

Compliance **Corner**

December 2016

-The Official Newsletter of the UC Compliance Office-

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Recruiting Calendars

Quiet
 Dead
 Contact/Recruiting
 Evaluation
 Quiet/ Evaluation

MFB						
				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

MFB Dec 11:
 JC PSA Enrolling
 Mid-year = Quiet
 Period
 All Other PSA =
 Contact Period

MBB						
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MBA						
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WBB						
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TF/XC						
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LAX						
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VB						
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All Other Sports						
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Quick Hits: Failure to Monitor and Unethical Conduct



Notre Dame - Unethical Conduct

A former University of Notre Dame student athletic trainer violated NCAA ethical conduct rules when she committed academic misconduct for two football student-athletes and provided six other football student-athletes with impermissible academic extra benefits.

During two academic years, the former student trainer and two football student-athletes engaged in academic misconduct when the former student trainer completed coursework for the student-athletes. The university determined that the student-athletes violated its academic integrity policies. The misconduct resulted in the student-athletes playing while ineligible — one student-athlete during the 2012-13 season and the other student-athletes during the 2013-14 season.

The former student trainer also provided impermissible academic assistance to six additional football student-athletes in a total of 18 classes. She provided the assistance while she attended the university and a year after she graduated. Two of the student-athletes violated the university's academic integrity policies. The remaining four student-athletes were not enrolled at the time the violations were discovered, so they were not subject to the university's policies.

The penalties for these actions included a year of probation, a \$5,000 fine, a vacation of wins and records from any games in which the ineligible student-athletes participated in, and a two-year show-cause order for the former student trainer. Notre Dame has reportedly appealed the vacation of their wins and records portion of the penalties.

Thomas More College – Failure to Monitor

Thomas More College failed to monitor its women's basketball program when it did not identify and report a women's basketball student-athlete living impermissibly with a former assistant women's basketball coach. The head women's basketball coach also failed to fulfill his head coaching responsibilities when he did not monitor the former assistant coach and did not promote an atmosphere for compliance in his program.

For eight months, the former assistant coach provided free housing to a student-athlete while she recovered from surgery. Even though the former assistant coach and his family had an existing relationship with the student-athlete, NCAA rules do not allow college employees to provide cost-free housing to student-athletes.

While the student-athlete was living with the former assistant coach, three staff members learned of the arrangement and assumed it was permissible without checking to see if it would be allowed under NCAA rules. Because the staff members did not recognize the arrangement as an extra benefit, the student-athlete competed an entire season while ineligible.

Penalties for these violations include two years of probation for the college, a self-imposed \$2,500 fine, an outside audit of the college's athletics program, and the vacation of all wins and records from games in which the ineligible student-athlete competed. This vacation of wins would include their undefeated season in 2015 which culminated in a National Championship.

2.8.1 Responsibility of Institution.

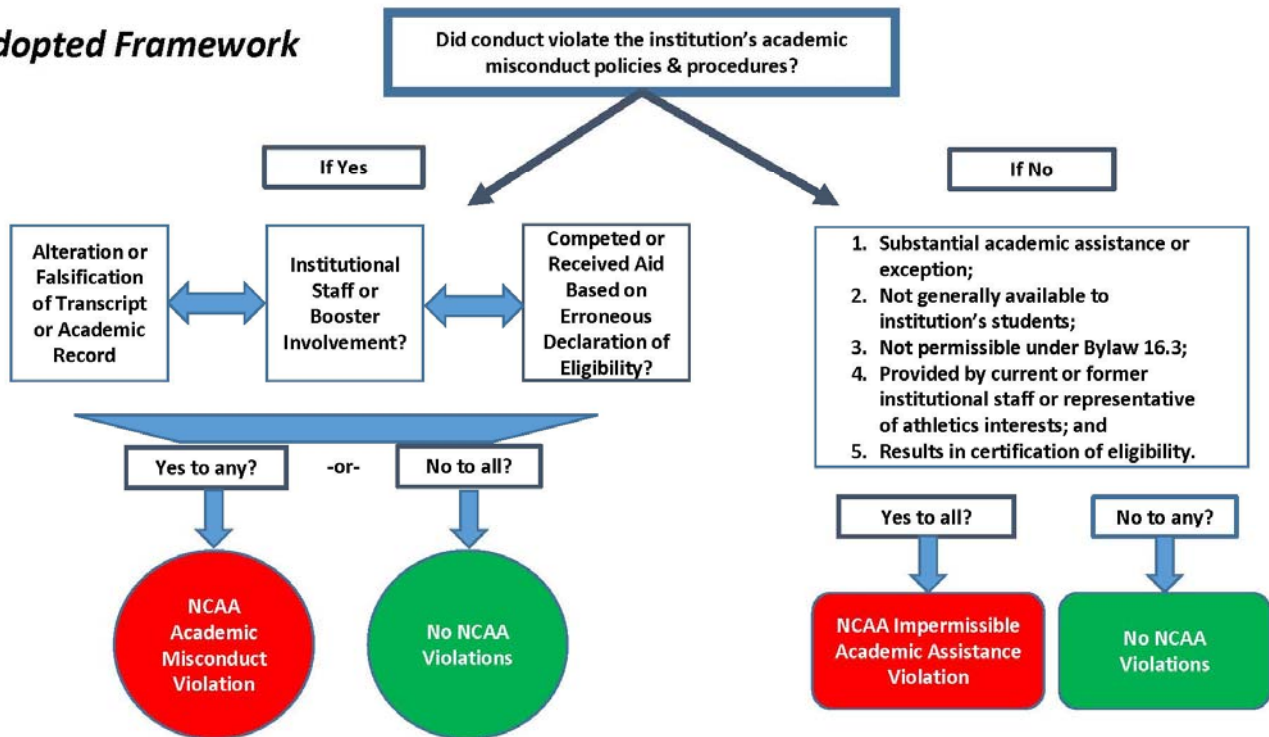
"Each institution shall comply with all applicable rules and regulations of the Association in the conduct of its intercollegiate athletics programs. It shall monitor its programs to assure compliance and to identify and report to the Association instances in which compliance has not been achieved. In any such instance, the institution shall cooperate fully with the Association and shall take appropriate corrective actions. Members of an institution's staff, student-athletes, and other individuals and groups representing the institution's athletics interests shall comply with the applicable Association rules, and the member institution shall be responsible for such compliance."

The charge of Failure to Monitor stems from **NCAA Bylaw 2.8.1**, which is quoted in full above. This charge boils down to whether or not the athletic department did enough to properly ensure compliance with NCAA rules. In the Thomas More College case above, the NCAA felt like the institution's failure to see the free housing as an extra benefit was an institutional failure to monitor the activities of their athletes and employees.

Academic Misconduct

NCAA Academic Misconduct Flow Chart

Adopted Framework



14.02.1 Academic Misconduct -- Post-Enrollment.

All institutional staff members and student-athletes are expected to act with honesty and integrity in all academic matters. Post-enrollment academic misconduct includes any violation or breach of an institutional policy regarding academic honesty or integrity (e.g., academic offense, academic honor code violation, plagiarism, academic fraud).

14.9.2.3 Impermissible Academic Assistance

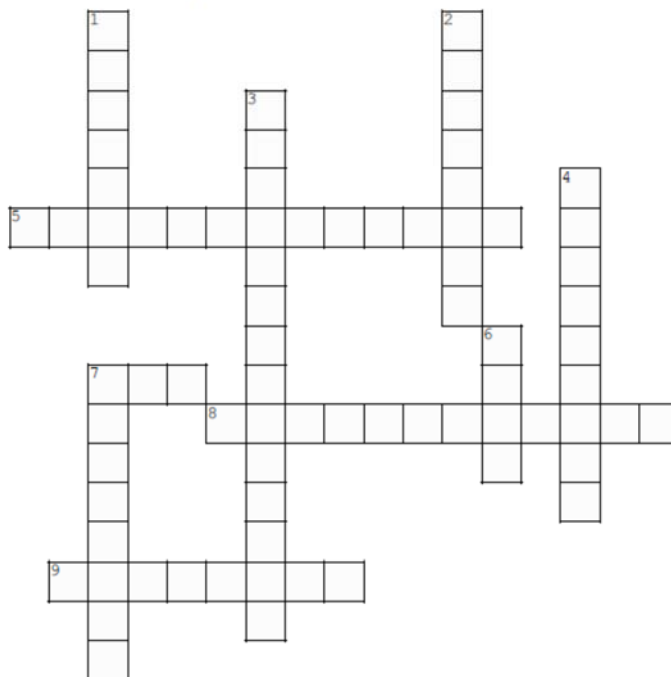
A current or former institutional staff member or a representative of an institution's athletics interests shall not provide impermissible academic assistance to a student-athlete.

Compliance Crossword Puzzle

December 2016

December Crossword

Complete the crossword below



Across

5. Institutional _____ may be increased for any reason at any time. (15.3.4.1)
7. All CARA outside of the playing season is prohibited ____ week prior to final exams in all sports except FB. (Bylaw 17.1.7.2)
8. An institution may pay a fee related to in-season or out-of-season _____ activities. (16.8.1.3)
9. Countable Athletic Related activities shall not occur between _____ and 5am (17.1.7.6.3)

Down

1. An institution may not arrange for special _____ for a PSA during an unofficial visit. (13.7.2.1.6)
2. Daily and weekly limits do not apply to CARA occurring during an institutions term-time official _____ period. (17.1.7.3.6)
3. This year, the signing period for midyear _____ transfers is from Dec 14-Jan 15th for Football only. (13.17.4)
4. A SA must be enrolled _____ in order to be eligible to compete. (14.2.2)
6. The institution may provide _____ and board to SAs who are required to stay on campus during a vacation period. (16.5.2)
7. An _____ visit to a member institution by a PSA is a visit financed in whole or in part by the institution. (13.02.17.1)

Frequently Asked Questions

Q: Can out-of-season sports practice during a vacation period like Winter Break?

A: NO! A team that is out-of-season may not participate in any CARA during an institutional vacation period such as Winter Break.

Q: If the ticket office is providing a promotional offer to a Men's Basketball game for alumni can a parent of a current student-athlete (non-alum) also receive the promotional code?

A: NO! This would be considered an extra benefit, since the code is not generally available to the public.

Q: Can a team twitter account advertise their team's game day walkthrough or shoot around?

A: YES! A team account can even attach pictures to their tweets showing the SA's in action.



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Please contact the compliance office with any concerns.

*Remember to **ASK BEFORE YOU ACT!***