525	590	50
3.050	3.500	600	50
3.025	3.475	610	51
3.000	3.450	620	52
2.975	3.425	630	52
2.950	3.400	640	53
2.925	3.375	650	53
2.900	3.350	660	54
2.875	3.325	670	55
2.850	3.300	680	56
2.825	3.275	690	56
2.800	3.250	700	57
2.775	3.225	710	58
2.750	3.200	720	59
2.725	3.175	730	60
2.700	3.150	740	61
2.675	3.125	750	61
2.650	3.100	760	62
2.625	3.075	770	63

GPA for Aid and Practice	GPA for Competition	SAT	ACT Sum
2.600	3.050	780	64
2.575	3.025	790	65
2.550	3.000	800	66
2.525	2.975	810	67
2.500	2.950	820	68
2.475	2.925	830	69
2.450	2.900	840	70
2.425	2.875	850	70
2.400	2.850	860	71
2.375	2.825	870	72
2.350	2.800	880	73
2.325	2.775	890	74
2.300	2.750	900	75
2.275	2.725	910	76
2.250	2.700	920	77
2.225	2.675	930	78
2.200	2.650	940	79
2.175	2.625	950	80
2.150	2.600	960	81
2.125	2.575	970	82
2.100	2.550	980	83
2.075	2.525	990	84
2.050	2.500	1000	85
2.025	2.475	1010	86
2.000	2.450	1020	86
	2.425	1030	87
	2.400	1040	88
	2.375	1050	89
	2.350	1060	90
	2.325	1070	91
	2.300	1080	93