



The University of Cincinnati Bearcat Compliance Corner



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

January 2005

RECRUITING DATES

Baseball –

11/12 – 2/28 **Quiet Period** except:

1/6 (12:01 a.m.) – 1/10 (12:01 a.m.) **Dead Period**

Men's Basketball –

11/18 – 3/15 **Evaluation Period**

40 Evaluation days selected at the discretion of the institution; institutional staff members shall not visit a prospect's educational institution on more than one day per week during this period.

The remainder of this Evaluation period beyond the 40 days is a **Quiet Period**.

Women's Basketball –

10/8 – 2/28 **Evaluation Period**

40 Evaluation days selected at the discretion of the institution; institutional staff members shall not visit a prospect's educational institution on more than one day per week during this period.

The remainder of this Evaluation period beyond the 40 days is a **Quiet Period**.

Football –

11/28 – 1/29 **Contact Period** (with some quiet and dead periods in Dec. and Jan.): Six in-person off-campus contacts per prospective student-athlete shall be permitted during this time period with not more than one permitted in any one calendar week (Sunday through Saturday) or partial calendar week. **Exceptions:**

1/1 **Dead period** ends

1/9 **Quiet Period**

1/10 – 1/13 **Dead Period**

1/14 – 1/15 **Quiet Period**

1/30 **Quiet Period**

1/31 – 2/3 **Dead Period**

FB

JUCO-

1/15 Signing period ends

Volleyball –

1/1 – 2/18 **Quiet Period**

All Other Sports –

Contact & Evaluation Period

PER DIEM

Remember, on road trips each student-athlete has to receive the same amount of money for per diem (Bylaw 16.8.1.2.3). You can not base the amount of per diem received on a student-athlete's performance or a disciplinary action.

Also, the per diem amount is \$6 (breakfast), \$9 (lunch), and \$15 (dinner). However, on road trips **ONLY**, the amounts can be \$5 (breakfast), \$10 (lunch), and \$15 (dinner).

STUDENT HOST MONEY

If a student-athlete is hosting more than one PSA at a time, the student-athlete can only receive an additional \$15 host money per day for each additional PSA, in addition to the \$30 per day for the first PSA. (Bylaw 13.7.5.5).

Also, remind your student-hosts to read what they are signing when they sign the student-host receipt form. They need to check that the amount of money listed is the amount of money they actually received.

AROUND THE COUNTRY

Lewis University penalized for lack of institutional control

Lewis University is on probation until October 2008, with limits placed on recruiting, scholarships, and official visits. This penalty is in response to numerous NCAA violations.

Included in the violations were unethical conduct by the former head men's volleyball coach and a lack of institutional control in its athletics program between 1999 and 2004. The infractions committee found a complete lack of attention through a period of years, including from the university's president. In 1992 the head baseball coach questioned the calculation of scholarships but there was no action taken.

There were a number of ineligible student-athletes that competed, practiced, and received financial aid. Also, violations of recruiting, amateurism, and travel rules were involved.

The university did not complete International Student-Athlete Forms for four years, so those athletes were not certified. Also, athletes competed who did not meet the initial eligibility requirements, satisfactory-degree requirements, or two-year and four-year transfer requirements. The university failed to ensure students had designated degree programs at the beginning of their fifth semester. Some teams granted more athletic scholarships than allowed and provided cash for books, which violated institutional policy for financial aid distribution. One student-athlete received a temporary loan from an assistant coach.

The recruiting violations included off-campus recruiting by 9 coaches who did not take the NCAA recruiting certification exam, coaches used personal funds for recruiting expenses, impermissible tryouts, and coaches contacting student-athletes and recruits from other institutions without written permission. Two men's volleyball players competed and received aid even though they were no longer considered amateurs. One of these volleyball players traveled with the team to the championship in Hawaii after the athletic director told the coach the athlete could not go. The coach told the athletic director that the other players paid for the athlete's travel expenses, an explanation which the committee did not find credible. This led to a finding of unethical conduct by the head coach.

Some penalties include, the men's volleyball team is barred from postseason competition through next school year; the university forfeited its 2003 national championship in men's volleyball, its 2001, 2002, and 2003 conference championships in men's volleyball and women's indoor track and the 2001 and 2002 conference championship in women's outdoor track; there was a reduction in men's volleyball scholarships from 4.5 to 3 for three years; baseball and soccer scholarships are being reduced; there is a ban on athletically related financial aid for track and field athletes next school year; all official paid visits for men's volleyball, men's and women's track and field, and baseball through the 2005-06 academic year (unofficial visits are still allowed); and a moratorium on international recruiting in men's volleyball and track and field will stay in place until the university adopts sufficient safeguards against repeat violations.

Former Barton coach charged with fraud

The former head basketball coach was indicted on charges that he provided falsified academic information to other schools about his players. His actions included, paying for some correspondence courses for an athlete, arranged for his wife to assist the athlete with class papers, falsified certification of conditions under which an athlete allegedly took proctor-supervised tests, and sent a falsified academic transcript of an athlete to another school so the athlete could enroll there. The coach also allegedly supervised a campus work-study program in which players were paid for work they did not do. He also allegedly cashed and put in his own bank account, Pell Grant checks issued to two Barton county players. In addition, he supposedly arranged for another person to take a GED exam for a Barton player and provided a false GED certificate for another player.



AROUND THE COUNTRY, CON'T

University of Colorado auditing fund

Colorado discovered that a football booster club may have violated two NCAA rules when it paid at least \$1,000 to each of 15 assistant coaches and athletic department staff members six years ago. The payments were made by the Dear Old CU Fund. The money was given as incentives to the coaching staff to attract and retain the members of the staff. NCAA rules prohibit outside groups, such as the booster club, from paying coaches' salaries or supplementing coaches' income, except in special instances of recognizing "specific and extraordinary achievement" such as winning a bowl game. Two people who allegedly received funds said they did not. Another one said the money came directly from Neuheisel.

The University already reported a minor violation of the group due to a donation it gave the athletics department for equipment in May 2004.

Another account, formerly known as the Golden Buffalo Scholarship Fund, managed by the CU Foundation was used to fund country club memberships for football and basketball coaches, including membership to a men-only club. The foundation's board chairman said they didn't do anything wrong and it is the discretionary funds that are at issue. The discretionary funds are donations not designated for specific purposes by the donors and are available to coaches and academic administrators. The fund's name has been changed to Colorado Athletics Fund to end any confusion to the donors that the donations went solely to scholarships.

Ohio State self-imposes ban

Ohio State imposed a one-year ban on men's basketball postseason play, including NCAA and NIT bids. The school is still eligible to play for the Big Ten season and conference titles. The former men's basketball coach admitted that he gave a recruit \$6,000. The recruit never played for the school because the NCAA deemed him ineligible before he enrolled because he accepted money to play basketball in his native country.

LOGO REMINDER

A student-athlete's official institutional uniform and all apparel items (e.g., socks, head bands, wrist bands, T-shirts, visors, hats, swim caps, towels) can bear only ONE manufacturer's log. The logo cannot exceed 2 ¼ square inches when worn by the student-athlete. The logo must fit within a four-sided geometric figure (i.e., rectangle, parallelogram, square). Using a 9 inch string in the shape of one of those four-sided geometric shapes, you can check apparel for this restriction. This restriction extends to any **pre- or post-game** activities that the student-athlete is involved with. Logo restrictions apply during the regular season and post season.

PROMOTIONAL APPEARANCES

Remind your athletes that when they appear at a fundraising event, store, supermarket, etc. they **must** fill out a promotional appearance form in the compliance office before the appearance.

STAFF MEMBERS CALLING PSA'S

In all sports other than football, one telephone call to a prospect or PSA's relatives or legal guardians may be made during March of the PSA's junior year in high school. In sports other than football and basketball, subsequent telephone calls to a PSA (or the PSA's relatives) may not be made before July 1 following the completion of the PSA's junior year in high school; thereafter, staff members shall not make such telephone calls more than once per week. In football, one telephone call may be made during the month of May of the PSA's junior year in high school. Additional phone calls may not be made until September 1st of the PSA's senior year. Calls are limited to once per week outside of the contact period. Academic advisors may make or receive telephone calls to/from football PSAs related to admissions or academic issues, but are subject to the limitations of telephone calls.

Please remember that the one call per week is institution-wide. If a coach calls a PSA on Monday, no other institutional staff member may call the PSA until the following Sunday. Before calling a PSA, please check with the coach to see if the sport has already used the one call per week.

OUT OF SEASON ACTIVITIES

Per NCAA Bylaw 17.1.5.5, it is required that you have TWO days off outside of the playing season. Strength and conditioning activities and activities conducted, evaluated by, or performed at the direction of coaching staff members count as a countable athletically related activity.

Only EIGHT hours of countable athletically related activity per week is allowed during the out-of-season period.

Noncountable athletically related activity during the off-season includes workouts using the safety exception, voluntary workouts, other noncountable activities permitted during the in-season period.

Permissible countable athletically related activities during the out-of-season period include:

- Required weight training and conditioning activities supervised by an athletics department staff member.
- In sports other than football, participation in up to 2 hours per week of skill-related instruction (voluntary or required), provided not more than 4 SA's from the same team are involved at any one time in any facility.
- In football, skill-instruction activities are limited to review of game film.
- Any voluntary athletically related activity in which the SA chooses to participate (does not count in the 8 hours) (e.g., initiated by SA, no attendance taken, no coach present).
- Participation in a physical fitness class conducted by a member of the athletics department staff.

The following are nonpermissible activities during the out-of-season period:

- Conditioning drills may not simulate offensive or defensive alignments.
- No equipment related to the sport may be used during conditioning activities.
- No participation in any other countable athletically related activity that may have been permissible during the in-season period.
- No required participation in any countable athletically related activities during any institutional vacation period (e.g., Christmas break, summer) that occur outside the declared playing and practice season (i.e., in-season).

To be considered "voluntary," all of the following must be met:

- SA must not be required to report back to a coach or other athletics department staff member (strength coach, trainer, manager, etc.) any information related to the activity. Noncoaching athletic staff members that observe the activity may not report back to the coach any information related to the activity. Coaches may **not** observe activities.
- The activity must be initiated and requested solely by the SA. The institution nor any athletics department staff member may require the SA to participate.
- The SA's attendance and participation in the activity (or lack of) may not be recorded for the purposes of reporting such information to coaching staff member or other SA's.
- The SA may not be subjected to penalty if the SA elects not to participate in the activity. Recognition or incentives (e.g., awards) may not be given to a SA based on attendance or performance in the activity.

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