

**REPORT OF THE  
NCAA DIVISION III COMMITTEE ON STUDENT-ATHLETE REINSTATEMENT  
NOVEMBER 20, 2024, VIDEOCONFERENCE**

**ACTION ITEMS.**

- *None.*

**INFORMATIONAL ITEMS.**

1. **Review of NCAA Division III Committee on Student-Athlete Reinstatement policies and procedures.** The NCAA Division III Committee on Student-Athlete Reinstatement reviewed and approved substantive changes to their policies and procedures including federating them from the Division I Committee on Student-Athlete Reinstatement and Division II Student-Athlete Reinstatement Committee. Specifically, the committee:
  - a. Specified extensions 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 the committee grants a telephonic appeal.
  - 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 10 semester/15 quarter period of eligibility for reasons beyond the control of the student-athlete or the institution but not earlier than the student-athlete's eighth full-time semester of 12th quarter of enrollment, conditioned on the student-athlete maintaining full-time enrollment in the student-athlete's ninth and 10th semesters or 13th, 14th, and 15th quarter.
    - (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 III Committee on Student-Athlete Reinstatement guidelines.**

The committee reviewed its current guidelines philosophically and provided feedback regarding whether modifications to starting points was 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 the NCAA student-athlete reinstatement staff to develop updated guidelines for review during a future meeting:

- a. 10.1 Unethical Conduct;
- b. Academic Year-of-Residence Penalties and Sit-a-Season Penalties;
- c. Outside Competition;
- d. Dollar-Value Based Withholding;
- e. Guidelines with a starting point of permanent ineligibility (including “up-to” permanent ineligibility);

Additionally, the committee affirmed the following guidelines:

- f. NCAA Bylaw 10.1 – (f) Competing Under an Assumed Name;
- g. 12.5 Promotional Activities;
- h. Competition When the Student-Athlete Could Not Have Been Eligible;
- i. 14.1.7.1 Full-Time Enrollment – Requirement for Practice or Competition;
- j. 14.4 Satisfactory-Progress Requirements;
- k. 14.5 Transfer Regulations;
- l. Fifty-Percent Threshold in Withholding Conditions;
- m. 14.10.1 Obligation of Member Institution to Withhold Student-Athlete from Competition;
- n. Calculating the Value of an Impermissible Benefit;

- o. 14.10.1 Obligation of Member Institution to Withhold Student-Athlete from Competition; and
    - p. Calculating the Value of an Impermissible Benefit
- 3. **Review of flexible decisions.** The committee reviewed common fact patterns and cases approved based on totality of the circumstances and directed staff to begin deciding cases with similar fact patterns using case precedent as a rationale. 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; (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 qualified for self-applied COVID-19 extension in one sport, which will be utilized during an academic year and would like to compete in another sport during same academic year.
  - a. 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; (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); and (3) Student-athlete's competition meets legislative percentage but competition occurred in second half of the season.
  - b. 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.
  - c. 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) Institution purchases airline tickets for someone other than what is permitted by legislation for an official visit; and (3) Student-athlete receives compensation for work actually performed as a coach prior to deciding to return to compete as a student-athlete.
4. **Review of NCAA Division III Committee on Student-Athlete Reinstatement guideline's related to outside competition.** The committee reviewed the guideline related to outside competition. Specifically, the committee directed staff to review outside competition violations on a case-by-case basis and generally provide complete relief. Additionally, the starting point should be withholding one contest for every contest of impermissible outside competition only when the student-athlete was specifically told they may not compete in certain outside competition. Furthermore, the committee was not in favor of requiring student-athletes to provide rules education to their teammates. The committee directed staff to provide this relief regardless of the sport in question.
  5. **Review of recommendation from the NCAA Committee on Women Athletics.** The Division III Committee on Student-Athlete Reinstatement reviewed a recommendation from the Committee on Women Athletics related to limited flexibility for student-athletes requesting an extension-of-eligibility waiver and who compete in a sport and has at least two denied participation opportunities prior to the sport becoming part of the emerging sport program. The Division III Committee on Student-Athlete Reinstatement directed staff to apply the extension-of-eligibility waiver legislation related to what is considered a circumstance within the control or beyond the control of the student-athlete or the institution to sports that become an emerging sport the same way they would an already established NCAA sport.
  6. **Legal affairs update.** The Division III Committee on Student-Athlete Reinstatement received an update from the associate director of office of legal affairs.
  7. **Review of mental health hardship waiver.** The Division III Committee on Student-Athlete Reinstatement received an update specific to the mental health hardship waiver pilot program and data surrounding the pilot program.
  8. **Review of Division III philosophy statement.** The Division III Committee on Student-Athlete Reinstatement reviewed the Division III philosophy statement.
  9. **Review Division III Committee on Student-Athlete Reinstatement June 2024 report.** The Division III Committee on Student-Athlete Reinstatement reviewed and approved the report from its June 2024 meeting.
  10. **Review of flexible student-athlete reinstatement decisions.** The Division III Committee on Student-Athlete Reinstatement reviewed and accepted all recent staff decisions that provided relief from established case precedent and/or committee guidelines. All cases will

remain available as precedent within RSRO, consistent with Division III Committee on Student-Athlete Reinstatement policies and procedures.

11. **Governance update.** The Division III Committee on Student-Athlete Reinstatement received a governance update from the managing director of NCAA Division III governance.
12. **Chair election.** The Division III Committee on Student-Athlete Reinstatement elected Kaitlin Leach, deputy athletics director/director of student-athlete welfare, Vassar College, as the new chair of the committee effective January 18, 2025.
13. **Future meetings.** The Division III Committee on Student-Athlete Reinstatement established the following future meeting dates and locations:
  - a. May 21, 2025, Indianapolis.
  - b. November/December 2025, videoconference (TBD).

*Committee Chair:* Abigail Van Vlerah, Manchester University.  
*Staff Liaisons:* James Bullock, Academic and Membership Affairs.  
Liz Perry, Academic and Membership Affairs.

NCAA Division III Committee on Student-Athlete Reinstatement November 20, 2024, Videoconference	
<b>Attendees:</b>	
Charles Foster, Mississippi University for Women.	
Crystal Gibson, St. Mary's College of Maryland.	
Merlin A. Joseph Jr., State University of New York at Oswego.	
Kaitlin Leach, Vassar College.	
Morgan Shaw, Willamette University.	
Abigail Van Vlerah, Manchester University.	
<b>Absentees:</b>	
None.	
<b>Guests in Attendance:</b>	
None.	
<b>NCAA Support Staff in Attendance:</b>	
Cynthia Alanis, James Bullock, Connor Bush, McKinzie Green, Tianna Hill, Maison Hubbard, Liz Perry, Jess Rigler and Jerry Vaughn.	
<b>Other NCAA Staff Members in Attendance:</b>	
Bill Regan, Luke Schultheis, Jared Tidemann and Julie Zike.	