



REPORT OF THE  
NCAA DIVISION II COMMITTEE ON STUDENT-ATHLETE  
REINSTATEMENT MAY 15-16, 2018, MEETING

**ACTION ITEMS.**

**1. Legislative items.**

- **Noncontroversial Legislation – NCAA Division II Bylaw 14.2.2.4.2 – Eligibility – Ten-Semester/15-Quarter Rule – Practice While Waiver is Pending.**
  - (1) Recommendation. Adopt noncontroversial legislation to specify that if a 10-semester-15/quarter waiver request is denied by the NCAA student-athlete reinstatement staff prior to the end of the 30-consecutive day period, the student-athlete must cease all practice activities upon the institution's notification of the student-athlete reinstatement staff's denial, regardless of whether the institution plans to appeal the reinstatement staff decision.
  - (2) Effective date. Immediate.
  - (3) Rationale. Current legislation does not clearly specify the application of the practice-while-a-waiver-is-pending legislation in circumstances where the reinstatement staff issues a decision prior to the conclusion of the 30-day practice period. The NCAA Division II Committee on Student-Athlete Reinstatement noted the reinstatement staff decision is a binding decision until and unless the committee overturns the reinstatement staff decision. Therefore, a student-athlete must cease practice activities immediately upon notification of a reinstatement staff decision to deny the extension.
  - (4) Estimated Budget Impact. None.
  - (5) Student-Athlete Impact. None.

**2. Nonlegislative items.**

- **None.**

**INFORMATIONAL ITEMS.**

- 1. Review and discussion of hardship waiver legislation (Bylaw 14.2.5) and Bylaw 17 exemptions.** The committee received a referral from the NCAA Division II Management Council to review and discuss hardship waiver calculations specific to whether annual exemptions (e.g., alumni game, conference challenge event) and discretionary exemptions (excluding scrimmages and exhibition contests per Bylaw 17 in the applicable sport) must be included in the numerator. The committee discussed the intent of the existing legislation and noted the move to a standard denominator was based on easing the burden on the

membership and creating a level playing field within each sport. In addition, the committee reviewed the February 9, 2018, official interpretation and determined this official interpretation captured the intent of the committee when changing the legislation to Bylaw 17 maximums. Therefore, all contests and dates of competition, including annual exemptions and discretionary exemptions (excluding scrimmages and exhibition contests per Bylaw 17) must be included in the numerator for purposes of calculating whether a student-athlete qualifies for a hardship waiver and do not impact the denominator.

2. **Less than full-time violations with significant competition.** The committee reviewed recent cases involving student-athletes who competed in a significant number of contests or dates of competition while enrolled less than full-time. The committee noted institutional culpability/responsibility increases the longer a student-athlete continues to compete while enrolled less than full-time, resulting in significant competition while not meeting the legislation. Because of this, the committee believes setting a withholding condition maximum in these types of cases is appropriate. Therefore, the committee determined the current guideline identifying a one-for-one withholding condition continues to be appropriate but noted that this withholding condition should be subject to a maximum of 30 percent of the season based on Bylaw 17 maximums for the applicable sport.
3. **Discussion of referral specific to impact hurricane devastation had on student-athletes attending Division II Institutions located in Puerto Rico.** The committee received a referral from Management Council to discuss whether relief from Bylaw 14.2.4.1 (minimum amount of competition) and Bylaw 14.2.2 (10-semester/15-quarter rule) should be considered for student-athletes attending institutions located in Puerto Rico because of recent hurricane devastation. The committee directed the reinstatement staff to extend flexibility in these circumstances on a case-by-case basis.
4. **Update on sports wagering legislation and guidelines.** The committee approved incorporation of the previous sports wagering legislated penalties into the Division II committee guidelines given the adoption of NCAA Proposal No. 2018-2.
5. **Waivers involving mental health diagnosis subsequent to the season.** The committee reviewed cases involving mental health issues where the documentation provided does not meet the legislated medical documentation requirements. The committee directed the reinstatement staff to continue to review on a case-by-case basis and exercise flexibility, where appropriate, when reviewing mental health documentation.
6. **Amateurism certification process case update.** The committee received an update on amateurism certification case decisions, including appeals heard by the committee, for the 2017-18 academic year.

7. **Review of reinstatement guidelines.** The committee reviewed and approved editorial revisions to the NCAA Division II Committee on Student-Athlete Reinstatement Guidelines.
8. **Review of flexible case decisions.** The committee reviewed reinstatement staff decisions for which the reinstatement staff provided relief from established case precedent and/or committee guidelines or where no case precedent existed.
9. **Amateurism certification process policies and procedures review.** The committee received an update specific to amateurism certification process changes effective beginning with the 2018-19 amateurism certification cycle.
10. **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.
11. **Division II governance and census discussion.** The committee received an update specific to the membership-wide census survey launched January 10, 2018.
12. **Continuing education.** The reinstatement staff provided the committee with continuing education specific to student-athlete reinstatement appeals, and the committee engaged in discussion regarding best practices.
13. **Division II summary of legislative actions.** The committee received an update on recently adopted legislation relevant to student-athlete reinstatement.
14. **Review November 2017 governance report.** The committee reviewed and approved the report from its November 2017 in-person meeting.
15. **Review student-athlete reinstatement philosophy statement.** The committee reviewed the Student-Athlete Reinstatement Philosophy Statement.
16. **Litigation update.** Vice president of NCAA law, policy and governance provided a litigation update.
17. **Review conflict of interest policy.** The committee reviewed its conflict of interest policy.
18. **Future meetings.** The committee established the following future meeting dates and locations:
  - a. December 4-5, 2018, Indianapolis; and

b. June 11-12, 2019, Indianapolis.

*Committee Chair:* Joel Isaacson, Michigan Technological University  
*Staff Liaisons:* Danielle Teetzel, Academic and Membership Affairs  
Jess Rigler, Academic and Membership Affairs  
Julie Sargent, Academic and Membership Affairs

<b>NCAA Division II Committee on Student-Athlete Reinstatement May 15-16, 2018, Meeting</b>	
<b>Attendees:</b>	
	Teresa Clark, Cedarville University.
	Marcus Grant, Central Intercollegiate Athletic Association.
	Joel Isaacson, Michigan Technological University.
	Daniel Mara, Central Atlantic Collegiate Conference.
	Carol M. Rivera, California Collegiate Athletic Association.
	Anthony Sassano, Dominican University of California.
<b>Absentees:</b>	
	None.
<b>Guests in Attendance:</b>	
	None.
<b>NCAA Support Staff in Attendance:</b>	
	Jess Rigler, Julie Sargent and Danielle Teetzel.
<b>Other NCAA Staff Members in Attendance:</b>	
	Maritza Jones, Stephanie Quigg Smith, Greg Summers and Karen Wolf.