REPORT OF THE
NCAA DIVISION I COMMITTEE ON STUDENT-ATHLETE REINSTATEMENT
MAY 2-3, 2017, MEETING

ACTION ITEMS.

1. Legislative items.
   - None.

2. Nonlegislative items.
   - None.

INFORMATIONAL ITEMS.

1. Academic Misconduct Discussion. Associate director of NCAA enforcement department's academic integrity unit provided the NCAA Division I Committee on Student-Athlete Reinstatement with an update regarding common academic misconduct scenarios seen by the enforcement staff.

2. Review of Cases Involving Impermissible Receipt of Textbooks. The committee reviewed its current guideline for violations involving student-athletes who receive impermissible textbooks and modified the factors for determining withholding.

3. Review of Extension Cases Involving Nontraditional Start of the Five-Year Period of Eligibility. The committee reviewed its current guideline for cases involving a student-athlete whose five-year period of eligibility expires during the playing season or semester/quarter due to a nontraditional start of the five-year clock. The committee modified its guideline and directed NCAA student-athlete reinstatement staff to approve an extension in these situations, allowing the student-athlete to complete the playing season or semester/quarter, whichever is later.

4. Legislation Update. The reinstatement staff provided the committee with an update regarding new legislation adopted in April 2017, including legislative proposals recommended by the committee at its December 2016 meeting.

5. Review of Cases Involving Fee-for-Lesson Violations. The committee confirmed that the starting point for violations involving student-athletes who impermissibly conduct fee-for-lesson instruction is full repayment of the amount earned from the impermissible lessons. However, the committee directed reinstatement staff to continue to review these violations on a case-by-case basis to determine whether relief from repayment is warranted, noting that for situations in which the fee-for-lesson instruction was impermissible due to use of institutional facilities, the student-athlete must repay the amount of the facility rental fee, capped at the total amount earned from the impermissible lessons.
6. **Review of Pre-Enrollment Amateurism Cases Involving Athletics Scholarship Agents.** The committee reviewed recent cases involving situations in which a prospective student-athlete utilizes an athletics scholarship agent and/or talent evaluation service. The committee modified the current guideline to state that a prospective student-athlete who signed an agreement with an athletics scholarship agent and/or talent evaluation service should be withheld from 10-percent of the season, regardless of whether the agreement is conditioned on securing institutional financial aid for the prospective student-athlete. The committee noted the guideline modification will be effective for all prospective student-athletes enrolling on or after August 1, 2018. Further, the committee recommended the autonomy conferences review NCAA Bylaws 12.3.3 and 12.3.3.1 to determine whether current application of the legislation remains appropriate.

7. **Review of Medical Documentation Standards for Waivers Involving Incapacitating Injury or Illness.** The committee reviewed feedback from the NCAA Committee on Competitive Safeguards and Medical Aspects of Sport regarding the use of noncontemporaneous medical documentation and the use of medical documentation from licensed physician extenders. The committee modified its current medical documentation standards guideline to allow consideration of noncontemporaneous medical documentation in conjunction with contemporaneous medical documentation from a treating physician. Additionally, the committee directed reinstatement staff to continue to review waiver requests involving diagnosis or treatment by a licensed physician extender on a case-by-case basis.

8. **Review of Hardship Waiver Calculation.** The committee received a status update on hardship waiver worksheets designed to provide the Division I membership and reinstatement staff with a step-by-step process for calculating whether a student-athlete’s competition satisfies the requirements of hardship waiver legislation. The committee supported continued development of the worksheets and outreach to member-affiliated organizations (e.g., CCACA, National Association for Athletics Compliance).

9. **Review of Cases Involving Birth of a Child as an Asserted Denied Participation Opportunity Within an Extension Request.** The committee reviewed recent cases in which an institution asserted a denied participation opportunity due to a financial hardship as a result of birth of a child. The committee instructed reinstatement staff to consider birth of a child as a specific financial event that may result in a denied participation opportunity, provided the institution demonstrates the student-athlete’s lack of participation was due to a financial hardship associated with the child’s birth or the student-athlete was the primary caregiver to the child.
10. **Review of Season-of-Competition Waivers – Competition While Eligible Involving Coach’s Documented Misunderstanding or Coach’s Error.** The committee reviewed cases involving season-of-competition waivers involving coach’s documented misunderstanding and coach’s error and modified its current guideline.

11. **Update of Major Junior Ice Hockey Legislated Penalty.** The committee reviewed feedback from the NCAA Division I Men’s Ice Hockey Committee and conference commissioners, which confirmed that the reinstatement staff is appropriately applying the legislated penalty associated with participation in major junior ice hockey. The Men’s Ice Hockey Committee and conference commissioners did not support removing the penalty from the legislation.

12. **Review of Guideline Specific to Student-Assistance Fund.** The committee reviewed and affirmed its current guideline specific to the Student-Assistant Fund.

13. **Update on Holistic Review of NCAA Division I Guidelines.** The committee continued its holistic review of the reinstatement guidelines, including a discussion of outcomes across case types. The committee requested further review during its November 2017 meeting.

14. **Review of Data Involving Urgent Reinstatement Requests.** The reinstatement staff provided the committee with information and data regarding the number of urgent reinstatement requests submitted by each conference since July 1, 2016.

15. **Review of Reinstatement Community Service Guidelines.** The committee modified its current guideline specific to the fulfillment of community service hours to state that community service hours must be independent of any team, department of athletics or required institutional community service activity; and must be fulfilled through an organization that does not exist exclusively for an athletics purpose.

16. **Amateurism Certification Process Update.** The reinstatement staff provided a summary of amateurism certification case decisions, including appeals heard by the committee, for the 2016-17 academic year.

17. **Review of Reinstatement Guidelines.** The committee reviewed and approved editorial revisions to the NCAA Division I Committee on Student-Athlete Reinstatement Guidelines and revised the post-enrollment prize money guideline.

18. **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.
19. **Litigation Update.** NCAA deputy general counsel provided a litigation update.

20. **Review of Flexible Case Decisions.** The committee reviewed decisions for which the reinstatement staff provided relief from the established case precedent and/or committee guidelines or where no case precedent existed. The committee archived one staff decision.

21. **Selection of Committee Chair.** The committee selected Keli Cunningham, West Virginia University, as the committee chair and Loretta Lamar, U.S. Naval Academy, as the committee vice chair.

22. **Other Business.** The committee discussed the use of rehabilitative measures in conjunction with existing reinstatement conditions and noted such measures should only be applied in very limited cases involving unique circumstances with low student-athlete culpability.

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

- November 28-29, 2017, Indianapolis; and

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**Committee Chair:** Tony Hernandez, University of Miami (Florida); Atlantic Coast Conference  
**Vice Chair:** Loretta Lamar, United States Naval Academy; Patriot League  
**Staff Liaisons:** Jennifer Henderson, Academic and Membership Affairs  
Sarah Otey, Academic and Membership Affairs  
Brad Rochman, Academic and Membership Affairs

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### Attendees:

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<td>Dr. Michael Bitter, Stetson University; Atlantic Sun Conference.</td>
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<td>Keli Cunningham, West Virginia University; Big 12 Conference.</td>
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<td>Tony Hernandez, University of Miami (Florida); Atlantic Coast Conference.</td>
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<td>Erin Holland, Marquette University (SAAC Representative); Big East Conference</td>
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<td>Loretta Lamar, U.S. Naval Academy; Patriot League.</td>
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<td>Megan Morrison, The Ivy League.</td>
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### Absentees:

None.

### Other NCAA Staff Members in Attendance:

Naima Stevenson, Kathy Sulentic.