



The University of Cincinnati Bearcat Compliance Corner



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

July 2005

RECRUITING DATES

Baseball –

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

Men's Basketball –

5/1 – 7/5 **Quiet Period**

except NBA Predraft camp **Evaluation Period**

7/6 – 7/15 **Evaluation Period**

7/16 – 7/21 **Dead Period** (except, can have contact with PSA who has signed NLI and is enrolled in summer session)

7/22 – 7/31 **Evaluation Period**

Women's Basketball –

4/20 – 7/5 **Quiet Period**

7/6 – 7/15 **Evaluation Period**

7/16 – 7/21 **Dead Period** (except, can have contact with PSA who has signed NLI and is enrolled in summer session)

7/22 – 31 **Evaluation Period**

Football –

6/1 – 7/31 **Quiet Period**

Volleyball –

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

All Other Sports –

Contact & Evaluation Period

OFFICIAL VISITS

Remember, even if a PSA's visit is only a few hours long, the official rules still need to be discussed. They have to be discussed at every visit within the **first hour** of the PSA's arrival.

BIG EAST CELEBRATION

Don't forget to help celebrate the beginning of our new era as we enter into the Big East on July 1!!

The celebration will start with breakfast in the baseball stadium from 7:45-9:00. Join us downtown at Fountain Square at Noon and back at the baseball stadium for fireworks at 8:00 p.m. See you there!

CHECK-IN MEETINGS

Teams should schedule their check-in meetings for the upcoming academic year. Please keep in mind that the check-in meeting will last approximately one hour so plan accordingly. All student-athletes must complete the student-athlete statement and drug-testing consent form prior to participating in practice activities. Below is a list of meetings that have already been scheduled:

Women's Soccer – August 9, 3:00

Football – August 5

Volleyball – August 11

The NCAA membership services staff noted that in Division I fall sports other than football, it is permissible to designate a single date for issuing equipment and for taking squad pictures on the day prior to the beginning of preseason practice. The staff confirmed that it is permissible for an institution to begin providing preseason practice expenses to student-athletes on the evening prior to the designated equipment and squad picture day (i.e., lodging and an evening meal). The staff further confirmed that an institution may conduct other nonathletically related meetings (e.g., to sign compliance forms, to administer medical examinations) prior to the first permissible date of preseason practice.

PSA PARTICIPATING IN SUMMER ACTIVITIES ON CAMPUS

The committee reviewed situations related to a prospective student-athlete's participation in weight lifting and conditioning activities (**other than participation in voluntary summer conditioning programs in football and basketball**) on an institution's campus and confirmed the following:

- A prospective student-athlete who has signed a National Letter of Intent (NLI) (or a four-year college-transfer prospect who has signed a written offer of financial aid and/or admission) may participate in voluntary weight lifting or conditioning activities (e.g., conditioning on the track) on the institution's campus in the presence of the institution's strength and conditioning coach, provided such activities are not prearranged, the strength and conditioning coach is performing normal duties and responsibilities in the supervision of the weight room or facility in use (e.g., track) and he or she does not work directly with the prospective student-athlete. Involvement by the strength and conditioning coach (other than in a supervisory capacity) or the involvement of any coaching staff member in any capacity would constitute a tryout.
- A prospective student-athlete who officially registers, enrolls and attends classes during the summer prior to initial full-time enrollment and receives institutional athletics financial aid may engage in voluntary weight lifting or conditioning activities on the institution's campus in the presence of the institution's strength and conditioning coach, provided such activities are not prearranged, the strength and conditioning coach is performing normal duties and responsibilities in the supervision of the weight room or facility in use and he or she does not work directly with the prospective student-athlete. Involvement by the strength and conditioning coach (other than in a supervisory capacity) or the involvement of any coaching staff member in any capacity would constitute a tryout.

- A prospective student-athlete who does not meet either of the criteria above or who participates at an institution that does not use the NLI program may not participate in voluntary weight lifting or conditioning activities on the institution's campus, unless such facilities are open to the general public.

13.12.3.9.1 Voluntary Summer Conditioning-Division I-A Football.

In Division I-A Football, a prospective student-athlete who has signed a National Letter of Intent or, for those institutions not using the National Letter of Intent, a prospect who has signed an institution's written offer of admission and/or financial aid (including a four-year college prospect), may engage in voluntary summer workouts conducted by an institution's certified strength and conditioning coach with department wide duties.

13.12.3.9.3 Voluntary Summer Conditioning – Basketball

In basketball, a prospective student-athlete who either has signed a National Letter of Intent or who has been accepted for enrollment in a regular full-time program of studies at that institution and is receiving financial aid to attend summer school per Bylaw 15.2.7.1.3 (including a four-year college prospect), may engage in voluntary summer workouts conducted by an institution's strength and conditioning coach with department-wide duties (see Bylaw 13.2.8.3). An institution may loan clean apparel (e.g., t-shirts, shorts, laundry service, socks and under garments) to all basketball prospects who qualify for involvement in such activities.



AMATEURISM/PROMOTIONAL ACTIVITIES

Sale and Distribution of Commercial Items Bearing Names or Pictures of Enrolled Student-Athletes.

The committee determined that an institution may sell and distribute commercial items bearing names or pictures of enrolled student-athletes through third-party Web sites (e.g., the institution pays a fee for the use of the third-party services), provided the institution retains control over the content of the particular Web pages used to sell and distribute the items (e.g., determination of items to be sold, prices, advertisements) and only institutional items are sold on such pages.

Outside Team Fundraising/Amateurism

Pursuant to NCAA amateurism regulations, it is not permissible for an individual to receive pay based on athletics skill or athletics reputation without jeopardizing eligibility in a particular sport. NCAA rules do permit an individual to receive actual and necessary expenses, including travel, room and board, apparel and equipment from an outside amateur club to represent the club in competition. Further, an individual who is a member of an outside club may participate in fundraising activities for the team, including activities that involve the use of athletics ability to obtain funds. However, *any money raised through fundraising efforts may not be earmarked for a specific individual (or parents and legal guardians) and should be contributed directly to the outside team of which the individual is a member.*

For example, many outside entities during the summer select student-athletes to participate on outside teams and foreign tours (e.g., Athletes in Action) per Bylaw 17.31.2. Institutions should note that these entities may require a student-athlete to raise money in order to participate with the team on the tour. *If student-athletes cannot participate in a competition but for raising the required money, that money is considered to be earmarked for the student-athlete from an impermissible source (Bylaw 12.1.1.4.5) and the student-athlete would jeopardize his or her amateur status.* If a student-athlete is required to raise money which is forwarded to a general club account but the student-athlete may still participate in the competition if the amount of money required by team members is not

raised, there may not be a violation. Outside entities may set up tracking numbers for an individual account but may deposit the money into a general fund for the competition. Even though the money is deposited into a general fund, if the tracking system is used to determine which student-athletes may participate in the competition, a violation would occur inasmuch as the money has been earmarked for a particular individual. Institutions should also note that, pursuant to a May 8, 1995, Official Interpretation, Item No. 4, and Bylaw 16.02.3, it is not permissible for an institution to provide a list of athletics representatives for the purpose of contacting such individuals to participate in fund-raising activities related to the student-athlete's participation on an outside organization's competitive tour. However, if such a camp/event consisted of competition, no funds earmarked toward a specific student-athlete, funds collected by the student-athlete (via boosters for example **without** involvement of the institution and on the student-athletes own accord) are placed in a general pool to cover expenses for all participants **regardless** of funds collected by others, a student-athlete's participation would be permissible.

AROUND THE COUNTRY

Ball State Self-Reports Violations

An internal investigation at Ball State University has found that more than two dozen athletes, in four sports, violated NCAA rules for extra benefits when they received textbooks for classes they were not actually taking. Until recently, university policy provided that a student-athlete entitled to free books could simply present a student ID to a bookstore employee and receive any book they wanted. Going forward, the university said, students will have to present a class schedule to receive the books. Suspensions of the student athletes are expected to range from one game to two games.

NEW LEGISLATION

Question: What specific items would constitute preenrollment information for purposes of **2003-32**? Additionally, can coaches email strength and conditioning programs directly to student-athletes or provide links to the location of the program on the institution's website?

Answer: Preenrollment information includes anything prepared by the athletics department for use by the student-athletes or prospective student-athletes (i.e., student-athlete handbook, printed workout program), or any information that is not normally sent to prospective student-athletes by the institution (i.e., school catalogs, academic planners). Yes, coaches can email the strength and conditioning programs as well as provide links to the programs should they be on the institution's website.

Question: Under **2004-112-D**, whether a student-athlete can participate in a contest that counts towards the total number of contests and still be protected from the loss of a season of eligibility?

Answer: No, except in those sports (soccer and basketball) that allow exhibition contests or informal practice scrimmages. The passage of proposal 2004-112-D allows these student-athletes in their first year of enrollment at the certifying institution, to participate in preseason exhibition games or scrimmages and not lose a year of eligibility. Effective August 1, 2005; may be applied retroactively.

Proposal 2004-132-B

In all sports, to eliminate the requirement that a coach may not leave campus to engage in off-campus contact or evaluations until one of the other coaches who is off campus actually returns to campus (baton rule). The new coach can not start recruiting activities until the first coach is finished. Effective August 1, 2005.

Proposal 2004-89

To permit any member of an institution's athletics department to provide ground transportation during an official visit for a prospect and any prospect's parent or legal guardians between the campus and any bus or train station or airport. Effective: Immediately.

Proposal 2005-13

To establish an exception to the departure/return expense restrictions for inclement weather (e.g., hurricane, snowstorm) that permits the institution to adjust original travel plans to depart no more than 72 hours prior to the start of actual competition or return no more than 60 hours following the conclusion of the actual competition. This must be reported to the compliance office so it can be reported to the NCAA. Effective: Immediately.

Proposal 2004-61

To permit an institution to pay fees associated with the use of institutional practice and competition facilities by SA's engaged in voluntary athletically related activities in his or her sport during the summer. Effective: Immediately.

Proposal 2004-84

To permit an institution to provide one shirt bearing the institution's logo per academic year to each SA to be used for team travel or other events at which he or she is representing the institution; further to specify that the shirt may bear a single manufacturer's distributor's normal trademark or logo not to exceed 2 ¼ square inches in area, including any additional material surrounding the normal trademark or logo. A multi-sport athlete can NOT receive one shirt from each sport, but only one shirt per year. Effective: August 1, 2005.

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