



REPORT OF THE
NCAA DIVISION I COMMITTEE ON STUDENT-ATHLETE REINSTATEMENT
DECEMBER 4, 2023, VIDEOCONFERENCE MEETING

ACTION ITEMS.

- **None.**

INFORMATIONAL ITEMS.

1. **Sports wagering update.** The NCAA Division I Committee on Student-Athlete Reinstatement reviewed its guidelines for sports wagering violations and will continue to discuss and review the guidelines as appropriate.
2. **Review of guidelines addressing impermissible agent agreements and interactions.** The committee reviewed its pre- and post-enrollment guidelines specific to impermissible agent agreements and benefits from agents. The committee noted the evolving landscape in collegiate athletics, including the proliferation of agent interactions in name, image and likeness activities. The committee instructed NCAA student-athlete reinstatement staff to consider increased flexibility on a case-by-case basis in cases involving impermissible agent interactions.
3. **Review of season-of-competition waiver – competition while eligible guidelines involving coach’s documented misunderstanding and/or coach’s error.** The committee reviewed its current guideline specific to season-of-competition waivers – competition while eligible, where institutions assert coach’s documented misunderstanding of the legislation or coach’s error as mitigation. The committee amended its guideline and created separate guidelines for circumstances involving coach’s documented misunderstanding of the legislation and coach’s error. Specifically, the committee determined waivers asserting coach’s documented misunderstanding should be limited to competition in two contests/dates of competition or 10% of the maximum number of contests/dates of competition of the playing season that concludes with the NCAA championship, as set forth in NCAA Division I Bylaw 17, plus one date of competition. The committee also determined that for such waivers there is no requirement that the competition in such contests/dates of competition be “limited” within the contests/dates of competition. For waivers asserting coach’s error as mitigation, the committee determined competition should be restricted to one contest/date of competition and must be “limited” within the contest/date of competition. The committee also instructed staff to consider the nature of the sport (e.g., individual vs. team) in assessing the “limited” requirement in cases asserting coach’s error. See Attachment for specific guidelines. The committee noted staff should continue to impose a 1-for-1 withholding condition for waivers approved based on either coach’s documented misunderstanding of the legislation or coach’s error.
4. **Discussion on committee process for reviewing flexible case decisions.** The committee discussed its current practices for reviewing flexible case decisions. The committee noted in a typical year, the committee publishes over 95% of flexible decisions rendered by staff and instructed staff to take approaches geared toward increased efficiency in case reviews and timely publication, where appropriate, of decisions to the membership.
5. **Discussion on Division III mental health hardship waiver pilot program.** The committee reviewed and discussed a mental health hardship waiver pilot program adopted by Division III. The committee determined the existing waiver processes in Division I and staff’s review of circumstances on a case-by-case basis are sufficient at this time, and the committee does not believe adopting a similar pilot program is necessary at this time.

6. **Review of reinstatement guidelines.** The committee reviewed and approved editorial revisions to the NCAA Division I Committee on Student-Athlete Reinstatement Guidelines.
7. **Division I Legislative Committee Modernization of the Rules Subcommittee update.** The committee received an update on the Division I Legislative Committee Modernization of the Rules Subcommittee from associate director of academic and membership affairs.
8. **Review Division I Committee on Student-Athlete Reinstatement May 2023 and October 2023 reports.** The committee reviewed and approved the reports from its May 2023 and October 2023 meetings.
9. **Future meetings.** The committee established the following future meeting dates and locations:
 - May/June 2024 (exact date TBD), Indianapolis; and
 - November/December 2024 (exact date TBD), videoconference.

Committee Chair: Rick Christensen, Duquesne University.
Staff Liaisons: Brad Rochman, Academic and Membership Affairs.
 Jerry Vaughn, Academic and Membership Affairs.

NCAA Division I Committee on Student-Athlete Reinstatement December 4, 2023, Meeting
Attendees:
Rick Christensen, Duquesne University.
Ashley Cozad, University of North Florida (student-athlete).
Jason Greco, University of Utah.
Terry Porter, Towson University.
Marielle vanGelder, University of North Carolina, Chapel Hill.
Absentees:
None.
Guests in Attendance:
None.
NCAA Support Staff in Attendance:
Cynthia Alanis, James Bullock, Connor Bush, Maison Haines, Sarah L’Hommedieu, Liz Perry, Jess Rigler, Brad Rochman and Jerry Vaughn.
Other NCAA Staff Members in Attendance:
Emily Capehart, Amanda Conklin, Jennifer Henderson, Greg Pottorff and Julie Zike.

NCAA Division I Bylaw 12.8.6 (Season-of-Competition Waiver – Competition While Eligible).

- a. Coach's documented misunderstanding. The committee noted the student-athlete does not need to be eligible the entire season for the waiver to be approved. Rather, if the student-athlete is eligible at the time of participation and he or she otherwise meets the legislative requirements, the waiver should be approved. *(May 2011)*

The committee determined the reinstatement staff should provide flexibility in assessing season-of-competition waivers – competition while eligible based on coach's documented misunderstanding of the legislation that do not meet legislated requirements. In reviewing these waivers, the committee determined the following:

- (1) Any regular season competition should be limited to two events/10%, whichever is greater, of the Bylaw 17 maximum contests/dates of competition plus one;
- (2) It is not significant when the competition took place within the season;
- (3) Demonstration of intent to redshirt is unnecessary; and
- (4) The legislative misunderstanding may be the result of any coaching staff member. *(December 2023)*

- b. Coach's error. The committee determined the reinstatement staff should provide flexibility in assessing season-of-competition waivers – competition while eligible based on coach's error. In reviewing these waivers, the committee determined the following:

- (1) Any regular season competition should be limited to one event/date of competition;
- (2) Participation should be limited within the one event/date of competition, but staff may consider the nature of the sport (i.e., team vs. individual) in assessing this factor;
- (3) It is not significant when the competition took place within the season;
- (4) Demonstration of intent to redshirt is unnecessary; and
- (5) The error and/or misunderstanding may be the result of any coaching staff member. *(December 2023)*

Further, the committee noted that a student-athlete who receives a season-of-competition waiver – competition while eligible based on coach's documented misunderstanding or coach's error, shall be withheld from one contest of intercollegiate competition for each contest in which he or she competed. *(May 2017, updated December 2018, affirmed May 2022, affirmed December 2023)*

- The committee noted season-of-competition waivers – competition while eligible approved based on "other extraordinary circumstances" meet the legislative requirements. *(December 2012)*