POLICY

The University at Albany and the Department of Athletics are committed to the equitable treatment of student-athletes who have had their athletics aid cancelled, reduced or non-renewed for the following academic year. The following policies and procedures shall be followed in all cases.

Under NCAA rules, prior to July 1st, each student-athlete who received an athletics award the previous academic year and who has eligibility remaining in the sport which financial aid was awarded the previous academic year (under NCAA bylaw 15.3.7.1) shall be notified in writing whether the grant has been renewed or not renewed for the ensuing academic year.

The athletics scholarship award is not guaranteed for a four-year period. Instead, the athletics scholarships at the University at Albany are awarded on a yearly basis for a one-year period. The scholarship may be renewed at the end of the academic calendar for another one-year period at the coach’s discretion. The total number of years for which the scholarship is awarded in this manner may not exceed five years, barring an official waiver from the NCAA.

PROCEDURES

1. Requesting an Appeal.

Per NCAA legislation, all student-athletes wishing to appeal a non-renewal, reduction or cancellation of financial aid have the right to do so. The appeal is initiated by submitting a written letter to the Director of Athletics or the Assistant Athletics Director for Compliance within fourteen (14) calendar days of receiving the non-renewal, reduction or cancellation letter. Otherwise, no further action will be taken and the matter will be considered closed.

The written appeal should include the following:

   a) The student-athlete’s name, school year, sport and scholarship amount;
   b) Reasons for believing that the decision was biased, including the names of staff member with whom the student-athlete has discussed the issue of aid cancellation, reduction or non-renewal; and
   c) Copies of and relevant documents.

2. Hearing Committee.

The Committee is comprised primarily of members outside of the Athletics Department. Per NCAA bylaw 15.3.2.3.2, an athletics department staff member can serve on the Committee as long as he/she is a standing member of the Committee. The standing committee member from the Athletics Department is the Assistant Athletics Director for Compliance who will serve in an advisory role but will not be a voting member. The other five (5) committee members will be appointed by the University President, or designee who shall designate a Committee Chair.
3. **Scheduling the Hearing.**

After the student-athlete submits the written request for a hearing, the Assistant Athletics Director for Compliance will contact the Chair of the Committee to schedule a hearing date. The hearing date shall occur no later than fifteen (15) business days following the student-athlete’s request. The Assistant Athletics Director for Compliance shall inform the student-athlete, the Head Coach, Sport Administrator, and the Director of Athletics of the date, time and place of the hearing. Failure to appear, in person or via teleconference, will result in a decision in favor of the non-renewal, reduction or cancellation.

Within five (5) business days prior to the scheduled hearing, the Assistant Athletics Director for Compliance shall provide the Committee with:

a. The cancellation, reduction or non-renewal letter;
b. The request for hearing letter from the student-athlete; and
c. All supporting documentation submitted by the student-athlete, the Head Coach, the Assistant Athletics Director for Compliance, the Sport Administrator, and/or the Director of Athletics.

4. **Conduct of the Hearing.**

All parties to the hearing are expected to provide truthful information to the Committee and treat the Committee and other parties with dignity and respect throughout the process.

The hearing is an informal administrative proceeding and not a court of law. It is not subject to and does not operate in accordance with formal rules of process, procedure or technical rules of evidence. The hearing will not be taped.

The Committee proceedings and all information submitted by the parties shall remain confidential except as otherwise required by law.

The student-athlete has the right to be an active participant either by appearing in-person or by teleconference.

The Committee may request that other individuals attend and testify at the hearing as the Committee deems relevant and appropriate.

The student-athlete may be accompanied by his/her parents or legal guardians and one advisor to the hearing. The student-athlete must provide the name and relationship of this individual in a written request to the chair within three (3) business days prior to the hearing.

If the request is approved, this individual will not be permitted to address the Committee directly, but may advise the student-athlete.
The Chair of the Committee will open the hearing by introducing the parties and Committee members. The Chair then will summarize the format of the hearing and any rules of procedure.

Thereafter, the Chair shall invite the student-athlete to present his or her position and describe the reasons why the student-athlete believes the decision to cancel, reduce, or non-renew their athletics aid should be modified or overturned.

The Head Coach or designee then shall have the opportunity to present the rationale for cancelling, reducing or non-renewing the student-athletes athletics aid.

The Committee may ask questions of any individual present at the hearing.

The student-athlete and Head Coach each shall have the right to make a concluding remark or closing argument before the hearing is completed. The hearing should not be closed until the Chair has determined that all parties have had a fair and equal opportunity to present their positions.

5. Committee Deliberations and Notice of Decision.

Immediately following the hearing, the Committee shall meet privately to deliberate. The Committee's decision shall be based on a majority vote of the four members of the Committee. The decision shall be rendered no later than 5pm on the second business day following the student-athlete’s hearing. The time limit within which to make a decision may be extended by the Committee Chair upon reasonable cause confirmed in writing to the student-athlete and the Director of Athletics.

If the Committee determines that the decision of the Department was unreasonable or without basis in the facts presented or contrary to applicable NCAA rules or University policies and procedures, it may modify or overturn the decision to cancel, reduce or non-renew the student-athletes athletics aid.

The Committee’s decision shall be final, and there are no further avenues of appeal at the University.

**Per NCA Bylaw 15.3.7.2 the institution may decide to subsequently award athletics aid after a non-renewal letter has been issued. If this is done, the Department of Athletics will promptly notify the appeal committee, in writing, and the pending review will be dismissed**