

Name of Policy: <u>Due Process for the Student-Athlete—Scholarship Appeals</u>		 <p>Effective date: October 2, 2018</p> <p>Original effective date: May 9, 2011</p>	
Policy Number: 3364-35-17			
Approving Officer: President			
Responsible Agent: Athletic Director			
Scope: All University of Toledo Campuses			
<input type="checkbox"/>	New policy proposal	<input type="checkbox"/>	Minor/technical revision of existing policy
<input type="checkbox"/>	Major revision of existing policy	<input checked="" type="checkbox"/>	Reaffirmation of existing policy

(A) Policy statement

The University of Toledo is committed to following all National Collegiate Athletic Association, Mid-American Conference, and institutional guidelines concerning athletically related financial aid.

This policy specifically applies to the athletics department’s decision to reduce and cancel a student-athlete’s athletically related aid, and the process delineated under NCAA Bylaw 15 for student-athletes who wish to appeal such decisions.

(B) Purpose of policy

NCAA Bylaws specifically provide student-athletes with an opportunity to appeal reductions or cancellations of athletically related financial aid during the period of the award, or reductions or nonrenewals at the conclusion of the academic year.

(C) Procedure

Athletics awards are granted on a year-by-year basis by the athletics department, as determined by each team’s head coach, and approved by the vice president for intercollegiate athletics. The offer of athletically related financial aid will emanate from the office of student financial aid. Likewise, the reduction or cancellation of said financial aid will be communicated by the office of student financial aid.

- (1) During the academic year (i.e., fall and spring semesters), athletically related financial aid may be reduced or cancelled for any of the following reasons:
 - (a) The student-athlete renders himself or herself ineligible for intercollegiate competition.

- (b) The student-athlete fraudulently misrepresents any information on an application, letter of intent, or financial aid agreement.
- (c) The student-athlete engages in serious misconduct warranting substantial disciplinary penalty.
- (d) The student-athlete voluntarily withdraws from the team.
- (e) The student-athlete violates university, athletics department, or team policies.

Athletically related financial aid may not be reduced or cancelled during the period of the award (i.e., fall and spring semesters) for any athletics reason, or for injury, illness, or physical or mental condition.

- (2) At the conclusion of the academic year, the athletics department may choose to renew, reduce, or cancel a student-athlete's athletically related financial aid. The institution is required to notify the student-athlete prior to July 1st following the conclusion of the academic year. This notification must come from the office of student financial aid.
- (3) The notice of reduction or cancellation of athletically related financial aid shall be transmitted from the office of student financial aid to the student-athlete. Upon receipt of this notice, the student-athlete has 10 business days to notify the office of student financial aid that he or she intends to appeal the decision.

In the event that the student-athlete wishes to appeal the reduction or cancellation of athletically related financial aid, the institutional representative in the office of student financial aid shall organize a hearing, to be conducted at the earliest opportunity. All hearing documents shall be submitted to the student financial aid representative by both the student-athlete and athletics department. If the notice to reduce or cancel athletically related financial aid is executed during the academic year, the student-athlete will continue to receive such aid until he or she is provided with a hearing opportunity.

- (4) The hearing to review the reduction or cancellation of athletically related financial aid shall be conducted before the university's student grievance committee. The athletics compliance representative, as well as the institutional representative in the office of student financial aid, will serve as non-voting members of the appeal panel. The committee must have a quorum present in order to conduct the hearing.
 - (a) The student-athlete and head coach will attend the hearing. Each party is permitted to have an advisor present at the hearing, who may be an attorney. However, as this is not a legal proceeding, an attorney is not permitted to present or defend the appeal. The student-athlete will

present his or her case first, and may have witnesses appear on his or her behalf. The head coach will present his or her case following the student-athlete’s presentation. Likewise, the head coach may also be permitted to call witnesses. The committee is permitted to ask questions of both parties, as well as review any documentation that has been presented in the appeal.

- (b) Following the presentations of the student-athlete and head coach, the committee will dismiss all parties, and deliberate the appeal.
- (c) Upon completion of deliberations, the committee will render a decision. The director of student financial aid (or designee) will notify all parties of the appeal’s outcome at the earliest opportunity.
- (d) The decision of the committee will be final.

<p>Approved by:</p> <p><u>/s/</u> Sharon L. Gaber, Ph.D. President</p> <p><u>October 2, 2018</u> Date</p> <p><i>Review/Revision Completed by:</i> <i>Athletic Director</i> <i>SLT</i></p>	<p>Policies Superseded by This Policy:</p> <ul style="list-style-type: none"> • <i>Previous 3364-35-17, effective February 2, 2015</i> <p>Initial effective date: May 9, 2011</p> <p>Review/Revision Date: September 12, 2018</p> <p>Next review date: October 4, 2021</p>
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