



COMPLIANCE NEWSLETTER

APRIL 2021

IN THE NEWS

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NCAA Notice of Allegations against University of Arizona includes Five Level 1 Violations

Two of MBB Head Coach Miller's three assistant coaches committed intentional violations involving fraudulent academic transcripts, receipt of cash bribes, facilitating a meeting with an aspiring agent, impermissible inducements and recruiting violations all within an 18-month period. Under NCAA Head Coach Responsibility Bylaws, the ultimate responsibility for the integrity of the men's basketball program rested with Miller and his staff's actions reflect on Miller as the head coach.

The five Level I charges detailed in the Notice of Allegation are:

1. Unethical recruiting conduct involving academic misconduct by former UA assistant coaches Book Richardson and Mark Phelps.
 - The two coaches engaged in pre-enrollment academic misconduct and/or provided an impermissible recruiting inducement when they knowingly arranged for false academic transcripts for two recruits, one of whom went on to play for the Wildcats and as a result of the violation, the involved player competed while ineligible.
2. Unethical conduct by Richardson for accepting \$20,000 in bribes from an agency in exchange for his agreement to steer UA players toward that agency for professional representation, a charge Richardson admitted to before serving a three-month prison sentence.
3. Unethical conduct by Phelps for asking a UA player to delete a text message thread related to an impermissible \$500 loan he had provided to help a player purchase a plane ticket and lying to investigators about the allegedly fraudulent academic transcript.
 - Phelps knowingly provided false or misleading information to the institution and enforcement staff when he denied knowledge of or involvement in arranging for a false or inaccurate academic record for a UA recruit.
4. Head coach responsibility violation for Miller for not demonstrating he promoted compliance, including not monitoring Richardson for his relationship with agent Christian Dawkins.
 - Miller is presumed responsible for the violations between March 2016 and September 2019, failing to monitor Phelps for his academic misconduct and Richardson for taking bribes. He did not rebut the presumption of responsibility.
 - Of the alleged academic misconduct, the NCAA said "while Miller knew both prospects had significant academic deficiencies to overcome in order to be academically eligible, Miller failed to ask his staff pointed questions and did not actively look for red flags regarding the circumstances and timing of the prospective student-athletes' academic eligibility."
5. Lack of institutional control for Arizona because of the men's basketball violations and two Level II violations involving the swimming program.
 - Arizona failed to provide effective oversight and/or support of its compliance program. During the time period of (five allegations), the compliance staff experienced significant turnover, personality conflicts and a lack of resources that limited its ability to identify and monitor compliance risks.
 - Phelps also received a Level III charge for asking a current player to help him recruit two Arizona targets who were playing an Adidas Nation club ball tournament in July 2016.
 - The other two Level II charges involved the UA swimming and diving program, one for arranging improper tryouts and the other for a lack of head coach responsibility by Augie Busch.

COMPLIANCE MVP



This month's Compliance MVP comes to us from the Facilities and Events Staff. We would like to thank Associate Director of Events and Operations, Iva Earley. We appreciate all you do to support the Compliance Office!



Head Coach Responsibility

NCAA Division I Bylaw 11.1.1.1 states that a head coach is presumed to be responsible for the actions of all staff members who report, directly or indirectly, to the head coach. The head coach will be held accountable for violations in the program unless he or she can rebut the presumption of responsibility.

Want to know more? The NCAA created a Head Coach Responsibility Brochure that's available to view [HERE](#).

Final Exam BLACKOUT Period (APRIL 28 - MAY 12)

APPLIES TO OUT OF SEASON SPORTS ONLY

- All countable athletically related activities (CARA) outside the playing season are prohibited beginning one week (7 days) prior to the start of the final exam period. The CARA blackout period continues through the conclusion of the final exam period.



Compliance Tip of the Month

Only countable coaches may provide tactical/technical and coaching instruction to student-athletes. Noncoaching staff (aka all other athletic dept staff) are prohibited from providing coaching instruction (tactical or technical) to student-athletes. For example, it is impermissible for a team's director of operations to breakdown film with student-athletes.

Student-Athlete Employment

Student-athletes may be employed, provided:

- The student-athlete employment form is completed by the student-athlete and approved by Compliance prior to employment taking place;
- Pay is provided at the “going rate” for work that is actually performed; and
- Additional pay is not provided based upon athletics reputation or publicity.

Unpaid Internships Within Athletics

- All student-athlete internships within the athletic department must be approved by the Compliance Office prior to the internship taking place.
- The internship may not take place with an athletic department staff member that reports directly to the student-athlete’s coach or is a sport-specific staff member working directly with the student-athlete’s respective sport.

Private Lessons

Student-athletes may provide private lessons to individuals in the community, provided:

- The private lesson form is completed by the student-athlete and approved by Compliance prior to the private lessons taking place;
- The student-athlete does not use their status as a student-athlete to promote the private lessons.
- The lessons do not take place (anywhere) on-campus.

NCAA Bylaw 12.4.1 Criteria Governing Compensation to Student-Athletes.

Compensation may be paid to a student-athlete:

- *Only for work actually performed; and*
- *At a rate commensurate with the going rate in that locality for similar services.*

12.4.1.1 Athletics Reputation. Such compensation may not include any remuneration for value or utility that the student-athlete may have for the employer because of the publicity, reputation, fame or personal following that he or she has obtained because of athletics ability.



Reporting Violations



All known or potential rules violations must be disclosed to either Craig Anderson or Blake James. If you are aware of a violation, recruiting or otherwise, please make sure that one of these two individuals is informed.



Institutional Camps & Clinics

Coaches are responsible for ensuring that camps/clinics follow all institutional and NCAA rules governing prospect camps/clinics.

Institutional sports camps and clinics must be open to any and all entrants with limitations only for number of participants, age, grade level, and gender permitted.

Approval Process

- All camps must be approved by Compliance before the camp is announced to the general public and/or promoted on any social media platform.
- Pre-Camp Forms are available on the athletic dept website.

Timing

- All Sports: Anytime other than during a recruiting dead period.
- Additional Restrictions for Football & Basketball:
 - Football: 10 days during the months of June/July.
 - Basketball: During June, July and August.

Keep in mind whether or not institutions may run camps/clinics this summer is currently TBD and pending NCAA recruiting calendar updates and campus approval due to the current pandemic.

Promoting & Advertising Camps & Clinics

- Coaches may not promote a camp or clinic until the camp/clinic has been approved by Compliance.
- **All promotional materials (flyers, tweets, social media posts, press releases) must be approved by Compliance and state that the camp is “open to any and all entrants (limited only by number, age, grade level, and/or gender).”**
- Current student-athletes may not be used to promote camps or clinics.
- Picture of current student-athletes may only be placed in the counsellor section of a camp brochure if it has been confirmed that the student-athlete will be working the camp.

Employment

- Compensation to camp employees may only be paid for work performed, and at a rate commensurate with the going rate in the locality for similar services.
- All camp employees must undergo a background check and finger printing.
- Employment of outside individuals must be approved by Compliance.
- May hire student-athletes provided they're paid the going rate for work actually performed. Compensation provided to the student-athlete must be commensurate with the going rate for camp or clinic counselors of similar teaching ability and camp or clinic experience. This means that a student-athlete may not be paid based on his or her value because of athletics reputation or fame.
- Football and Basketball - May not employ IAWPs.

NON-Institutional Camps & Clinics

- Coaches and sport-specific staff must receive approval from the Compliance Office prior to working an outside camp or clinic. Sport specific rules exist, restricting who may work outside camps and clinics.
- Athletic department staff may not work outside camps or clinics during a recruiting dead period.

NLI Signees Use of Institutional Facilities Prior to Initial Enrolment

DURING THE COVID-19 RECRUITING DEAD PERIOD COACHES AND ATHLETIC DEPARTMENT STAFF MAY NOT HAVE IN-PERSON CONTACT WITH PROSPECTIVE STUDENT-ATHLETES (INCLUDING NLI SIGNEES). UNTIL ANNOUNCED BY THE COMPLIANCE OFFICE, NLI SIGNEES MAY NOT WORKOUT IN UM FACILITIES NOR MAY NLI SIGNEES ENTER ANY CLOSED ATHLETIC FACILITY (I.E., IPF).

Normal Rule Outside of COVID-19 Recruiting Dead Period

NLI signees may not participate in voluntary workouts prior to coaching staff receiving an approval from the Compliance Office clearing the signee.

Approval Process

- NLI signee must complete the NLI Signee Facilities Usage Form and Facility Use Agreement. The form is turned into the Compliance Office for approval AFTER all signatures have been obtained.
- The Compliance Office will clear NLI signees for voluntary workouts via an approval email sent to coaching staff once the forms are verified.
- NLI Signees may not workout in our facilities unless the strength and coaching staff have received this approval email

Once the NLI signee has been approved for participation in voluntary workouts, we are permitted to provide the signee with apparel to use for their on-campus workouts **on an issue/retrieval basis, but we must ensure that we receive all workout gear back from the individuals.**

Normal Rule Outside of COVID-19 Recruiting Dead Period

During the Academic Year [13.11.2.3.1]:

- NLI signees may participate in **voluntary** weightlifting and conditioning activities on-campus provided, the request is initiated by the NLI signee.
- Strength & conditioning coaches **may not conduct these workouts** but may observe for safety purposes.
- The workouts may NOT be required or prearranged and must meet the conditions set forth under NCAA Bylaw 17.02.19 [Voluntary Athletically Related Activities].

During the Summer Vacation Period [13.11.3.8]:

- NLI signees may participate in **voluntary** weightlifting and conditioning activities on-campus provided, the request is initiated by the NLI signee.
- Strength & conditioning coaches **may conduct these workouts** at the request of the NLI signee.
- The workouts may NOT be required and must meet the conditions set forth under NCAA Bylaw 17.02.19 [Voluntary Athletically Related Activities].

Student-Athlete Retention of Athletic Apparel & Equipment

- A student-athlete may retain athletics apparel at the conclusion of their collegiate participation.
- Used equipment may be purchased by the student-athlete for the used retail value of the equipment.

Bylaw 16.11.2.4. Items received for participation in intercollegiate athletics may not be sold or exchanged for anything of value.

RECRUITING CALENDARS

APRIL 2021

BASEBALL

S	M	T	W	T	F	S
	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			

MEN'S BASKETBALL

S	M	T	W	T	F	S
	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			

WOMEN'S BASKETBALL

S	M	T	W	T	F	S
	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			

FOOTBALL

S	M	T	W	T	F	S
	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			

SOCCER

S	M	T	W	T	F	S
	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			

TRACK & FIELD/CROSS COUNTRY

S	M	T	W	T	F	S
	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			

VOLLEYBALL

S	M	T	W	T	F	S
	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			

ALL OTHER SPORTS

S	M	T	W	T	F	S
	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			

CALENDAR KEY

CONTACT PERIOD	RECRUITING PERIOD (MEN'S BASKETBALL ONLY)
QUIET PERIOD	EVALUATION PERIOD
RECRUITING SHUTDOWN (WBB ONLY)	DEAD PERIOD

COMPLIANCE STAFF



Craig Anderson
Sr. Assoc. AD
Compliance



Dan Raben
Assistant AD
Eligibility



Sarah Quintana
Director
Compliance



Caitlyn Francis
Assoc. Director
Rules Education



Colin Shaffer
Asst. Director
Monitoring