



WAIVER OF INITIAL ACADEMIC ELIGIBILITY REQUIREMENTS PURSUANT TO NCAA BYLAW 14.3

APPLICATION INSTRUCTIONS

2007-08 Academic Year

For Use by Member Institutions Only

I. INTRODUCTION.

Pursuant to the adoption of NCAA Bylaw 14.3.1.6 at the 1988 NCAA Convention, the NCAA membership has authorized the granting of exceptions to the initial academic-eligibility requirements specified in Bylaw 14.3. This decision regarding a waiver is based on objective evidence that demonstrates circumstances in which a student's overall academic record warrants the waiver of the normal application of this regulation.

Waiver application forms must be submitted by a member institution, which shall be considered the waiver "applicant."

In the administration of this provision, the NCAA Division I Initial-Eligibility Waivers Committee or NCAA Division II Academic Requirements Committee Subcommittee on Initial-Eligibility Waivers shall consider information regarding the student-athlete's prior knowledge and notice of the provisions of Bylaw 14.3, and extenuating circumstances that precluded compliance with those provisions. In particular, the Division I or II committee/subcommittee will consider whether the prospective student-athlete was recruited by the applicant institution and the student-athlete's overall secondary academic record.

Completed waiver application forms and inquiries should be directed to:

Via U.S. Postal Service:

**NCAA Eligibility Center – IEW
P.O. Box 7110
Indianapolis, Indiana 46206-7110
317/223-0700 (telephone)
317/968-5101 (fax)**

Via Overnight Delivery:

**NCAA Eligibility Center – IEW
NCAA Distribution Center
1802 Alonzo Watford Sr. Drive
Indianapolis, Indiana 46202**

II. THRESHOLD REVIEW GUIDELINES.

In order for a waiver to be considered by the committee/subcommittee, student-athletes must meet the following threshold criteria. If the application has been accepted for consideration, the committee will decide whether the waiver request will be granted, based on the merits of the particular case. Please remember that these minimum threshold review guidelines apply to foreign-student waivers as well. Please review the two notes below for exceptions to threshold review guidelines.

[Note: There are no minimum threshold review guidelines for students with disabilities. See Section III, No. 5 for the application procedures and documentation needed by the Division I or II committee/subcommittee to review a waiver request for a student-athlete with a disability.]

[Note: Waivers with extraordinary circumstances that do not meet the following minimum threshold review guidelines may be reviewed by the Division I or II committee/subcommittee chair to determine whether the full Division I or II committee/subcommittee may review the waiver request.]

1. Core-Course Waiver.

- a. NCAA Division I student-athletes must present the following:
 - (1) Student-athletes must not have a total deficiency of more than one core-course credit.
 - (2) The core-course grade-point average and corresponding ACT or SAT score, as required in the initial-eligibility index set forth in Bylaw 14.3.1.1.1.
 - (3) Satisfactory completion of graduation from secondary school.
- b. NCAA Division II student-athletes must present the following:
 - (1) Student-athletes must not have a total deficiency of more than one core-course credit.
 - (2) A minimum SAT score of 820 or an ACT sum score of 68.
 - (3) A core-course grade-point average of at least 2.000.
 - (4) Satisfactory completion of graduation from secondary school.

2. Grade-Point-Average Waiver.

- a. Division I student-athletes must present the following:
 - (1) Core courses that meet the core-course distribution requirement set forth in Bylaw 14.3.1.1.
 - (2) The required core-course grade-point average that falls within .10 of the grade-point average required that corresponds with the test score in the initial-eligibility index set forth in Bylaw 14.3.1.1.1.

Example:	<u>Test score achieved</u>	<u>GPA required (Index)</u>	<u>Minimum GPA to be reviewed</u>
	SAT 920/ACT sum score 77	2.250	2.150
	SAT 1010/ACT sum score 86	2.000	1.900

- (3) Satisfactory completion of graduation from secondary school.
- b. Division II student-athletes must present the following:
 - (1) Core courses that meet the core-course distribution requirements set forth in Bylaw 14.3.1.1.
 - (2) A minimum core-course grade-point average of 1.900.
 - (3) A minimum SAT score of 920 or an ACT sum score of 77.
 - (4) Satisfactory completion of graduation from secondary school.

3. Graduation-Requirement Waiver.

Divisions I and II student-athletes who have not satisfied the secondary-school graduation requirement must satisfy all other initial-eligibility requirements (i.e., core-curriculum, grade-point average and test-score requirements).

4. Test-Score Deadline Waiver.

Divisions I and II student-athletes who have not fulfilled the test-score requirement on a national testing date under standard testing conditions before initial full-time collegiate enrollment must present the following:

- a. Core courses that meet the core-course distribution requirement set forth in Bylaw 14.3.1.1.
- b. A minimum core-course grade-point average of 2.000 in the core-course units.
- c. Satisfactory completion of graduation from secondary school.

5. **Transcript-Change Waiver.**

Institutions requesting a waiver based on a student-athlete's transcript change must demonstrate that with the transcript change the student-athlete would be meeting all initial-eligibility requirements.

6. **Waiver Application Deadline.**

The Division I or II subcommittee will not consider waiver applications received after the following deadlines:

- a. October 1 of the student-athlete's second academic year of collegiate enrollment; or
- b. Six months after a nonrecruited student-athlete first reports for practice or competition.

The Division I or II subcommittee may consider waiver applications received after the application deadlines only when:

- a. Circumstances beyond the control of the institution prevent it from submitting the waiver application in a timely manner;
- b. The reason for missing the deadline involves no fault of the student-athlete; and
- c. The student-athlete's secondary records are available and complete.

III. APPLICATION PROCEDURES.

1. **Application Completion.**

The institution and the student-athlete must complete this application form before the Division I or II subcommittee's consideration of the waiver request. The application form must be signed by the student-athlete and by **two** of the following individuals of the involved institution (**one of whom must be from outside the athletics department**): chancellor/president or faculty athletics representative **and** director of athletics or senior woman administrator.

2. **Waiver Requirements.**

All waiver applications must include the following:

- a. A copy of the final Initial-Eligibility Certification Report obtained from the NCAA Initial-Eligibility Clearinghouse or NCAA Eligibility Center. It is permissible to submit the Web-generated final certification report.
- b. Transcript(s) from **all** high schools attended by the student-athlete.
- c. The core-curriculum requirements per Bylaw 14.3.1.1-(a) may not apply to a student-athlete who has completed secondary education in a foreign country. The academic credentials necessary for foreign student-athletes to satisfy the core-curriculum requirement are specified in the NCAA Guide to International Academic Standards for Athletics Eligibility. Copies of the student-athlete's original foreign credentials and English translations, as specified in the guide, must be attached to the application. Applications may not be processed until the proper documents are forwarded to the NCAA Eligibility Center.
- d. Student-athlete's written comments.

3. **Transcript Change.**

- All transcript-change waivers must include the following:
 - (1) A copy of the high school's policy for transcript changes. If the high school does not have a written policy, please provide a written statement from the principal indicating the procedures followed by the high school in reference to transcript revisions.
 - (2) Documentation supporting the grade change (e.g., copy of the report card the student-athlete received for the academic term in question, copy of the grade book and/or grade report form).
 - (3) Statements from the individuals involved explaining the circumstances surrounding the grade change.
 - (4) A copy of all transcripts issued by the high school for the student-athlete.

4. **Foreign Students.**

All foreign-student waivers must include a copy of the student-athlete's leaving certificate or senior certificate (and translation).

5. **Disability Services.**

The following documentation must be provided with any waiver request related to a student-athlete's disability in order for the Division I or II subcommittee to properly evaluate the waiver application of a disabled student:

- a. Signed copy of a professional diagnosis accompanied with diagnostic test results.
- b. A copy of a current Individual Education Plan (IEP) OR a current Individual Transition Plan (ITP) OR a copy of a 504 Plan OR if the high school does not have an IEP, ITP or 504 Plan, the high school must submit a letter on school letterhead describing the accommodations provided to the student-athlete OR a letter on school letterhead entailing that accommodations were not provided to the student-athlete.
- c. Student-athlete's written comments.
- d. Copies of all ACT and/or SAT results, indicating on the application if they were taken as nonstandard test administration.
- e. Letter(s) of assessment/recommendations from student-athlete's high school principal, guidance counselors and/or teachers. **(Recommended.)**

[**Note:** The Division I or II subcommittee reserves the right to verify or request a second opinion/diagnosis.]

6. The Division I or II subcommittee may request additional pertinent information before the final determination of a case.
7. All issues regarding core-course determinations must be resolved before the waiver may be processed. The Division I or II subcommittee does not make core-course determinations.
8. Student-athletes must have been regularly admitted by the applicant's Division I or II institution. The Division I or II subcommittee may review the application of a prospective student-athlete when the student's admission to the applicant institution is contingent on a favorable Division I or II subcommittee decision only if the application contains a complete summary of the student's academic record.

IV. REVIEW PROCEDURES AND POLICIES.

1. The Division I Initial-Eligibility Waivers Committee will be composed of four subcommittees (core course, transcript change/grade-point average, foreign student and disability). The Division II Academic Requirements Committee Subcommittee on Initial-Eligibility Waivers will hear all Division II waiver requests. Division II institutions that sponsor Division I sports must file waivers for that sport with the Division I Initial-Eligibility Waivers Committee.
2. The Division I or II subcommittee shall act as one unit during all meetings.
3. The Division I or II subcommittee shall conduct its meetings and deliberations by facsimile, telephone conference, e-mail or in person.
4. The deliberation of an application shall involve Division I or II subcommittee members and NCAA Eligibility Center staff members only.
5. NCAA Eligibility Center staff members shall notify applicants regarding the Division I or II subcommittee's determination of waiver applications and shall provide e-mail confirmation of the decision to all appropriate parties.
6. Pending the Division I or II subcommittee's final approval of the waiver application, student-athletes remain partial qualifiers or nonqualifiers and are subject to all applicable restrictions related to practice, competition and institutional financial aid except as permitted under the Association's regulations. [Note: See also Section IV, Nos. 16 and 17.]
7. The Division I or II subcommittee shall consider information regarding the student-athlete's prior knowledge and notice of the provisions of Bylaw 14.3. In particular, the Division I or II subcommittee will apply a more restrictive review standard to a recruited prospective student-athlete.
8. The Division I or II subcommittee may direct the subsequent administration of an ACT or SAT to a student-athlete as a prerequisite for the final determination of a case, including the opportunity for a disabled student to complete the ACT or SAT under circumstances that accommodate for the student's disability. The subcommittee reserves the right to refuse to consider a waiver request until the institution submits results from a nonstandard ACT or SAT on behalf of the student-athlete. In the event that ACT or SAT refuses to provide nonstandard testing, a copy of the rejection letter shall satisfy this requirement.
9. For Division I student-athletes, the Division I committee may consider more than one secondary-school course taken after the student-athlete's eighth semester in the consideration of a waiver application. Please note that core courses must be completed in a prospective student-athlete's first eight semesters of high school per Bylaw 14.3.1.2.1. If the prospective student-athlete graduates from high school per Bylaw 14.3.1.2.1, he or she may use one additional core course completed after high school graduation per Bylaw 14.3.1.2.1.1.
10. **Practice While Initial-Eligibility Waiver Request Is Pending.**

An initial-eligibility waiver is considered to be pending only at the time the institution has received verification from the NCAA Eligibility Center that all required information has been submitted and is complete.

A student-athlete who has an initial-eligibility request pending is permitted to:

- a. Practice until a decision has been reached on the waiver request by the Division I or II subcommittee (or the NCAA Eligibility Center staff acting on behalf of the Division I or II subcommittee); and
- b. Receive benefits incidental to participation (i.e., room and board) until the first day of classes or until a decision has been reached on the waiver request by the Division I or II subcommittee (or the NCAA Eligibility Center staff acting on behalf of the Division I or II subcommittee), whichever occurs first.

The student-athlete, however, may not practice or receive benefits incidental to participation until the institution receives notice from the NCAA Eligibility Center staff that a complete waiver application and all required documents have been received (official interpretation 10/19/99).

[Note: If the initial-eligibility waiver is denied by the NCAA Eligibility Center staff or the subcommittee, practice and/or benefits incidental to participation must stop at the time of the denial and CANNOT resume, even if the institution appeals the staff or subcommittee denial.]

11. Recruited/Nonrecruited Foreign Student-Athlete Policy for Division I.

A nonrecruited foreign student-athlete or a recruited foreign student-athlete who was recruited after the student-athlete's last opportunity to take the ACT or SAT test specified in Bylaw 14.3.1.3.1, who completes secondary studies in a foreign country and achieves a qualifying ACT or SAT score required in the initial-eligibility index in Bylaw 14.3.1.1.1 after the applicable test score deadline specified in Bylaw 14.3.1.3.1 and receives a waiver from the committee after the test score has been reported to the clearinghouse or NCAA Eligibility Center, would be considered a qualifier during the student-athlete's first academic year in residence. Approval of this waiver is contingent on the student-athlete satisfying all applicable core-curriculum, graduation and index requirements.

12. Foreign Student-Athlete Policy for Division II.

A foreign student-athlete who completes secondary studies in a foreign country and achieves a minimum test score of 820 on the SAT or a sum score of 68 on the ACT after the applicable test-score deadline specified in Bylaw 14.3.1.3.1 and receives a waiver from the subcommittee will be considered a qualifier during the student-athlete's first academic year in residence.

13. Partial Approvals.

Under certain conditions, the NCAA Eligibility Center or committee may grant partial waivers of the initial-eligibility requirements in Bylaw 14.3 (e.g., a student-athlete may receive athletically related financial aid and/or practice, but may not engage in intercollegiate competition during the initial academic year in residence).

14. Waivers Involving Violations of Bylaw 14.3.

When it appears that a student-athlete who is the subject of a waiver application has competed, practiced or received financial aid in violation of Bylaws 14.3.1 or 14.3.2, the Division I or II subcommittee may consider the application independently of the NCAA Division I or II Student-Athlete Reinstatement Committee. The implementation of a waiver granted by the Division I or II subcommittee, in such instances shall be subject to the independent review of the Division I or II Student-Athlete Reinstatement Committee in accordance with Bylaw 14.11.4.3. Accordingly, the applicant shall not participate (or return to participation) in intercollegiate athletics (competition or practice) or receive institutionally administered financial assistance before the Division I or II subcommittee's approval of the waiver and reinstatement of the applicant's eligibility by the Division I or II Student-Athlete Reinstatement Committee.

The institution is subject to the NCAA enforcement process for permitting a student-athlete to compete, practice or receive financial aid while ineligible to do so.

The committee may refer cases to the NCAA enforcement staff when circumstances indicate culpable conduct by an institution regarding the dissemination for the Association's initial-eligibility requirements.

15. Waivers Involving Misadvisement and/or Misapplication of Initial-Eligibility Rules.

An institution should demonstrate that a prospective student-athlete relied, in good faith, on incorrect information given by someone who specifically had authority to do so and who claims responsibility for his or her actions. The institution's chancellor or president also is put on notice regarding the actions of the athletics department staff and provides information related to the steps the institution is taking to rectify the situation.

Additionally, the institution is required to put procedures in place to avoid such situations in the future, which benefits prospective student-athletes.

- a. The institution must submit a written statement of explanation from the person or persons responsible for providing erroneous information. This statement needs to summarize the information given to the prospective student-athlete.
- b. If available, contemporaneous documentation demonstrating the misadvice (e.g., notes, phone logs).
- c. A written statement from the student-athlete in question demonstrating whether the prospective student-athlete, in good faith, relied on the erroneous information to his or her detriment.
- d. A written statement from the institution regarding its actions to educate the prospective student-athlete and high school personnel about the initial-eligibility requirements.

Additionally, if the misinformation or misadvisement was provided by institutional personnel, the institution must submit a written plan regarding the steps being taken to avoid such problems in the future. Such a plan may include, but is not limited to:

- Education sessions with coaches and other personnel who have a role in counseling prospective student-athletes.
- Early placement of prospective student-athletes on the Institutional Request List to identify potential deficiencies early per Division I Bylaw 13.3.3.
- Work with a prospective student-athlete's high school to obtain necessary records for certification.
- No sole reliance on other entities (e.g., high school) for information.
- Careful evaluation of the prospective student-athlete's transcript to ensure that courses are acceptable and compare courses to the high school's list of NCAA approved core courses.
- Review prospective student-athlete's class schedule to ensure the prospect is taking courses to fulfill core-course distribution.
- Encourage the prospective student-athlete to take SAT and/or ACT in order to meet the initial-eligibility index.

If an institution files a second waiver citing misadvisement, the institution must submit a letter regarding the reasons the plan was not successful. Additionally, the chancellor or president of the institution will be informed in writing. The letter will include a chronology of actions by the individual who provided the misadvice.

16. Resubmission Policy.

The Division I or II subcommittee will review the same case more than once only if the institution submits new information related to the student-athlete's academic and/or institutional records. New information is limited to information that was unavailable to the filing institution at the time the original appeal was filed.

17. Appeals.

- a. All appeals must be filed within 30 days of the staff or Division I or II subcommittee decision. Decisions made by the Division I Initial-Eligibility Waivers Committee may be appealed to the NCAA Division I Academics/Eligibility/Compliance Cabinet. Decisions made by the Division II Academic Requirements Committee Subcommittee on Initial-Eligibility Waivers may be appealed to the NCAA Division II Management Council.

- b. The NCAA national office staff shall notify the involved institution and shall provide a written confirmation of its decision.

18. Waiver Communication Information.

All communication regarding a waiver request must be directed to the NCAA Eligibility Center staff, national office staff or the chair of the appropriate Division I or II subcommittee. Please do not contact other Division I or II subcommittee members regarding appeals that will come before the Division I or II subcommittee or after the Division I or II subcommittee's action.