



The University of Cincinnati Bearcat Compliance Corner



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

October 2003

RECRUITING DATES

Baseball –

9/12 – 11/9 **Contact & Evaluation Period**

Men's Basketball –

9/9 – 10/5 **Contact Period**

10/6 – 11/19 **Quiet Period**

Women's Basketball –

9/30 – 10/7 **Quiet Period**

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 –

8/1 – 11/30 **Quiet Period** (except for six days during the months of September, October and through the last Saturday in November selected at the discretion of the institution – **Evaluation Period**)

All Other Sports –

Contact & Evaluation Period

QUIET PERIOD

During the quiet period, you may not have an off-campus face-to-face contact with a prospect. On-campus contacts are permitted. Prospects may make official and unofficial visits during a quiet period. Telephone and written correspondence are permissible during a quiet period.

VIDEOTAPING PSAs

Interp on Coach Videotaping PSA's Practice or Contest

Recently there was debate circulating about Bylaw 13 in the NCAA Manual regarding an **Institution's Coach Videotaping a Prospect's Practice Session or Regular Season Contest**. The current legislation allows videotaping a prospect's practice session or regular season contest during a contact or evaluation period, provided it is the prospect's regular season high school or two-year college practice session or contest as long as the institution's coach does not direct or arrange the prospect's activities. The question is whether or not this can be extended into summer certified events? The answer is NO based on the legislative interpretation. The bylaw was not designed to apply to summer certified events, solely those that are regular season high school and two-year college contests. If a coach has a question about whether or not they can tape a specific event, please consult the Compliance Office prior to the event to ensure it is permissible.

COMPLIANCE FORMS

A day and time has been set for any other walk-ons who need to complete forms. The day and time is set for Tuesdays at 4pm on the 4th floor of One Edwards Center. This is the only time that any returning or new student-athlete may complete compliance forms. If there is a class conflict, other arrangements need to be made in advance. Students who show up without first calling Maggie will be turned away.

Any new walk-ons must bring a signed "New Walk-On" form before being permitted to

GAMBLING EDUCATION

North Carolina Athlete's Get Lesson on Gambling from an Insider

The University of North Carolina student-athletes recently got a lesson in gambling from former mobster and bookmaker Michael Franzese.

Franzese spoke about why athletes like to gamble, the ins and outs of bookmaking operations, and why bookmakers target college athletes. In addition he discussed what the impact of giving out inside information can have on a program and the bookmaker's business. Franzese made it a point to emphasize the effects that the internet has had on gambling. In 1997 there were 25 internet sites for sports gambling, today there are 1,800. That is a significant increase in the opportunity for student-athlete's to gamble.

Officials at North Carolina felt that having a gambling speech given by an insider who has been there was a very effective way to relay the information to athlete's. Franzese got the point across that you don't win by gambling. Further more even when you win, you still don't win. Prior to his speech at UNC, Franzese spoke to student-athletes at Tennessee and was continuing on to Wisconsin.

It is very important to convey a clear message to athletes about gambling, in all forms. If you suspect an athlete of gambling, please take the appropriate steps in contacting the Compliance Office so that we may further investigate the issue. Immediate action may weaken the ramifications of a violation.

INTERNATIONAL SAs

Hawaii Men's Volleyball Team Stripped of Title

The Hawaii men's volleyball team was recently stripped of its 2002 national championship. A four-time All-American outside hitter was found to have played in 22 matches for a professional team in Europe before enrolling at Hawaii in August 1999. The player neither signed a contract to play with the team nor received a salary. However, he forfeits his amateur status by being a member of a professional team. After hearing of the incident, the NCAA investigated the athlete and ruled that UH had committed a secondary violation. Upon this ruling,

Hawaii was stripped of their national title and ordered to pay a \$5,000 fine. In addition, the athlete will be erased from the record books and be required to return all of his NCAA awards.

UH officials felt they were getting maximum penalty for a secondary violation and were planning to appeal.

Throughout the investigation by UH, the player had been questioned numerous times about his eligibility and whether or not he had played on a professional team. Each time the athlete denied having ever played. It wasn't until Hawaii received confirmation from the professional team that the athlete then admitted he played for the team. Because the athlete was not forthcoming about the team he played on in Greece, the penalty was more severe. Had he been more cooperative, it is possible much less severe sanctions would have been handed down.

Prior to August 2002, the NCAA rule for amateurism stated, "An individual shall not be eligible for intercollegiate athletics in a sport if the individual ever participated on a team and knew (or had reason to know) that the team was a professional team in that sport." Then the rule was amended in August 2002 and now reads, "An individual shall not be eligible for intercollegiate athletics in a sport if the individual ever competed on a professional team in that sport." A prospect who competes on a professional team and receives no more than expenses and does not sign a contract **before** the first opportunity to enroll could have eligibility reinstated, but he or she would be subject to a one-game for one-game withholding penalty not to exceed the loss of one season of eligibility. The withholding cannot occur during a "red-shirt" year.

Prior to enrolling at UH, the athlete had the opportunity to alert school officials of his amateur status when he filled out the International Student-Athlete Questionnaire Form and standard NCAA questionnaire for incoming student-athletes. Due to his incorrect information, the ramifications have been placed.

This situation is a prime example of why it is so important to get the complete background of international student-athletes. In addition, the completeness and accuracy of documentation is vital for the athlete certification process and in avoiding infractions. If a question arises about an athlete, whether it be a recruit or current student-athlete,

please contact the compliance office so that we can help get answers.

An agent's representative proved improper cash stipends and travel expenses to a student athlete and his family.

AROUND THE COUNTRY

Fresno State Placed on Four Year Probation

The NCAA infractions committee placed Fresno State's athletic department on a four year probation following a three year joint investigation centering on the men's basketball team. The violations included academic fraud, recruiting, eligibility, financial aid, extra benefits, amateurism, coaching limitations and playing and practice seasons legislation. In addition, Fresno was found to have a lack of institutional control.

The Committee on Infractions found that there were violations starting back as early as the 1995-96 academic year.

■ 1995-96 through 1999-00:

A representative of the institution's athletic interests and owner of a local restaurant provided free meals at his restaurant to numerous men's basketball student-athletes. In addition, in summer of 1995, the vice-president for administration, who was the interim director of athletics, became aware of the free meals but failed to report the violation.

■ 1995-96 to 1997-98

A former men's basketball assistant coach, who was initially a manager for the team, participated in defensive drills with the team during individual skills instruction sessions at which time he gave hands-on instruction. In addition this same assistant and another former assistant observed pre-season pick up games and in one instance directed student-athletes in a game of four-on-four full-court basketball in violation of playing and practice seasons legislation.

■ 1998-99:

A men's basketball student-athlete practiced and was awarded athletic aid even though he was a nonqualifier. When the violation was noticed, the institution failed to report it and did not declare the athlete ineligible. He competed in eight contests.

During the spring semester while recruiting a PSA for women's basketball, a former assistant basketball coach tutored the prospect on at least four occasions at her office and in the prospect's home to assist in preparing her to take the SAT. The coach also provided transportation for the prospect to take the test. The prospect did not earn a certifying score and did not enroll at Fresno.

■ 1999-00:

to the athletes grandparents to pay travel costs to a conference tournament.

■ 2000-01:

34 complimentary tickets to 14 Fresno St men's basketball games were provided to family members of two men's basketball players and to friends of another athlete. Based on the provision of these tickets, these student-athletes competed while ineligible during portions of the 2000-01 season, and two of them competed ineligible during the entire 2001-02 season.

Summer of 2001 the former men's basketball head coach failed to report possible amateurism violations involving receipt of benefits from an agent's representative by a student-athlete who had previously been suspended eight games by the NCAA Student-Athlete Reinstatement Committee for his receipt of benefits from a professional sports agency.

During fall of the 2000-01 year, a men's soccer student-athlete practiced and was awarded athletic aid even though he was a nonqualifier.

In issuing the penalties to Fresno, the committee did commend the university president for taking responsibility for the violations and acting quickly to impose penalties. Some of the penalties issued by the institution and NCAA are:

■ Public Remand and Censure

■ Four years probation with specific reporting requirements relating to rules-education, admission policies and procedures, and compliance audits

■ Men's basketball is banned from postseason competition for one year.

■ Grant-in-aid for men's basketball shall be reduced by a total of three for the 2004-05 and 2005-06 academic years, with at least one grant cut each year.

■ Forfeiture of all wins by the men's basketball team for any games in which ineligible student-athletes participated. In addition, Fresno vacated its 2000 WAC Men's Basketball Championship.

■ The university is required to return to the NCAA 90 percent of the monies for its appearance in the 2000 NCAA tournament.

Fresno's failure to report and lack of control has left the university's athletic department with a bruised reputation and a lot of work ahead.

PRACTICE LOGS

Several teams have not submitted their practice logs on a weekly basis. EVERY team must submit a weekly practice log on each Monday (or the day following the end of your designated practice week). This is especially important in light of a survey conducted by the American Football Coaches Association that was released recently. The survey reported that 28 percent of the 5400 football players admitted spending more than 30 hours per week on football and football-related activities, while 60 percent said they devoted 20 to 30 hours per week to the sport. These results were a huge concern to the NCAA because the rules specifically state that student-athletes are limited to 20 hours per week of countable athletically related activities. **The definition of countable athletically related activities has changed this past year.** Bylaw 17.02.1 now states: "Countable athletically related activities include any required activity with an athletics purpose involving student-athletes and at the direction of, or supervised by, one or more of an institution's coaching staff (including strength and conditioning coaches) and must be counted within the weekly and daily limitations under Bylaw 17.1.5.1 and 17.1.5.2. Administrative activities (e.g., academic meetings, compliance meetings) shall not be considered as countable athletically related activities."

Please keep close tabs on how much time your student-athletes are spending on countable athletically related activities each day and week.

NCAA CERTIFICATION TEST

We finally have the complete results of the NCAA recruiting certification tests that coaches took in June. Coaches will be receiving the results of the NCAA certification test this month. Each coach will be notified of the number of questions missed and the corresponding bylaws that were associated with an incorrect answer. All head coaches will be informed of the number of missed questions and

associated bylaws for all of their coaching staff members as well as their own test results.

If you have any questions about your results, please let me know and I will be glad to try and help, but remember, I am not fortunate enough to know what the questions were on your test, just which bylaws

UNOFFICIAL VISITS

The policy requiring prior notification of any planned unofficial visit is still in effect for the 2003-04 academic year. The notification must be made to the compliance office **IN WRITING** (this can be done via email) prior to the arrival of the prospect if the coaching staff has prior knowledge of the visit. The name, high school, year of anticipated graduation, and length of the visit must be included in this notification. If the visit will be overnight, be prepared to furnish additional information, such as where the prospect will be staying and proof of payment by the recruit. If the prospect is staying overnight in the dorms, a payment of \$15 must be made prior to the overnight stay. Payments should be brought directly to Bruce Ivory or Maggie McKinley. Checks should be made out to the University of Cincinnati.

A reminder that 2-year college students in their first year at a junior college are not permitted to make unofficial visits until they have completed one academic year in residency at the junior college. The restriction of no contact applies to on- and off-campus contact.

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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