

THE COMPLIANCE CORNER

OFFICIAL NEWSLETTER OF THE UC COMPLIANCE OFFICE

OCTOBER 2012

RECRUITING CALENDARS

BASEBALL

	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

MEN'S BASKETBALL

	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

WOMEN'S BASKETBALL

	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

FOOTBALL **

	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

WOMEN'S LACROSSE

	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

CC/TRACK & FIELD

	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

VOLLEYBALL

	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

ALL OTHER SPORTS

	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Contact Period

Eval. Period

Quiet Period

Dead Period

** FOOTBALL QUIET PERIOD **

The months of September, October and November are QUIET recruiting periods, except for 42 Evaluation days chosen at the discretion of the University and designated in writing. Only ONE (1) evaluation may be used per PSA.

COMP TICKETS

As a reminder, student-athletes and coaches should be using JumpForward to leave their complimentary tickets.

It is a 2-step process: 1) getting the guest approved, and 2) adding the guest to the pass list.

After you get a guest approved the first time, they are approved for the rest of the year and do not need to be approved again.

PSA tickets should go through JumpForward as well. When leaving PSA tickets, please make sure you remind Lindsey Delscamp so she isn't going through 17 sports looking for PSA tickets.

If you have questions on how to leave tickets, please feel free to contact Brian and he'll be more than happy to help!

NCAA SEEKS DELAY IN O'BANNON SUIT AFTER PLAINTIFFS MOVE TO EXPAND CLASS

(Hackney Publications) - The NCAA and its legal team asked a judge last week to delay the class-certification process in the Ed O'Bannon antitrust lawsuit.

Their rationale: the plaintiffs, who are former college athletes, have fundamentally changed their case by claiming that current players should be included.

O'Bannon, who is joined in the suit by such luminaries as Oscar Robertson and Bill Russell, filed their complaint three years ago, arguing that the NCAA, Collegiate Licensing Co., and Electronic Arts violated antitrust laws and profited from the commercial use of their names, images, and likenesses.

The plaintiffs have shifted gears in seeking to include current student athletes in their lawsuit. They have also sought to avoid the sticky issue of paying current players if they were ultimately successful in the case.

"Although O'Bannon seeks to add current student-athletes to the class, he does not seek for current student-athletes to be paid during the term of their eligibility," said Christian Dennie, a partner at Fort Worth-based Barlow Garsek & Simon, LLP. "O'Bannon, however, has proposed a trust for money generated by the licensing and use of student-athletes' images, likenesses, and names. O'Bannon has proposed using an economic formula where student-athletes would receive half of the NCAA's broadcasting revenue and one-third of video game revenue. The remainder of the revenue will continue to go to the NCAA, conference offices, and universities and colleges. Upon the exhaustion of eligibility, the student-athletes could access the trust to receive payments. The proposed amounts to be paid to individual student-athletes is unclear as is whether star student-athletes will be paid more than back-ups and how to evaluate whether student-athletes at certain schools should be paid more than others."

NCAA General Counsel Donald Remy, for one, doesn't appear to be worried about the underlying claim. He said in a statement that the NCAA does not attempt to prevent former athletes from selling or licensing their collegiate likeness, and has never done so.

"Unable to prove their original claims regarding former student-athletes, plaintiffs have now abandoned those claims and are attempting to assert new claims on behalf of current student-athletes," said Remy. "Unfortunately, this about face runs them smack into a very old argument, and one that the NCAA has defeated in court many times."

"Plaintiffs now claim that the NCAA's financial aid rules restrain 'trade' by preventing schools from 'paying' for 'labor' of certain current student-athletes by offering to share media royalties with those student-athletes. They want to be cut in on TV revenues, but every court that has examined this type of issue has said that plaintiffs have no right to such a claim. Many courts, including the United States Supreme Court, have repeatedly rejected the notion that the NCAA's financial aid rules violate the Sherman Act by preventing these sorts of commercial transactions between schools and current student-athletes. Plaintiffs want the court to believe that student athletes are the same as professional athletes and unionized employees – which is pure fiction. We are confident that plaintiffs will find no more success in this case than they have in past cases."

One of the central issues in the litigation figures to be the "Student-Athlete Statement," which the plaintiffs claim requires the student-athlete to surrender to the NCAA and others the use of their name or picture. "The Form suggests that completing and signing this provision is a prerequisite for eligibility to play in intercollegiate athletics," argued the plaintiffs' attorneys.

The defendants have until Oct. 31 to file responses opposing certifying the suit as a class action. The hearing on the certification status is scheduled for March 7, 2013, and the trial set for February 2014.

COACH CLAIMS BOOSTER PAID RECRUIT

(ESPN) - A football coach in Nashville says he witnessed a booster give Mississippi State freshman defensive back Will Redmond money, according to a radio interview.

Byron De'Vinner, who has been interviewed by NCAA investigators, told the Head to Head radio show in Mississippi on Tuesday that he saw a "handshake" between the booster and Redmond, and that former Bulldogs receivers coach Angelo Mirando was aware of benefits.

De'Vinner confirmed to ESPN's Joe Schad on Tuesday afternoon that he called into the radio show. He said the handshake between Redmond and the booster included about "\$200."

"Will Redmond is a kid that was basically taken advantage of by a booster and by an assistant coach," De'Vinner said on the radio show.

Mirando resigned Aug. 19, citing "unforeseen personal issues."

"I've read what's been written but I have nothing to say about that," Mirando told Schad.

Mississippi State has been working with the NCAA to examine a "potential recruiting irregularity" over the past several months, but has declined to provide further details since Mirando resigned.

According to documents provided to the Clarion-Ledger on Aug. 28, an MSU booster was found to have had "impermissible contact" with a recruit and may have engaged in other NCAA rules violations. The school has since disassociated with the booster.

MICHIGAN STATE WOMEN'S BASKETBALL SUSPENDS TWO PLAYERS FOR NCAA VIOLATIONS

DETROIT NEWS - Sophomore Kiana Johnson and redshirt freshman Akyah Taylor have been suspended for the first nine games of the Michigan State women's basketball team's season, coach Suzy Merchant said in a statement Friday.

The players were suspended for "violation of NCAA guidelines related to receipt of extra benefits," according to the statement.

"Both Kiana and Akyah are good student-athletes that made a bad decision this summer," said Merchant. "They will accept the consequences for their actions. We will move forward as a program."

Johnson and Taylor are eligible to return Dec. 16 against IPFW.

Johnson, a 5-foot-7 guard from Chicago, played in 32 games last season, including 28 starts, averaged 7.1 points and a team-best four assists per game last season.

Taylor also was third on the team in 3-pointers made (21), shooting 33.3 percent from behind the arc.

Taylor, a 5-11 forward from Elkhart, Ind., played in one game last season, collecting two points and two rebounds in five minutes against Florida Gulf Coast.

ATHLETICS SUCCESS

Congratulations to our coaches and student-athletes for a great weekend in Bearcat athletics:

- **Men's Cross Country** - 1st Place at All-Ohio Meet
- **Women's Cross Country** - 5th Place at All-Ohio Meet
- **Women's Golf** - 3 players in top 50 at Nittany Lion Invitational
- **Volleyball** - Beat Pitt 3-0 on Friday night
- **Men's Soccer** - Beat Syracuse 1-0 on Saturday night
- **Football** - Beat Virginia Tech 27-24 on Saturday evening

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Coaches, please provide this information to your student-athletes.

REMINDER: You cannot be "friends" with a PSA on Facebook until the 1st permissible date that they can send general correspondence, which in sports other than MBB at UC is Sept. 1st of their junior year.

SYRACUSE'S GARY GAIT REPRIMANDED

SYRACUSE, N.Y. -- Syracuse women's lacrosse coach Gary Gait and star Michelle Tumolo have been reprimanded by the NCAA for misconduct at the Division I national championship game in May.

The NCAA said Gait's postgame press conference comments were critical of the officiating crew that worked the game, which the Orange lost to Northwestern, 8-6.

Tumolo was found to have engaged in misconduct by making unsporting comments and placing her hands on a game official after being issued a second yellow card during the game. Tumolo, who also was issued a red card for her actions, had her transportation expenses and championship per diem withheld.

As part of her punishment, Tumolo also has to serve a one-game suspension beginning with the first game of the 2013 regular season.

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The Compliance Staff publishes the Compliance Corner monthly, and is designed by Brian DeCarlo. All comments or questions should be directed to Caitlin at 556-4835 or Caitlin.Stoffer@uc.edu

BEARCAT SPIRIT!

Cross Country - Pre-Nationals, Oct. 13th

Football - vs. Miami (OH), Oct. 6th @ 7 pm

M. Golf - Bearcat Invitational, Oct. 8-9

W. Golf - @Pat Bradley Invitational, Oct. 21-23

M. Soccer - vs. Louisville, Oct. 27th @ 7 pm

W. Soccer - vs. Georgetown, Oct. 5th @ 7 pm

Volleyball - vs. Louisville, Oct. 28th @ 1 pm

Tennis - @ITA Regional, Oct. 18-22