



The University of Cincinnati Bearcat Compliance Corner



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

January 2004

RECRUITING DATES

Baseball –

11/14 - 2/29/04 **Quiet Period**
(except for 1/2 - 1/6 Dead Period)

Men's Basketball –

11/20 - 3/15/04 **Evaluation Period** (40 evaluation days selected at the discretion of the institution and designated in writing in the office of the director of athletics, all days not designated as evaluation = **Quiet Period**)

Women's Basketball –

10/8 – 2/29 **Evaluation Period** (22 evaluation days selected at the discretion of the institution and designated in writing in the office of the director of athletics, all days not designated as evaluation = **Quiet Period**)

Football –

11/30 – 1/31/04 **Contact Period**

Except:

1/2 **Quiet Period**

1/3-4 **Dead Period**

1/9-10 **Quiet Period**

(Reminder Mid-Year JUCO NLI signing period ends on 1/15)

Volleyball –

1/1/04 – 2/13/04 **Quiet Period**

All Other Sports –

Contact & Evaluation Period

NLI SIGNING DATES

Football (Midyear JC Transfer) -

12/17/03-- 1/15/2004

Football (Regular Period) – Starts Feb 4th

Soccer – Starts February 4th

ACADEMIC INELIGIBILITY

If you have student-athletes who are not in good academic standing this quarter, they may be eligible for practice activities but they may not engage in intercollegiate competition for the entire Winter Quarter. In addition, they may not participate in competition related activities such as team travel, pre- or post-game meals, or dressing in the team uniform for competition.

ROSTER CHANGES

As we all know, student-athletes come and go for various reasons. There are academic casualties, transfers, cuts, quits and other reasons for students leaving the team.

It is absolutely essential that coaches notify the compliance office promptly whenever a student – athlete joins or leaves a team. It is important that we make the proper modifications to the squad and eligibility lists.

If a student-athlete is being removed from scholarship, you must complete the green GIA form and attach an explanation as to the reason the SA will no longer be receiving aid. No SA will be removed from aid unless this is done.

Also, if any student-athlete wants to join your squad, they must be certified as eligible by the compliance office before they participate in any practice activity.

YOU MUST LET US KNOW OF ROSTER ADDITIONS AND DELETIONS.

OPEN CONTESTS

NCAA member institutions should note that according to NCAA Bylaws 14.02.6 and 17.02.8, intercollegiate competition occurs when a student-athlete in either a two-year or a four-year collegiate institution:

- (a) Represents the institution in any contest against outside competition, regardless of how the competition is classified (for example, scrimmage, exhibition or joint practice session with another institution's team) or whether the student is enrolled in a minimum full-time program of studies;
- (b) Competes in the uniform of the institution or, during the academic year, uses any apparel (excluding apparel no longer used by the institution) or equipment received from the institution that includes institutional identification; or
- (c) Competes and receives expenses (for example, transportation, meals, room or entry fees) from the institution for the competition.

In situations in which a student-athlete is seeking to "redshirt" to avoid using a season of competition (or for an ineligible student-athlete to avoid competing in violation of NCAA regulations and using a season of competition), the student-athlete may not participate in any event that meets the definition of "intercollegiate competition" in Bylaw 14.02.6.

However, a student-athlete seeking to redshirt or an ineligible student-athlete (for example, partial qualifier or nonqualifier serving a year in residence) may compete as an individual in an "open" event involving collegiate and noncollegiate competitors without using a season of competition (including an "open" event in which the collegiate competitors receive expenses from and/or score points for their respective institutions), provided the student-athlete represents only himself or herself, pays all of his or her own travel and competition expenses, does not wear any institutional uniforms or use any institutional equipment and does not score points for the institution.

Therefore, if a student-athlete were to receive expenses from his or her institution to travel to and compete as an individual in an "open" event with the institution's team, the student-athlete would be deemed to have engaged in intercollegiate competition and to have used a season of competition (and, in the case of an ineligible partial qualifier or nonqualifier, to have competed in

violation of NCAA rules), even if the student-athlete did not score points for the institution or wear the institution's uniform.

In order for a competition to be considered an "open" event the competition must be open to noncollegiate competitors and must be organized, publicized and operated as an event that is open to individuals other than collegiate competitors. Pursuant to an official interpretation, a student-athlete who participates in an open lane as a part of a collegiate competition (for example, a dual swim meet) is considered to be representing the institution against outside competition, regardless of whether the student-athlete's performance is included in the scoring of the competition. For example, if five institutions competed in an invitational cross country meet or swim meet that was open only to those institutions, the competition would not be considered an "open" event. If a redshirt student-athlete or an ineligible student-athlete from any of the five participating institutions were permitted to compete in the meet (even as an "unattached" participant not scoring points for his or her institution), the student-athlete would be considered to have engaged in intercollegiate competition under Bylaw 14.02.6 and would be charged with the use of a season of competition. In addition, if the student-athlete were an ineligible partial qualifier or nonqualifier, the student-athlete would be considered to have engaged in intercollegiate competition in violation of NCAA rules.

If an athlete is planning to participate in an outside event, the compliance office must be contacted for approval prior to participation. For additional or information or questions please contact the compliance office.



AROUND THE COUNTRY

Mississippi State Football Under Investigation

The Mississippi State football program is currently under NCAA investigation. There are 13 alleged violations that occurred from 1998-2002.

Two assistant coaches were alleged of giving cash and gifts and offering improper benefits to prospective student-athletes and their families. In addition, the former head coach, Jackie Sherrill, is allegedly involved in two of the 13 mentioned violations. The alleged violations range from getting a car for a recruit, paying travel and lodging expenses for an unofficial visit, giving a recruit tuition money for summer school classes to meet eligibility, and arranging improper contact between a booster and recruits regarding impermissible employment.

Since the start of the investigation over two years ago, one assistant has resigned, the other denies the accusations, and Coach Sherrill also denies the allegations but retired in November 2003.

The sanctions that will be handed to Mississippi State are still unknown at this point. However it is possible that since allegations go back to 1998, they may be dealt with as a repeat violator by the NCAA because they were found guilty of major infractions in 1996.

The importance of proper recruitment of prospective student-athletes cannot be emphasized enough. Any questions regarding recruiting and extra benefits should be addressed to the Compliance Office prior to acting in order to avoid any possible violations.

Chicago State Women's Basketball Violations

Chicago State University has been placed on probation for two years following violations stemming from the women's basketball program during the 2001-02 and 2002-03 academic years.

Out-of-season practice activities, practice-time limitations, recruiting, and ethical conduct were the bylaws found to be violated. The infraction committee found that the head coach had arranged mandatory individual skill instruction workouts that student-athletes did not request and impermissible pick-up games with attendance monitored by captains during the 2001-02 and 2002-03 years. In the 2002-03 academic year the women's basketball coaches held practices that exceeded the daily and weekly time limits, and the head coach encouraged

and permitted student-athletes to miss class for practice activities. In addition, coaching staff members directed student-athletes to place impermissible telephone calls to prospective athletes, publicized a prospect's visit to campus, and the head coach directed a student-athlete and two assistant coaches to deliver and retrieve a National Letter of Intent to a prospective athlete.

The committee concluded that the recruiting violations were considered major because they were committed over a two year period, were not inadvertent and provided more than a minimal recruiting advantage. In addition the committee found that the head coach violated the principle of ethical conduct by her deliberate failure to adhere to the show-cause restrictions on her athletics as previously imposed by the committee in its 2002 report concerning violations at the University of Minnesota, Twin Cities.

Secondary violations found included involvement in recruiting activities by currently enrolled student-athlete's, enrollment requirements for athletes participating in practice and squad list requirements. The Committee on Infractions considered the university's cooperation with the investigation and the discontinuation of employment of the coaching staff prior to imposing additional penalties.

The committee imposed penalties of public reprimand, two years probation, a seven day delay to the start of preseason practice, limited official visits to 8 for the 2003-04 year and 9 for the 2004-05 year, and reduced evaluation days from 40 to 38 for the 2003-04 and 2004-05 years. The head coach must appear before the Committee on Infractions to show-cause as to why her duties should not be limited for any future employment over the next five years. Finally the institution shall continue to develop and implement a comprehensive education program on NCAA legislation and submit periodic reports to the NCAA. The university must also submit a schedule to the director of the NCAA Committee on Infractions a for establishing this compliance educational program. Following the probationary period the institutions president will submit a letter to the committee affirming that all current policies conform to NCAA regulations. If questions arise regarding recruiting activities or playing season issues please contact the compliance office.

EMPLOYMENT

Please make sure that all student-athletes are aware that they are required to report any employment to the compliance office. Student-athletes have been seen working and do not have any employment paperwork on file in the compliance office. There are also a number of student-athletes who are registered for co-ops this winter and have not completed the required paperwork for their employment. 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 camps or giving fee-for-lessons. There are few things that we need to be aware of regarding 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 all camps needs to be approved IN ADVANCE by the Director of Athletics.

▶ In order for SAs to be permitted to accept fee-for-lesson compensation the following conditions must be met:

- Institutional facilities are not used
- Playing lessons are not permitted
- The institution obtains and keeps on file documentation of the fee charged for the lesson(s) and the name of the recipient of the lesson(s) provided any time during the year

- The compensation is paid by the lesson recipient and/or another individual or entity

It is mandatory that all student-athletes inform the compliance office of any employment to help prevent any violation of NCAA legislation (especially concerning issues about camps and clinics) that could jeopardize the student-athlete's eligibility.

PRACTICE LOGS

Just a reminder that practice logs are due every Monday for all sports, in-season and out-of-season. For all sports out-of-season (other than football), a student-athlete's participation in required weight lifting, conditioning and voluntary individual skill instruction requested by the student-athlete must be documented and is limited to 8 hours per week, of which not more than 2 hours per week may be spent on voluntary individual skill instruction.

The University Of Cincinnati Compliance Staff

Dr. Brian Mand
Senior Associate Athletic Director

Bruce Ivory
Associate Athletic Director for Compliance and Academics

Maggie McKinley
Assistant Director of Compliance

Kathy Kelley
Financial Aid and Eligibility Coordinator

Ann Orme
Compliance Administrative Secretary

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