1. **Overview.** Initial-eligibility standards (NCAA 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 enrollment at a Division I or II institution.

Division II student-athletes who initially enroll full time on or after August 1, 2018, must meet increased qualifier requirements, including a sliding-scale index (minimum 2.200 core-course GPA). The new standards, which were adopted in January 2014, provide enhanced access to competition for student-athletes who demonstrate a higher likelihood of academic success in the first year of full-time enrollment. Further, the new standards provide access to athletics aid and practice for student-athletes who satisfy increased partial-qualifier requirements, including a sliding-scale index (minimum 2.000 core-course GPA).

The IEW process may provide relief from initial-eligibility standards; however, IEW relief does not change a student-athlete's legislated final academic certification status. Also, an IEW will not be processed for a student-athlete who has enrolled full time at a two-year college.

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 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, core GPA and predicted first-year GPA (see Decision Sections).

         **Note:** Core courses not used in the final certification may be considered; however, they may not outweigh courses used in the final certification.

      (2) ACT and SAT scores (NCAA conversion scores for the redesigned SAT [March 2016 and beyond]; see academic certification procedure resource);
(3) Core-course progression;

(4) Trending of academic performance;

(5) Old and new model certifications for international student-athletes, per NCAA International Student Records Committee policy (see 2019-20 Guide to International Academic Standards for Athletics Eligibility);

(6) Initial-eligibility standards applicable to the student-athlete's graduating class (based on the earliest full-time enrollment opportunity);

(7) 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) Raw scores achieved on the redesigned SAT;

(3) Invalidated academic credentials and canceled test scores;

(4) Courses completed after full-time enrollment or while receiving athletics aid;

(5) ACT/SAT attempts after full-time enrollment (see Section No. 4c for exceptions).

4. Mitigating Circumstances. In analyzing IEWs, the student-athlete's deficiency is weighed against the overall academic record and the mitigating circumstances asserted for not meeting initial-eligibility requirements. The larger the deficiency, the more significant and compelling the mitigation must be to provide relief. Further, all mitigating circumstances are analyzed to determine whether they directly impacted the student-athlete's ability to satisfy initial-eligibility requirements, whether they were within the student-athlete's control and whether they are supported by documentation (contemporaneous preferred). Sliding-scale deficiencies are analyzed stringently, as they generally reflect the entire academic record.

Examples of mitigating circumstances 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. **Reclassification.** If a student-athlete repeats a term or more, an IEW may be approved, provided (a) the reclassification was outside of the student-athlete's control, (b) the only deficiency is two core-course units or less, (c) the student-athlete completed additional core courses that would rectify the deficiency, and (d) 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.

Student-athletes who do not meet all criteria may be considered for partial relief.

c. **Test-Score Time Limitation.** In the following circumstances, an IEW may be approved based on an ACT or SAT attempted after full-time enrollment:

   (1) If a student-athlete earns a qualifying score on a retest as part of the testing agency's review process regarding the validity of a prior score; or

   (2) If a student-athlete enrolled full time at a collegiate institution that did not require an ACT or SAT score for admission, provided:

      (a) An NCAA school did not recruit the student-athlete before full-time enrollment;

      (b) The student-athlete achieved the minimum required score on the initial ACT or SAT attempt; and

      (c) The student-athlete meets all other initial-eligibility requirements.

If the retest score as part of the testing agency’s review process or initial post-enrollment attempt is not qualifying, it may be considered as part of the IEW analysis.

d. **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:

      i. Did not require a subject area necessary for initial eligibility;

      ii. Required students to choose an academic track at an early age, and the chosen track did not require a subject area necessary for initial eligibility; or

      iii. Required a subject area necessary for initial eligibility but did not require an exam that meets core requirements.

   (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.

e. Education-Impacting Disability. All student-athletes, including those with a documented EID, must meet initial-eligibility requirements. 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, the subject-matter professional defers to local educational agencies or organizations responsible for assessing students and providing appropriate and reasonable services and/or accommodations. As such, the subject-matter professional does not evaluate or determine whether services and/or accommodations provided to a student were appropriate or reasonable.

When a student-athlete presents an EID, the following factors are considered:

(1) The timing of the diagnosis;

(2) Availability and use of accommodations;

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

(3) Performance with and without accommodations;

(4) Subject-area and/or course-level progression;

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

(6) 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 an accommodation or accommodations could have had on prior performance.

f. Misadvisement/Lack of Advisement. Once recruitment begins, institutions are expected to advise the student-athlete regarding initial eligibility. Accordingly, misadvisement or lack of advisement by an institution or high school is not, by itself, sufficient mitigation to warrant IEW approval.
However, an IEW may be approved if (a) the student-athlete's only deficiency is two core-course units or less, and (b) the supporting documentation clearly demonstrates (e.g., no failed core courses or sliding-scale deficiency) the student-athlete would have satisfied initial-eligibility requirements absent the misadvisement or lack of advisement. In such cases involving institutional misadvisement or lack of advisement, 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 situations in the future.

Institutional misadvisement or lack of advisement assertions will not be viewed favorably in subsequent waivers once an advisement process plan has been submitted.

g. Not Persuasive (not all inclusive).

(1) Mitigation asserted for a student-athlete who has a reasonable opportunity to rectify the deficiency before full-time enrollment, including a student-athlete who attends summer school at the institution instead of attempting to rectify the deficiency;

(2) High school grading scales, policies or rigor;

(3) Conference or institutional policies (e.g., nonqualifier rules, not conducting preliminary evaluations, required summer bridge);

(4) Size of the deficiency (absent other mitigation);

(5) High school misadvisement or lack of advisement once recruitment begins;

(6) Lack of advisement or misadvisement as mitigation for academic performance;

(7) An EID for performance if accommodations were available and/or received;

(8) International student-athletes attempting courses and/or exams in English;

(9) Delayed graduation or reclassification for an athletics purpose;

(10) Failure to follow an advisement process plan from a prior year;

(11) Athletics participation;

(12) Lack of knowledge/awareness regarding initial-eligibility standards;

(13) Meeting previous initial-eligibility requirements;

(14) Proximity to automatic-waiver criteria (absent other mitigation);
5. Division I Decisions.

The IEW analysis considers both mitigation and the student-athlete's predicted first-year GPA (computed using a research-based formula) to determine whether relief is warranted (see Division I Data Tool). However, the predicted first-year GPA is only reliable for student-athletes who present at least 13 core-course units in the final certification. Further, the final certification for qualifier requirements is used to determine the predicted first-year GPA.

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

(1) Academic Preparedness. 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 will receive an automatic IEW.

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

b. Partial Approval. An IEW may be partially approved, as follows:

(1) Athletics Aid (initial year) and Practice (initial term).

i. A student-athlete's overall academic record based on NCAA data analysis projects a 2.300 to 2.599 first-year GPA (likelihood of academic success), and mitigating circumstances contributed to the deficiency but do not rise to the level of but-for mitigation; or

ii. 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 academic term of full-time enrollment during the first year in residence (e.g., 2020 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. There is no recourse (e.g., reconsideration, additional waiver) if a student-athlete does not meet the condition (see partial approvals FAQ).

(2) Athletics Aid. A student-athlete's overall academic record based on NCAA data analysis projects a 2.300 to 2.599 first-year GPA (likelihood of academic success), or mitigating circumstances contributed to the 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 academic term of full-time enrollment during the first year in residence (e.g., 2020 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. 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., 2020 spring term) based on performance in the preceding regular term of full-time enrollment (e.g., 2019 fall term).

c. **Denial.** An IEW may be denied, as follows:

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

(2) **Nonqualifier.**

   i. A student-athlete's overall academic record based on NCAA data analysis does not project a likelihood of academic success; *and*

   ii. Mitigating circumstances are absent, insufficient or do not tie directly to the student-athlete’s deficiency.

If an IEW is canceled due to lack of institutional response, it may be re-opened, provided the institution submits a complete response to any outstanding request.
6. Division II Decisions.

The IEW analysis considers both mitigation and the student-athlete's predicted first-year GPA (computed using a research-based formula) to determine whether relief is warranted (see Division II Data Tool). However, the predicted first-year GPA is only reliable for student-athletes who present at least 13 core-course units in the final academic certification.

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

   (1) Academic Preparedness. A student-athlete's overall academic record meets obvious-waiver requirements or clearly demonstrates college preparedness.
      • A student-athlete whose only deficiency is two core-course units or less and projects a 2.600 or higher first-year GPA will receive an automatic IEW.

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

b. Partial Approval. An IEW may be partially approved, as follows:

   (1) Athletics Aid and Practice.
      i. A student-athlete's overall academic record based on NCAA data analysis projects a 2.100 to 2.599 first-year GPA (likelihood of academic success), and mitigating circumstances contributed to the deficiency but do not rise to the level of but-for mitigation; or
      ii. But for the mitigating circumstances, it is clearly evident the student-athlete would meet partial-qualifier requirements.

   (2) Athletics Aid. A student-athlete's overall academic record based on NCAA data analysis projects a 2.100 to 2.599 first-year GPA (likelihood of academic success), or mitigating circumstances contributed to the deficiency but do not rise to the level of but-for mitigation.

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

   (1) Partial Qualifier. It is not clearly evident that but for the mitigating circumstances, the student-athlete would meet qualifier requirements.

   (2) Nonqualifier.
      a. A student-athlete's overall academic record based on NCAA data analysis does not project a likelihood of academic success; and
      b. Mitigating circumstances are absent, insufficient or do not tie directly to the student-athlete’s deficiency.

If an IEW is canceled due to lack of institutional response, it may be re-opened, provided the institution submits a complete response to any outstanding request.
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.

The 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; 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, 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., 2019 fall term).

8. **Appeal Requests.** 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 is final, binding and conclusive and is not subject to further review by any other authority.

An appeal request submitted more than 30 calendar days after written notice of the staff decision must include a letter of explanation regarding the institution's failure to submit the request within 30 calendar days. The subcommittee chair has discretion to determine whether the subcommittee will hear the appeal. If the subcommittee chair has a conflict of interest, 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.