

The information below came from the Big Ten Conference Office regarding recently passed recruiting coordination legislation. Please see the Q&A below (between Ohio State and the Conference office) regarding the application of Proposal 2005-77-B.

1) Q: Is it permissible for staff members, other than countable coaches, to make and/or receive calls to/from prospects and their parents and/or legal guardians? I understand the purpose of the call cannot be recruiting in nature. In planning official and unofficial visits we will need to accept RSVPs, communicate itineraries, and answer questions regarding the visit.

A: Per Bylaw 11.7.1.2, a countable coach must coordinate the recruiting process, including deciding which activities will occur during recruiting visits and communicating with prospects regarding the details of the visit (such as RSVPs and itineraries). As a general matter, if an activity relates to the recruiting process and is not clerical in nature (see #7 below), that activity must be performed by a countable coach.

That said, the thinking at the Conference office is that there is room for reasonable (and limited) flexibility in application - for example, if a PSA calls en route to an official visit and requests directions, a violation does not occur if a noncoaching staff member provides the information rather than trying to track down a countable coach - but, as a general matter, the coordination and day-to-day performance of these duties must be done by a countable coach.

2) Q: Is it permissible for staff members, other than countable coaches, to respond to emails requesting general information about Purdue and/or our football program?

A: Since "preparation of general recruiting correspondence to prospective student-athletes" is defined as a recruiting coordination function in the legislation, a countable coach would need to provide the content of such an e-mail. A noncoaching staff member could engage in clerical tasks relating to the preparation of the e-mail (e.g., type an e-mail dictated by a coach and physically send it to the PSA). See the final paragraph of the 7/27/06 EC below for further clarification on which specific tasks a noncoaching staff member may perform with respect to the dissemination of general correspondence.

3) Q: If it is not permissible to do #1 and/or #2, how do you suggest we best handle these situations? That is, at what point do we need to transfer the call, forward the email, etc?

A: As a general matter, the call should be transferred to a countable coach or the e-mail should be forwarded to a countable coach as soon as it is determined that it is related to recruitment.

4) Q: For recruiting materials, how involved can staff members, who are not countable coaches, be in the creative process? Can they help design, draft, and/or edit recruiting materials?

A: Noncoaching staff members should not be involved with the creative process as it relates to recruiting correspondence - the substance of recruiting communication with prospects should come from the "creative mind" of a countable coach. A noncoaching staff member could, for example, type a letter whose substance has been dictated by a countable coach and could perform grammar checks, spelling checks, and other clerical functions related to the preparation of the correspondence.

5) Q: Is it permissible for staff members other than the countable coaches to sort and catalog film? These individuals do not evaluate or make recommendations to coaches. They open mail, sort, log video.

A: Yes, under the conditions that you've identified. The staff members must be merely preparing the video for review by a countable coach rather than evaluating prospects on the videotape.

6) Q: Can they send a letter acknowledging receipt of the film to the prospect?

A: Same answer as #2.

7) Q: What is considered a "routine clerical task?"

A: Here is a nonexclusive list of examples of routine clerical tasks: typing dictated letters or e-mails, printing a letter and putting it in an envelope, addressing/stamping/ mailing a letter, making copies, making reservations and appointments for visit-related activities (ideas for the activities themselves should come from a countable coach), preparing compliance-related paperwork, receiving and sorting mail, entering biographical and compliance-related information into recruiting database, and answering the phone (subject to #1 above).

There are two highlighted sections of the 7/27/06 EC below - the first helps to clarify the application of this legislation as it relates to phone calls, the second as it relates to recruiting correspondence.

Please contact the compliance office if you have additional questions.

2006 Educational Column - NCAA Division I Bylaw 11.7.1.2 - Recruiting Coordination Functions (I)

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Interpretation:

NCAA Division I institutions should note that with the adoption of NCAA Division I Proposal No. 2005-77-B, effective August 1, 2006, all recruiting coordination functions (except routine clerical tasks) must be performed by a coach who counts toward the numerical limitations of head or assistant coaches (NCAA Division I Bylaw 11.7.4) in all sports. Such functions include:

1. Activities involving athletics evaluation and/or selection of prospective student-athletes.
2. Telephone calls to prospective student-athletes (or prospective student-athletes' parents, legal guardians or coaches).
3. Preparation of general recruiting correspondence to prospective student-athletes (or prospective student-athletes' parents or legal guardians).

Further, inasmuch as telephone calls are a recruiting-coordination activity, it is not permissible for athletics department staff members (other than a coach who counts toward the numerical limitations of head or assistant coaches or other specific staff members pursuant to legislated exceptions), including volunteer coaches (Bylaw 11.01.5), to make calls to or receive calls from prospects (or the prospects' parents, legal guardians, or coaches) that may involve conversations related to the recruitment of the prospects. In Division I-A football and women's rowing, such telephone calls also may be made by the graduate assistant coach, provided the coach has successfully completed the coaches' certification examination per Bylaw 11.5.1.1. It is also

important to note that with the adoption of Proposal No. 2005-77-B, the exceptions noted in Bylaw 13.1.3.4.1.1, which permitted noncoaching institutional staff members to make telephone calls to prospective student-athletes in football under specified conditions, now apply to all sports. The following institutional staff members may continue to make telephone calls to or receive telephone calls from prospective student-athletes (or the prospective student-athlete's parents or legal guardians) as specified:

1. President or chancellor/director of athletics. It is permissible for an institution's president or chancellor and director of athletics to return (as opposed to initiate) telephone calls from prospective student-athletes (or the prospective student-athletes' parents or legal guardian). Under such circumstances, there are no restrictions on the content of the conversation that may occur during the call; however, any return call is subject to any applicable limitations on the number of telephone calls that an institution may place to prospective student-athletes.
2. Academic advisors. It is permissible for academic advisors (including academic advisors within the athletics department) to make calls to or receive calls from prospective student-athletes (or the prospective student-athlete's parents or legal guardians) related to admissions or academic issues, subject to any applicable limitation on the number of telephone calls an institution may place to prospective student-athletes.
3. Compliance coordinators. It is permissible for a compliance coordinator to return telephone calls from prospective student-athletes with no limit on the timing or number of such telephone calls, provided the calls relate only to compliance issues. It is permissible for a compliance coordinator to initiate telephone calls to a prospective student-athlete, provided the calls relate only to compliance issues and such calls occur subsequent to the prospective student-athlete's signing a National Letter of Intent with that institution (or, for those institutions not subscribing to the National Letter of Intent, subsequent to the prospective student-athlete's signed acceptance of the institution's written offer of admission and/or financial aid).
4. Noncoaching staff members with sport specific responsibilities. It is permissible for a noncoaching staff member with sport specific responsibilities to initiate and receive telephone calls from prospective student-athletes, provided the calls relate only to general pre-enrollment administrative issues and such calls occur subsequent to the prospective student-athlete's signing a National Letter of Intent with that institution (or, for those institutions not subscribing to the National Letter of Intent, subsequent to the prospective student-athlete's signed acceptance of the institution's written offer of admission and/or financial aid).

Finally, institutions are reminded that electronically transmitted correspondence (e.g., electronic mail, instant messenger, facsimiles, pages, text messaging) must be prepared by a coach who counts toward the numerical limitations of head or assistant coaches (Bylaw 11.7.4). It is permissible for an individual other than a coach who counts toward the numerical limitations of head or assistant coaches to send the correspondence; however, this individual may neither respond to correspondence from nor prepare correspondence to prospects. For example, a coach who counts toward the numerical limitations of head or assistant coaches composes a message to be sent to a large group of prospective student-athletes. Such a message may be provided to a staff member that is not a countable coach (e.g., administrative assistant, graduate assistant, director of operations, volunteer coach) and that individual may coordinate and engage in the act of sending the message to the intended recipients. In this manner, while the institutional staff member who is not included in the numerical coaching limitations actually sent the correspondence, the coach who counts toward the numerical limitations of head or assistant coaches prepared the content and, thus, satisfied the provisions of Bylaw 11.7.1.2.