

Intercollegiate Rowing Association Eligibility and Infractions Committee 2017-18

Secondary/Level III Violation Report

Case Number: 2017-04

Date submitted: August 23, 2017

Applicable Bylaws: NCAA Division I 13.4.1 Recruiting Materials and Electronic Correspondence – General Rule. An institution shall not provide recruiting materials, including general correspondence related to athletics, or send electronic correspondence to an individual (or his or her parents or legal guardians) until September 1 at the beginning of his or her junior year in high school. If an individual attends an educational institution that uses a nontraditional academic calendar (e.g., Southern Hemisphere), an institution shall not provide recruiting materials, including general correspondence related to athletics, or send electronic correspondence to the individual (his or her parents or legal guardians) until the opening day of classes of his or her junior year in high school.

Facts of the Case: During the summer of 2017 an Assistant Coach sent electronic correspondence to a rising junior. The Assistant Coach self-reported the incident to his compliance department upon realization that a violation had occurred as the prospective student athlete was yet to begin his junior year in high school.

Institutional Action: The Compliance Office has instructed the involved coaching staff to refrain from making telephone calls and sending electronic correspondence and other permissible recruiting materials to the involved prospective student-athlete for a month once the involved PSA reaches September 1 of his junior year in high school. The Compliance Office will provide the coaching staff with rules education related to recruiting activities. The involved coaching staff member will be provided with a letter of education and issued a letter of reprimand.

Decision: No further action required.

Rationale: The Assistant Coach self-reported the incident as soon as he realized a violation had been committed. The Compliance Office took swift and adequate action with institutional steps to remedy the violation and educate the coaching staff. The Compliance Office also utilized past precedent as set forth by the NCAA for other secondary/Level III violations similar in nature.

**Intercollegiate Rowing Association
Eligibility and Infractions Committee**

Secondary/Level III Violation Report

Case Number: 2017-05

Date submitted: September 12, 2017

Applicable Bylaws: NCAA Division I 13.4.1 Recruiting Materials and Electronic Correspondence – General Rule. An institution shall not provide recruiting materials, including general correspondence related to athletics, or send electronic correspondence to an individual (or his or her parents or legal guardians) until September 1 at the beginning of his or her junior year in high school. If an individual attends an educational institution that uses a nontraditional academic calendar (e.g., Southern Hemisphere), an institution shall not provide recruiting materials, including general correspondence related to athletics, or send electronic correspondence to the individual (his or her parents or legal guardians) until the opening day of classes of his or her junior year in high school.

Facts of the Case: During the summer of 2017 an Assistant Coach sent electronic correspondence to a rising junior. The Assistant Coach self-reported the incident to his compliance department upon realization that a violation had occurred as the prospective student athlete was yet to begin his junior year in high school and misrepresented his graduation year in previous correspondence.

Institutional Action: The institution will cease all communication with the prospective student-athlete for a two-week period once communication is permissible. The Compliance Office will provide the coaching staff with rules education related to recruiting activities with an emphasis on international student-athletes. The involved coaching staff member will receive a letter of admonishment.

Decision: No further action required.

Rationale: The Assistant Coach self-reported the incident as soon as he realized a violation had been committed. The Compliance Office took swift and adequate action with institutional steps to remedy the violation and educate the coaching staff. The Compliance Office also utilized past precedent as set forth by the NCAA for other secondary/Level III violations similar in nature.

**Intercollegiate Rowing Association
Eligibility and Infractions Committee**

Progress Towards Degree Waiver

Case Number: 2017-06

Date submitted: September 27, 2017

Applicable Bylaws: NCAA Division I: 14.2.1 Requirement for Practice, 14.2.2 Requirement for Competition, 14.2.3 Waivers, 14.2.3.2 Olympic Games, Pan American Games, World Championships, World Cup, World University Games (Universiade), World University Championships or World Youth Championships – Competition.

Facts of the Case: The student athlete has 12 credits needed to graduate. The institution is requesting a progress towards degree waiver that allows for the student athlete to take three (3) credits this fall and the remaining nine (9) credits in the spring. The student athlete was selected to the men's senior national rowing team and offered an opportunity to compete at the 2017 World Rowing Championships. The training for and subsequent participation in this event would cause the student athlete to miss significant class time.

Institutional Action: The student athlete reached out to professors for potential accommodations and missed class time for the fall semester but the professors were unwavering. This caused the student athlete to only be enrolled in three credits in the fall semester. The student athlete is prepared to take nine credits during the spring semester and remain on track to graduate.

Decision: Progress Towards Degree Waiver granted.

Rationale: There is past precedent, which allows a student athlete to enroll in less than a minimum full-time program of studies when competing at a World Championship or similar events. NCAA Division I Bylaws 14.2.3.2 allows such a waiver to be granted based on this level of international participation.

It is to be noted that the IRA Eligibility and Infractions Committee is disappointed in the timeline taken by the institution and student athlete in this case. The student athlete was not proactive in notification of professors until after the national team roster was announced. The committee feels the student athlete could have notified professors of this situation earlier in the summer and barring selection to the team. Further, the institution did not formally request a progress towards degree waiver until after the student athlete had already left to train with the national team and was already enrolled in three (3) credits of course work.

Additionally, the student athlete's participation in Men's Sprints and the IRA National Championship regattas is contingent on the successful completion of the 12 remaining credits and subsequent on-time graduation from the institution.

**Intercollegiate Rowing Association
Eligibility and Infractions Committee**

Secondary/Level III Violation Report

Case Number: 2018-01

Date submitted: March 14, 2018

Applicable Bylaws: NCAA Division I 12.1.2 Amateur Status, 12.1.2.1.6 Preferential Treatment, Benefits or Services, 12.5.2.1 Advertisements and Promotions After Becoming a Student-Athlete.

Facts of the Case: On March 12, 2018 the athletics compliance staff stumbled upon a GoFundMe page started by a men's rowing student-athlete on October 11, 2017. The GoFundMe page was for butter to be purchased for breakfast training tables as this item was not available at the breakfasts. The page included a team picture of the men's rowing team along with a statement that the page was to assist student-athletes at GW in buying butter for breakfast training table. The athletics compliance staff immediately notified the head coach and the student-athlete that the page was impermissible and needed to be deactivated. The student-athlete deactivated the page that day. The site raised \$207 of which 7.9% went to GoFundMe, thus the program received \$190.65 in donations. A few days after setting up the page on October 11, 2017, the student-athlete ordered \$167.90 worth of butter with a shipping cost of \$22 (total of \$189.90). The student-athlete kept the remaining \$0.75.

Institutional Action: Rules education will be provided to the entire men's rowing program in addition to an educational email being sent to the entire athletics department coaching and staff members. The entire team will make a donation of the \$190.65 to a charity of their choice.

Decision: No further action required.

Rationale: The student-athlete was not aware that a GoFundMe page like this violated amateurism rules as it was created to help provide a food item. In addition, the only people who contributed to the page were fellow student-athletes and one of the men's rowing student-athlete's mom. The Compliance Office took swift and adequate action with institutional steps to remedy the violation and educate the student-athletes. The Compliance Office also

utilized past precedent as set forth by the NCAA for other secondary/Level III violations similar in nature.

**Intercollegiate Rowing Association
Eligibility and Infractions Committee**

Extension of Eligibility Waiver

Case Number: 2018-02

Date submitted: March 8, 2018

Applicable Bylaws: NCAA Division II: 14.2.2. Ten Semester/15-Quarter Rule. 14.2.2.4. Ten Semester/15-Quarter Rule Waivers.

Facts of the Case: The student-athlete enrolled at Institution 1 in Fall 2012 and withdrew from school after suffering an illness. The student-athlete later enrolled at Institution 2 in Fall 2013 and attended classes through Spring 2015. The student-athlete enrolled at Institution 3 in Fall 2015 and began competing on the institution's men's rowing team.

Institutional Request: The student-athlete is currently in his 15th and final term of eligibility at Institution 3 (Winter 2018). In Spring 2018 the student-athlete's clock will have concluded making it so he cannot complete his sport's championship season of his senior year. Institution 3 is requesting an extension of eligibility waiver so the student-athlete can finish the championship season and his final season of eligibility.

Decision: Extension of Eligibility Waiver Denied.

Rationale: Requirements of the waiver are not satisfied. The extension request is denied since, based on information submitted, the student-athlete was not denied at least two participation opportunities. The purpose of extension waivers is to ensure four seasons of participation opportunity. In order for a student-athlete to receive an extension, an institution must demonstrate the student-athlete was denied at least two participation opportunities for reasons beyond the control of the student-athlete or institution.

In this case, the student-athlete had five participation opportunities, including the 2013-14 and 2014-15 academic years when he enrolled at an institution that did not sponsor his sport and the 2015-16, 2016-17 and two-thirds of the 2017-18 academic years when he competed. It also remains unclear as to whether the student-athlete could have competed if Institution 1 sponsored rowing. Finally, Institution 3 was unable to demonstrate other extraordinary circumstances warranting approval of the extension request.

**Intercollegiate Rowing Association
Eligibility and Infractions Committee**

Medical Hardship Waiver

Case Number: 2018-03

Date submitted: March 27, 2018

Applicable Bylaws: NCAA Division II: 14.2.5 Hardship Waiver Requirements

Facts of the Case: The student-athlete participated in a minimum number of contests for the institution. Progress notes from the team trainer cited the athlete was on pace to compete during the season. Additionally, medical documentation provided from the physician did not cite the injury as season-ending.

Institutional Request: To grant the student athlete an additional year in the sport of men's rowing due to medical conditions

Decision: Medical Hardship Waiver Denied.

Rationale: The student-athlete did not meet the NCAA Division II Bylaw requirements for a hardship waiver. Provided documentation did not cite the injury was deemed season-ending by the team physician. Further, the provided progress notes from the institutional trainer stated the student-athlete did not want to participate at the IRA National Championship unless they would participate in the Varsity Eight boat. From reviewing the outlined progress it appears the student-athlete was on pace to compete and race at the IRA but chose not to, based on the level of boat he would be placed in.

**Intercollegiate Rowing Association
Eligibility and Infractions Committee**

Medical Hardship Waiver

Case Number: 2018-04

Date submitted: June 11, 2018

Applicable Bylaws: NCAA Division I: 12.8.4 Hardship Waiver Requirements

Facts of the Case: The student-athlete was injured and unable to compete during the rowing season

Institutional Request: To grant the student athlete an additional year in the sport of men's rowing due to medical conditions

Decision: Medical Hardship Waiver Approved.

Rationale: The student-athlete met NCAA Medical hardship requirements. The student-athlete was injured during the first half of the season and participated in a minimal number of contests. Further, all medical documentation and progress notes cited the injury as season-ending with the student-athlete unable to return.

**Intercollegiate Rowing Association
Eligibility and Infractions Committee**

Medical Hardship Waiver

Case Number: 2018-05

Date submitted: July 19, 2018

Applicable Bylaws: NCAA Division II: 14.2.5 Hardship Waiver Requirements

Facts of the Case: The institution was appealing the committee's initial decision to deny a hardship waiver for their student-athlete. No new medical documentation was provided. The institution did supply a statement from the head coach for review during the appeal.

Institutional Request: To reconsider the committee's initial denial of a hardship waiver and grant the student athlete an additional year in the sport of men's rowing.

Decision: Medical Hardship Waiver Appeal Denied.

Rationale: The student-athlete did not meet the NCAA Division II Bylaw requirements for a hardship waiver. There was no new medical documentation from the physician citing the injury was season-ending. Further, there were no changes or updates from the trainer's progress notes which stated the athlete was on track to compete at the IRA National Championship. Documentation remained that the student-athlete did not want to participate at the IRA National Championship unless they would participate in the Varsity Eight boat. From reviewing the outlined progress it appears the student-athlete was on pace to compete and race at the IRA but chose not to, based on the level of boat he would be placed in.