

**REPORT OF THE
NCAA DIVISION III COMMITTEE ON STUDENT-ATHLETE REINSTATEMENT**

1. **ACTION ITEMS.**

a. **Legislative.**

• **Gambling Sanctions.**

- (1) **Recommendation.** The NCAA Division III Committee on Student-Athlete Reinstatement recommends that the NCAA Division III Management Council sponsor legislation with an immediate effective date to amend NCAA Division III Bylaw 10.3.1 (b) to indicate that an institution may file a request for reinstatement prior to the completion of the minimum legislated condition (charged and withheld for one year).
- (2) **Rationale.** Bylaw 10.3.1 sets forth the minimum reinstatement condition for a student-athlete who has been involved in a gambling violation of Bylaw 10.3. Bylaw 10.3.1 currently includes language that a “request for reinstatement may be submitted on behalf of a student-athlete who has participated in such activity only on fulfillment of the minimum condition indicated above.” While the one-year period would remain the minimum penalty and a student-athlete would not be eligible prior to completing this minimum penalty, it is in all parties’ best interest to allow the reinstatement staff to process the request prior to completion of the penalty. Thus, this change simply deals with timing of processing a reinstatement request, not reduction of any penalty. Revision of this bylaw is consistent with the committee’s efforts to streamline the student-athlete reinstatement process.

b. **Nonlegislative Items.**

• **Policies and Procedures.**

- (1) **Recommendation.** The committee recommends the Management Council support proposed amendments to the committee’s policies and procedures.
- (2) **Rationale.** Consistent with committee operations, the committee reviews and updates its policies and procedures twice annually. During this time, the committee incorporates editorial changes, changes consistent with the work of the committee or changes necessary to reflect a new direction of the committee. Attachment A provides a copy of the policies and procedures with the changes underlined.

2. **INFORMATIONAL ITEMS.**

- a. **Summary of Cases Processed.** In the 2004-05 academic year, the staff processed approximately 1,744 cases in all three divisions. In Division III, there were 83 cases processed involving violations and 73 cases involving waiver requests (e.g., extension requests). From August through October 2005, the staff processed approximately 675 cases in all three divisions. In Division III, 45 cases were processed involving violations and 20 cases involving waiver requests. In addition, 120 of these were urgent (competition within 10 days from when the case is received) which is more than double the amount of urgent cases received during this same three-month time period in 2004. The committee expressed serious concerns over the increase and frequency of urgent cases and in the interest of fairness, directed the staff that cases involving violations most recently discovered should take priority when the staff is unable to process a large number of submitted cases.
- b. **Impermissible Employment of Prospective Student-Athletes by an Institution.** The committee reviewed cases in which an institution impermissibly hired a prospective student-athlete and discussed whether the staff should require the prospect to repay any money earned at such employment. Noting the potential for a very significant recruiting advantage in such cases, the committee directed the staff to continue to generally require repayment but if sufficient mitigation is presented, relief from repayment may be warranted.
- c. **Chancellors or Presidents Letters.** The committee reviewed the chancellors or presidents letters sent by the staff since its spring 2005 meeting. In cases where the involved institutional staff member(s) whose error had led to the violation has departed the institution, the committee instructed the staff to include language in the chancellors or presidents letter to that institution that it may want to share the information with the institution where the departed staff member(s) is currently employed. Additionally, the committee noted the staff should continue to determine on a case-specific basis whether relief from chancellors or presidents letter is appropriate when relief is granted based on committee's guidelines but institutional error or misinformation led to or significantly contributed to the violation. Finally, the committee suggested adding language to alert institution to NCAA resources available for educational purposes which can be accessed on the NCAA Web site.
- d. **Issues regarding Exceptions to the 10-Semester Rule.**
- (1) **Service Exception.** The staff presented a Division I case in which a member of the U.S. armed forces was enrolled in a member institution but was prohibited by his branch of the service from engaging in any extracurricular activities, including athletics, at the institution. Instead of a legislated change to Bylaw

