



**REPORT OF THE
NCAA DIVISION I COMMITTEE ON STUDENT-ATHLETE REINSTATEMENT
NOVEMBER 19, 2024, VIDEOCONFERENCE MEETING**

KEY ITEMS.

1. **Review of NCAA Division I Committee on Student-Athlete Reinstatement policies and procedures.** The NCAA Division I Committee on Student-Athlete Reinstatement reviewed and approved substantive changes to its policies and procedures including federating them from the Division II and Division III Committees on Student-Athlete Reinstatement. Specifically, the committee:
 - a. Specified extensions and athletics activity waivers are never considered urgent.
 - b. Specified allegations made by the applicant institution will be considered as fact, if another member institution does not respond to a 10-day request.
 - c. Adjusted the reconsideration standard to permit new information, supported by contemporaneous documentation, to be submitted at any time, provided information is germane to the original assertions and was not readily available.
 - d. Specified all appeals are reviewed on the written record unless a telephonic appeal is granted by the committee.
 - e. Codified a minimum standard of review for waiver cases.
 - (1) Extension of eligibility waiver requests will not be considered until a student-athlete is deprived of an opportunity to participate in more than one season within their five-year period of eligibility for reasons beyond the control of the student-athlete or the institution.
 - (2) Hardship waiver appeals or season-of-competition waivers will not be considered if the student-athlete's eligibility for competition and/or practice will not be directly affected by the outcome of the waiver decision during the current or immediate upcoming academic year.
 - f. Codified the current practice of handling cases previously decided. If one institution, regardless of division, receives a decision on a case, another institution may not submit a second case of the same type with the same mitigation being asserted for consideration.
2. **Review of NCAA Division I Committee on Student-Athlete Reinstatement guidelines.** The committee reviewed its current guidelines philosophically and provided feedback regarding whether modifications to starting points were warranted to better align them with the changing environment and needs of modern student-athletes. The committee agreed the following guidelines should be reviewed and directed student-athlete reinstatement staff to develop updated guidelines for review during a future meeting:

- a. When a student-athlete uses the final term exception to compete while less than full time but then does not complete all graduation requirements.
- b. Competition with professionals provided the student-athlete is not paid above actual and necessary expenses.
- c. Bylaw 12.4.2.1 (Fee-for-Lesson Instruction).
- d. Bylaw 14.3 (Initial-eligibility violations involving canceled standardized test score).
- e. Bylaw 14.5 (Transfer Violations).
- f. Academic Year-of-Residence Penalties and Sit-a-Season Penalties.
- g. Valuation of Impermissible Benefits (specifically loans and impermissible books).
- h. Agent violations.

Additionally, the committee affirmed the following guidelines:

- i. Bylaw 12.1.1.1.3 (Practice and Competition Prior to Initial Amateurism Certification by the NCAA Eligibility Center).
- j. Post-enrollment recruiting services.
- k. Bylaw 12.8.3.2 (Delayed enrollment – Seasons of Competition).
- l. Bylaw 12.11.1 (Obligations of Member Institution to Withhold Student-Athlete from Competition).
- m. Bylaw 13 (Conditions Imposed for Recruiting Violations).
- n. Bylaw 14.2.2 (Competition While Enrolled Less Than Full Time).
- o. Bylaw 14.3 (Initial-Eligibility Violations Involving Nonqualifiers and Academic Redshirts).
- p. Bylaw 14.4 (Progress-Toward-Degree Violations).
- q. Valuation of Impermissible Benefits (all subsections aside from loans and impermissible books).

3. **Review of flexible decisions.** The committee reviewed common fact patterns and cases approved based on totality of the circumstances or the NCAA Division I Council-Approved Review Process and directed staff to begin deciding cases with similar fact patterns using case precedent as a rationale.
- a. The committee shifted rationale basis from totality of circumstances to based on case precedent for extension of eligibility waivers involving: (1) Use of contemporaneous and noncontemporaneous medical documentation and other supporting documentation demonstrating the student-athlete was incapacitated; (2) Student-athlete was unable to use an extension previously granted due to a circumstance outside of the control of the student-athlete or institution that is not just a redshirt; (3) Extraordinary circumstances existed that prevented the student-athlete from being on a team and but for those circumstances, the student-athlete would have qualified for a self-applied COVID-19 extension; (4) Student-athlete has one denied participation opportunity and the other denied participation opportunity is when an institution cancelled a season; and (5) Student-athlete has one denied participation opportunity and the other denied participation opportunity is when an institution is unable to provide a squad list from a junior college but is able to provide other documentation from an appropriate source demonstrating the student-athlete was a member of the team and otherwise academically and athletically eligible to compete.
 - b. The committee shifted rationale basis from totality of circumstances to based on case precedent for hardship waivers and appeals involving: (1) Student-athlete's competition meets legislated limits and institution provides contemporaneous and noncontemporaneous medical documentation and other supporting documentation demonstrating the student-athlete was incapacitated; and (2) Student-athlete is cleared for less than 30% of a season and the student-athlete's participation does not occur during postseason (conference or NCAA/other championships).
 - c. The committee shifted rationale basis from totality of circumstances to based on case precedent for season of competition waivers involving: (1) Student-athlete's competition meets legislated limits and institution provides contemporaneous and noncontemporaneous medical documentation supporting a life threatening injury or illness occurred to student-athlete's family member that resulted in student-athlete's limited competition; and (2) Student-athlete's competition meets legislated limits and institution provides contemporaneous and noncontemporaneous medical documentation and other documentation demonstrating student-athlete's mental health led to the student-athlete's limited participation.
 - d. The committee shifted rationale basis from totality of circumstances to based on case precedent for reinstatement requests involving the following circumstances: (1) Student-athlete returns apparel to institution or repays institution value of

impermissible benefit prior to seeking reinstatement; (2) Student-athlete uses final term exception but fails to complete all graduation requirements and student-athlete subsequently completes degree requirements prior to the following season; (3) Institution purchases airline tickets for someone other than what is permitted by legislation for an official visit; (4) Student-athlete is certified with amateurism condition related to delayed enrollment; and (5) Student-athlete competes prior to receiving an extension of eligibility waiver and one is subsequently approved.

INFORMATIONAL ITEMS.

1. **Review of legislation related to use of a season and season-of-competition and hardship waivers received from other organizations (e.g., National Junior College Athletic Association).** The committee reviewed use of season legislation as it relates to other organizations and season-of-competition and hardship waivers received from other organizations. Pursuant to current legislation, the committee affirmed any amount of competition, regardless of time, during a season counts as a season of competition and that is applicable to competition conducted by a two-year or four-year collegiate institution. Additionally, the committee noted staff should continue to analyze season-of-competition and hardship waiver requests for seasons used by student-athletes while part of other associations similarly to how they are analyzed for Division I student-athletes. Specifically, the committee noted if flexibility and relief would be provided for Division I student-athletes in a similar situation as student-athletes who used a season while enrolled at other associations, then staff should provide relief.
2. **Review of recommendation from the NCAA Committee on Women Athletics.** The committee reviewed a recommendation from the NCAA Committee on Women Athletics related to limited flexibility in considering years a student-athlete has circumstances occur outside of their or the institution's control, but prior to the sport being part of the emerging sport program, as potential denied participation opportunities as part of an extension of eligibility waiver. The committee directed staff to apply the extension of eligibility waiver legislation related to what is considered a circumstance within or beyond the control of the institution or student-athlete to sports that become an emerging sport the same way they would an already established NCAA sport.
3. **Review of the committee's guideline related to outside competition.** The committee reviewed their guideline related to outside competition and recommended codifying their May 2022 guidance related to outside competition cases. Specifically, the committee directed staff to reinstate with the condition the student-athlete provide rules education to their teammates unless they were specifically told they could not compete in the outside competition in advance of their participation. Additionally, the committee identified factors staff should consider when determining if withholding is appropriate and, if so, noted the starting point should be withholding one contest or date of competition for each contest or date of competition of impermissible outside competition.

4. **Review of cases decided from July 1 through October 1, 2024.** The committee reviewed cases staff processed from July 1 through October 31, 2024. A total of 306 were reviewed by the staff and committee. Staff approved 255 cases either fully or with conditions. Staff denied 51 cases, 41 of which were appealed to the committee. The committee affirmed the staff decision in 40 cases and overturned the staff decision on one occasion. Staff used the “totality of circumstances” rationale to approve 65 cases. Seventeen cases were granted under the Council-Approved Review Process analysis. Forty-four cases were approved under the Council’s interim regulatory approach authorized June 2024.
5. **Review of post-enrollment egregiousness spectrum results.** The committee reviewed and discussed the results of their egregiousness spectrum exercise related to post-enrollment violations processed by the committee. Generally, the committee noted withholding continues to be appropriate for violations that impact the integrity of college athletics and student-athletes’ competitive experience.
6. **Discussion on comprehensive student-athlete eligibility review and interim regularly approach to student-athlete eligibility cases.** The committee reviewed an update on the comprehensive review of eligibility-impacting rules for student-athletes. The committee reviewed and provided feedback on cases decided by staff using reasonable discretion under the Council authorized interim regulatory approach.
7. **Division I governance update.** The committee received a governance update from the director of NCAA Division I governance and managing director for external affairs. Specifically, the committee received an update that discussions surrounding sports wagering and the potential deregulation regarding wagering on professional sports is still ongoing and reviewed data collected from a national survey of student-athletes across all three divisions.
8. **National Letter of Intent Program and NCAA Transfer Portal update.** The committee received an update from the director of NCAA governance related to the National Letter of Intent Program and the NCAA transfer portal.
9. **Legal affairs update.** The committee received an update from the director of the NCAA Office of Legal Affairs.
10. **Review Division I Committee on Student-Athlete Reinstatement roster and May 7, 2024 report.** The committee reviewed and approved its committee roster and the report from its May 7, 2024, meeting.
11. **Other business.**
12. **Future meetings.** The committee established the following future meeting dates and locations:

- May 22, 2025, Indianapolis, and
- November/December 2025, videoconference.

Committee Chair: Marielle vanGelder, University of North Carolina, Chapel Hill.
Staff Liaisons: Cynthia Alanis, Academic and Membership Affairs.
Connor Bush, Academic and Membership Affairs.
Maison Hubbard, Academic and Membership Affairs.
Jerry Vaughn, Academic and Membership Affairs.

NCAA Division I Committee on Student-Athlete Reinstatement November 19, 2024, Videoconference Meeting	
Attendees:	
Jason Greco, University of Utah.	
Laura Hue, Indiana University – Purdue University Indianapolis.	
Kevin Kendrick, Florida International University.	
Terry Porter, Towson University.	
Braeden Pratt, St. John’s University (New York).	
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, McKinzie Green, Tianna Hill, Maison Hubbard, Liz Perry, Jess Rigler, Sean Tuttle and Jerry Vaughn.	
Other NCAA Staff Members in Attendance:	
Jennifer Henderson, Tom Paskus, Susan Peal, Jared Tidemann and Leeland Zeller.	