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MEMORANDUM

TO: Faculty Senate

FROM: University Athletics Committee
Student-Athlete Advisory Committee
Office of Services for Individuals with Disabilities

SUBJECT: Early Registration for Designated Populations Policy Proposal

DATE: October 28, 2008

On behalf of the University Athletics Committee, Student-Athlete Advisory Committee and the Office of Services for Individuals with Disabilities (OSID) I would like to submit this memorandum, early registration policy proposal and supporting appendices for the Faculty Senate's review and comment. The proposed policy document contains the regulation statement and supporting information in the areas of: 1) purpose, 2) entities affected by the regulation, 3) who should read the regulation, 4) policy background, 5) criteria for determining designated populations, 6) definitions, 7) responsibilities, 8) procedures, 9) violations of the regulation, and 10) interpreting authority. This memorandum serves to provide other relevant information that does not fit the policy template but will undoubtedly be useful during the Faculty Senate's discussion of this policy proposal.

Purpose Section

First, in addition to the stated purpose in the policy proposal (i.e., facilitate progress toward degree completion for students in designated populations who might be hampered by scheduling conflicts), below are additional reasons for such a policy:

- Increase the likelihood of retention and graduation for designated population students;
- Reduce the need for students to overload courses in certain semesters;
- Reduce the occurrence of registering for excessive free electives just to maintain full-time student status;
- Advising for designated population students can begin earlier;
- Reduce the University's (scholarships) and students' (tuition fees) expenditures on summer courses and taking courses during a fifth or subsequent year of enrollment;
- Reduce the probability of a varsity athletics team being assessed NCAA penalties for insufficient academic performance (ranging from the inability to award scholarships to loss of membership for the team in the NCAA);
- Help student-athletes comply with NCAA progress toward degree rules;
- Allows the University staff members who serve these students to more prudently utilize their



time and resources;

- Increases the likelihood of designated students to meet financial aid requirements that may otherwise be adversely affected by course withdrawals, incompletes, and failing grades;
- Aligns the University's commitment of accessibility, equity and accommodation to an operating regulation for students with disabilities; already matched by many sister institutions; and
- The policy could be a retention and recruitment tool at no cost to the University.

Policy Background Section

Second, under the policy background section the following information is also useful.

With the implementation of an early registration policy, designated population students would be better able to satisfy course sequencing requirements in a timely manner. Furthermore, the need to enroll in summer classes or delay graduation by enrolling in a fifth year of study because of scheduling conflicts will be significantly reduced, if not eliminated. Retention may also be positively impacted as an unnecessary hurdle to timely graduation is eliminated. Fewer student-athletes taking summer courses or enrolling in a fifth year of study will also have a positive impact on the University's budget as the amount of money spent on summer school and fifth year scholarships will be reduced. Finally, the elimination, or at the very least the significant reduction of instances where practice/game and class schedules overlap, will be beneficial to all involved – faculty, student-athletes and coaches.

Early registration would be granted to designated populations for both fall and spring semesters but not the summer sessions. This is because, for example, NCAA Division I student-athletes participate (i.e., practice and compete) in their sport(s) in both the fall and spring semesters. This is unlike high school or NCAA Division III athletics where student-athletes only participate in their sport in the traditional season. Students with specific disabilities are typically more successful in the summer in registering for their needed classes; class enrollment is down and thus we cannot currently substantiate a need for early registration in the summer sessions.

Examples of OSID registered students with conditions that could warrant early registration status:

- A student with Cystic Fibrosis needs classes 2 or 3 days per week in order to rest, receive breathing treatments, arrange personal care and prevent hospitalizations.
- A student with severe and frequent migraine headaches requires a morning class schedule due to a history of debilitating pain in the afternoon.
- A student with a rare autoimmune bone disease requires a T/R schedule due to difficulty getting out of bed and walking to classes on a daily basis. Rest is needed on the days between classes or the student receives extensive treatment on alternate days.
- A student with Crohn's Disease, Irritable Bowel Syndrome, or Ulcerative Colitis may require a M/W/F class schedule due to the shorter class time and may require a non-consecutive class schedule for restroom use between classes.
- A student with Fibromyalgia, Multiple Sclerosis, Muscular Dystrophy, back pain, or lifting or walking restrictions requires a non-consecutive class schedule, as it takes longer than 15 minutes to walk or drive from building to building.

- A student with a visual impairment requires all web classes due to not driving and not living in Richmond. Time is consumed sending e-mails on behalf of the student as an override is needed and the teacher needs confirmation from the Disabilities Office concerning the student's status.
- A student with severe anxiety and social phobia requires auditorium classes for isolated seating; or in smaller capacity classes utilizes the support of a close friend who also registers for the same courses in order to protect therapeutic goal progress made and prevent regression of symptoms.
- A student with an anxiety disorder did not require extended test time with a M/W/F class schedule due to the shorter testing time in comparison to T/R class time.
- A student with attendance concerns as a direct result of cancer, medical appointments, and hospitalization may need to register for the class with the course teacher who is known to be flexible with attendance or not take roll at all or register for a class that does not conflict with frequent and regularly occurring cancer treatments.

Determining eligibility is not unlike using professional judgment based on documentation in assessing for reasonable accommodation. Decisions for early registration will be considered on a case-by-case basis by either the Director or the Disabilities Analyst and take the following into account:

- What is the severity of the diagnosis and its direct impact on accessing an appropriate course schedule?
- What functional limitations are present as they relate to establishing a course schedule?
- What measures has the student taken on their own account to work out a reasonable course schedule?
- What are the fixed variables that the student has to deal with that are imposed by the impairment or disorder that are in direct conflict with a course schedule?
- What type of class schedule would provide access while best supporting the student's abilities, allowing the least amount of adverse impact, and equalizing the opportunity for success?
- Is early registration necessary to provide the accommodated schedule based on the courses needed for this particular semester?

It is also important to note as background information the penalties associated with the NCAA Academic Progress Rate (APR). The APR is a semester-by-semester determination of scholarship student-athlete academic eligibility and retention at each NCAA Division I institution with the ultimate goal being graduation within five years of initial full-time enrollment. (By comparison, the federal graduation rate methodology uses a six-year deadline.) If teams do not meet the minimum standards for the APR they may be subject to contemporaneous or historical penalties.

Contemporaneous Penalty

Financial aid restriction(s)

Historical Penalties

Occasion one – Public warning

Occasion two – Public warning, financial aid and playing/practice restrictions

Occasion three – Public warning, financial aid

restrictions, playing/practice restrictions and
 postseason competition restrictions
 Occasion four – Public warning, financial aid
 restrictions, playing/practice restrictions, postseason
 competition restrictions and NCAA membership
 status restrictions

Policy Adoption Review and Approval Section

Third, under the policy adoption review and approval section the following information is also helpful:

| | |
|------------------------------------|--|
| University Athletics Committee | This committee has reviewed the policy recommendation multiple times since November of 2004 |
| Student-Athlete Advisory Committee | This committee has reviewed the policy proposal multiple times since November of 2006 |
| Director, OSID | This individual has reviewed the policy recommendation multiple times since April of 2007 |
| Student Rights Committee | This committee reviewed the policy proposal on October 2, 2007 |
| Student Senate | The Student Senate reviewed the policy proposal on October 30, 2007 and passed a resolution in support of the proposal (see Appendix C for the resolution) |
| Faculty Senate | This group formed an ad hoc committee to study the topic and then discussed the topic at a full senate meeting in November of 2008 |
| Council on Academic Affairs | This group discussed the topic on more than one occasion in the fall of 2008 |
| Provost’s Council | This group discussed the topic on more than one occasion in the fall of 2008 |

Comparison to Other Relevant Institutions

EKU Benchmark Institutions (16 of the 19 institutions have early registration)

| <u>Institution</u> | <u>Groups with priority registration</u> |
|--|--|
| Arkansas State University, main campus | Honors/student-athletes/students with disabilities/student ambassadors/work study students/music students/forensics students/judging |

| | |
|-------------------------------------|---|
| | teams/dance team/cheerleaders/mascots and historically other students who travel on behalf of the institution |
| California State University, Chico | (in this order) Disability Support Services students/Veterans/Graduating seniors/Student-athletes and some other small groups/Honors seniors/Seniors/Honors junior/Juniors/Honors sophomores/Sophomores/Honors freshmen/Freshmen |
| University of Central Missouri | Student-athletes/honors/students with disabilities register the first two days of registration before the general population. |
| Eastern Michigan University | Honors/students with disabilities/admission tours guides and residence hall assistants/student ambassadors/graduate students first/student-athletes register a day before their normal time |
| Indiana State University | Honors and presidential scholars register the first day of priority scheduling with seniors and graduate students/student-athletes receive a credit hour bonus that puts them a week ahead of their normal scheduling time/disabled students are accommodated on a case by case basis |
| Kennesaw State University | Joint enrollment honors high school students/student assistants (includes work study students, tutors, any student who gets a paycheck from the university) and graduate assistants/student-athletes and anyone on a NCAA team/students with disabilities |
| Minnesota State University, Mankato | Students with disabilities register one week prior to general registration/student-athletes/forensics (speech), theatre and music majors register 24-36 hours before general registration |
| Sam Houston State University | Honors and student-athletes before seniors/students with disabilities on a case by case basis |
| Sonoma State University | Students with disabilities/NCAA student-athletes/Presidential Scholars/other groups may apply for priority registration status if they meet the predetermined criteria |

| | |
|--|--|
| Western Carolina University | Honors/disabled (first); student-athletes, exchange, and Distanced Learning Program students (second); then seniors, juniors, etc. |
| University of Wisconsin, Oshkosh | Honors/certain disabled students/student-athletes involved in sports that share indoor gym space (i.e., women's and men's basketball) |
| University of Tennessee, Chattanooga | Student-athletes/honors/disabled students registered with the Office for Students with Disabilities |
| University of Southern Indiana | Student-athletes/Athletic groups (including cheerleaders)/student government members/Presidential and Dean's Scholars/Honors students/Student newspaper and radio workers/student employees of the Children's Center/student members of the Activities Programming Board/ROTC/Student Ambassadors/Dance Team members (student workers and all university employees of the university were initially part of the policy then dropped) |
| University of Northern Iowa | Special needs students first/student-athletes register first day of the period of their academic group (i.e. sophomores) |
| University of North Carolina at Greensboro | Student-athletes and honors students register a day before their allotted time/disabled students can register anytime during the registration period beginning with graduate students/student workers in the Registrar's Office/some student workers in the Office of Disability Services |
| University of Massachusetts Boston | Student-athletes/honors students/disabled students |
| University of Michigan-Flint | [U/Michigan-Flint has no formalized athletic program <i>per se</i> as they are largely a commuter campus; they have had no formal priority registration policy other than ordering registration in relation to credit hours earned. Special requests—i.e., a group of honors students or Student Ambassadors—have been granted on a relatively few number of occasions (according to the current |

Registrar with 11 years at the job, only 3 or 4 such requests have been made and granted).]

Northern Michigan University

No priority registration policy

Wichita State University

No priority registration policy

Ohio Valley Conference Institutions (5 of the other 10 institutions have early registration)

Institution

Groups with priority registration

Austin Peay State University

No priority registration policy

Eastern Illinois University

Honors students, student-athletes, students with specific disabilities

Jacksonville State University

Not publicly disclosed, student-athletes, students with specific disabilities

Morehead State University

No priority registration policy; under discussion at this moment

Murray State University

No priority registration policy

Southeast Missouri State University

Not publicly disclosed, governor's scholars, students with specific disabilities, student-athletes, cheerleaders, dance team members, student trainers

Southern Illinois University-Edwardsville

No response yet from this institution

Tennessee State University

No priority registration policy; under discussion at this moment

Tennessee Tech University

Not publicly disclosed, honors students, students with specific disabilities, student-athletes, agricultural program students who work on the TTU farm

University of Tennessee-Martin

Special needs students work through their academic department advisor

Kentucky State Institutions (5 of the other 7 institutions have early registration)

| <u>Institution</u> | <u>Groups with priority registration</u> |
|------------------------------|---|
| University of Kentucky | Graduate students/evening and weekend students/honors/disabilities |
| Kentucky State University | Student-athletes/graduates/honors |
| University of Louisville | Graduates/honors/disabilities/student-athletes |
| Northern Kentucky University | Graduates/post-grad/student-athletes/honors |
| Western Kentucky University | Student-athletes/honors/disabilities |
| Morehead State University | No priority registration policy; under discussion at this moment |
| Murray State University | No priority registration policy; registrar works with individual offices to ensure that students (primarily student-athletes) get the classes they need |

Students Effected (Spring 2008 Data)

| Class | Student Body | Student-Athletes | Student-Athletes as Percent of Student Body |
|------------------|---------------------|-------------------------|--|
| Freshmen | 3,334 | 42 | 1.3% |
| Sophomore | 2,401 | 84 | 3.5% |
| Junior | 2,539 | 72 | 2.8% |
| Senior | 4,177 | 132 | 3.2% |
| Overall | 12,451 | 330 | 2.7% |

| Class | Student Body | Students with Disabilities | Students with Disabilities as Percent of Student Body |
|------------------|---------------------|-----------------------------------|--|
| Freshmen | 3,334 | 235 | 7.0% |
| Sophomore | 2,401 | 201 | 8.4% |
| Junior | 2,539 | 157 | 6.2% |
| Senior | 4,177 | 121 | 2.9% |
| Overall | 12,451 | 714 | 5.7% |

For Individuals with Disabilities:

Best estimates are that between 10%-15% (i.e., 70-100) of the total number of students with disabilities would qualify for early registration status; those that meet specific criteria. Specific criteria would include a careful discussion of the nature and severity of the disability, immediate

need for early registration, consideration of staff resources (Interpreters) and providing the OSID with documentation of such an immediate need.