



**REPORT OF THE  
NCAA DIVISION I COMMITTEE ON STUDENT-ATHLETE REINSTATEMENT  
MAY 17-18, 2022, MEETING**

**ACTION ITEMS.**

**1. Legislative items.**

- **None.**

**2. Nonlegislative items.**

- **Referral to the NCAA Division I Legislative Committee.**

- (1) Recommendation: That the NCAA Division I Legislative Committee and, specifically, the Modernization of the Rules Subcommittee, examine the history and merits of outside competition legislation in light of the current climate in intercollegiate athletics.
- (2) Rationale: The NCAA student-athlete reinstatement staff processes a large volume of reinstatement requests for student-athletes involved in violations of outside competition legislation. Often these violations involve participation in charitable contests, low level/recreational competition, and competition which is loosely organized and not commensurate with a collegiate competition experience and, therefore, any competitive advantage gained is minimal. Further, given the apparent membership perception that these violations do not warrant a withholding condition, the NCAA Division I Committee on Student-Athlete Reinstatement is loath to change the guideline to not include withholding. Changing the committee guidelines to eliminate a withholding for these violations would be tantamount to legislating via the reinstatement process and appears to undermine the legislation itself. Therefore, the Division I Committee on Student-Athlete Reinstatement recommends the Division I Legislative Committee Modernization of the Rules Subcommittee review outside competition legislation to determine whether it is appropriate to deregulate in this area.
- (3) Estimated budget impact: None.
- (4) Student-athlete impact: Varies.

**INFORMATIONAL ITEMS.**

1. **Review of student-athlete reinstatement policy on application of withholding.** The committee reviewed and affirmed its policy specific to prohibiting exhibitions, scrimmages and nonchampionship contests to be used to fulfill a withholding condition. The committee removed language from the policy regarding staff discretion in allowing exhibitions, scrimmages or nonchampionship contests as a withholding condition. Further, the

- committee instructed staff to continue to not permit exhibitions, scrimmages or nonchampionship contests to be used to fulfill a withholding condition.
2. **Review of outside competition cases and guideline.** The committee reviewed outside competition violations and its current guideline, which indicates a one-for-one starting point for withholding. The committee affirmed the guideline but noted staff should review cases on a case-by-case basis with increased flexibility and where appropriate consider prescribing rules education as a condition. Considering the evolving landscape of intercollegiate athletics, the committee also recommended the Division I Legislative Committee consider possible modernization and/or deregulation of the outside competition legislation.
  3. **Review of season-of-competition – competition while eligible waivers asserting coach’s error.** The committee reviewed season-of-competition – competition while eligible waivers asserting coach’s error as the rationale for a student-athlete’s limited participation. The committee affirmed its current guideline and noted its intent of the word “error” in the context of coach’s error is to capture situations where a coaching staff member accidentally, in the moment, places a particular student-athlete in to a contest. The committee clarified its intent is not to capture scenarios where coaching staff members are aware of their actions to place a particular student-athlete in to a contest and subsequently “regret” their action of triggering the use of a season-of-competition. Such scenarios are within the coach’s control and therefore are not extenuating circumstances that warrant relief.
  4. **Review Division I Committee on Student-Athlete Reinstatement November 2021 report.** The committee reviewed and approved the report from its November 2021 videoconference meeting.
  5. **Review Committee on Student-Athlete Reinstatement philosophy statement.** The committee reviewed its philosophy statement.
  6. **Update on hardship waiver and redshirt legislative proposals.** The committee received an update on the status of Proposal Nos. 2019-23 (Athletics Eligibility – Seasons of Competition: Five-Year Rule – Waiver Criteria – Redshirt During Any Year); 2021-17 (Athletics Eligibility – Seasons of Competition – Hardship Waiver Criteria); and 2021-18 (Athletics Eligibility – Seasons of Competition – Hardship Waiver – First-Half-Of-Season Calculation).
  7. **Review of community service conditions guideline.** The committee reviewed and affirmed its community service guideline.
  8. **NCAA Division I Transformation Committee update.** The committee received an update on the work of the Division I Transformation Committee.

9. **Review of reinstatement guidelines.** The committee reviewed and approved editorial revisions to the NCAA Division I Committee on Student-Athlete Reinstatement Guidelines.
10. **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.
11. **Division I summary of legislative actions.** The committee received an update regarding proposed and adopted legislation.
12. **Governance update.** The committee received a governance update from NCAA director of Division I governance.
13. **Litigation update.** The committee received a litigation update from NCAA director of law, policy and governance.
14. **Review NCAA Conflict of Interest Policy.** The committee reviewed the NCAA Conflict of Interest Policy.
15. **Review of flexible case decisions.** The committee reviewed decisions for which the staff provided relief from established case precedent and/or committee guidelines or where no case precedent existed.
16. **Future meetings.** The committee established the following future meeting dates and locations:
  - November/December 2022 (exact date TBD), videoconference; and
  - May/June 2023 (exact date TBD), Indianapolis.

*Committee Chair:* Rick Christensen, Duquesne University.  
*Vice Chair:* Paia LaPalombara, The Ohio State University.  
*Staff Liaisons:* Brad Rochman, Academic and Membership Affairs.  
Jerry Vaughn, Academic and Membership Affairs.

<b>NCAA Division I Committee on Student-Athlete Reinstatement May 17-18, 2022, Meeting</b>	
<b>Attendees:</b>	
Michael Bitter, Stetson University.	
Rick Christensen, Duquesne University.	
Terry Porter, Towson University.	
Marielle vanGelder, University of North Carolina, Chapel Hill.	
<b>Absentees:</b>	
Ahmed Amaar, Lipscomb University (student-athlete).	
Paia LaPalombara, The Ohio State University.	
<b>Guests in Attendance:</b>	
None.	
<b>NCAA Support Staff in Attendance:</b>	
Cynthia Alanis, Etta Biloon, Connor Bush, Maison Haines, Liz Perry, Jess Rigler, Brad Rochman, Jerry Vaughn and Julie Zike.	
<b>Other NCAA Staff Members in Attendance:</b>	
Amanda Conklin, Jennifer Henderson and Jessica Kerr.	