



The University of Cincinnati Bearcat Compliance Corner



*The Official Newsletter of the UC Compliance Office
For coaches and athletic staff*

June 2005

RECRUITING DATES

Baseball –

3/1 – 7/31 **Contact/Evaluation Period**

Men's Basketball –

5/1 – 7/5 **Quiet Period**

except NBA Predraft camp **Evaluation period**

Women's Basketball –

4/20 – 7/5 **Quiet Period**

Football –

6/1 – 7/31 **Quiet Period**

Volleyball –

2/19 – 7/31 **Contact & Evaluation Period**

All Other Sports –

Contact & Evaluation Period

SUMMER EMPLOYMENT

Please make sure that all student-athletes are aware that they are required to report any employment to the compliance office. During the summer, there are no limits on the amount that student-athletes may earn, but we still need to be aware of their employment arrangements. This includes any athletes that are working summer camps. There are few things that we need to be aware of regarding summer employment:

- ▶ Athletic Department staff members may not transport a student-athlete to a job interview, or transport a student-athlete to or from their work place.
- ▶ Employment at summer camps needs to be approved IN ADVANCE by the Director of Athletics.

MORE SUMMER EMPLOYMENT

- ▶ A student-athlete may receive compensation only for work actually performed and be paid at a rate commensurate with the going rate in that locality for similar services and at the same rate as other employees performing similar work.
- ▶ A student-athlete may not be employed to sell equipment related to the student-athlete's sport if his or her name, picture or athletics reputation is used to advertise or promote the product, job or employer.

It is mandatory that all student-athletes inform the compliance office of any summer employment to help prevent any violation of NCAA legislation (especially concerning issues about summer camps and clinics) that could jeopardize the student-athlete's eligibility.

NATIONAL LETTER OF INTENT SIGNING DATES FOR 2006-07

As you are planning for the upcoming school year, the signing dates for the 2006-07 national letter of intent signing period are as follows:

Basketball (Early)	Nov. 9, 2005	Nov. 16, 2005
Basketball (Regular)	April 12, 2006	May 17, 2006
Football (Midyear JC Transfer)	Dec. 21, 2005	Jan. 15, 2006
Football (Regular Period)	Feb. 1, 2006	April 1, 2006
Soccer	Feb. 1, 2006	Aug. 1, 2006
All Other Sports (Early Period)	Nov. 9, 2005	Nov. 16, 2005
All Other Sports (Regular Period)	April 12, 2006	Aug. 1, 2006

NUTRITIONAL SUPPLEMENTS

NCAA Bylaw 16.5.2-(g) (nutritional supplements) indicates that an institution may provide only nonmuscle-building nutritional supplements to a student-athlete at any time for the purpose of providing additional calories and electrolytes, provided the supplements do not contain any NCAA banned substances. Permissible nonmuscle-building nutritional supplements are identified according to the following classes: Carbohydrate/electrolyte drinks, energy bars, carbohydrate boosters and vitamins and minerals. Pursuant to a July 26, 2000, official interpretation, it is not permissible for an institution to provide any nutritional supplement/ingredient to its student-athletes, unless the supplement/ingredient is a nonmuscle-building supplement and is included in one of the four classes identified specifically in Bylaw 16.5.2-(g). There is a list of examples of permissible and nonpermissible nutritional supplements/ingredients as developed by the NCAA Competitive Safeguards and Medical Aspects of Sports Committee (CSMAS) available from the compliance office or on the LSDBi webpage. The list is not exhaustive but should assist institutions in determining the types of nutritional supplements/ingredients that may be provided to student-athletes.

A supplement that contains protein may be classified as a nonmuscle-building supplement provided it is included in one of the four permissible categories, does not contain more than 30 percent of its calories from protein (based solely on the package label) and does not contain additional ingredients that are designed to assist in the muscle-building process (see examples of nonpermissible supplements/ingredients). Nutritional supplements containing more than 30 percent of its calories from protein are classified as muscle-building supplements and may not be provided to student-athletes.

One gram of protein equals four calories. Therefore, the percentage of calories from protein contained in a nutritional supplement may be calculated by multiplying the number of grams of protein per serving by four and dividing the product by the total number of calories per

serving. For example, a nutritional supplement that contains 120 total calories per serving and nine grams of protein per serving would contain 36 calories from protein (i.e., 9 grams x 4). Therefore, the percentage of calories from protein would be 0.3 or 30 percent (i.e., 36 calories from protein/120 total calories).

Institutions should note that if a supplement product includes any impermissible ingredient, it is not permissible to provide such a supplement to student-athletes. Further, when considering the product's protein content, institutions should consider the listing of the word "protein" and the number of grams included. If any other parts of a protein are listed separately, as in any amino acid or chain, it would not be permissible for an institution to provide such a supplement to its student-athletes. If the product lists a "proprietary protein" or "protein blend," then this is not protein from a whole food source, but rather a concoction created by the manufacturer, and in most instances includes impermissible supplement ingredients.

Finally, in order to assist the membership in applying the legislation, the following steps are recommended. In considering whether a supplement product is permissible under the legislation, a member institution should:

- Review the label and ingredients to determine if the product meets one of the permissible classes of supplements (e.g., carbohydrate/electrolyte drinks, energy bars, carbohydrate boosters and vitamins and minerals);
- Review the ingredients for any banned substances (see www.ncaa.org/health-safety);
- Determine whether or not the product contains any of the examples of "impermissible" ingredients referenced earlier; and
- Determine if the product contains more than 30 percent calories from protein.

NUTRITIONAL SUPPLEMENTS, CON'T

If still unsure whether or not a particular supplement is permissible, the institution should contact NCAA membership services for interpretive assistance and should provide full written product ingredient information. Membership services will act in concert with sports medicine consultants to provide a review of the product and response back to the member institution. Products deemed permissible should be reviewed annually to determine if any reformulation of the product has introduced elements that make it no longer permissible to provide to student-athletes. If an institution has an interest in providing a supplement product being offered by a manufacturer or distributor of the product, it is the institution's responsibility to follow the outlined steps. An institution should not refer the manufacturer or distributor to the NCAA for a product review.

AROUND THE COUNTRY

Kentucky reports minor violation

Kentucky reported a minor violation regarding the proportion of athletes to non-athletes that live in a campus dorm. There are 16 athletes and 12 non-athletes that live in Wildcat Lodge and 33 beds total. Per Bylaw 16.5.1 athletic blocks are not allowed in institutional owned dorms. The number of non-athletes living in the facility must be at least one more than the number of athletes living there. Kentucky always interpreted that to mean there must be more beds for non-athletes than athletes, but an interpretation says the actual number of people, not the number of total beds, are what should be counted. Kentucky can either add five non-athletes to the facility's number of residents and eliminate the two spots they keep open for incoming recruits or, if the university wants to keep the two open beds, they must reduce the number of athletes by one and add four non-athletes to the facility.

AROUND THE COUNTRY, CON'T

Texas and Texas A&M purchased forbidden dietary supplements

The schools purchased almost \$120,000 in dietary supplements containing ingredients banned by the NCAA for student-athletes. The products contained muscle-building ingredients and substances forbidden by the NCAA. Texas A&M's director of athletic compliance said the school was not aware that banned ingredients were being purchased until after reviewing records requested under the Texas Public Information Act by the Fort Worth Star-Telegram. He said he is not aware of any positive drug tests or adverse health issues related to the purchases. Mike Clark, A&M's former assistant athletic director for strength and conditioning, said he stopped ordering the products when we learned they were banned. Texas is investigating if the purchases, which contained added amino acids, were made in error. Texas spent almost \$90,000 on supplements containing amino acids. Also purchased was the energy drink Jacked, which contains caffeine, but it was not distributed to student-athletes after learning it was prohibited. Texas personnel believed they were within the rules in purchasing the products with amino acids because of information from a member of NCAA's membership services staff, Steve Mallonee, describing the products as permissible. But Mallonee said the approval was based strictly on information submitted by Texas, which sought a review of the products based on their percentages of protein and not their actual ingredients. Under NCAA rules, schools may dispense only four categories of supplements: vitamins and minerals, energy bars, carbohydrate/electrolyte drinks and carbohydrate boosters. These purchases are similar to those of Texas Tech, which admitted to ordering more than one dozen supplements containing the banned ingredients during a 30-month period.



PROPOSAL 2003-83

This is to inform you of action taken by Management Council Administrative Committee during its May 17 teleconference related to the application of **Proposal 2003-83**. The Administrative Committee, acting on behalf of the Management Council, **clarified that an individual enrolled and receiving institutional athletics aid during the summer prior to initial enrollment is not a prospective student-athlete for purposes of applying the contact limitations in Bylaw 13; the individual would remain a prospective student-athlete for purposes of applying all other provisions of Bylaw 13.** Please note that as set forth in the proposal, the individual remains a student-athlete for purposes of applying Bylaw 16. The committee used its authority pursuant to Constitution 5.4.1.1.1 to modify the wording to reflect the intent of the official interpretation that was issued by the full Management Council at its January 2005 meeting and incorporated into the text of the proposal.

As a result of the clarification, please note some of the following responses to various situations listed below:

It is **NOT PERMISSIBLE** for an individual enrolled in summer school and receiving institutional athletics aid during the summer prior to initial enrollment:

- * To engage in voluntary conditioning activities conducted by the department-wide strength and conditioning coach, except as permitted in the sports of football and basketball as outlined in 13.12.3.9
- * To engage in noncountable athletically related activities [the safety exception, summer workouts in individual sports] with the institution's coach that currently are permissible for enrolled student-athletes
- * To be employed as camp counselors in an institution's camp
- * To participate on a local sports club that involves the institutions coach in the applicable sport unless all provisions of 13.12.2.3 [e.g legal residence within a 50-mile radius of the institution] are satisfied.

* To participate on an institution's foreign tour in the applicable sport.

It is **PERMISSIBLE** for an individual enrolled in summer school and receiving institutional athletics aid during the summer prior to initial enrollment:

- * To engage in voluntary conditioning activities supervised [not conducted] by the strength and conditioning coach for safety purposes
- * To participate as a camper in institutional camps or clinics, except in the sport of football
- * To receive medical expenses that result from any injuries[athletically related or nonathletically related]as set forth in Bylaw 16.4.1
- * To receive tutoring and other academically related expenses as set forth in 16.3.1
- * To receive occasional home meals as set forth in 16.12.1.5
- * To have face-to-face encounters [contact] with athletics department staff members outside of a contact period
- * To use institutional athletics equipment pursuant to the institution's normal equipment policy as set forth in 16.12.1.7.

The University Of Cincinnati Compliance Staff

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