

(Hartford, CT) – Six members of Connecticut’s Congressional Delegation today called on the National Collegiate Athletic Association (NCAA) to review and modify a new rule regarding the Academic Progress Rate (APR).

In a letter to NCAA President Mark Emmert, delegation members called on the NCAA to review and modify new APR rules by removing the retroactive application of sanctions, which currently have unfair and negative ramifications for academic institutions and their students.

“The uncompromised commitment to the academic success of student-athletes remains the paramount responsibility for any academic institution engaged in intercollegiate athletics,” the letter states. **“With this obligation in mind, we support necessary and reasonable measures that condition participation in intercollegiate post-season events on a requisite level of academic progress or achievement by student-athletes. However, and no less critical, the process for developing, adopting and implementing regulatory type measures that will be applicable to all academic institutions must be grounded in fundamental fairness.”**

The full text of the letter is below:

Dear President Emmert:

We write to express our concern with the implementation of the National Collegiate Athletic Association's new structure for the Academic Progress Rate (APR). As currently implemented, we believe this structure will have unfair negative ramifications for our academic institutions and their students.

As you are aware, last October the NCAA Board of Directors adopted new standards (four year average of 900 or two year average of 930) that institutions must meet in order to qualify and participate in NCAA post-season championship events. These standards were made effective immediately and were to be applied to student-athlete academic performance that had already occurred.

We appreciate and support the NCAA's pursuit of new standards as a means to improve academic achievement. We are dismayed, however, that the NCAA based eligibility for the 2013 NCAA Men's Basketball Tournament on data from the already completed academic years of 2009-10 and 2010-11. As a result, Student-athletes and their institutions were given no phase-in period, no opportunity to adjust to the new standards, and no chance to avoid the penalty. We are deeply concerned that with this action the NCAA is ignoring the reality that more current, data are now available to determine an institution's most current APR for purposes of determining eligibility for the 2013 Tournament. Using the most current, available data would remedy the existing unfairness.

While we understand and support the goals of ensuring quality educational opportunities for student-athletes and the need for strong sanctions for failure to meet those goals, we have misgivings about the retroactive implementation of the penalty. In particular, the NCAA appears to have imposed an overly harsh and unfair penalty by imposing APR sanctions retroactively for conduct and circumstances that had already occurred. By including previous years in a rolling

four year average, it should have been clear at the time of adopting the new standard that some universities would be unable to avoid the new penalties – even if the university had achieved a stellar score in the most current year. Due to this rule’s retroactive application, student-athletes, who are not in any manner culpable for the APR performance that is the basis of these new penalties, will be punished.

The uncompromised commitment to the academic success of student-athletes remains the paramount responsibility for any academic institution engaged in intercollegiate athletics. With this obligation in mind, we support necessary and reasonable measures that condition participation in intercollegiate post-season events on a requisite level of academic progress or achievement by student-athletes. However, and no less critical, the process for developing, adopting and implementing regulatory type measures that will be applicable to all academic institutions must be grounded in fundamental fairness. Only then will the regulatory structure appropriately address the institutional responsibility for academic success without penalizing innocent individual student-athletes.

With the enactment of the new APR penalty structure, however, we believe the NCAA has failed to meet this important standard. The NCAA has the means to address this matter at its upcoming meeting of Committee on Academic Progress on April 23. We therefore call on the NCAA to review and modify the APR rule this session to remove its retroactive application. Such an approach would be a sensible and fair way to resolve this matter while ensuring tough standards and penalties to ensure future compliance.

Thank you for your consideration of our concerns.

Sincerely,

Senator Joseph Lieberman

Senator Richard Blumenthal

Congressman John Larson

Congresswoman Rosa DeLauro

Congressman Joseph D. Courtney

Congressman Chris Murphy

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