

**REPORT OF THE  
NCAA DIVISION I ACADEMIC CABINET  
SEPTEMBER 14-15, 2009, MEETING**

**ACTION ITEMS.**

**1. Legislative Items.**

- **Request for Noncontroversial Legislation to Modify Composition of International Student Records Committee.**

- (1) Recommendation. The NCAA Division I Academic Cabinet recommends the NCAA Division I Legislative Council adopt noncontroversial legislation to specify that the NCAA International Student Records Committee shall consist of six members, including two Division I representatives, two Division II representatives and two representatives who may be from either Division I or Division II.
- (2) Effective Date. Immediate.
- (3) Rationale. This proposal does not change the voting positions on the International Student Records Committee; it simply eliminates the nonvoting seats. The proposal allows for greater flexibility in the appointment of ad hoc members by permitting the committee to supplement its expertise as needed. For example, if the permanent committee members do not have sufficient expertise regarding educational systems in a certain country, the committee could add that needed expertise by appointing an ad hoc member with such knowledge. This proposal is being recommended as noncontroversial legislation, since broader consultation and debate are unlikely to improve the proposal in any substantial way; significant disagreement or alternative points of view will not be generated and there does not appear to be a significant impact on existing or proposed legislation. As the International Student Records Committee is a common committee, this recommendation will not be effective unless and until the same legislation is adopted in Division II.
- (4) Estimated Budget Impact. Cost savings through the use of consultants only as needed, rather than as mandated by current legislation.
- (5) Student-Athlete Impact. None.

**2. Nonlegislative Items.**

- None.

**KEY ITEM.**

- **Review of Initial-Eligibility Standards.** The cabinet continued its review of initial-eligibility standards, employing the goals and principles drafted earlier this year. Because NCAA research indicates that high school core-course grade-point average is a good predictor of eventual academic success in college, the cabinet noted that emphasizing the grade-point average requirement in any modifications to the initial-eligibility requirements may increase the predictability that a particular prospective student-athlete eventually will graduate from an institution. The cabinet requested additional information regarding the grade-point average requirement. Specifically, the cabinet is interested in the potential effects of a minimum core-course grade-point average requirement and also the impact of increased emphasis on the grade-point average in the sliding scale.

**INFORMATIONAL ITEMS.**

1. **Legislative – Comments on Proposals to be Initially Considered by the Legislative Council in January 2010.**
  - a. **NCAA Proposal No. 2009-17 – Personnel – Certification to Recruit Off Campus – Certification Administration – Faculty Athletics Representative.** The cabinet opposes Proposal No. 2009-17, which would specify that an institution’s faculty athletics representative shall administer the annual coaches’ certification test; further, that if the faculty athletics representative is unable to administer the test, he or she shall appoint an institutional staff member outside the athletics department to administer the test. The cabinet recommends that the sponsor modify Proposal No. 2009-17 to specify that an institution’s faculty athletics representative or a designee of the faculty athletics representative outside the institution’s athletics department shall administer the annual coaches’ certification test. The cabinet would support the proposal if modified. Further, in the event the sponsor does not support the suggested modification, the cabinet shall sponsor an alternative proposal. The cabinet noted that there does not appear to be a compelling reason or benefit to eliminate institutional flexibility in the administration of the certification test. Permitting another individual to administer the exam only when the faculty athletics representative is “unable” to do so might create unnecessary delays in the process. Further, the cabinet noted that the faculty athletics representative should not be required to administer the test if the institution has an established, appropriate procedure that designates an individual outside the athletics department to administer the test.

- b. Proposal No. 2009-29 – Recruiting and Eligibility – Four-Year Prospective Student-Athletes – Permission to Contact and Transfer Release – Response to Request and Hearing Opportunity.** The cabinet opposes Proposal No. 2009-29, which would specify that an institution shall grant or deny a request to permit another institution to contact a student-athlete about transferring or a request for release as a condition of the one-time transfer exception within seven calendar days of receipt of the request; further, that if the request is denied, the institution shall conduct a hearing within 14 calendar days of receipt of the student-athlete’s written request and that the student-athlete shall be provided the opportunity to actively participate in the hearing. The cabinet supports the intent and several elements of the proposal, but believes modifications should be made to the deadlines outlined for these activities. Specifically, the cabinet recommends that the sponsor modify Proposal No. 2009-29 to specify that an institution shall grant or deny a request to permit another institution to contact a student-athlete about transferring or a request for release as a condition of the one-time transfer exception within seven business days of receipt of the request; further, to specify that if the request is denied, the institution shall conduct a hearing and provide written notification of the decision to the student-athlete within 15 business days of receipt of the student-athlete’s written request and that the student-athlete shall be provided the opportunity to actively participate in the hearing. The cabinet would support the proposal if modified. Further, in the event the sponsor does not support the suggested modification, the cabinet shall sponsor an alternative proposal. The cabinet strongly supports the concepts of establishing defined timelines for response to requests for permission to contact or to use the one-time transfer exception and for promptly conducted hearings when such requests are denied. The cabinet believes that such decisions should be made as quickly as possible in the interest of student-athlete well-being. However, the cabinet expressed concern that the number of days specified in Proposal No. 2009-29 may be unrealistic and may result in a number of unintentional violations, particularly when requests are made at the end of an academic term and institutions may be closed for a period of time or institutional staff members may be on vacation.
- c. Proposal No. 2009-45 – Recruiting – Official Visit – First Opportunity to Visit – June Immediately Prior to Senior Year – Football.** The cabinet opposes Proposal No. 2009-45, which would specify that a prospective football student-athlete may be provided an expense-paid visit during the month of June immediately preceding the prospective student-athlete’s senior year in high school. The cabinet noted that some prospective student-athletes still will be completing the junior year of high school in June, and they could be preparing for or taking final exams while taking official visits if this legislation is adopted. The cabinet also noted that providing official visits prior to the senior year in high

school would accelerate the early recruitment of prospective student-athletes. Finally, monitoring complications could result from official visits occurring around the time of institutions' football camps or clinics.

- d. **Proposal No. 2009-51 – Recruiting – Camps and Clinics – Institution's Sports and Camps and Clinics – Location – Men's Basketball.** The cabinet supports Proposal No. 2009-51, which would specify that an institution's men's basketball camp or clinic shall be conducted on the institution's campus or within a 100-mile radius of the institution's campus. The cabinet also encourages the sponsor to consider modifying Proposal No. 2009-51 to specify that it be applicable to all sports rather than only men's basketball. The cabinet noted that the intent of sports camps and clinics is not for recruiting purposes; therefore, the intent and rationale of Proposal No. 2009-51 may be applicable to all sports.
  
- e. **Proposal No. 2009-61 – Eligibility – Full-Time Enrollment – Requirement for Practice – Waiver – U.S. Olympic Committee/National Governing Body – Former Student-Athlete at Another Institution – Individual Sports and Women's Rowing.** The cabinet supports Proposal No. 2009-61, which, in individual sports and women's rowing, and in a case in which the U.S. Olympic Committee or national governing body in the sport has recommended the individual's participation, would permit a former student-athlete who has graduated and has no eligibility remaining to participate in organized practice sessions at an institution other than the one he or she previously attended. The cabinet noted that a student-athlete must have graduated and exhausted eligibility in order to meet this legislation. Such student-athletes can have a positive influence on an institution's current student-athletes. In addition, any recruiting or competitive advantage as a result of the former student-athlete participating in practice is likely to be minimal.
  
- f. **Proposal No. 2009-62 – Eligibility – Full-Time Enrollment – Requirement for Practice – Waiver – U.S. Olympic Committee/National Governing Body – Former Student-Athlete – Duration of Waiver – Individual Sports and Women's Rowing.** The cabinet opposes Proposal No. 2009-62, which, in individual sports and women's rowing, and in a case in which the U.S. Olympic Committee or national governing body in the sport has recommended the individual's participation, would specify that a former student-athlete's participation in organized practice sessions shall be limited to the number of years that allows the individual to practice with the institution's team in preparation for two consecutive Olympic Games following exhaustion of eligibility or completion of degree, whichever is earlier. The cabinet noted that the current limit of five years is sufficient time to learn from an institution's coach and have a

positive impact on the institution's team. Also the cabinet noted that other means exist for former student-athletes to train with Olympic coaches beyond the five year period (e.g., outside of the team's formal practice sessions).

- g. Proposal No. 2009-63 – Eligibility – Seasons of Competition – Criteria for Determining Season of Competition – Alumni Game, Fundraising Activity or Celebrity Sports Activity.** The cabinet opposes Proposal No. 2009-63, which would specify that a student-athlete may engage in outside competition in either one alumni game, one fundraising activity or one celebrity sports activity during a season without counting such competition as a season of competition, provided the event is exempted from the institution's maximum number of contests or dates of competition as permitted in the particular sport per NCAA Bylaw 17. The cabinet expressed concern about using student-athletes who would not compete for the institution's team for the duration of the playing season as participants in promotional contests. The cabinet also noted the potential complexity of monitoring a student-athlete's participation in such activities.
- h. Proposal No. 2009-65 – Eligibility – Transfer Regulations – Four-Year College Transfers – One-Time Transfer Exception – Women's Volleyball.** The cabinet opposes Proposal No. 2009-65, which would specify that the one-time transfer exception to the four-year transfer residence requirement is not applicable to student-athletes in women's volleyball. As noted in the cabinet's guiding principles, the cabinet generally is opposed to sport-specific legislation without compelling evidence to support the proposal for a particular sport. The cabinet noted a lack of data to support a significant loss of NCAA Division I Academic Progress Rate (APR) retention points in volleyball due to transfer activity. Also, the cabinet noted that the American Volleyball Coaches Association (AVCA) has not yet taken a position on the proposal.
- i. Proposal No. 2009-66 – Eligibility – Transfer Regulations – Four-Year College Transfers – Competition or Receipt of Athletically Related Financial Aid in Year of Transfer – Tennis.** The cabinet opposes Proposal No. 2009-66, which would, in tennis, specify that a transfer student from a four-year institution who enrolls at the certifying institution as a full-time student after the conclusion of the first term of the academic year and qualifies for an exception to the one-year residence requirement shall not be eligible for competition until the following academic year if he or she has competed during the same academic year or received athletically related financial aid during the same academic year from the previous four-year institution. The cabinet noted that the proposal appears to negatively impact student-athlete well-being by restricting student-athletes who either have not received athletically related financial aid or have not competed for the current institution. Further, the cabinet generally is opposed to sport-specific

legislation without compelling evidence to support the proposal, as noted in the cabinet's guiding principles. The cabinet also would like to measure to impact of Proposal No. 2008-38 before supporting another amendment to the legislation. Finally, the cabinet noted that the Intercollegiate Tennis Association has not yet taken a position on the proposal.

**2. Legislative – Modification of Cabinet-Sponsored Proposals in the 2009-10 Legislative Cycle.**

- **Proposal No. 2009-60 - Eligibility - Academic Waivers - Authority of Initial-Eligibility Waivers Committee and Progress-Toward-Degree Waivers Committee.** The cabinet reviewed the legislative form of Proposal No. 2009-60 and amended the effective date of the proposal to May 1, 2010. This change will allow for clarity in the application of these procedural changes such that those waiver requests received prior to the effective date will follow the current appeal procedures, and those received on or after May 1, 2010, will follow the new appeal process. This change will provide for transition at time of year when relatively few waivers are requested, which should reduce the likelihood for backlogs and/or confusion due to transitional issues. Further, this revised effective date allows for timely, effective communication and instruction to the membership.

**3. Nonlegislative.**

- a. **Review of Initial-Eligibility Standards.** The cabinet continued its review of the division's initial-eligibility requirements and considered potential revisions to the current initial-eligibility standards. The cabinet reiterated the goals and principles identified during its June meeting and reviewed the impact each principle may have on potential modifications to the initial-eligibility standards.

NCAA research indicates that a prospective student-athlete's high school core-course grade-point average is a fairly strong predictor of academic success in college. The cabinet noted that focusing on the grade-point average requirement in any revisions to the initial-eligibility requirements may increase the predictability that a particular prospective student-athlete eventually will graduate from an institution. The cabinet requested that the research staff present additional information at its next meeting regarding the grade-point average requirement, specifically, the potential effects of an increased minimum core-course grade-point average requirement and also the effects of increased emphasis on the grade-point average in the sliding scale.

Based on the data available, revisions to the core course requirement (i.e., number of core courses required) or test score requirement do not appear to offer a significant improvement to predicting the eventual success of a prospective student-athlete without potential undesirable consequences, including an increased number of false negatives (declaring as ineligible a student who likely would have graduated from college) and disparate impact on a subgroup of prospective student-athletes. Further, an approach that involves cumulative levels of academic risk, or “banding”, appears to contradict the principle that the eligibility requirements should be simple, and easy to understand and implement. The “banding” concept also appears to be intrusive to institutional autonomy for managing admissions policies and academic risk.

The cabinet will consider further whether changes to the initial-eligibility requirements should affect an individual’s receipt of athletically related financial aid or should be limited to eligibility for competition in the initial year of enrollment (e.g., enhanced grade-point average requirement to be immediately eligible for competition as a freshman student-athlete). The cabinet noted that continuing to offer the opportunity to receive aid, but not compete, in the first collegiate year will help preserve access to four-year collegiate institutions, which was an emphasis of the current initial-eligibility requirements. Additionally, the cabinet will consider whether the initial-eligibility requirements should be more closely tied to the two-year transfer eligibility requirements. The cabinet noted that more significant improvements in academic performance may come from revisions to the transfer requirements; however, the data are not yet available to make those recommendations. Further, the cabinet is interested in reviewing the pattern of core-course completion (i.e., how many core courses per subject and which core courses are completed during each year of high school) and will review that data as it becomes available.

Finally, prior to its next meeting the cabinet will continue to seek feedback from the membership and interested constituent groups and organizations (e.g., faculty, coaches and academic support associations) regarding its goals, principles and potential concepts for modifying the initial-eligibility standards.

- b. Revision of Initial-Eligibility Waiver Policies and Procedures.** The cabinet approved revisions to the NCAA Division I Initial-Eligibility Waivers Committee Policies and Procedures to amend the staff authority and to permit the staff to render initial decisions for all initial-eligibility waiver cases, including cases involving students with education-impacting disabilities. This change will be effective May 1, 2010. Currently, staff is permitted to render initial decisions for all initial-eligibility waiver cases except cases involving students with disabilities. This modification will allow the staff to make initial decisions on all waiver cases.

Greater staff authority will allow the waiver committee to serve as an appellate body for all waiver cases, including cases involving prospective student-athletes with education-impacting disabilities. Such a modification provides the same waiver process to a prospective student-athlete with an education-impacting disability as to all student-athletes.

**c. Nontraditional Courses Used by Currently Enrolled Student-Athletes to Meet Full-Time Enrollment and Progress-Toward-Degree Requirements.**

The cabinet was joined by the chair of the Legislative Council to discuss the use of nontraditional courses by current student-athletes to meet full-time enrollment and progress-toward-degree requirements. The cabinet discussed several potential reasons for defeat of the previous legislative proposals related to this topic and noted that many were related to the timing and understanding of the proposals, rather than the intent and specific criteria proposed. The cabinet noted that the Legislative Council and NCAA Division I Board of Directors recognize the limitations of current legislation in this area and are supportive of updates to the legislation. The cabinet anticipates working with the Legislative Council to develop a proposal for the 2010-11 legislative cycle that will benefit the membership, while addressing past concerns.

**d. NCAA Division I Basketball Academic Enhancement Group Update.**

The cabinet reviewed the final report of the Basketball Academic Enhancement Group and continues to support the goals of improving the academic preparation of men's basketball student-athletes and facilitating transitions from high school to college. To this end, the cabinet agrees with the group's recommendations regarding required assessment activities for incoming students, as well as with the priority placed on learning and study skills education. The cabinet emphasized the importance of balancing and advancing individuals' identities as students, not just athletes, and noted increased faculty engagement beyond standard classroom interaction would serve this purpose. In addition, the cabinet noted the NCAA's academic partner organizations (e.g., N4A, NACADA, faculty athletics representatives) should be engaged to develop appropriate study skills resources for incoming student-athletes.

The cabinet also acknowledges the significance of the nonacademic influences in a student-athlete's life and the importance of the coach/player relationship to enhancing the student-athlete's connection to the institution. However, the cabinet was concerned with the amount of time incoming student-athletes would be permitted to spend with the coaching staff in full-time athletics skill development activities, relative to the time spent on academic work as outlined in the working group's recommendations. The cabinet also discussed whether the proposed staggered start to practice provides any academic benefit.

Despite these concerns, several cabinet members were supportive of allowing some athletics skill development time in the summer to enhance coach/player relationships. Even so, they suggested a review of the summer recruiting calendar to identify revisions that would increase coaches' presence on campus during the summer so they could fully engage in permissible athletics skill development and in relationship building.

Finally, when considering the academic requirement that serves as a companion piece to the summer athletics skills development opportunity, many cabinet members supported an increase in the number of completed hours to be required of incoming student-athletes. Specifically, cabinet members suggested stipulating a requirement of six hours, of which no more than three hours could be earned in study skills courses, with remaining hours to be completed in courses that satisfy general education requirements or serve as prerequisites for such requirements (e.g., required remedial courses).

- e. **NCAA Division I Football Academic Working Group Update.** The cabinet received an update on the work of the Football Academic Working Group. Specifically, the cabinet noted that the working group has reviewed feedback on its preliminary concepts and is considering whether to modify any of the recommendations. The cabinet also noted that the working group will continue its review of the time demands on football student-athletes during the fall. Finally, the cabinet anticipates having an opportunity to review the working group's final report at its February meeting, after the report is presented to the Board of Directors.
  
- f. **Academic Performance of Women's Basketball Student-Athletes.** The cabinet noted that the NCAA Division I Women's Basketball Issues Committee began a review of the academic performance of women's basketball student-athletes in light of recent data indicating declining eligibility rates and increasing numbers of student-athletes departing their institutions while academically ineligible (i.e., "0/2" in the APR). The cabinet reviewed the academic-development concepts considered by the committee for entering prospective student-athletes and looks forward to the committee's future development of the ideas. The cabinet also discussed the opportunity to include an institutional assessment of each student-athlete's risk of not graduating as part of the recommendations to improve academic performance and graduation rates of women's basketball student-athletes. Finally, the cabinet noted that the committee's review is still in its preliminary stages and that final recommendations and proposals are anticipated to be ready for the 2010-11 legislative cycle.

- g. Preliminary Results of Comprehensive Academic Support Services Survey (Academic Cabinet Priority Topic).** The cabinet reviewed the preliminary results of a comprehensive study of academic support resources and practices for student-athletes at Division I institutions. Members of the cabinet worked with the NCAA research staff and representatives from the National Association of Academic Advisors for Athletics (N4A) and National Academic Advising Association (NACADA) to develop and conduct the survey. Division I institutions were surveyed on the support services provided for student-athletes; whether academic support services are required for all student-athletes or a particular subgroup of student-athletes; academic support staff, facilities and budgets; and the perceived effects of NCAA academic reform initiatives. Overall, responses were received from more than 90 percent of Division I member institutions, including at least 80 percent of the institutions in each Division I subdivision and a broad representation of resource levels. The research staff will continue to tabulate results and will provide a complete report to the cabinet at a later date.
- h. Facilitating Learning and Achieving Graduation (FLAG) Update.** The cabinet received an update regarding the development and implementation of the FLAG program. Specifically, the Graduation Risk Overview (GRO) module, which will help institutions to evaluate and quantify each student-athlete's risk of not graduating, is currently under development by the national office staff. The module will be piloted in the next several weeks, and the project is on track to be available to the membership during the 2009 fall term. Development of the second module of the FLAG program, which will help institutions identify support services based on an individual student-athlete's risk factors, will begin later this year.
- i. Report from the NCAA Eligibility Center.** The cabinet received its annual update from the Eligibility Center, including an overview of academic and amateurism certification activity to date for the 2009-10 academic year, the implementation of policies and operations related to recently adopted legislation (i.e., Proposal Nos. 2008-21, 2008-34, 2008-75 and 2008-77) and a review of outreach efforts to prospective student-athletes, high schools and member institutions. In addition, the Eligibility Center staff reported observations regarding the current secondary education environment, including unregulated high school activities, and discussed the implications for initial-eligibility certification. Finally, the cabinet learned the Eligibility Center is partnering with the Collegiate Commissioners Association Compliance Administrators (CCACA) to address issues raised by the membership and to improve the service provided to member institutions during the fall certification season.

- j. Review of Two-Year College Transfer Student-Athletes.** In anticipation of the cabinet's February meeting, the cabinet began preparations for its review of issues pertaining to two-year college transfer student-athletes. Preliminary data will be available to examine the academic performance of two-year college transfers and the cabinet will attempt to identify the academic profile(s) of successful two-year college transfers as it prepares to consider potential revisions to the two-year college transfer requirements. To this end, the cabinet also noted the importance of augmenting the review of data by engaging interested constituents in the cabinet's discussions. Specifically, the cabinet requested that research results be shared with representatives from the two-year community so that the cabinet could consider their feedback during its review. In addition, the cabinet will host representatives from academic support associations at its February meetings and will engage those representatives, particularly to discuss best practices and successful strategies for ensuring graduation among two-year college transfer student-athletes.

*Committee Chair: Carolyn Callahan, University of Virginia, Atlantic Coast Conference*

*Cabinet Liaisons: Matt Burgemeister, Academic and Membership Affairs*

*Julie Cromer, Academic and Membership Affairs*

*Diane Dickman, Academic and Membership Affairs*