

A G E N D A

National Collegiate Athletic Association

Division II Committee on Student-Athlete Reinstatement

Vision Room

May 13, 2010
1 to 5 p.m.

1. Welcome new member.
2. NCAA Bylaw 30.6.1.3 (Exception – Student-Athlete Who Does Not Use Season of Competition During Initial Year of Collegiate Enrollment). Circumstances within a “redshirt exception.” [Attachment A]
3. Application of granted extension request involving delayed return for 11th and 12th semesters. [Attachment B]
4. Consideration of timing of 10-semester extension requests. [Attachment C]
5. Bylaw 10.1 (Unethical Conduct) violations. [Attachment D]
6. Bylaw 12.1.1.1.3 (Eligibility for Practice and Competition) violations. [Attachment E]
 - a. Chancellors’ and presidents’ letters.
 - b. Case precedent review and guidelines.
7. Review of information from full committee agenda.
8. Review of the NCAA Division II Guidelines document. [Attachment F]
9. Chancellors’ and presidents’ letters. [Attachment G]
10. NCAA Division II Strategic Plan and governance update. [Attachment H]
11. Other business.

**REPORT OF THE
NCAA DIVISION II COMMITTEE ON STUDENT-ATHLETE REINSTATEMENT
MAY 13-14, 2010, MEETING**

ACTION ITEMS.

1. Legislative Items.

- **Modification of Wording – NCAA Bylaw 30.6.1 – Administrative Regulations (Waiver Criteria).**
 - (1) Recommendation. Adopt a modification of wording of Bylaw 30.6.1 to specify that if the waiver is granted, it must be used during the student-athlete's next available opportunity to enroll [e.g., next semester(s) or quarter(s)].
 - (2) Rationale. Currently, the legislation is written without indicating when the granted waiver must be used. This is inconsistent with Bylaw 30.6.1.3 (exception – student-athlete who does not use season of competition during initial year of collegiate enrollment) and Bylaw 30.6.1.3.1 (application of waiver) given both specifically legislate that if the waiver is granted, it must be used during the next available opportunity [e.g., next semester(s) or quarter(s)]. In order to bring consistency across Bylaw 30.6.1, a modification of wording, stating when the granted waiver must be used, is appropriate.
 - (3) Student-Athlete Impact. None.

2. Nonlegislative Items.

- None.

INFORMATIONAL ITEMS.

1. **Bylaw 30.6.1.3 (Exception – Student-Athlete Who Does Not Use Season of Competition During Initial Year of Collegiate Enrollment).** The NCAA Division II Committee on Student-Athlete Reinstatement discussed circumstances seen by NCAA student-athlete reinstatement staff during a student-athlete's initial year of collegiate enrollment specific to Bylaw 30.6.1.3 (e.g., transfer during initial year, academic ineligibility during a semester or quarter). Specifically, the committee focused on circumstances impacting the student-athlete's ability to satisfy the legislative provision that he or she must be on the institution's squad list during his or her initial year of collegiate enrollment [Bylaw 30.6.1.3-(a)]. The committee determined as long as the

student-athlete is academically and athletically eligible and on the institution's squad list (for the sport where the extension is being requested) at any point during the initial year of collegiate enrollment, the provisions of Bylaw 30.6.1.3-(a) would be met.

2. **Consideration of timing of 10-semester extension requests.** The committee discussed the student-athlete reinstatement staff's current practice of considering extension requests (Bylaw 30.6.1) for one-semester sports (e.g., football) after the student-athlete has entered his or her 10th semester of full-time enrollment and for two-semester sports (e.g., basketball) after the student-athlete has entered his or her ninth full-time semester of enrollment. Recognizing complications may arise for the student-athlete or institution due to the timing of the staff's consideration within the current practice, the committee expanded the period when the staff may consider an extension request. Specifically, in cases where the student-athlete has two denied participation opportunities, staff may consider an extension request as early as when the student-athlete has entered his or her eighth full-time semester of enrollment conditioned on the student-athlete maintaining full-time enrollment in his or her ninth and tenth semesters. The committee believes expanding the timeframe for consideration of an institution's extension request is in the best interest of the student-athlete.
3. **Bylaw 10.1 (Unethical Conduct) violations.** The committee reviewed the current guideline regarding violations of Bylaws 10.1-(b), 10.1-(d), 10.1-(g) and 10.1-(j) to determine if the guideline (sit-a-year/charge-a-year) is applicable to only the subsections noted or if it is applicable to the entire Bylaw 10.1 including all of its subsections [i.e., (a) through (j)]. The committee confirmed the guideline is applicable to the entire Bylaw 10.1.
4. **Bylaw 12.1.1.1.3 (Eligibility for Practice and Competition) violations.** The committee reviewed case precedent involving situations in which a student-athlete was permitted to participate in practice and competition prior to receiving final amateurism certification from the NCAA Eligibility Center. The committee determined complete relief from withholding should be provided for practice and competition violations if the student-athlete has completed all necessary requirements (e.g., requests final amateurism certification and answers all follow-up questions) as is reasonably expected and the Eligibility Center indicates a decision could have been rendered prior to the first impermissible competition. In addition, the committee noted if complete relief is provided a chancellors' and presidents' letter does not need to be sent. Finally, the committee re-affirmed its previous guidelines regarding violations of Bylaw 12.1.1.1.3

for student-athletes first enrolling at an NCAA Division II institution for the 2007-08 and 2008-09 academic years.

5. **Review of the NCAA Division II Guidelines document.** The committee reviewed and approved the current NCAA Division II Student-Athlete Reinstatement Guidelines document.
6. **NCAA Division II Strategic Plan and Governance Update.** The student-athlete reinstatement staff reviewed and updated the committee on the progress that has occurred within the Division II membership regarding the NCAA Division II Strategic Plan. The student-athlete reinstatement staff provided the committee with an overview of the strategic plan and the action steps the student-athlete reinstatement staff has taken regarding the goals and priorities within that plan.
7. **Review of reinstatement appeals.** The student-athlete reinstatement staff provided the committee with an update regarding student-athlete reinstatement appeals heard by the committee from July 1, 2008, to June 30, 2009, and from July 1, 2009, to February 4, 2010.
8. **Application of withholding conditions for team and individual sports.** The committee reviewed the history and current application of withholding conditions for team and individual sports. The committee's previous guideline permitted institutions to withhold student-athletes from nonchampionship contests, scrimmages or exhibition contests when fulfilling a reinstatement withholding condition specific to outside competition violations. However, the committee amended this guideline and determined those contests or dates of competition used for fulfilling a reinstatement condition must be those used for team selection to the NCAA championships or those dates used to qualify for the NCAA championship (whichever is applicable to that sport). The committee directed the student-athlete reinstatement staff to bring this issue back for discussion during its December 2010 meeting.
9. **Review of extension requests under extraordinary circumstances or extreme hardship.** The committee reviewed case precedent decided by the staff that did not meet the legislative requirement of "more-than-one-year" of circumstances beyond the control of the student-athlete and institution. These cases were considered under the legislated authority of extraordinary circumstances or extreme hardship. The committee supported the student-athlete reinstatement staff's current case-by-case analysis.
10. **NCAA Divisions I and II employment of prospective student-athletes/ no free or reduced admission privileges violations.** The committee directed the student-athlete

reinstatement staff to continue to provide relief from withholding for these violations. Further, the committee directed the student-athlete reinstatement staff to continue to require repayment of the impermissible dollar amount associated with the free or reduced admission to institutional camps and clinics.

- 11. Review of NCAA Student-Athlete Reinstatement Policies and Procedures.** The committee reviewed and approved the revised policies and procedures document presented by the student-athlete reinstatement staff. The updates included editorial revisions regarding process and legislative updates. In addition, the procedures for teleconference appeals were amended to indicate only committee members may ask questions during the call.
- 12. Technology update.** The committee received an update from Lynn Holzman, academic and membership affairs, regarding the new NCAA Case Management System and Single Source Sign-On.
- 13. Other Business.**
 - a.** Hardship-waiver legislation. The committee reviewed and re-affirmed the current legislative percentage associated with the hardship-waiver legislation. The committee is not comfortable recommending a legislative change specific to the percentage requirement and noted there is an opportunity for member institutions to propose legislation through a membership sponsored proposal.

Committee Chair: Suzanne Sanregret, Michigan Technological University, Great Lakes Intercollegiate Athletic Conference

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