



2023-24 INITIAL-ELIGIBILITY WAIVER DIRECTIVE NCAA DIVISIONS I AND II

1. **Overview.** Divisions I and II initial-eligibility standards (Bylaw 14.3) establish a minimum level of academic achievement for a student-athlete to receive athletics aid, practice and compete in the initial year of full-time collegiate enrollment.

The IEW process may provide relief from initial-eligibility standards, which apply to the initial year of full-time collegiate enrollment; however, IEW relief does not change a student-athlete's legislated final academic certification status.

The NCAA Division I Committee on Academics and NCAA Division II Academic Requirements Committee approve this directive, which provides guidelines for the staff and subcommittees to analyze and decide IEWs.

2. **Submission.** The Eligibility Center must release the student-athlete's final academic certification before an institution may submit an IEW (via Requests/Self-Reports Online). Institutions are encouraged to review [Best Practices](#) and ensure the student-athlete's academic record is complete before submitting the waiver. An IEW application is complete when the institution has submitted all required information, documentation and signatures via RSRO. Also, the waiver is ready to process when the institution has submitted all additional requested information and/or documentation.

INITIAL-ELIGIBILITY WAIVER ANALYSIS

3. Academic Criteria.

- a. Considered. The following may be considered regarding a student-athlete's pre-full-time enrollment academic record:

- (1) Core courses and core GPA;

Note: Core courses not used in the final certification may be considered but may not outweigh courses used in the final certification. Further, IEW analysis defers to academic certification and high school review policies/decisions. In addition, courses may be considered in accordance with the Eligibility Center's [released error policy](#).

- (2) Core-course progression;

- (3) Year-to-year GPA;

Note: most applicable to GPA deficiencies but may apply to core deficiencies.

- (4) Exam- (old model) or transcript-based (new model) certifications for international student-athletes, per NCAA International Student Records Committee policy (see [Guide to International Academic Standards for Athletics Eligibility](#));

Note: the certification model most favorable to the student-athlete will be used in the IEW analysis; however, old and new model certifications may not be combined.

- (6) Other information determined on a case-by-case basis.

b. Not Considered.

- (1) Courses that do not meet legislated core-course or nontraditional-course requirements, including courses the Eligibility Center has not reviewed;
- (2) Invalidated academic credentials (e.g., courses, grades, credits, graduation);
- (3) Courses completed after full-time enrollment or while receiving athletics aid;
- (4) Graduation earned after full-time enrollment;
- (5) ACT or SAT scores.

4. **Mitigation.** In analyzing IEWs, the student-athlete's deficiency is weighed against the overall academic record and the mitigation asserted for not meeting initial-eligibility requirements. Specifically, mitigation is analyzed to determine whether it directly impacted the student-athlete's ability to satisfy initial-eligibility requirements, whether it was within the student-athlete's control and whether it is supported by documentation (contemporaneous whenever possible). Further, GPA deficiencies are analyzed stringently, as they generally reflect the student-athlete's entire academic record. The larger the deficiency, the more significant and compelling the mitigation must be for the IEW to be approved.

Examples of mitigation include:

- a. Personal Hardship. When personal hardship is asserted as mitigation, it is analyzed to determine whether it directly impacted the student-athlete's ability to satisfy initial-eligibility requirements, as well as whether it is supported by documentation.

If a student-athlete lost an academic opportunity (e.g., missed term) due to extraordinary circumstances (e.g., incapacitating injury or illness, extreme financial difficulty, civil unrest, natural disaster), core courses replacing the lost opportunity may be considered, even if they were completed outside of the core-curriculum time limitation.

- b. Misadvisement/Lack of Advisement. By itself, misadvisement or lack of advisement by any party (e.g., institution, high school) may not warrant IEW approval.

However, an IEW may be approved if (a) the only deficiency is two core-course units or less, and (b) supporting documentation clearly demonstrates (e.g., no failed core courses, no current or potential GPA deficiency) the student-athlete would meet initial-eligibility requirements absent the misadvisement or lack of advisement.

Once recruitment begins, institutions are responsible for advising the student-athlete regarding initial eligibility. In such cases involving institutional misadvisement or lack of advisement for a recruited student-athlete, the institution may be required to submit an [Advisement Process Plan](#) that provides an overview of current advisement procedures and

specifies corrective measures to prevent similar future situations. Once an advisement process plan has been submitted, institutional misadvisement or lack of advisement assertions will not be persuasive in subsequent IEWs.

Division I student-athletes who do not meet all criteria may be considered for partial relief.

- c. Education-Impacting Disability. For academic eligibility, the NCAA defines an education-impacting disability as a current impairment that has a substantial educational impact on a student's academic performance and requires accommodation.

All student-athletes must meet initial-eligibility requirements; however, student-athletes with documented EIDs may receive services and/or accommodations, which are intended to provide equal access to learning and create opportunities for academic success. Services and/or accommodations include, but are not limited to, those provided via a Section 504 Plan, Individualized Education Program or similar plan (e.g., extended testing time, preferred seating, co-taught classroom), as well as those provided via NCAA legislation (e.g., courses for students with EIDs, additional core courses after on-time graduation [Division I]). If an EID is presented in the IEW process, all required documentation must be submitted via RSRO.

Further, a subject-matter professional may review EID documentation, including information that addresses the impairment, the types of services and/or accommodations available and whether the student-athlete accessed such services and/or accommodations. As part of this review, staff and the subject-matter professional defer to local educational agencies or organizations responsible for assessing students and providing appropriate and reasonable services and/or accommodations. As such, staff and the subject-matter professional do not evaluate or determine whether services and/or accommodations provided to a student were appropriate or reasonable.

When a student-athlete presents with an EID, the following factors may be considered:

- (1) The timing and type of the diagnosis;
- (2) Availability and use of accommodations via a Section 504 Plan, IEP or similar plan (e.g., academic success plan);

Note: An EID asserted as mitigation for academic performance may not be persuasive if accommodations were available and/or received.

- (3) Performance with and without services and/or accommodations;
- (4) Performance with and without treatment (e.g., counseling, medication, hospitalization);
- (5) Subject-area and/or course-level progression;

(6) Assertions that approved services and/or accommodations were not implemented in accordance with a Section 504 Plan, IEP or similar plan (e.g., academic success plan), if documented by the appropriate academic authority;

(7) Other information determined on a case-by-case basis.

Note: A late-diagnosed EID (e.g., during grade 12, post-graduation) is generally less persuasive as mitigation due to the speculative nature of determining the effect that accommodation(s) could have had on prior performance.

d. Reclassification. If a term or more is repeated, an IEW may be approved, provided:

(1) The reclassification was outside of the student-athlete's control;

(2) The student-athlete's only deficiency is two core-course units or less;

(3) Additional core courses were completed that would rectify the deficiency; and

(4) The supporting documentation clearly demonstrates (e.g., no failed core courses within the deficient subject area) the student-athlete would meet qualifier requirements absent the reclassification.

Division I student-athletes who do not meet all criteria may be considered for partial relief.

e. International Academic Track. When an international student-athlete attended secondary school in a country that meets the following criteria, an IEW may be approved, provided:

(1) The educational system/academic track did not require a subject area or exam necessary for initial eligibility;

(2) The student-athlete's only deficiency is two core-course units or less in science, social science or additional academic courses, and the student-athlete has not failed any courses or exams in the applicable subject area; and

(3) Late recruitment or nonrecruited status prevented the institution from having an opportunity to advise the student-athlete to attempt to rectify the core-course deficiency before full-time enrollment.

Division I student-athletes who do not meet all criteria may be considered for partial relief.

- f. Not Persuasive (not all inclusive). Below is a list of common assertions related to policies, advising and academic performance that may not be persuasive mitigation in the analysis.

(1) Policies:

- a. High school grading scales, policies or rigor;
- b. Conference or institutional policies (e.g., nonqualifier rules, not conducting preliminary evaluations, required summer bridge).

(2) Advising:

- a. Lack of knowledge/awareness regarding initial-eligibility standards;
- b. High school misadvisement or lack of advisement once recruitment by the institution begins;
- c. Lack of advisement or misadvisement if the institution submitted an advisement process plan in a prior academic year;
- d. Failure to follow an advisement process plan from a prior academic year;
- e. Forgoing a reasonable opportunity to rectify the deficiency before initial full-time collegiate enrollment (e.g., graduating/enrolling early, receiving athletics aid to attend summer school).

(3) Academic Performance:

- a. Lack of advisement or misadvisement;
- b. GPA trending that does not directly tie to mitigation;
- c. Performance at the required GPA in a limited number of academic terms (e.g., did not meet the required GPA in any academic year);
- d. Performance at the required GPA in a limited number of core courses;
- e. Size of the deficiency (absent other mitigation);
- f. An EID if accommodations were available and/or received;
- g. International student-athletes attempting courses and/or exams in English;
- h. Delayed graduation or reclassification for an athletics purpose;
- i. Athletics participation;
- j. Meeting admissions requirements.

5. Division I Decisions.

a. Approved. An IEW may be approved (athletics aid, practice and competition), as follows:

(1) Academic Preparedness. A student-athlete's overall academic record clearly demonstrates college preparedness (e.g., 12 core-course units with a 4.0 GPA).

- A student-athlete who provides proof of graduation, meets the core-course progression requirement (10/7) and presents 13 or more core-course units (max three-unit deficiency) with a 2.800 or higher core-course GPA (based on the final certification for qualifier requirements) will receive an automatic IEW.

(2) Mitigation. But for the mitigation, it is clearly evident the student-athlete would meet qualifier requirements.

b. Partially Approved. An IEW may be partially approved (athletics aid [initial year] and practice [initial term]), as follows:

- Mitigation. Mitigation contributed to the student-athlete's deficiency but does not rise to the level of but-for mitigation.

Note: Similar to academic-redshirt legislation (Bylaw 14.3.1.2), a student-athlete may earn eligibility for practice in the next regular academic term of full-time enrollment during the first year in residence (e.g., 2024 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 of full-time enrollment (e.g., 2023 fall term). There is no recourse (e.g., reconsideration, additional waiver) if a student-athlete does not meet the condition (see partial approvals [FAQ](#)).

A student-athlete who receives a partially-approved IEW may not earn eligibility for competition in the next regular academic term of full-time enrollment during the first year in residence (e.g., 2024 spring term) based on performance in the preceding regular term of full-time enrollment (e.g., 2023 fall term).

c. Denied. An IEW may be denied, as follows:

(1) Academic Redshirt. It is not clearly evident that but for the mitigation, the student-athlete would meet qualifier requirements.

(2) Nonqualifier. Mitigation does not contribute to the student-athlete's deficiency.

d. Canceled. An IEW may be canceled, as follows:

(1) An IEW is not applicable (e.g., qualifier status, automatic waiver received).

(2) Lack of institutional response (e.g., within 14 calendar days).

Note: If an IEW is canceled due to lack of institutional response, it may be reopened, provided the institution submits a complete response to outstanding requests.

6. Division II Decisions.

Since partial qualifier is the default final academic certification status for Division II student-athletes, only competition is at issue in the IEW process.

a. Approved. An IEW may be approved, as follows:

(1) Academic Preparedness. A student-athlete's overall academic record clearly demonstrates college preparedness (e.g., 12 core-course units with a 4.0 GPA).

- A student-athlete who provides proof of graduation and presents 13 or more core-course units (max three-unit deficiency) with a 2.800 or higher core-course GPA in the final certification will receive an automatic IEW.

(2) Mitigation. But for the mitigation, it is clearly evident the student-athlete would meet qualifier requirements.

b. Denied. An IEW may be denied if it is not clearly evident that but for the mitigation, the student-athlete would meet qualifier requirements.

c. Canceled. An IEW may be canceled, as follows:

(1) An IEW is not applicable (e.g., qualifier status, automatic waiver received).

(2) Lack of institutional response (e.g., within 14 calendar days).

Note: If an IEW is canceled due to lack of institutional response, it may be reopened, provided the institution submits a complete response to outstanding requests.

RECONSIDERATIONS AND APPEALS

7. **Reconsideration Requests.** The institution may request reconsideration of an IEW decision (staff or subcommittee) based on new relevant information that was not reasonably available to any involved individual at the time of the previous decision. The reconsideration request (submitted via RSRO) must include (1) a statement on letterhead that explains why the institution believes the information meets the threshold, and (2) supporting documentation.

Staff has discretion to determine whether the institution's reconsideration request meets the threshold. If so, staff will review the IEW and render a reconsideration decision (which restarts the 30-calendar-day appeal deadline); however, if not, staff will deny the reconsideration request. If the subcommittee has previously rendered an appeal decision, staff may consult the subcommittee chair regarding whether a subsequent reconsideration request meets the threshold. If the subcommittee chair has a conflict of interest or is not reasonably available, the remaining subcommittee members may decide (via majority vote) whether a subsequent reconsideration request meets the threshold.

Staff and the subcommittee will not reconsider an IEW decision based on a student-athlete's performance after full-time enrollment (e.g., 2023 fall term).

8. **Appeal Requests.** The institution has 30 calendar days after receiving written notice of the most recent staff IEW decision (initial or reconsideration) to submit a complete appeal request via RSRO. The 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 is final, binding, conclusive and not subject to further review by any other authority.

An appeal requested after 30 calendar days must include a letter that explains why the institution did not meet the deadline. The subcommittee chair has discretion to determine whether the subcommittee will hear the appeal. If the subcommittee chair has a conflict of interest or is not reasonably available, the remaining subcommittee members decide (via majority vote) whether to hear the appeal.

If staff denies the institution's reconsideration request, the institution may appeal the previous 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 previous decision.