



COMPLIANCE CORNER



DECEMBER 2018

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FOCUS OF THE MONTH

FOUR BRIGHAM YOUNG BOOSTERS GAVE EXTRA BENEFITS TO MEN'S BASKETBALL STUDENT-ATHLETE

Four Brigham Young boosters provided more than \$12,000 in complimentary all-inclusive vacations, cash, meals, golf and the use of a car to a men's basketball student-athlete in violation of NCAA rules, according to a Division I Committee on Infractions panel. The COI found that most of the impermissible benefits were given by one booster and included approximately \$10,000 worth of all-expenses-paid trips, the use of a car and car insurance. Two other boosters treated the student-athlete to free golf outings and meals at a country club where they were members. One of those boosters also provided or left \$200 cash in the locker room for the student-athlete during practice. The fourth booster arranged a free weekend stay at a resort. The decision noted that the men's basketball team gained an advantage of an ineligible player for two seasons because the student-athlete played after receiving benefits. He continued receiving benefits during and after those seasons. This case was resolved through the summary disposition process, a cooperative effort where the involved parties collectively submit the case to the Committee on Infractions in written form. After the panel reviewed the case, it prescribed a **vacation of all records** in which the student-athlete participated while ineligible.

The decision noted that vacation of records is an important penalty that addresses competitive advantage gained over other NCAA member schools that follow the rules. It added that the penalty serves to motivate member schools to act proactively to deter, detect and address violations immediately, with the understanding that a failure to do so could result in a significant penalty. Specific to this case, the committee said the penalty holds the university accountable for failing to withhold an ineligible student-athlete from competition.

Division I membership-approved infractions penalty guidelines were used to prescribe the following measures:

- Two years of probation from Nov. 9, 2018, through Nov. 8, 2020.
- A vacation of records in which the student-athlete participated while ineligible.
- A reduction of one men's basketball scholarship, served during the earliest possible academic year (self-imposed by the university).
- Recruiting restrictions detailed in the public report.
- A disassociation of one of the boosters (self-imposed by the university).
- A \$5,000 fine (self-imposed by the university).

NCAA.org

14.4.1 PROGRESS-TOWARD-DEGREE

To be eligible to represent an institution in intercollegiate athletics competition, a student-athlete shall maintain progress toward a baccalaureate or equivalent degree at that institution as determined by the regulations of that institution subject to controlling legislation of the conference or similar association of which the institution is a member and applicable NCAA legislation.

CAN YOU SPOT THE VIOLATION ?

A Rowing student-athlete and the Athletics Inc. gear representative for the institution were discussing an upcoming charity rowing competition on Lake Champlain in Vermont in July. After mentioning that she planned to attend but had not yet made lodging plans, the gear representative mentioned that he had an extra room voucher that he would not be using, because he could not attend the event. He offered the voucher to the student-athlete, who accepted it, but she ultimately decided not to attend the competition and did not use the voucher.



The violation occurred when the student-athlete accepted the room voucher, which constituted an "extra benefit," from a representative of the institution's athletics interests, which includes a corporate entity (e.g. apparel or equipment manufacturer). Such a violation is not determined by whether the benefit is actually used but by whether the benefit is received.

16.11.2.1 General Rule. The student-athlete shall not receive any extra benefit. The term "extra benefit" refers to any special arrangement by an institutional employee or representative of the institution's athletics interests to provide the student-athlete or his or her family members or friends with a benefit not expressly authorized by NCAA legislation.

Educational Column: Extra benefits/preferential benefits (published December 11, 1995)

NCAA institutions should note that during its October 23, 1995, telephone conference, the Interpretations Committee determined that a student-athlete is determined to have received an improper benefit at the time the student-athlete accepts a benefit associated with an item that is not otherwise permissible under NCAA legislation. The committee noted that in situations in which a student-athlete accepts, but does not actually use, the impermissible item, such information may be considered as a mitigating factor in any appeal for restoration of the student-athlete's eligibility. For example, if a student-athlete receives an item from an agent from which a benefit may accrue, the student-athlete jeopardizes his or her eligibility at the time the student-athlete accepts the item, even if the student-athlete does not actually use the item.

WINTER BREAK REMINDERS

1. Final Exam Dates - Monday, December 10th - Saturday, December 15th
2. Sports that are **out of season** are required to cease all required activities one week prior to the start of final exams (Monday, December 3rd)
3. Sports that are **out of season** are not permitted to have any RARA during Final Exams
4. Daily and weekly CARA hour limitations do not apply during the vacation period for **in-season sports**. Must still have a required day-off!

What if a student-athlete is required to remain on campus during a vacation period for practice and competition?

1. They may receive room and board
2. They may receive meal expenses
3. Reasonable team entertainment in connection w/ practice and competition may be provided for **in-season sports**

FREQUENTLY ASKED QUESTIONS

Question: During winter-break, is a student-athlete allowed to practice at an off-campus location?

Answer: No, Off-campus practice (other than practice at an institution's regularly used off-campus practice facilities) that is unrelated to an away-from home competition is prohibited during a school's vacation.

RECRUITING CALENDAR

FOOTBALL	MBA & WVB	MGO	TF & XC	WBB	WLA	MBB	ALL OTHERS
CONTACT:			CONTACT:	EVALUATION	CONTACT:	CONTACT:	