ACTION ITEMS.

1. Legislative Items.

   a. AMATEURISM, RECRUITING AND AWARDS, BENEFITS AND EXPENSES -- ELIGIBILITY RAMIFICATIONS -- RESTITUTION FOR RECEIPT OF IMPROPER BENEFITS.

      (1) Recommendation: Sponsor legislation for the 2018 NCAA Convention to increase from $100 to $200 the value of improper benefits for which restitution is required.

      (2) Effective Date: August 1, 2018.

      (3) Rationale: The restitution value has not been reviewed by the membership for approximately 10 years. Review of case data indicates an increase to $200 will decrease bureaucracy and increase efficiency for the benefit of the Division III membership. This change will not eliminate the need to report an institutional violation to the NCAA enforcement staff or to request reinstatement if relief from repayment or an alternative reinstatement condition to repayment is requested (e.g., community service).

      (4) Estimated Budget Impact: None.

      (5) Student-Athlete Impact: The eligibility of a student-athlete who receives an impermissible benefit of $200 or less may be restored upon repayment of the impermissible benefit without the need for reinstatement.

   b. ETHICAL CONDUCT -- SPORTS WAGERING ACTIVITIES -- SANCTIONS.

      (1) Recommendation: Sponsor legislation for the 2018 NCAA Convention to eliminate the legislated penalty for sports wagering.

      (2) Effective Date: Immediate.

      (3) Rationale: The student-athlete reinstatement process offers the opportunity for the NCAA Division III Committee on Student-Athlete Reinstatement and NCAA student-athlete reinstatement staff to review cases on an individual basis and consider the totality of the circumstances. For violations that trigger the legislated sports wagering sanctions, the minimum penalty is automatic and...
cannot be appealed. To promote increased fairness, the committee believes it is important to conduct a case-by-case review of these sports wagering violations and provide for an appellate opportunity. Further, it is important to note that if the proposal is adopted, the legislated sanctions will be incorporated into the NCAA Division III Student-Athlete Reinstatement guidelines, which would recognize the Association’s continued emphasis on the severity of sports wagering violations. Note: Bylaw 10.3.2 is a common provision across NCAA Divisions I, II and III.

(4) Estimated Budget Impact: None.

(5) Student-Athlete Impact: None.

2. Nonlegislative Items.

- None.

**INFORMATIONAL ITEMS.**

1. Contemporaneous Medical Documentation Standards. The reinstatement staff provided the committee with an update specific to the review of medical documentation standards used to review medical hardship waivers. The committee reviewed physician feedback from the NCAA Committee on Competitive Safeguards for Medical Aspects of Sport (CSMAS) specific to noncontemporaneous medical documentation from a physician supported by contemporaneous documentation from a non-physician medical practitioner and considered whether licensed “physician extenders” operating under the direction or supervision of a licensed physician (e.g., nurse practitioner, physician assistant) may be the primary providers of medical documentation. The committee required CSMAS provide feedback on a potential legislative change which would allow only physicians, nurse practitioners and physician assistants to be primary providers of medical documentation.

2. Review of NCAA Divisions I, II and III Committees on Student-Athlete Reinstatement Philosophy. The committee discussed and amended the current Student-Athlete Reinstatement Philosophy to further articulate its focus on fairness and student-athlete well-being, while maintaining the students-first philosophy throughout the student-athlete reinstatement process. The committee requested the reinstatement staff include the revised philosophy statement in both the policies and procedures and divisional guidelines documents.

3. Review of Application of Community Service Guideline. The committee reviewed its current guideline regarding use of community service as a condition of reinstatement and recent case precedent where institutions elected to require student-athletes to complete community service in lieu of repayment of an impermissible benefit received. The committee discussed whether the 50-hour community service maximum remains appropriate and requested the
reinstatement staff continue to track case precedent involving repayment or community service and to provide an update at its May 2017 meeting.

4. **Financial Aid Update.** The reinstatement staff provided the committee an update regarding the number of reinstatement cases processed since May 2016 involving financial aid violations. The committee requested the reinstatement staff provide additional information and case data regarding financial aid violations at its May 2017 committee meeting.

5. **Flexible Student-Athlete Reinstatement Decisions.** The committee reviewed recent reinstatement staff decisions that provided relief from established case precedent and/or committee guidelines. All cases reviewed were accepted and will remain available for precedent within the database consistent with the NCAA Divisions I, II and III Committees on Student-Athlete Reinstatement Policies and Procedures.

6. **Review of Guidelines.** The committee reviewed and approved revisions to the NCAA Division III Committee on Student-Athlete Reinstatement Guidelines, including a revision to the community service guideline to clarify its original intent that no additional repayment is required beyond the 50-hour community service maximum.

7. **Review of Reinstatement Policies and Procedures.** The committee reviewed and approved editorial revisions to the NCAA Divisions I, II and III Committees on Student-Athlete Reinstatement Policies and Procedures.

8. **Summary of Cases Reviewed by Reinstatement Staff and Appeals Heard by the Committee.** The committee received a summary of reinstatement cases and waivers processed and a summary of appeals heard by the committee from July 1, 2015, through June 30, 2016.

9. **Division III Summary of Actions.** The committee received an update regarding proposed legislation for the 2017 NCAA Convention relevant to student-athlete reinstatement.

10. **Governance Update.** The director of Division III updated the committee on several items, including the following: 2017 NCAA Convention schedule and programming, including continuation of the Athletics Direct Report (ADR) Institute and student immersion program; composition of the NCAA Board of Governors and ad-hoc working groups; championship webcast enhancements; and availability of the NCAA Eligibility Center registration process for prospective and enrolled student-athletes.

11. **Litigation Update.** NCAA general counsel provided an update regarding litigation involving the Association.

12. **Continuing Education.** The reinstatement staff provided the committee with continuing education specific to student-athlete reinstatement case processing.
13. **Other Business.** The reinstatement staff provided the committee with information regarding the NCAA Division III Management Council’s recommendation to adopt waiver guidelines allowing NCAA staff to approve legislative relief waivers filed on behalf of transgender female student-athletes who seek to practice with a women’s team without using a season of participation during their first year of testosterone suppression treatment or first year postsurgical intervention. The committee will review the legislative relief waiver guidelines at its next meeting to determine whether creation of a similar guideline related to season-of-participation waivers is appropriate.

14. **Future Meetings.** The committee established the following future meeting dates and locations:


   b. December 2017, Indianapolis.

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**Committee Chair:** Lisa Sardinia, Pacific University (Oregon); Northwest Conference  
**Staff Liaison:** Stephanie Grace, Academic and Membership Affairs

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<tr>
<th>NCAA Division III Committee on Student-Athlete Reinstatement</th>
<th>November 30-December 1, 2016, Meeting</th>
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<tbody>
<tr>
<td><strong>Attendees:</strong></td>
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<tr>
<td>Matthew Burke, Mount Ida College; Great Northeast Athletic Conference.</td>
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<tr>
<td>Frank Millerick, Becker College; New England Collegiate Conference.</td>
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<tr>
<td>Carlton Pickron, Westfield State University; Massachusetts State Collegiate Athletic Conference.</td>
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<tr>
<td>Lisa Sardinia, Pacific University (Oregon); Northwest Conference.</td>
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<tr>
<td>Brian Williams, State University of New York at New Paltz; State University of New York Athletic Conference.</td>
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<td>Robert Wingert, Stevenson University; Middle Atlantic Conference.</td>
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<td><strong>NCAA Staff Support in Attendance:</strong></td>
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<tr>
<td>Stephanie Grace, Maison Haines, Julie Sargent.</td>
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<td><strong>Other NCAA Staff Members in Attendance:</strong></td>
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<td>Louise McCleary, Jeff Myers.</td>
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