



The University of Cincinnati Bearcat Compliance Corner



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

June 2003

RECRUITING DATES

Men's Basketball-

5/1 – 7/7 Quiet Period

Women's Basketball-

4/18 – 7/7 Quiet Period

Football-

6/1 – 7/31 Quiet Period

Volleyball-

2/15 – 7/31 Contact/Evaluation

All Other Sports-

Contact/Evaluation Period

CERTIFICATION TEST

All coaches should begin to prepare for your NCAA Certification Exam. ALL coaches who intend on recruiting must take this exam, **No Exceptions**.

Faculty athletics representative Dr. Nancy Hamant will administer the test on June 17, 2003 at 9 :00AM in the academic service center.

Immediately following, the institutional test will be administered to all athletic staff and coaches who did not take the test last year. The test will begin promptly at 10:30AM. You will be notified by June 6th if you are required to take the institutional test.

Both tests are open book so please remember your NCAA manuals. The institutional test is an educational exercise. There is no time limit and there is no passing or failing score.

If you are unable to attend the test, you must contact Maggie immediately to arrange another date to take the test.

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.

► 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.

► Employment at summer camps needs to be approved IN ADVANCE by the Director of Athletics.

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.

SUMMER CAMPS

Summer is quickly approaching, which means summer camps are just around the corner. This section will review the issues associated with institutional summer camps. An institutional summer camp is any camp that is owned or operated by the institution or by one of the institution's employees. All institutional camps must adhere to the applicable NCAA rules set forth below. Please see the attachments for a detailed list of interpretations regarding institutional summer camps.

Brochures

- Summer camp brochures may include only information that is directly relevant to the camp. Information contained in the brochure must be aimed at selling the camp as opposed to selling the institution and/or the sports program.
- Camp brochures may not include posters.
- Per bylaw 12.5.1.7, the use of a student athlete's name or picture in any camp brochure (institutional or private) may only appear in the camp counselor section to identify the student-athlete as a staff member. A camp or clinic may not use the names or pictures of student-athletes with remaining eligibility in the camp brochure if the student-athletes will not be employed as counselors at the camp. The student-athlete's name or picture may not be used in any other way to directly advertise or promote the camp (e.g., front-cover).
- The brochure may include a picture of a former student-athlete if there is a direct relationship between the former student-athlete and the camp (e.g., former counselor, current counselor, former camper).
- The brochure may include a picture of the facility that will be utilized by the camp.

Note: When preparing or reviewing brochures, ask yourself, "Is this material (e.g., photo) providing information

about the camp itself, or is it extraneous recruiting information?"

Summer Camp Advertisements

Advertisements of an institution's summer camp or clinic in recruiting publications are permissible, if placed in a periodical (other than a high-school or two-year college game program) that includes a camp directory that meets the requirements set forth in bylaw 13.4.4.1.2

Also, an institution may advertise its camp or clinic on a recruiting publication's Web site provided the format of such advertisements is identical with the site and the Web site camp directory includes multiple listings of summer camps. The half-page size restriction applicable to advertisements in printed publications is not applicable to advertisements placed on the Internet.

Employment of Student-Athletes

- In sports other than football, student-athletes with eligibility remaining may be employed by an institution's summer camp provided the **Athletic Director** has given **prior approval**. List of these athletes should be a part of compliance documentation for any and all camps conducted by the institution.
- Student-athletes employed at an institution's summer camp **must perform duties that are supervisory in nature** and may not participate in **coaching or officiating activities for more than half their work time**.
- Compensation must be commensurate with the going rate for counselors with like teaching ability and not based on the student-athlete's athletics reputation.
- Student-athletes may not receive travel expenses unless all employees receive such expenses.
- Student-athletes must work the entire camp to receive compensation. Student-athletes who only lecture or demonstrate at a camp may not be compensated for the appearance.
- Coaches cannot require student-athletes employed at a summer camp to

participate in practice activities (e.g., pick up games at night).

- An **institutional staff member** employed at any camp or clinic is **prohibited from recruiting any prospect during the time-period which the camp or clinic is conducted** (i.e., from the time the prospect reports to the camp or clinic until the conclusion of all camp activities.) This restriction includes extending verbal or written offers of financial aid to any prospect during their attendance at the camp or clinic.

Employment of AAU, High School, Prep School or 2-Year College Coaches

Institutional summer camps may employ high school, prep school or 2-year college coaches provided the following conditions are met:

- The coach receives compensation that is commensurate with the going rate for individuals with like teaching ability and experience.
- The coach is not paid on his/her reputation or ability to contact prospects.
- The coach is not compensated in any way for the number of campers he/she sends to the camp.

Employment of Prospects

An institutional camp or clinic **shall not employ** or give free or reduced admission privileges to a high school, preparatory school or two-year college athletics award winners (**including** those that have **signed an NLI** to attend the institution).

In addition, two-year or a four-year college transfers that has received written permission to discuss transfer with another four-year institution shall not be employed (**either salaried or volunteer basis**) by an institution's camp or clinic.

Attendance of Prospects

All prospects, with two exceptions, may attend an institution's summer camp. The two exceptions are: (1) senior prospects in the sport of football, and (2) 2-year or 4-year transfers (in all sports) in the summer prior to enrollment at a 4-year institution. The following regulations apply to prospects:

- High school, prep school or 2-year college prospects may not receive free or reduced cost admission to attend an institutional summer camp.
- If prospects do not attend the entire camp, they may pay a prorated fee provided that fee is publicized in the camp brochure and is available to all campers.
- Representatives of athletics interests and/ or outside third parties may not provide financial assistance for a prospect to attend an institution's camp.
- Prospects may not be employed by an institution's camp, on a paid or volunteer basis.

Monitoring of Summer Camps

To ensure proper monitoring of summer camps, the following information should be collected prior to the start of camp:

- List of all student-athletes who will work the camp as approved by the Athletics Director.
- List of all camp employees and pay rates.
- Camp admission fee structure, including group and team rates.

Subsequent to the camp, the following information should be collected:

- Detailed listing of all camp attendees and their payment information.
- List of each refund, individual or group discount and reasons for the refund or discount.
- Final list of all employees and pay rates.

Finally, your business office should provide financial oversight for all institutional camps and clinics.

Even if your coach runs the camp totally independent of the institution, it is still considered an institutional camp and must be monitored appropriately.

All camp forms are to be submitted to the compliance office by the required due date. If you have any questions regarding the forms, please contact compliance or the business office.

VOLUNTARY WORKOUT REMINDERS

IN ORDER FOR ANY ATHLETICALLY RELATED ACTIVITY TO BE CONSIDERED "VOLUNTARY:"

The student-athlete must **not** be required to report back to a coach or other athletics department staff member (e.g., strength coach, trainer, manager) any information related to the activity. In addition, an athletics department staff member who observes the activity (e.g., strength coach, trainer, manager) may NOT report back to the student-athlete's coach any information related to the activity.

The activity must be initiated and requested solely by the student-athlete. Neither the institution nor any athletics department staff member may require the student-athlete to participate in any athletically related activity in Bylaw 17.02.1 at any time. This includes conditioning activities that are considered punishment for missed classes or missed study table hours (e.g., "Dawn Patrol"). However, it is permissible for an athletics department staff member to provide information to student-athletes (e.g., times when the strength and conditioning coach will be on duty in the weight room or on the track). In addition, for student-athletes who have initiated a request to engage in voluntary activities, the institution or an athletics department staff member may assign specific times for student athletes to use institutional facilities for such purposes and inform the student-athletes of the times in advance.

The student-athlete's attendance and participation in such activity (or lack thereof) may not be recorded for the purpose of reporting such information to coaching staff members or other student-athletes.

A student-athlete may not be subjected to penalty if he or she elects not to participate in the activity. In addition, neither the institution nor any athletics department staff member may provide recognition or incentives (e.g., awards) to a student-athlete based on his or her attendance or performance in the activity. Please note that this includes activities such as running a mile in a certain time over the summer during a voluntary workout and then being permitted to not run the mile the first day of practice for making the specified time over the summer. This is considered an incentive for participating in voluntary workouts. Athletically related activity during the summer has always been voluntary and coaches have never been allowed to require any such activity.

REMEMBER:

- ▶ Skill instruction must be at the request of the student-athlete
- ▶ SAs are not required to report to any staff member concerning the activity in person, by mail, or by phone
- ▶ Strength and conditioning coach is permitted to design and conduct a workout program at the request of the SA
- ▶ Staff members, with the exception of the strength and conditioning coach, CANNOT observe the activity and/or report to the coaching staff
- ▶ Staff can provide information in terms of time and availability of strength and conditioning coach's schedule and availability of facilities
- ▶ Activities cannot be recorded and/or reported to coach
- ▶ No penalties or punishments can be placed on the SA for not participating in the workout
- ▶ Awards/Incentives cannot be provided for participation in workout activities and prospects are not permitted to

As always, if you have questions about the application of this interpretation, please contact the compliance office.

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