

# NCAA STUDENT-ATHLETE REINSTATEMENT GUIDELINES DIVISION I

## NCAA Division I Bylaw 10 Guidelines.

### 1. Bylaw 10.1-(b) (Academic Fraud).

- a. The NCAA Division I Student-Athlete Reinstatement Committee directed staff to impose a minimum condition withholding from one season and charging with a season of competition. (December 2001)
- b. Committee indicated that one season is a minimum and, based on the specific facts of a case, a penalty beyond a season may be imposed. (December 2004)

### 2. Bylaw 10.1-(d) (Provision of False or Misleading Information).

- a. Provision of false and misleading information [Bylaw 10.1 (d) site] – General guideline is to withhold 20 to 50 percent. (February 2001)
- b. Although guideline is 20 to 50 percent due to seriousness of student-athlete's actions, staff may impose a condition greater than 50 percent if it deems appropriate. (June 2003)
- c. In situations where a student-athlete provides false and misleading information during the investigation of the violation but the institution does not believe that the student-athlete "knowingly" provided the information and does not cite Bylaw 10.1-(d), the provision of the false and misleading information may be considered in evaluating the student-athlete's culpability for the initial violation. (February 2001)

## Bylaw 12 Guidelines.

### 1. Review of Amateurism Cases Involving Contracts and Competition with Professional Teams for Prospective Student-Athletes Initially Enrolling in a Collegiate Institution for the 2002-03 Academic Year or before.

The committee established a two-prong analysis for these cases. The first prong focuses on the individual's intent to professionalize. The following information standards are to be used when analyzing an individual's intent to professionalize under the first prong:

- a. The intent or purpose of the funds or other benefits (e.g., was the money used to offset basic living or educational expenses?).

- b. The individual's knowledge of NCAA legislation at the time of the violation and the status of the individual (pre-enrollment vs. post enrollment).
- c. Receipt of monetary or other benefits and the amount of the benefits received by the individuals.
- d. Status of the individual; specifically, whether the league defines the individual as professional and the level or degree at which the competition occurred.
- e. Existence of any special circumstances at the time the contract was signed (e.g., age and availability of other sports leagues in which for the individual to participate).
- f. Whether individual benefited from signing the agreement (factor added June 2001).

If it is determined that the individual demonstrated an intent to professionalize, his or her eligibility will not be reinstated. If it is determined that an individual did not show an intent to professionalize, then the analysis shifts to the second prong, focused on competitive advantage. (December 1999)

The NCAA Division I Management Council directed the committee to apply a withholding condition of 20 percent of the contests in which the prospective student-athlete participated not to exceed 28.6 percent of the NCAA sports season. (October 2001)

**2. Review of Amateurism Cases involving Contracts, Compensation (e.g., prize money, salary, expenses) and Competition with Professional Teams for Student-Athletes Initially Enrolling in a Collegiate Institution for the 2003-04 Academic Year or After.**

- a. Philosophy Statement. An individual who engages in activities that professionalize himself or herself will be deemed permanently ineligible for NCAA Division I athletics.
- b. Standard. The individual's actions shall be reviewed under a "reasonable-person" standard to determine if those actions warrant the individual not being reinstated for intercollegiate athletics eligibility.
- c. Comment. The NCAA's Principle of Amateurism specifies that student participation in intercollegiate athletics is an avocation. This is a bedrock principle for the NCAA. The Division I membership recently defeated proposals to significantly change its amateurism rules indicating that the current rules need to be consistently upheld. An individual who pursues sport as a vocation, even if the individual fails at that pursuit,

