



**REPORT OF THE  
NCAA DIVISION I COMMITTEE ON STUDENT-ATHLETE  
REINSTATEMENT JUNE 11-12, 2019, MEETING**

**ACTION ITEMS.**

**1. Legislative items.**

- None.

**2. Nonlegislative items.**

- **Referral to the Interpretations Committee.**

(1) Recommendation: That NCAA Division I Legislative Committee refer the below recommendations to the NCAA Division I Interpretations Committee. Specifically, the NCAA Division I Committee on Student-Athlete Reinstatement recommends that the Interpretations Committee take appropriate legislative steps to incorporate the following into the NCAA Division I Manual:

- April 13, 1994, Staff Interpretation.
- February 28, 2014, Staff Interpretation and May 17, 2018, Educational Column, Question No. 12.
- May 17, 2018, Educational Column, Question No. 13.
- May 17, 2018, Educational Column, Question No. 24.
- February 25, 2004, Staff Interpretation.
- November 15, 2000, Official Interpretation.

(2) Rationale. Since the publication of the hardship waiver worksheets and associated May 17, 2018, educational column, NCAA student-athlete reinstatement staff has received several questions from the membership related to guidance provided in the educational column and codified in current staff and official interpretations. Incorporating these items into the Division I Manual will provide greater clarity and ease of administration for compliance administrators and conference offices in applying hardship waiver legislation.

(3) Estimated budget impact. None.

(4) Student-athlete impact. None.

**INFORMATIONAL ITEMS.**

1. **Review the committee's December 2018 report.** The committee reviewed and approved the report from its December 2018 in-person meeting.
2. **Review committee's philosophy statement.** The committee reviewed its philosophy statement.
3. **Update on football four contest use of a season legislation (NCAA Division I Bylaw 12.8.3.1.6).** The committee received an update on NCAA Division I Proposal No. 2017-17-FBS and FCS, which created an exception to the use of a season legislation to allow a football student-athlete to compete in up to four contests without using a season of competition. The committee noted that Proposal No. 2017-17 was effective August 1, 2018, and was not intended to apply retroactively. As a result, the committee instructed reinstatement staff to continue to deny season-of-competition waivers where the institution requests retroactive application of Proposal No. 2017-17.
4. **Review of reinstatement waiver guidelines.** The committee reviewed and approved a reorganization of the committee's guidelines specific to waivers. The committee amended its guidelines to include a definition of contemporaneous medical documentation.
5. **Review of season-of-competition waivers where a student-athlete competes on a club team.** The committee reviewed scenarios wherein a student-athlete competes on an institution's club team when the institution sponsors the same sport on the varsity level. The committee noted that while such participation results in the use of a season-of-competition, there may be limited circumstances under which a season-of-competition waiver – competition while eligible is appropriate. The committee created a guideline directing the reinstatement staff to provide flexibility through the waiver process for student-athletes who trigger use of a season based on club team participation and the student-athlete was not recruited; has not appeared on the institution's varsity squad list; and meets all legislated season-of-competition waiver – competition while eligible participation limits.
6. **Review of community service data and associated guideline.** The committee reviewed and affirmed its community service guideline.
7. **Previously approved waivers and reinstatement requests.** The committee approved a concept to allow institutions to self-apply certain waiver or student-athlete reinstatement requests without filing a formal request through NCAA Requests/Self Reports Online and approved a list of previously approved requests for which this flexibility may apply. The committee noted the institution may only approve a request and/or reinstate a student-athlete if the institution's circumstances appear on the designated list of previously approved requests and the circumstances satisfy all specified criteria. If an institution's

circumstances do not appear on the designated list of previously approved requests or if the circumstances do not satisfy all of the established criteria, the institution must submit a formal student-athlete reinstatement application in RSRO. Further, an institution that approves a waiver based on the previously approved request list must inform its conference office. An institution that reinstates a student-athlete based on the previously approved reinstatement request list must file a violation report with the NCAA enforcement staff through RSRO and indicate that the student-athlete has been reinstated pursuant to the previously approved request list.

8. **Review extension of eligibility waivers where football student-athlete is medically cleared with less than 30% of season remaining.** The committee reviewed extension requests involving football student-athletes who are medically incapacitated to begin the season, are ultimately medically cleared and compete with less than 30% of the season remaining but do not trigger use of a season. The committee directed reinstatement staff to continue to review those waivers on a case-by-case basis.
9. **Update on Individual Associated With a Prospective Student-Athlete legislation.** The committee received an update on recent reinstatement requests and trends involving institutions that hire an IAWP or IAWRP.
10. **Amateurism certification process case update.** The committee reviewed a summary of amateurism certification case decisions, including appeals heard by the committee, for the 2018-19 academic year.
11. **Review repayment and community service plan ban policy.** The committee reviewed and affirmed its four-year ban policy for an institution whose student-athlete defaults on a repayment and/or community service plan.
12. **Update on waiver processes involving mental health diagnoses.** The committee received an update on the Mental Health Waiver Think Tank, a collaboration between NCAA waiver staff and NCAA Sports Science Institute, specific to waivers involving mental health diagnoses.
13. **Review of dollar-value withholding guidelines.** The committee amended its dollar-value withholding guidelines as follows:

Previous Guideline	Amended Guideline
Greater than \$200-\$400 = repayment and 10% withholding	Greater than \$200-\$500 = repayment and 10% withholding
Greater than \$400-\$700 = repayment and 20% withholding	Greater than \$500-\$800 = repayment and 20% withholding

Greater than \$700 = repayment and 30% withholding	Greater than \$800 = repayment and 30% withholding
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- 14. Review of 50% threshold in withholding guideline and use of a season of competition.** The committee reviewed its 50% withholding threshold guideline for cases involving limited participation by a student-athlete while ineligible for the entire season due to not meeting academic requirements or when the student-athlete should have been serving a year in residence. The committee updated its guideline to clarify that in situations in which the institution elects to apply the flexibility allowed by the 50% threshold guideline, the institution may not request a season-of-competition waiver for that season. Additionally, the committee directed reinstatement staff to include as a condition of reinstatement that the student-athlete has used a season of competition for the season in question.
- 15. Review of reinstatement guidelines.** The committee reviewed and approved editorial revisions to the NCAA Division I Committee on Student-Athlete Reinstatement Guidelines.
- 16. Review of policies and procedures.** The committee reviewed and approved revisions to the NCAA Divisions I, II and III Committees on Student-Athlete Reinstatement Policies and Procedures.
- 17. Division I Summary of Legislative Actions.** The committee received an update regarding proposed and adopted legislation.
- 18. Governance update.** The committee received a governance update from NCAA vice president of Division I governance.
- 19. Litigation update.** The committee received a litigation update from NCAA vice president of law, policy and governance.
- 20. Review NCAA Conflict of Interest Policy.** The committee reviewed the Conflict of Interest Policy.
- 21. Review of flexible case decisions.** The committee reviewed decisions for which the reinstatement staff provided relief from established case precedent and/or committee guidelines or where no case precedent existed. The committee archived three reinstatement staff decisions.
- 22. Other business.** The committee selected Loretta Lamar as its next chair and Rick Christensen as its vice chair.

**23. Future meetings.** The committee established the following future meeting dates and locations:

- November 19-20, 2019, Indianapolis; and
- May 13-14, 2020, Indianapolis.

*Committee Chair:* Keli Zinn, West Virginia University.

*Vice Chair:* Loretta Lamar, U.S. Naval Academy.

*Staff Liaisons:* Sarah Otey, Academic and Membership Affairs.

Brad Rochman, Academic and Membership Affairs.

NCAA Division I Committee on Student-Athlete Reinstatement June 11-12, 2019, Meeting	
<b>Attendees:</b>	
Michael Bitter, Stetson University.	
Rick Christensen, Duquesne University.	
Loretta Lamar, U.S. Naval Academy.	
Paia LaPalombara, The Ohio State University.	
Ava Lawson, Western Kentucky University.	
Keli Zinn, West Virginia University.	
<b>Absentees:</b>	
None.	
<b>Guests in Attendance:</b>	
None.	
<b>NCAA Support Staff in Attendance:</b>	
Cynthia Alanis, Tom Anderson, Etta Billon, Stephanie Grace, Sarah Otey, Liz Perry, Jess Rigler, Brad Rochman, Zach Romash, Julie Sargent, Danielle Teetzel and Danielle Walter.	
<b>Other NCAA Staff Members in Attendance:</b>	
Scott Bearby (via telephone), Jennifer Henderson and Kevin Lennon.	