

August 16, 2024 – Eligibility Committee Meeting @ 1pm EST

1. Call to Order:

Rob Chaney, Board Chair, called the meeting to order at 1:02 PM EST on August 16, 2024.

2. Roll Call:

Present: Vice-Chair: Christina Hudley (2024), Immediate Past-Chair: Mike Saddler (ex-officio), Women's Administrator: Mary Young (2021), Men's Administrator: Rob Nielson (2024) Division I Reps: Deron Clark (2023), Jeff Willis (2024); Division II Reps: Brian Anweiler (2024), Troy Larson (2024); Division III Reps: Kurt Kohler (2022), Kristen Schuth (2024)
NCJAA Staff Liaisons in Attendance: N/A

Absent: N/A

Other NJCAA Staff Members in Attendance: Wanda Bodey, Rod Lovett, Carly Pitts, Lauren Pritchett, Tyler Broderick

3. Recognition of Guests: Mike Saddler (ex-officio), Troy Tucker (BOR Chair)

4. Approval of Agenda: Rob Chaney approves to start the agenda breakdown at 1:02 PM EST

5. NJCAA August National Office Updates

Wanda Bodey introduced Lauren Pritchett to the Committee. Lauren then introduced herself to the committee. Carly Pitts and Tyler Broderick introduced themselves. Chris Haley and Brett Monaghan introduced themselves. Andrew Givens introduced himself to the Committee.

Committee Members introduced themselves to NJCAA National Office staff.

6. October Eligibility / Governance Committee Retreat (Charlotte, NC)

October 8th 5PM – October 10th 12 PM (EST). Hotels reserved. More information will be sent to Committee members when it is closer to the meeting time.

7. Tiered Sanctions Committee Update

Rob Chaney shared dates set for subcommittee:

December 4, March 4, May 6, May 13

8. Updated NJCAA Eligibility Spreadsheet

Eligibility Spreadsheet not required nationally, but an available resource available for schools. Rob Chaney made updates to the spreadsheet. NJCAA National Office recommended sharing it with the Eligibility Committee for feedback and whether to post the revised version to the Resources page.

Degree audit on file?

Committee members want to make it align with the grid as close as possible and have consistency in terminology.

The Committee then discussed improvements to the spreadsheet and made changes.

- Wanda Bodey clarifies that the word “term” is used because there are schools on quarter and trimester calendars. “Term” covers all the bases.
- Wanda Bodey suggested changing “Student ID Number” to “Student School ID Number” to avoid confusion that the NJCAA has student ID numbers.
- Rob Nielsen suggested changing “Name of High School” column to “Proof of High School Graduation” (i.e., diploma, homeschool)
 - Audit requirement would still contain high school graduation date.
 - Ability at your individual institution to add a column it deems necessary.
 - Rob Chaney is open to future revisions and updates before the Eligibility Cycle 2025.
- Kurt Kohler suggested revising “credits” to “hours”.

Jeff Willis inquired if there is a still need for a transfer waiver. Transfer attendance and participation history is needed in the comments section. Rob Nielsen proposes a transfer waiver for the current LOI year.

Jeff Willis moves to approve the updated Eligibility Spreadsheet and post on the resources page. Deron Clark and Christinia Hundley second the motion. The Eligibility Committee approved the update.

APPROVAL: Approved by Eligibility Committee on August 16, 2024.

9. Eligibility Proposals

Rob Chaney shares that he feels that the Amateurism Age Limit is the most important proposal, so that it can be included in the October meeting so that coaches can be aware of the change.

a. Re-Imagined Casebook

Elimination of current Casebook and creation of new Handbook that includes case studies directly below the bylaw that it relates to. Makes it such easier for the user and also makes it easier for handbook on all items in one place.

SUBMITTED BY: Troy Tucker

CURRENT BYLAW: N/A

NEW LANGUAGE / ADDITION: Take current casebook scenarios and insert them into bylaws.

APPROVAL: Approved by the Eligibility Committee on August 16, 2024

EFFECTIVE DATE: August 1, 2025

Troy Tucker shares that the casebook is useful but has become outdated as bylaws are revised and updated. He also shares that it makes it more beneficial to membership for everything to be in one place.

Wanda Bodey shares that Lauren Pritchett is already working through previous Appeals to create a potential casebook.

Christinia Hundley moved and seconded to approve inserting casebook scenarios into the bylaws.

Kristen Schuth asks if there is concern with the length of the document and if a hyperlink can be utilized. Christina Hundley agrees with the length issue.

Rob Chaney shares that there are particulars in how it is carried out is still be determined, but this is a move in the right direction for the Eligibility Committee to support it.

The Eligibility Committee approved the proposal.

b. Amateurism Age Limit (Article V, Section 4.A.3)

Due to the changing landscape of college athletics at the four-year level (i.e., no entrance requirements, lessening the restrictions for transfers, the Transfer Portal, NIL, etc..) recruiting at the two-year level has become more challenging. By pushing the age limit back just one year (from 19 to 20), we believe this will create some additional recruiting opportunities, particularly for international student-athletes wishing to come to the United States.

SUBMITTED BY: Region 8

CURRENT BYLAW: An athlete will lose amateur status and shall be deemed permanently ineligible for participation in a NJCAA certified sport if any of the

following criteria applies once the athlete reaches their 19th birthday or once they enroll in college as a full-time student, whichever comes first.

NEW LANGUAGE / ADDITION: An athlete will lose amateur status and shall be deemed permanently ineligible for participation in a NJCAA certified sport if any of the following criteria applies once the athlete reaches their **20th** birthday or once they enroll in college as a full-time student, whichever comes first.

APPROVAL: The Eligibility Committee did not vote on this proposal.

EFFECTIVE DATE: August 1, 2025

Deron Clark shares that the track community as a whole has attempted to stray from “28 year-old freshman” ... Whether this is a legitimate comparison in competition.

Wanda Bodey agrees with Rob Chaney that the organization has to be careful about limiting student-athletes based on age. Chaney asks how the specific age is determined. Wanda Bodey confirms that is the average age of a student after finishing high school and it is an attempt to help member-schools in confirming amateurism (i.e., after reaching age, school needs to confirm that SA’s amateur status has been maintained).

c. Amateurism Age Limit (Article V, Section 4.C.1)

SUBMITTED BY: Region 8

CURRENT BYLAW:

An athlete will lose amateur status and shall be deemed permanently ineligible for participation in a NJCAA certified sport if any of the following criteria applies once the athlete reaches their 19th birthday or once they enroll in college as a full-time student, whichever comes first).

NEW LANGUAGE / ADDITION:

APPROVAL: The Eligibility Committee did not vote on this proposal.

EFFECTIVE DATE:

Refer to the second proposal.

d. NIL (Article V, Section 4.D.3.c)

Wish to allow NJCAA member colleges to operate in the NIL space, provided it is compliant with local, state, and federal law. NIL collectives are not sustainable in two-year athletics and should be added as an additional item prohibited by the membership

SUBMITTED BY: Rob Chaney

CURRENT BYLAW: The following acts remain prohibited with regards to Name, Image & Likeness: (i) Representatives of a Member College cannot directly pay student-athletes; (ii) Cannot be contingent upon enrollment at a Member College; (iii) Cannot be based on athletic performance.

NEW LANGUAGE / ADDITION: N/A

APPROVAL: Approved by the Eligibility Committee on August 16, 2024

EFFECTIVE DATE:

Rob Chaney offers his view that NIL was not intended to include student-athletes at the two-year level.

Mary Young adds that NIL can be dangerous for the organization; however, student-athletes should be getting paid for their skill.

Rob Chaney questions how this will affect SA's transferring from the NJCAA level to the NCAA. Policy language changes quickly and continues to be a moving target in the current collegiate athletic environment. Rob Chaney concludes that guardrails will help; however, counsel could very well advise against it.

Jeff Willis suggests tabling the issue until the settlement is final. A big discussion is eligibility rosters for revenue as well as redshirts and adding a 5th year of eligibility.

e. FT Enrollment Requirement (Article V, Section 2.C.2)

Language is no longer accurate due to the Last-Term PT Enrollment and Graduate Exceptions. Needs to be "massaged".

SUBMITTED BY: Rob Chaney

CURRENT BYLAW: Full-Time Requirement: Student-athletes must be enrolled in full-time status at the college prior to competition and certifying NJCAA eligibility using any combination of sessions (regular term, mini term, fast track term) within a term. Full-time enrollment is defined as 12 or more credit hours. A minimum of six (6) credit hours must begin before the end of the published regular season schedule of the student-athletes' chosen sport.

NEW LANGUAGE / ADDITION: N/A

APPROVAL: The Eligibility Committee did not vote on this proposal.

EFFECTIVE DATE:

10. Discussion Items

a. “Celebratory LOI” for Division III

13.9.1 Letter-of-Intent Prohibition. An institution shall not use any form of a letter of intent or similar form of commitment in the recruitment of a prospective student-athlete. However, it shall be permissible for the institution to use in the recruitment of a prospective student-athlete its pre-enrollment forms executed by prospective student in general at that institution.

13.9.1.1. Exception – Nonbinding Athletics Celebratory Form. An institution may use a standard, nonbinding athletics celebratory signing form after a prospective student-athlete has been accepted for enrollment to the institution. The standard form shall be made available by the NJCAA national office.

- Kristen Schuth asks what is the harm in the current LOI process for DIII (no athletic aid)? When a celebratory LOI is put out, other schools can interfere. Troy Tucker responds that this is a huge discussion point and a proposal is being compiled. DIII is discovering issues with students who had signed LOI with another institution – why do this when there is no money at all. Student-athlete’s desire to be able to join in with other students who are sitting to “sign”.
- Kristen Schuth asks whether other regulations will be thrown out because the Celebratory LOI is not a binding agreement.
- Kurt Kohler offers that some institutions don’t have LOIs at all while others sign whole rosters... The process is not standardized at all.
- Rob Chaney suggest waiting until the next cycle.

b. Article V, Section 2.D.1 (Full-Term Defined) – page 13

OLD LANGUAGE: Full-Time Term: A student-athlete is charged with attempting a term of full-time enrollment when they remain enrolled in full-time status beyond the 18th calendar day (not to end on a weekend or Federal Holiday) of the term or if they have not participated.

APPROVED April '23 – Full-Time Term Defined: A student-athlete will be charged with attempting a term of full-time enrollment when they remained enrolled in full-time status beyond the 18th calendar day of the term (not to end on a weekend or Federal Holiday) **OR** if they have participated in a contest prior to that date.

- This update was not included in 23-24
- Does this impact the “we added to the grid for 6+ semesters / 8 quarters?”
- Troy Tucker notes that he remembers the change happening but happened after the fact.
- Jeff Willis asks if it simple enough to deem practice or scrimmage as participation. Kurt Kohler responds it was meant to define participation. Wanda Bodey confirms that participation is intended to mean a regular season, but participation means official contests and is not sure if that is in the bylaws. Jeff Willis concludes that participation needs to be defined as an official contest.
- Rob Chaney asks if there is a scenario where a student could use the graduate exception (6 hours) and participate prior to the 18th day, but not be counted as full time participant. Christina Hundley offers that the NJCAA still considers the student-athlete as having a full-time term with the graduate exception because the special dispensation is for the individual. Most likely not included in bylaw language and has been assumed in interpretation. Wanda Bodey suggests adding a bylaw that specifically states it is full-term for the student-athlete who has a graduate exception.
- Does the asterisk in the grid still apply? Further explanation is needed.

c. Article V, Section 4.D.3 (NIL) – adding language guiding “impermissible inducement” – page 24/25

Current Article VII, Section 3.A.2 – Impermissible Inducement: No member institution shall permit a prospective student athlete to be solicited or recruited to attend such institution by the promise of gift or any aid or inducement other than that of grant-in-aid as permitted by these bylaws.

- A catch all provision that allows for NIL as it is used in multiple states. States has passed statutes that authorize their institutions to use NIL as a recruiting inducement (and generated lawsuits form the TN and VA attorneys general)
- Wanda Bodey offers it is best to move this to next meeting when Jeff White can be present and share his thoughts.

d. Article VI, Section 2A (LOIs) – language guiding when SA can sign LOI – page 34

A.2 Signing Dates: The earliest dates for signing a recruit to a LOI are established by sport and listed on the NJCAA Sports Procedures Chart

A.2.a – Under no circumstances may the member college enter into a scholarship agreement or contract of any type prior to the official LOI signing date

- Wanda Bodey offers that previously, student-athletes could not sign LOI before the junior year of high school. The LOI signing date was removed (1:58). At what point an LOI can be signed needs to be added.
- Rob Chaney adds that this item crosses over between the Eligibility and Sports Governance Committees.

e. Article VI, Section 2.D.1 (Cancellation and Modification of Grants-In-Aid) – page 35

D.1.c – The student athlete voluntarily withdraws from a sport prior to the institution’s first competition in that sport

- Rob Chaney offers that the wording needs to be changed to be more specific as the release form currently requires the student-athlete’s signature. What are the positives and negatives of removing such requirement?
- It is Jeff White’s opinion that it is beyond the purview of the NJCAA National Office to weigh in on a contract matter between two other parties (even though we have made it within our purview). He is concerned that not allowing a member to withdraw aid from student that quit the team.
- Jeff Willis offered an example of an instance in which a student-athlete quit the team and there was nothing the school could do to recover that aid or put a hold on a transcript when the student-athlete owes the school money.
- Wanda Bodey shares where she can see both sides of the situation, but a bigger conversation needs to happen.
- Rob Chaney adds that when the student refuses to sign, the aid is also lost for the next term. The majority utilize it properly, but the minority makes it a precarious situation.
- Mary Young adds that schools can potentially be put in a bad situation and this issue deserves serious conversation.
- Jeff Willis asks what happens when a student-athlete plays in the season but has an injury and wants a medical hardship after walking away from the team. He asks whether there are student-athletes who are ‘playing the system’. The institution must have the ability to prevent its resources from being abused.

f. Article V, Section 2.C.5 (Break of Enrollment) – page 13

A break in enrollment statement is only required if the student withdraws and is not enrolled in any capacity.

- Does this prompt re-defining the situation
- Is the C.5 language necessary?

g. Article VII, Section 2 (Requirements for participating in team activities) – page 40

Current interpretation from National Office allows student to participate in team activities (i.e., practice, scrimmage) prior to graduating from high school (1 hour requirement and physical on file)

- Currently operating under assumption that graduation from high school is necessary. Does not need to change the bylaw but supplement it. Concerning from a liability point of view that high school seniors are scrimmaging and practicing.
- Mary Young adds that the practicing component occurs frequently.
- Jeff Willis asks why this would happen / be allowed. Wanda Bodey offers that spring practice helps to prepare student-athletes for next year when they are actually on the team.
- Majority of Eligibility Committee believes this issue can be cleared up easily.
- Mary Young states that she believes ‘team activities’ (i.e., team vacations with little training) are getting out of hand. This would be a benefit, and guardrails are needed. Rob Chaney responds that these activities with legitimate competition would be hard to monitor, but instances without evidence of scrimmage / competition seems outside the scope. Young urges that differentiation between team bonding and building and training is needed. Certain scenarios are not allowed, but this is.
- Deron Clark asks whether teams can practice off-campus. Wanda Bodey clarifies that it is allowed during the season.

h. Article V, Section 2.B.3 (Clarification of Foreign Transcripts) – page 10

Foreign transcripts of student-athletes who previously attended a foreign college or university and participated in intercollegiate (2 hours 25 minutes)

i. Article V, Section 4.E (Professional Organizations – Agents – Advisors)

- Not touched at Convention last year. Rob Chaney proposes revisiting over the course of the year and refreshing. Is agent a catch-all?
- Repeated violations with duplicate LOIs. Joint item with governance. Potential for creating 3rd hardship that is focused on mental health (currently counted under non-medical hardship requests)

j. Recent Appeals

- a. Recommendation that NJCAA Bylaws should go under review from an outside agency for evaluation to ensure they are legally sound
- b. LOI and Release – Should release from one release SA from all LOIs?

Joint Item with Governance.

- c. Potential Mental Health Hardship Waiver

Currently counted under non-medical hardship requests.

k. Carryover Items 2023-2024

- a. Multi-Sport / Multi-Season Subcommittee Draft Proposal
- b. SA Seasons of Participation > Governance Committee
- c. Consideration of bring Amateurism into Audit Process
- d. Scenarios Impacting LT-FT & Graduate Exceptions
- e. Withdrawal Regulations
- f. Certified NJCAA SA with Disabilities Exception

11. Good of the Order

Rob Chaney reiterated that participation from Eligibility Committee members is crucial, and their experience is invaluable.

Kurt Kohler mentions that a topic previously discussed was club sport participation at four and two-year level. How does this impact a student-athlete's eligibility? This is a shared topic with the Sports Governance Committee.

Sports Governance also covers academy / prep school participation. This is a liability risk and gives athletes an extra year to develop and extra year of eligibility at two-year level's expense.

Troy Tucker mentions that he could only pick from schools offered in Florida when utilizing the Eligibility Spreadsheet. Template needs to be revised when sent out nationally.

12. Next Meeting: Friday, September 13, 1 PM EST

13. Adjournment

The meeting was adjourned by Rob Chaney at 3:41 pm EST.