



The University of Cincinnati Bearcat Compliance Corner



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

May 2005

RECRUITING DATES

Baseball –

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

Men's Basketball –

5/1 – 7/5 **Quiet Period**

Women's Basketball –

4/20 – 7/5 **Quiet Period**

Football –

4/15 – 5/31 **Evaluation Period except:**

Four weeks (excluding Memorial Day and Sundays) selected at the discretion of the member institution and designated in writing in the office of the director of athletics - (an authorized off-campus recruiter may use one evaluation to assess the prospect's athletics ability and one evaluation to assess the prospect's academic qualifications during this evaluation period.)

Those days in April/May 2005 not designated above for evaluation opportunities **Quiet Period**

Volleyball –

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

5/1 – 5/27 **Quiet Period**

All Other Sports –

Contact & Evaluation Period

NATIONAL LETTER OF INTENT

The final signing dates for the current national letter of intent signing period are as follows:

MBB & WBB – May 18

All other sports – August 1

Remember, we must receive the NLI and GIA for it to be complete.

PARTICIPATION ON OUTSIDE TEAMS

Volleyball and soccer athletes' participation on outside teams can not begin until May 1. All other athletes can not participate on outside teams until after the school year is over. ALL participation must be approved by the compliance office before any participation occurs.

AWARDS

It is institutional policy for coaches to submit a list of awards and their values to the compliance office prior to postseason banquets. This is required to ensure that the maximum value of participation, championship, and special achievement awards is not exceeded and will not result in a violation of NCAA rules.

It is permissible to present student-athletes with annual awards to recognize participation and achievement. There are limits on these awards, as provided in NCAA Bylaw 16.1.4.1.

For nonseniors, the total value of any participation awards (i.e. letter jacket) may not exceed \$175. For seniors, the total value of their awards (i.e. blanket) may not exceed \$325.

In addition to the annual participation awards, student-athletes may receive awards for special attainments (i.e. scholar-athlete, most improved) but the value of such an award may not exceed \$175. Even banquets are not beyond the reach of NCAA legislation. When planning a banquet, coaches and administrators should be aware that parents, friends, or relatives of student-athletes may not receive complimentary admissions or meals at the banquet.

FINANCIAL AID: NEW AWARD, INCREASE AND CANCELLATIONS

While in the midst of Spring Quarter, there tends to be a flurry of coaches requesting changes to the financial aid awards of their student-athletes.

There may be many reasons for the change in aid amounts, but it is important to remember that NCAA rules restrict the ways that we can change a student-athlete's aid award.

For starters, remember that athletics aid is usually awarded on a one-year basis but can be awarded quarter by quarter. Therefore, the period of the award runs from the first day of fall quarter to the last day of spring quarter. As discussed below, there are different guidelines for changing a student-athlete's aid during the period of the award than there are once the period of the award has expired.

In addition, remember that coaches cannot increase, decrease or cancel student-athlete's financial aid based on athletic ability during the period of the award. Consistent with principles of institutional control, all financial aid is administered by the UC Office of Financial Aid. A coach may only recommend that a student's aid be adjusted. This is done by submitting the green Grant In Aid submittal form. The guidelines for awarding aid, increasing aid, and canceling aid are discussed separately below.

Renewals/Nonrenewals/Reductions at end of period

At the end of the academic year or period of award, coaches may recommend that a student-athlete's aid be renewed, reduced or not renewed at all. In such cases, NCAA rules mandate that the student be notified before July 1 prior to the next academic year or at the completion of each term if the aid is awarded on a quarter by quarter basis. If the aid is not renewed or is reduced, the student-athlete is entitled to an appeal. Therefore a coach must always give a reason and appropriate documentation for reducing or canceling aid.

Canceling or reducing aid during the period of award

NCAA Bylaw 15.3.4.1 allows an institution to reduce or cancel a student athlete's aid during the period of the award under limited circumstances.

Under this bylaw, a student-athlete's aid may be reduced only if:

- The student-athlete renders himself or herself ineligible for intercollegiate competition;
- The student-athlete fraudulently misrepresents any information on an application, letter of intent, or financial aid agreement; or
- Engages in serious misconduct warranting substantial disciplinary penalty; or
- Voluntarily withdraws from the sport at any time for personal reasons.

NCAA Bylaw 15.3.4.3 provides that an institution may NOT cancel athletics aid during the period of award based on any athletics reason including injury or poor performance in practice or competition. Any recommendation by a coach to reduce or cancel aid is subject to review by an Associate Athletic Director.

Increasing aid during the period of award

Under bylaw 15.3.4.2, it is permissible to increase a student-athlete's athletic aid during the period of award only if the coach can demonstrate that the increase in aid is completely unrelated to athletics. In most cases, this will require documentation (i.e., a letter written at the time of the original award promising the student an increase in his or her aid based on academic performance). In some instances, such as family financial hardship, prior documentation is not necessary. In cases like this there must be some evidence to prove the financial hardship such as a written statement from the student-athlete's parent or guardian. If the athletics aid increase is a one-time award that will not be renewed at the same level for the following academic year, it is important to remember that a student has a right to appeal any reduction of his or her aid. For this reason, it is important that the student sign a written statement that they understand the aid may not be renewed at the same level for the following year. Aid can be increased up to the first day of classes by completing a green Grant-In-Aid submittal form.

BACKGROUND CHECKS FOR SUMMER CAMP EMPLOYEES

Ohio law requires that a background check, through the Ohio Bureau of Criminal Identification and Investigation ("BCII"), be performed on any individual hired or appointed to work a summer camp and who has some responsibility for providing for the care or control of a minor. Summer camps include sports camps that occur on the University of Cincinnati campus.

If the person cannot present proof that he or she has been a resident of Ohio for five years or more, a nationwide background check must be conducted through the FBI. If the person has been convicted of or pleaded guilty to certain crimes, as listed in Ohio Revised Code Section 2151.86(C), then the person is prohibited from working at the camp, unless he or she has met certain rehabilitation standards.

To move this process along, we have civilian background check cards (fingerprint cards) available in the compliance office. As you may know, the card can be taken to your local police department or sheriff's office for the required fingerprinting. Specialist Kevin Hale in the public safety office has been kind enough to assist us in the fingerprinting. You may schedule an appointment with him by contacting him at 6-4908. He is in the office from 7am until 3pm everyday. He will forward the fingerprint card to our office. If a camp employee has the fingerprint card completed on his or her own, please return the completed fingerprint card to the compliance office. We will then forward the card to the BCII for a check on any arrest or conviction record.

A completed fingerprint card is required prior to the start of the camp. The BCII records check typically takes between 4-8 weeks for processing. Thus, it is important to return the fingerprint card to the University Athletics Department as soon as possible. Any non-UC employee must have a background check performed if they have custodial responsibility over minors. This includes background checks on student-athletes working your camp.

Please note that this is a cost that will be billed to your camp.

RECRUITING LOGS

Individual recruiting logs are due for all National Letter of Intent signees. The forms can be found in the back of your 2004-05 Coaches Guide to NCAA Compliance that was distributed in the beginning of the academic year. Please complete a form on any National Letter of Intent signee that you have not turned in an individual recruiting log yet.

Please continue turning in monthly phone logs throughout the year, even in the summer. If you do not make any calls to prospects in a month, it is still important to indicate this on your submitted phone log.

AROUND THE COUNTRY

IRS Investigating Gary Barnett's football camp

Following the grand jury's revelation that Gary Barnett's football camp resembles a "slush fund," the IRS has initiated an investigation into the financial records of the football camp. Allegations that Barnett made cash gifts to his assistants caught the IRS' attention. The investigation is being handled by the IRS' criminal investigations division and could take up to 18 months.

NCAA is investigating possible recruiting violations at Oklahoma University

An investigation is being conducted into the OU men's basketball team for possible violations concerning recruiting phone calls. The investigation is to determine if too many phone calls were made to recruits during the recruiting process.



OFFERS & INDUCEMENTS

It is not permissible to offer employment opportunities to prospects or their relatives and friends. Please be careful in what you say to people associated with prospective student-athletes because it might be construed as an offer or inducement.

13.2.1 General Regulation

An institution's staff member or any representative of its athletics interests shall not be involved, directly or indirectly, in making arrangements for or giving or offering to give any financial aid or other benefits to the prospect or the prospect's relatives or friends, other than expressly permitted by NCAA regulations. This prohibition shall apply regardless of whether similar financial aid, benefits or arrangements are available to prospective students in general, their relatives or friends. For violations of this bylaw in which the value of the offer or inducement is \$100 or less, the eligibility of the individual (i.e., prospective or enrolled student-athlete) shall not be affected conditioned upon the individual repaying the value of the benefit to a charity of his or her choice. The individual, however, shall remain ineligible from the time the institution has knowledge of the receipt of the impermissible benefit until the individual repays the benefit. Violations of this bylaw remain institutional violations per Constitution 2.8.1, and documentation of the individual's repayment shall be forwarded to the enforcement services staff with the institution's self-report of the violation. (*Revised: 10/28/97, 11/1/00*)

13.2.2 Specific Prohibitions

Specifically prohibited financial aid, benefits and arrangements include, **but are not limited to**, the following:

- (a) An employment arrangement for a prospect's relatives;
- (b) Gift of clothing or equipment;
- (c) Cosigning of loans;
- (d) Providing loans to a prospect's relatives or friends;
- (e) Cash or like items;
- (f) Any tangible items, including merchandise;
- (g) Free or reduced-cost services, rentals or purchases of any type;
- (h) Free or reduced-cost housing;

- (i) Use of an institution's athletics equipment (e.g., for a high-school all-star game); and
- (j) Sponsorship of or arrangement for an awards banquet for high-school, preparatory school or two-year-college athletes by an institution, representatives of its athletics interests or its alumni.

OFFICIAL VISIT UPDATE

An official NCAA interp was just issued that states that any entertainment activities for the prospect (and the prospect's parents, legal guardians or spouse), the student-host, and the institution's athletic department staff members must be covered by the permissible official visit entertainment money. Therefore, if a coach, prospect, and student-host wish to go to the movies, bowling, or a Reds game, the cost must not exceed the permissible amount of entertainment money (e.g. \$30, \$60). If the cost of the entertainment exceeds the permissible visit entertainment money for the group, then it is a violation. A coach is not permitted to pay his/her own cost of his/her own entertainment during the official visit if they are accompanying the prospect and student-host in the activities. Further clarification has been requested. (Issued March 9, 2005).

The University Of Cincinnati Compliance Staff

Bruce Ivory

Associate Athletic Director for Compliance and Academics

Maggie McKinley

Associate Director of Compliance & Student Services

Kathy Kelley

Coordinator for Continuing Eligibility and Scholarships

Rebecca Hinkel

Compliance Specialist

Ann Orme

Compliance Administrative Secretary

Maggie McKinley and Rebecca Hinkel publish the Compliance Corner monthly. All comments, questions, or submissions should be directed to Maggie at 556-3559 or mckinlmf@email.uc.edu or Rebecca at 556-4835 or Rebecca.hinkel@uc.edu