



PROGRESS-TOWARD-DEGREE

PREVIOUSLY APPROVED WAIVER CHECKLIST

2019 Division II Education

- The Previously Approved Waiver Checklist provides an outline of specific scenarios which allows institutions to self-apply relief on campus for student-athletes who find themselves with a progress-toward-degree deficiency.
- Over the next 30 minutes or so, we will review how we got here, what the checklist does and maybe more importantly what it does not do. We will also take some time diving into the specific scenarios and conditions that would allow self-applied relief, review some things to remember, and answer some of your questions as well.
- Questions may be asked by typing them in the “chat” section on your screen which will be monitored by staff during the presentation. We will answer as many questions as we can in the time allotted.
- Also, please be sure to mute your phones to ensure others aren’t impacted by any unnecessary background noise.....

Background

- In September 2018, the NCAA Division II Academic Requirements Committee reviewed data related to the approval of progress-toward-degree waivers.
- 30% of approved waivers included documented mitigation which had a clear and direct impact on student-athletes (e.g., sexual assault, death of a parent, hospitalization).
- In April 2019, the Division II Management Council approved the use of a previously approved waiver checklist effective for the 2019-20 academic year.

- To provide some background, we collected two years worth of data from our RSRO system that tracked the number of progress-toward-degree waivers that were submitted by Division II member institutions and approved at the staff level. During our September meeting, the Academic Requirements Committee took some time to review and discuss the results.
- What we found was that 30% of the waivers approved by staff included some sort of extreme personal hardship such as the death of a parent, a sexual assault, an inpatient hospitalization - circumstances that had a direct impact on the student-athlete that was clearly outside of their control and impacted their academic performance.
- A few other patterns we saw in approved waivers included requests for high-achieving student-athletes who presented a cumulative GPA of 3.5 or above, or for student-athletes who had strong academic records but enrolled in highly restrictive degree programs that limit course selection.
- After some discussion, there was an interest by the committee to create some efficiencies for all involved in this space so they reviewed a campus relief process similar to one currently in use by our friends in Division I.
- As a result of the review, the Division II Academic Requirements Committee recommended and Management Council approved the use of a Previously Approved

Waiver Checklist for the upcoming academic year.

Intent



Provide institutions the ability to self-apply relief to student-athletes who find themselves with an academic deficiency.



Increase efficiencies and reduce bureaucracy.



Retain access to a formal waiver request if the fact pattern does not meet the requirements to self-apply relief.

- The intent behind this shift was three fold. To provide institutions with more flexibility to self apply relief on campus when circumstances allow it, which in turn would make things more efficient by reducing the time it takes to submit and process a formal waiver through the RSRO system. But we also know that based on the data, a majority of your student-athlete's circumstances won't rise to the level of self-applied relief, so the traditional waiver option would obviously need to remain available.

What Does it Do?

- Outlines specific scenarios when an institution may self-apply relief on campus.
- Clearly articulates what circumstances satisfy the criteria.
- Requires institutions to keep documentation on file.

So what exactly does the Previously Approved Waiver Checklist do? It provides specific details for institutions outlining which scenarios may be considered for self applied relief, clarifies the conditions that satisfy the criteria, and also articulates what documentation needs to be kept on file by the institution. This also assumes a good faith effort by the institution to confirm that the event/events directly impacted the SA's academic performance during the year in which the event took place.

Which Deficiencies?

Provides relief for academic deficiencies that include:

- 9-semester/8-quarter hours;
- 18-semester/27-quarter hours;
- 24-semester/36-quarter hours; and
- 2.0 grade-point average.

NCAA Bylaws 14.4.3.2, 14.4.3.2.1,
14.4.3.3, 14.4.3.4, 14.4.3.5

The checklist only allows for self-applied relief to academic deficiencies related to NCAA credit hour and grade-point average requirements.

This would include student athletes who present a deficiency of the term-by-term 9-semester/8-quarter hour requirement, the 18-semester or 27-quarter hours required to be earned during the regular academic, and the 24-semester/36-quarter annual credit hour requirement. It also includes deficiencies related to the 2.0 cumulative GPA requirement for matriculating student-athletes.

What it Does NOT Do:

Does NOT replace the current progress-toward-degree waiver process or directive.

Does NOT waive good academic standing, designation of degree or full-time enrollment.

Does NOT provide relief for other waiver types.

Does NOT require institutions to report to the NCAA.

While the checklist presents a certain measure of flexibility to our current process, it is also important to understand what the checklist will NOT change.

- It will not replace the current PTD waiver process or directive. That process and threshold for relief remains in tact and available to all student-athletes who present a deficiency but do not meet the conditions contained in the checklist.
- The checklist will not provide relief for student-athletes who are not in good academic standing at their institutions. This remains an institutional policy issue that in most cases cannot be waived by the NCAA.
- Additionally, deficiencies that are a result of a lapse in the designation of a degree and any less-than full-time enrollment requests would still need to be processed through the RSRO system.
- Its also important to remind you that this checklist is ONLY for the specific academic deficiencies outlined. It can not be applied to two-year college transfer deficiencies or any other legislative relief requests that include non academic four year transfer or amateurism certification issues. Those issues would still need to be addressed through the appropriate and traditional waiver process.
- With an intent to relieve some burden and create efficiencies, it would be counterproductive for the NCAA to require additional reporting from institutions who self apply relief. So there would be no additional reporting requirements from

us. That does not mean, however, that conferences feel the same. They could require some form of tracking or reporting of their member institutions if they feel it is necessary and appropriate.

General Categories

- Personal hardship.
- High achieving students.

Let's take some time to dig deeper into the checklist itself. As I mentioned at the beginning, the two main areas that it covers are student-athletes who experience an event or events that create extreme personal hardship and those student-athletes who are already achieving high academic standards.

Personal Hardship

- Death of an immediate family or team member.
- Diagnosis of terminal illness or hospitalization of immediate family or team member.
- Victims of inappropriate sexual behavior.
- Inpatient hospitalization.
- Catastrophic events.

We will start with specific types of mitigation that pertains to personal hardship. I will review the general areas and then we will discuss the conditions listed for each scenario...

The waivable scenarios include student-athletes who:

- experience the death, terminal illness, or hospitalization of an immediate family member or team member;
- are the victims of inappropriate sexual behavior, abuse or harassment;
- those who are hospitalized for physical or mental illness or injury; or
- who experience a catastrophic natural or manmade event.

Scenarios – Personal Hardship

Death of an immediate family or team member:

- The student-athlete experienced the death of an immediate family or team member during the year in which the deficiency occurs.
- For purposes of relief in this scenario and others, immediate family member is defined as spouse, parent or legal guardian, child, sibling or domestic partner.

The first is fairly self explanatory. Institutions may self-apply relief for student-athletes who experience the death of an immediate family member or teammate during the year in which the deficiency occurs.. For purposes of this scenario we would define immediate family member as a parent, spouse, legal guardian, child, sibling, or domestic partner. It would not include individuals such as grandparents, aunts/uncles, or cousins, unless such individuals were established as the SA's legal guardian.

Remember, this is for self application of relief on campus. If the conditions aren't met, as an example, the death wasn't recent or the relationship itself was doesn't fit the definition of an immediate family member, the institution could still file a formal waiver if there had been an established impact on the SA's academic performance that creates a deficiency.

Scenarios – Personal Hardship

Diagnosis of terminal illness or hospitalization of immediate family or team member:

- The student-athlete's immediate family member or team member was diagnosed and/or hospitalized with a terminal illness during the year in which the deficiency occurs.

In the event that an immediate family or team member is diagnosed with or is hospitalized for a terminal illness during the year in which the deficiency occurs, the institution may self apply relief. This would not include less threatening issues such as a broken leg or minor surgery – once again if such an event impacted the student athlete, the institution could choose to file a formal waiver.

Scenarios – Personal Hardship

Victims of inappropriate sexual behavior:

- The student-athlete was a victim of inappropriate sexual behavior during the academic year in which the deficiency occurs.
- Inappropriate sexual behavior includes, but is not limited to, sexual assault, sexual abuse, sexual misconduct or sexual violence.

The next scenario is fairly self explanatory and unfortunately we are seeing an uptick in such instances – but in situations where a SA is the victim of some sort of inappropriate sexual behavior during the year in which the deficiency occurs, self applied relief may be provided. This would include but is not limited to sexual assault, abuse, misconduct, any type of sexual violence. And obviously institutions would still be subject to any institutional policy regarding the appropriate reporting of such incidents.

Scenarios – Personal Hardship

Inpatient hospitalization:

- The student-athlete is hospitalized for a significant amount of time (e.g., two weeks) during the term or year in which the deficiency occurs.

- As you are probably aware, we are also seeing a rise in the number of mental health issues with student athletes, so in cases where a SA received in-patient hospitalization for mental or physical health issues for a significant amount of time during the term or year the deficiency occurs, relief may be provided.
- In this scenario the institution would need to determine what constitutes a significant amount of time. We have provided a guideline of a hospital stay of two weeks or more, as this amount of missed class time would likely impact the SA's academic performance and ability to keep current with their coursework.
- Once again this is for self application of relief. For any scenario that might be less significant but the institution believes has been detrimental to the SAs academic performance, a request for relief may be submitted through the normal waiver process.

Scenarios – Personal Hardship

Catastrophic events:

- The student-athlete experienced a loss due to a catastrophic event that occurred at the student-athlete's institution or in the student-athlete's hometown during the year in which the deficiency occurs.
- A catastrophic event as defined by the Federal Emergency Management Agency is "any natural or manmade incident, including terrorism, that results in extraordinary levels of mass casualties, damage, or disruption severely impacting the population, infrastructure, environment, economy, national morale and/or government functions."

Relief may also be provided on campus when a SA has experienced a direct loss due to a catastrophic event on campus or in the SA's hometown during the year in which the deficiency occurs. We've seen this with recent hurricanes, floods, and tornados – most recently with our friends in Puerto Rico. In this case, the classification of a catastrophic event is the same that is used by FEMA and references extreme natural or manmade events that results in high levels of casualties or damage.

High Achieving Students

- Nontransfers with a 3.5 or above cumulative grade-point average.
- Student-athletes entering final season of competition (credit-hour deficiencies only).
- Restrictive degree programs.

Changing gears now to student athletes who have a pattern of high academic achievement. This list would include three different categories.

- The who are matriculating nontransfers (never transferred) with a 3.5 cumulative GPA or above,
- SA's entering their final season of eligibility and present a credit hour deficiency only, and
- those who are enrolled in a restrictive degree program where the deficiency is created only due to the limitations of a sequential program of studies.

Scenarios – High Achieving Students

Nontransfers with a 3.5 or above cumulative grade-point-average:

- The student-athlete is a continuing, non-transfer, undergraduate student that presents a cumulative GPA at or above 3.50 and on an academic track to graduate within five years of initial full-time enrollment.
- Institution has on file an academic recovery plan that shows graduation within five years.
- In cases of misadvisement, the institution must complete an institutional recovery and it must be kept on file.

We will start with Non transfers who present a 3.5 or above cumulative GPA.... 3.5 has always been a threshold used by staff as a measure of academic achievement when reviewing traditional waivers and in most cases we have approved them.

In order to self apply relief on campus the conditions would include the following:

- The SA would have to be a nontransfer, continuing SA (which is in this case means, the SA has never transferred) that presents a 3.5 cumulative GPA and is on track to graduate within 5 years of enrollment.
- The institution must have an academic recovery plan on file that shows how the SA will reach graduation within 5 years of enrollment.
- In cases where misadvisement is to blame for a deficiency – as an example, a SA was placed in the wrong class, or advised to drop a class that was needed for PTD, an institutional recovery plan must also be kept on file.

Again, in cases where the SA's don't quite meet the conditions such as the SA has previously transferred, the institution could still choose to file a traditional PTD waiver.

Scenarios – High Achieving Students

Student-athlete entering final season of competition (credit-hour deficiencies only):

- The student-athlete is entering his or her final season of competition and the following academic criteria are met for a credit-hour deficiency:
 - Certification that the student-athlete received a satisfactory grade in all degree-applicable courses during the previous academic year (two semesters or three quarters);
 - Certification that the student-athlete is seeking to participate in his or her final season of competition during the ensuing two semesters or three quarters;
 - Documentation that the student-athlete will complete his or her degree at the end of the ensuing two semesters or quarters;

(Continued...)

Relief may also be provided for SAs who are entering their final season of competition and present only a credit hour deficiency.

In order to use this scenario there are quite a few conditions that need to be met so let's take a closer look... the institution must be able to certify that the SA:

- Has received a satisfactory grade in all degree-applicable courses during the previous academic year (two semesters or three quarters) prior to when the deficiency occurs,
- Is seeking to participate in his/her final season of competition during the upcoming two semesters/three quarters;
- Will complete his/her degree at the end of the upcoming two semesters/three quarters.....

(continued...)

Scenarios – High Achieving Students

Student-athlete entering final season of competition (credit-hour deficiencies only):

- The student-athlete is entering his or her final season of competition and the following academic criteria are met for a credit-hour deficiency:
 - Documentation that the student-athlete meets or exceeds the cumulative grade-point-average required for graduation in the student-athlete's degree program;
 - Certification that the student-athlete had no prior progress-toward-degree deficiencies; and
 - Evidence that demonstrates that it is reasonable to believe, based on the student-athlete's accelerated completion of his/her degree requirements, that the student-athlete will earn his/her degree in less than five years of initial enrollment.

Additionally, the institution would need to confirm...

- The SA meets or exceeds the cumulative GPA required for graduation in that SA's degree program (which may be higher than the 2.0 required by the NCAA)
- The institution confirms the SA has had no prior PTD deficiencies before this one...
- Confirm the SA is on track to graduate within 5 years of initial collegiate enrollment.

It is important to note here that the final year of competition analysis has also been added to our traditional PTD waiver directive which allows staff to consider that fact as part of their analysis when reviewing traditional waivers beginning this fall.

Scenarios – High Achieving Students

Restrictive degree programs:

- The student-athlete is enrolled in a specific degree program that, due to course sequencing, offering limitations, catalog changes or a lack of course substitutions, has resulted in credit-hour deficiencies.

(Continued...)

And finally, relief may also be provided for student athletes enrolled in a specific degree program (ie: Nursing) that due to the sequence of coursework the availability of degree applicable courses are limited or when a program changes its catalog and it results in a credit hour deficiency.

In these cases, the conditions include the following.....

Scenarios – High Achieving Students

Restrictive degree programs:

- The SA's failure to pass a course within the degree program, or attain a requisite grade-point-average, did not inhibit his or her progression through the degree program or create the deficiency;
- The SA is completing his or her degree as outlined by the institution in its published policies and/or curriculum for the degree program; and
- The SA will graduate within the degree program's intended timeline.

Continued...

- The SA's academic performance didn't inhibit the progression and it truly is a program restriction or sequencing issue. Meaning the SA didn't fail a class or have to repeat a class due to poor performance.
- The degree plan is outlined by the institution's policy and current curriculum,
- The SA will graduate within the degree program's intended timeline (if beyond the recommended five years).

Things to Remember



Waiver options will still remain available for student-athletes who do not meet the threshold for institutionally applied relief.



The checklist is currently accessible via the "resources" tab in RSRO and on ncaa.org.



Staff will be available to answer any questions you may have.



No additional reporting is required, but best practices would suggest documentation is thorough and maintained on campus.

A few final things to remember:

- This checklist is only intended to provide self-applied relief in very specific/limited scenarios – the vast majority of your requests will need to be filed through the system.
- It can be applied to deficiencies identified during certifications this fall that occurred during the 2018-19 academic year.
- Remember, while there are no additional NCAA reporting requirements for this application, best practices would suggest that you keep complete and updated documentation on file at all times.

Questions?