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1. **Legislated Duties.** The NCAA Division I Initial-Eligibility Waivers Committee shall oversee the initial-eligibility waiver process in accordance with NCAA Bylaw 14.3.1.5 and consider appeals of staff decisions (Bylaw 21.7.5.1).

2. **Committee Responsibilities.**
   
a. Review appeals of staff initial-eligibility waiver decisions.
      
      (1) Adhere to committee policies and procedures.
      
      (2) Apply the initial-eligibility waiver directive.
   
b. Provide an annual report of initial-eligibility waiver decisions to the NCAA Division I Committee on Academics.
   
c. As requested, examine Division I initial-eligibility legislation and make recommendations to the Committee on Academics.

3. **Committee Composition and Reporting.** The committee shall consist of 20 members (Bylaw 21.7.5.1.1), and the Committee on Academics shall approve its policies and procedures.

4. **Committee Terms.** Committee members shall be appointed for one four-year term. The term of service shall generally commence on the first day of January following appointment (Bylaw 21.7.5.1.2).

5. **Subcommittee Chair Selection.** The staff liaison shall solicit nominations from subcommittee members, and the subcommittee shall appoint a chair based on majority vote. The subcommittee chair shall serve in such capacity for the remainder of his or her term.

6. **Committee Organization.** The committee shall consist of the following four subcommittees comprised of five members. The primary case type shall be based on the student-athlete's deficiency in meeting qualifier requirements.
   
a. Core-Course Waivers Subcommittee. Review appeals for student-athletes who only present a core-course deficiency.
      
      **Note:** The subcommittee does not hear appeals for core-course deficiencies involving an education-impacting disability or a secondary-school credential from a non-U.S.-based educational system.
   
b. Education-Impacting Disability Subcommittee. Review appeals for student-athletes (including those who attended secondary school in a non-U.S.-based educational system) who present an EID.
c. International Student Subcommittee. Review appeals for student-athletes who present a secondary-school credential from a non-U.S.-based educational system (including those who attended secondary school in multiple educational systems).

Note: The subcommittee does not hear appeals for such student-athletes who present an EID.

d. GPA/Transcript Change Subcommittee. Review appeals for student-athletes who present a denied transcript change, a deficiency in meeting the initial-eligibility index (including those who also present a core-course deficiency), and/or lack proof of graduation.

Note: The subcommittee does not hear appeals for such deficiencies involving an EID or a secondary-school credential from a non-U.S.-based educational system.

7. Duties.

a. Subcommittee Chairs.

(1) Conduct subcommittee teleconferences.

(2) Identify conflicts of interest at the beginning of each teleconference.

(3) Thoroughly review all appeal materials before the teleconference and be prepared to discuss and decide each appeal.

(4) Lead the subcommittee discussion and deliberation.

(5) Provide notice of unavailability to participate on a teleconference.

(6) Recuse from cases when appropriate.

(7) Adhere to committee policies and procedures and apply the initial-eligibility waiver directive.

(8) Contact subcommittee members who are not discharging their responsibilities and recommend removal by the Committee on Academics, if necessary.

b. Subcommittee Members.

(1) Thoroughly review all appeal materials before the teleconference and be prepared to discuss and decide each appeal.

(2) Participate on all subcommittee teleconferences.
(3) Provide notice of unavailability to participate on a teleconference.

(4) Recuse from cases when appropriate.

(5) Adhere to committee policies and procedures and apply the initial-eligibility waiver directive.

c. NCAA Eligibility Center academic review team members.

(1) Review and process all initial-eligibility waivers.

(2) Render an initial decision for all initial-eligibility waivers.

(3) Provide all necessary information and documentation for the subcommittee to consider during its appeal teleconference.

(4) Objectively present an overview of the waiver, note the institution's assertions, explain the staff decision/rationale and answer questions from the subcommittee.

(5) Notify the institution of the subcommittee decision and rationale.

8. Authority. Only the Eligibility Center academic review team has authority to render a staff initial-eligibility waiver decision, including scenarios in which an institution is not required to submit a waiver (the committee may review such decisions).

After the academic review team renders an initial-eligibility waiver decision, only the subcommittee has authority to review an appeal and render a subsequent decision. The subcommittee determination shall be final, binding and conclusive and shall not be subject to further review by any other authority (Bylaw 21.7.5.1.4).

9. Decisions. The academic review team and subcommittee shall render one of the following decisions in accordance with the initial-eligibility waiver directive:

a. Approval (Athletics Aid, Practice and Competition).

(1) Academic Preparedness. When a student-athlete's overall academic record meets obvious-waiver requirements or clearly demonstrates college preparedness.

- A student-athlete who meets core-course progression requirements, whose only deficiency is three core-course units or less and projects a 2.600 or higher first-year GPA based on NCAA data analysis (using the final academic certification for qualifier requirements) will receive an automatic initial-eligibility waiver.
(2) Mitigation. When but for the mitigating circumstances, it is clearly evident the student-athlete would meet qualifier requirements.

b. Partial Approval.

(1) Athletics Aid (initial year of full-time enrollment) and Practice (initial term of full-time enrollment). When but for the mitigating circumstances, it is clearly evident the student-athlete would meet academic-redshirt requirements.

Note: Similar to academic-redshirt legislation (Bylaw 14.3.1.2), a student-athlete may earn eligibility for practice in the next regular term of full-time enrollment during the first year in residence (e.g., 2018 spring term) by successfully completing at least nine semester hours or eight quarter hours of academic credit (acceptable toward any of the institution's degree programs) in the preceding regular term (e.g., 2017 fall term) of full-time enrollment. There is no recourse (e.g., reconsideration, additional waiver) if a student-athlete fails to meet the condition.

(2) Athletics Aid. When mitigating circumstances contributed to the student-athlete’s deficiency but do not rise to the level of but-for mitigation.

Note: A student-athlete may earn eligibility for practice in the next regular term of full-time enrollment during the first year in residence (e.g., 2018 spring term) by successfully completing at least nine semester hours or eight quarter hours of academic credit (acceptable toward any of the institution’s degree programs) in the preceding regular term (e.g., 2017 fall term) of full-time enrollment. There is no recourse (e.g., reconsideration, additional waiver) if a student-athlete fails to meet the condition.

A student-athlete who receives a partially-approved initial-eligibility waiver may not earn eligibility for competition in the next regular academic term of full-time enrollment (e.g., 2018 spring term) based on performance in the preceding regular term (e.g., 2017 fall term) of full-time enrollment.

c. Denial.

(1) Academic Redshirt. When it is not clearly evident that but for the mitigating circumstances, the student-athlete would meet qualifier requirements.

(2) Nonqualifier. When mitigating circumstances are absent, insufficient or did not contribute to the student-athlete’s deficiency.

d. Cancel/Table. In some scenarios (e.g., student-athlete certified as qualifier, no response to staff communication and/or request within 14 calendar days), staff may cancel an initial-
eligibility waiver. If a waiver is canceled due to lack of response, it may be re-opened, provided the institution submits a complete response to any outstanding request.

Further, the staff and subcommittee have discretion to table an appeal, as necessary (e.g., pending High School Review Committee appeal). Staff will provide the institution written notice of a canceled or tabled waiver.

10. **Precedent.** Due to the fact-specific nature of initial-eligibility waivers, along with legislative and directive changes, precedent from prior academic years is not binding; however, precedent from the current academic year may be persuasive. Precedent cases five years and older are automatically archived and thus may not be considered in the IEW analysis.

11. **Council Review Process.** In January 2016, the NCAA Division I Council granted the NCAA staff authority to consider extenuating circumstances, exercise reasonable discretion in evaluating cases and allow consideration of mitigating factors that may justify departure from the strict application of legislation, case precedent or committee guidelines where the prescribed outcome is disproportionate or inconsistent with legislative intent. This authority applies to all decisions in the directive, as follows:

a. **Partial Approval for Athletics Aid.** Nonqualifiers with a significant deficiency who assert personal hardship, a lost academic opportunity, an education-impacting disability or military service as mitigation.

    **Note:** May earn eligibility for practice in the next regular term of full-time enrollment during the first year in residence by successfully completing at least nine semester hours or eight quarter hours of academic credit in the preceding regular term of full-time enrollment (see Section 9-b-2).

b. **Partial Approval for Athletics Aid (First Year) and Practice (First Term).** Nonqualifiers who would meet academic-redshirt requirements with all core-course units completed before full-time enrollment and/or by using an NCAA conversion score for the redesigned SAT (see 2017-18 redesigned SAT academic certification procedure resource on the Eligibility Center member institution portal).

    **Note:** May earn eligibility for practice in the next regular term of full-time enrollment during the first year in residence by successfully completing at least nine semester hours or eight quarter hours of academic credit in the preceding regular term of full-time enrollment (see Section 9-b-1).

c. **Approval.** Academic redshirts who would meet qualifier requirements with the best six core-course units completed after starting the seventh semester (and before full-time enrollment) and/or by using an NCAA conversion score for the redesigned SAT (see 2017-18 redesigned SAT academic certification procedure on the Eligibility Center member institution portal).
12. **Academic Redshirts.** For a student-athlete who meets academic-redshirt requirements, only eligibility for competition is at issue in the initial-eligibility waiver process. If an academic redshirt does not meet the condition to earn practice in the next term of full-time enrollment during the first year in residence, the institution may submit an initial-eligibility waiver, provided it has not done so previously; however, in such cases, only competition (based on the deficiency in meeting qualifier requirements) will be at issue in the initial-eligibility waiver. Thus, mitigation for the student-athlete's failure to satisfy the academic condition in the preceding regular term of full-time enrollment will not be considered.

13. **Pre-2017 Graduates.**

   a. **2016 Graduates.** For student-athletes who graduated in 2016 and delayed full-time enrollment, the 2016-17 initial-eligibility waiver directive, including the redesigned SAT policy (see 2016-17 redesigned SAT academic certification procedure on the Eligibility Center member institution portal), shall apply to the analysis/decision, and the 2017-18 data tool shall be used to calculate the predicted first-year GPA.

   b. **Pre-2016 Graduates.** Student-athletes who graduated before 2016 and delayed full-time enrollment until after August 1, 2016, will receive the benefit of the initial-eligibility standards that were applicable to their graduating class (based on the earliest full-time enrollment opportunity). In such cases, the 2015-16 initial-eligibility waiver directive shall apply to the analysis/decision, the 2017-18 data tool shall be used to calculate the predicted first-year GPA, and student-athletes who are partially approved for athletics aid may earn practice in the next term of full-time enrollment during the first year in residence by successfully completing at least nine semester hours or eight quarter hours of academic credit in the preceding regular term of full-time enrollment.

14. **Reconsiderations.** The institution may request reconsideration of an IEW decision (staff or subcommittee) based on new information that was not reasonably available at the time of the decision. The reconsideration request (submitted via RSRO) must include (1) a statement on letterhead that explains why the institution believes the information is new and was not reasonably available at the time of the decision, and (2) supporting documentation. The staff has discretion to determine whether the institution's submission meets the threshold, and its determination is not subject to further review.

   If staff determines the threshold is met, staff will review the IEW and render a reconsideration decision. However, if staff determines the institution's submission does not meet the threshold, staff will deny the reconsideration request.

   Staff and the subcommittee will not reconsider an IEW decision based on a student-athlete's performance after full-time enrollment (e.g., 2017 fall term).
15. **Appeals.** The institution has 30 calendar days after receiving written notice of a staff decision (initial or reconsideration) to submit a complete appeal request via RSRO. The appeal request must include a statement on letterhead, signed by the athletics director and senior compliance administrator, that specifies the relief sought and explains why the institution believes additional relief is warranted. The subcommittee decision shall be final, binding and conclusive and shall not be subject to further review by any other authority.

If staff denies the institution's reconsideration request, the institution may appeal the initial staff decision, provided it has not done so previously and the appeal request is submitted within 30 calendar days after receiving written notice of the initial decision.

16. **Teleconferences.** Each subcommittee shall have a weekly appeal teleconference, which shall be limited to Eligibility Center academic review team and subcommittee participation.

The subcommittee chair shall begin by reviewing the report from the subcommittee's prior teleconference. After the report is approved with any noted revisions, the chair shall identify any conflicts of interest and proceed to the appeals, which are considered individually.

After the staff has objectively presented an overview of the waiver, noted the institution's assertions, explained the staff decision/rationale and answered questions, the subcommittee chair shall lead the deliberation. Appeals are decided by a majority vote of all subcommittee members present and voting.

17. **Representatives.** An institution may designate a non-staff representative to assist with an initial-eligibility waiver by adding the individual to its list of Eligibility Center contacts, which the institution is responsible for managing, and providing the institution’s NCAA organization ID to the non-staff representative. Unless stated otherwise, all provisions applicable to institutional staff members shall be applicable to the institution's non-staff representative for the initial-eligibility waiver process.

A student-athlete’s representative shall be authorized to participate in the initial-eligibility waiver process, including communication with academic review team members, to the same extent the student-athlete would otherwise be eligible to participate without representation.

18. **Updated Certification after Initial-Eligibility Waiver Decision.** If the Eligibility Center updates a student-athlete's final academic certification after the staff or subcommittee initial-eligibility waiver decision (e.g., test-score cancellation), the previous initial-eligibility waiver decision shall be null and void if the deficiency increases. However, the institution may resubmit an initial-eligibility waiver for the student-athlete based on the updated academic record and deficiency.
19. **Resignation.** If a committee member resigns, he or she must provide written notice to the staff liaison. Thereafter, the procedures to solicit and appoint a new member will be initiated, and a new committee member will be appointed as soon as possible.

Based on a recommendation from the subcommittee chair, the Committee on Academics may remove subcommittee members who are not discharging their responsibilities.

20. **Conflict of Interest.** The NCAA is a voluntary Association comprised of colleges, universities, conferences and other organizations, and governed through a membership-led committee structure. Within the governance structure, committee members must carefully balance their responsibilities to their respective institutions and/or conferences with the obligation to advance the interests of the Association, the division, or the sport, and ultimately enhance the student-athlete experience. While the fiduciary obligations of committee members to their own institution, their conference, and to the Association ordinarily are not in conflict, it is recognized that as a representative membership organization, committee members’ fiduciary obligations are first to their institution, second to their conference and third to the Association. NCAA committee service involves important ethical and moral obligations. Committee integrity is critical to the decision-making process and includes trust, confidentiality and honesty in all issues and aspects of service and representation. NCAA committee members shall disclose any conflict or potential conflict between their respective personal, professional, institutional, conference or business interests and the interests of the Association that may affect or otherwise threaten such integrity, in any and all actions taken by them on behalf of the Association, for committee evaluation under this Statement.

In addition to any fiduciary obligation to their institution and conference, committee members also have a fiduciary duty to the Association not to use knowledge or information obtained solely due to service on that committee to the disadvantage of the Association during the term of committee service. Further, a committee member shall not participate in the committee’s discussion or vote on any action that might bring direct or indirect personal financial benefit to the member or any organization (other than the member’s institution or conference) in which the member is financially interested. A committee member should also not participate in a discussion or vote for which the member’s institution or conference is to be accorded a special benefit beyond benefits shared with other institutions or conferences or is to receive a penalty or disqualification.

A committee member or NCAA staff member shall recuse him or herself from participating in proceedings (e.g., staffing a case or deliberating as a committee member) of a waiver case when he or she is directly connected with the involved institution, including, but not limited to, a member of the committee member’s institution or institution’s conference. A committee or staff member with a personal relationship or institutional affiliation that reasonably would result in the appearance of bias or prejudice should refrain from participating in any manner in the processing of a waiver request. It is the responsibility of the committee or staff member to remove him or herself if a conflict exists. Institutional objections to a committee or staff member participating in a review of a case should be raised with and resolved by the chair or the most senior member of the committee as soon as recognized, but will not be considered unless the concern is raised.
before the scheduled teleconference. Exceptions to the recusal policy may be granted by the chair or most senior committee member due to time constraints.

A violation of the above rules by a committee member shall not invalidate the action taken by the committee if, following disclosure of the conflict of interest, the committee authorizes, ratifies or approves the action by a vote sufficient for the purpose, without counting the vote of the committee member with the conflict of interest, and the appropriate oversight body approves the action.

Abuse of one’s position as a member of a committee may result in dismissal from that position. Where such abuse appears evident, a committee member will be notified by the committee chair and will have the opportunity to present a rebuttal or details of the situation.

21. **Confidentiality.** Subcommittee members shall not communicate any information regarding specific initial-eligibility waivers to anyone other than NCAA staff or other subcommittee members. This includes, but is not limited to, communication with institutional staff members or non-staff representatives regarding an initial-eligibility waiver appeal.

The staff shall maintain confidentiality in all initial-eligibility waivers and shall not confirm or deny the existence of a waiver until a decision is rendered in accordance with the prescribed procedures. However, if the institution makes a public announcement concerning a waiver, the director of academic review (or designee) may confirm information made public and may address erroneous or incomplete information about matters made public by the institution, prospective student-athlete or other involved individual. The national office may issue a press release on behalf of the NCAA, as the Eligibility Center vice president deems appropriate.

22. **Speaking Agent.** The president of the Association and the chair of the NCAA Board of Governors are the only individuals authorized to speak on behalf of the Association except as outlined below. An individual representing a member institution or conference who speaks or opines on an Association issue only has the authority to express the view of that individual or the member institution or conference unless the individual has been designated by the Board of Governors of the Association as a speaking agent of the Association on that issue. Committee chairs are hereby designated as speaking agents of their committees regarding issues within their committees’ jurisdiction on which there is consensus, except that positions of advocacy on behalf of the committee or the Association to be communicated in writing or orally to persons or entities external to the Association must have prior approval by the Board of Governors or the president of the Association. The president of the Association is hereby granted authority to designate additional speaking agents of the Association.

23. **Absences.** Initial-eligibility waiver appeals may be time sensitive. If a subcommittee member is unable to participate on a teleconference, he or she is responsible for notifying the staff liaison as quickly as possible. The subcommittee chair may request removal of a subcommittee member if repeated absences occur.