

**ATHLETIC DEVELOPMENT OPPORTUNITIES NOW PROHIBITED AREA WITHIN SAOF**

In late August 2006, the NCAA distributed a total of \$24,529,000 to Division I conferences for the current fiscal year allotment of the Student-Athlete Opportunity Fund (SAOF). As originally conceived, this fund will continue to increase by 13 percent annually, subject to approval by the Division I Board of Directors.

The NCAA has allocated a total of just over \$2.3 million to the Big Ten, which is divided equally among the Conference's 11 member institutions.

The SAOF is intended to provide direct benefits to student-athletes or their families as determined by conference offices. As a guiding principle, the fund shall be used to assist student-athletes in meeting financial needs that arise in conjunction with participation in intercollegiate athletics, enrollment in an academic curriculum or that recognize academic achievement. As such, receipt of SAOF monies shall not be included in determining the permissible amount of financial aid that a member institution may award to a student-athlete. Further, inasmuch as the fund is designed to provide direct benefits to student-athletes, the fund is not intended to be used to replace existing budget items.

All student-athletes, including international, are eligible to receive SAOF benefits, regardless of whether they are grant-in-aid recipients, have demonstrated need or have either exhausted eligibility or no longer participate due to medical reasons.

Additionally, student-athletes receiving monies from the Special Assistance Fund may also receive SAOF benefits. Except for prospective student-athletes receiving summer financial aid prior to full-time enrollment pursuant to NCAA Bylaws 15.2.8.1.3, 15.2.8.1.4, and 15.2.8.1.5, no prospective student-athlete shall be eligible to receive SAOF monies.

Pursuant to NCAA Bylaw 15.01.7.2, member institutions and conferences shall not use monies received from the fund for the following:

- Salaries and Benefits.
- Grants-in-aid (other than summer school) for student-athletes with remaining eligibility.
- Capital improvements.
- Stipends.

Based on a recommendation from the Collegiate Commissioners Association, the Division I Management Council and Board of Directors recently acted to add "Athletic Development Opportunities" as a prohibited use of the SAOF. Athletic Development Opportunities include the following:

- Fees and other expenses associated with a student-athlete's participation in a sports camp or clinic.
- Fees and other expenses associated with private sports-related instruction provided to a student-athlete.
- Fees for other athletic development experiences (e.g., greens fees, batting cage rental).
- Expenses associated with a student-athlete's participation in a foreign tour.

**PURPOSE OF PROCEEDS KEY IN EVALUATING PERMISSIBILITY OF PRECOLLEGE EXPENSES**

NCAA Bylaw 13.15 deals broadly with the issue of precollege expenses that may or may not be made available to prospects and groups associated with prospects (e.g., schools, youth sports teams, charitable organizations benefiting high school athletics programs, etc.). Often lost in the language of this bylaw is the specific

prohibition on institutional staff members' participation in fund raising activities that benefit prospective student-athletes, their school or an organization that exists to raise money to support prospective student-athletes.

The NCAA recently received violation reports related to NCAA Bylaw 13.15. These reports have included the following:

- A coach speaking at an event when the purpose of the event is to raise money for a high school or junior college athletics program. This type of event may be sponsored by a high school, a high school booster club or even by a third party, but the key is to determine the use of the event's proceeds.
- Institutions purchasing tickets or an entire table at a dinner for a foundation that uses the dinner's proceeds to fund grants to high school athletics programs.
- Institutions donating memorabilia or other items to an event that raises money for a high school athletics program.

When speaking or donation requests are received by coaches or institutions it is necessary for the request to include a full and complete disclosure explaining how proceeds from the event will be used. When an event's proceeds will be used to benefit a prospect, prospects generally, a high school, junior college or youth sports program, the request should be declined if it conflicts with the provisions of NCAA Bylaw 13.15.

Please note there are several long-standing foundations and clubs that use event proceeds to provide funds to programs involving prospective student-athletes, which makes it imperative that each request be thoroughly evaluated to ensure compliance with NCAA Bylaw 13.15.

### **HARDSHIP WAIVER CRITERIA REVIEWED**

NCAA Bylaw 14.2.4.2 delegates the administration of hardship waivers to conference offices. There are certain criteria which must be followed in determining whether a hardship waiver should be approved. Bylaw 14.2.4.3.3 requires institutions to submit "contemporaneous or other appropriate medical documentation, from a physician (i.e., a medical doctor) who administered care at the time of the injury or illness, that establishes the student-athlete's inability to compete as a result of that injury or illness shall be submitted with any hardship-waiver request".

The following have been provided by the NCAA staff to assist conferences in determining if medical documentation meets the "contemporaneous" requirement. Institutions should consider the following guidelines when preparing the submission of hardship waivers to the Big Ten office.

#### **Contemporaneous Diagnosis of Injury**

- \_\_\_\_\_ Contemporaneous medical documentation that validates timing of injury or illness (required)
- \_\_\_\_\_ Contemporaneous medical documentation that verifies initial severity of injury or illness (demonstrates incapacitation likely results for remainder of season) (recommended)
- \_\_\_\_\_ Operation report(s) or surgery report(s) or emergency room document(s) (recommended)

#### **Acknowledgement that Injury is Incapacitating**

- \_\_\_\_\_ Contemporaneous letter or diagnosis from treating physician identifying injury or illness as "incapacitating" OR
- \_\_\_\_\_ Non-contemporaneous letter or diagnosis from treating physician identifying injury or illness as "incapacitating" AND
- \_\_\_\_\_ Treatment logs or trainer's room notes (indicating continuing rehabilitation efforts)

## POST-NLI INTERPRETATIONS

Any necessary pre-enrollment information, including information in a video format, regarding orientation, conditioning, academics and practice activities may be provided to a prospective student-athlete, provided the prospect has signed a National Letter of Intent or financial aid agreement or has been officially accepted for enrollment. *(March 30, 2006)*

A prospective student-athlete who has signed a NLI may participate in voluntary weight lifting or conditioning activities on campus in the presence of a strength and conditioning coach, provided such activities are not prearranged, the strength coach is performing normal duties, and he/she does not work directly with the student-athlete. *(May 18, 2005)*

## RECRUITING INTERPRETATIONS

**Question:** May a team's graduate assistant pick up a perspective student-athlete from the airport and have a meal/coffee with him directly after his arrival?

**Answer:** Yes, a graduate assistant may provide transportation from the airport as well as receive a meal with the perspective student-athlete during his official visit. The 48-hour period would begin when the meal takes place.

**Question:** May we provide complimentary tickets for a game to a prospective student-athlete's parents if the prospect can not attend?

**Answer:** No. Complimentary tickets are for the exclusive use of the prospect and any persons accompanying the prospect. If the prospect is not attending the game we may not issue the complimentary tickets to the parents.

**Question:** If a coach is asked whether a perspective student-athlete has verbally committed to Purdue, how much information can he/she share in response?

**Answer:** A coach is only allowed to confirm that their school is recruiting the perspective student-athlete and may not comment any further. Coaches are subject to this rule in responding to media, booster, or anyone else from the general public.

## GAMBLING POLICY REMINDERS

As we near bowl game season, please remember it is a violation to provide information to others for gambling purposes, you may not solicit bets on any intercollegiate team, you may not accept a bet on any team representing the institution, and you may not participate in **ANY** gambling activity that involves intercollegiate **OR** professional athletics. A bet does not have to be for cash in order to be a violation. Betting for any item that has a tangible value is a violation of bylaw 10.3.

## LOCAL SPORTS CLUBS

### 1. Development of Local Sports Club

Local sports clubs are permissible, provided:

- Neither Purdue's athletics department nor a Purdue booster group sponsors/finances a local sports club that includes prospects.
- The club is established and ongoing, engages in competition, and is not formed solely to provide instruction to prospects.

## 2. Staff Member Involvement

In sports other than basketball, Purdue coaching staff members may be involved with local sports clubs, provided:

- ALL prospects participating live within a 50-mile radius of Purdue University.
- The coach is able to present documentation verifying this regulation is being met.

## 3. Student-Athlete Involvement

The following regulations are in place for student-athletes who wish to be involved with local sports clubs:

- If student-athletes are assisting (coaching) with, or participating as a member of, a local sports club in the presence of a Purdue coach during the playing season, this activity must count toward the 20 hour/week limit.
- Outside of the playing season, student-athletes are permitted to engage in coaching activities with, or participate as a member of, a local sports club only if no Purdue coaches are present and no countable athletically-related activities occur.

## 4. Miscellaneous Organizational Issues

Purdue may not pay expenses for a coach to attend a contest at which his/her local sports club is competing, even if, while at the contest, the coach is performing recruiting duties related to his/her position as coach at Purdue. This would constitute financial support of the local sports club by Purdue.

- A local sports club may rent Purdue facilities, provided they do so at the normal rate that others would be charged for use of the facility.

### HOLIDAY REMINDER

**Greeting Cards** – It is not permissible to send holiday greeting cards to prospects. The only permissible cards are plain postal service cards and institutional note cards. It is permissible to use colored ink if you want to include a holiday message inside an institutional note card.

### VACATION PERIOD REGULATIONS

**Room and Board:** An institution may provide the cost of room and board to a student-athlete during an official institutional vacation period in the following circumstances:

1. Student-athletes are required to remain on the institution's campus for organized practice sessions or competition during an official vacation period.
2. Student-athletes return to campus during the official vacation period between regular academic terms from institutional competition that occurs at the end of the institution's playing and practice season or a segment thereof. Under such circumstances, room and board expenses may be provided for no more than a 48-hour period, beginning with the student-athlete's return to campus.

A cash allowance may be provided in lieu of a meal, but may not exceed the amount provided to institutional staff members on away from campus trips. If a student-athlete lives at home with his/her parents while attending practice/competition on campus, it is not permissible to provide room and board expenses to him/her. These student-athletes may, however, participate in team meals incidental to practice sessions.

**Entertainment:** An institution may pay the actual costs, but may not provide cash, for reasonable entertainment that takes place within a 30-mile radius of the institution's campus or practice site during vacation periods when the team is required to reside on campus and classes are not in session.

## NCAA CLEARINGHOUSE UPDATES

The NCAA Initial-Eligibility Clearinghouse has begun performing preliminary certification decisions for 2007 graduates. As a result, prospects who intend to enroll at NCAA Division I institutions will be required to supply ACT or SAT scores to the Clearinghouse directly from the testing agencies. Test scores on an official high school transcript will no longer be usable for initial-eligibility purposes.

Campus administrators and coaches should direct prospects to have their ACT and SAT scores sent to the Clearinghouse (via code "999" at the time of test registration) so that certification decisions will not be delayed. In addition, this will impact any prospect that has previously registered with the Clearinghouse and intends to enroll in the fall of 2007 or later. If the prospect's record has been posted with scores from an official high school transcript, these scores will be removed and it will be necessary for the prospect to comply with this new rule.

Since 1994, the NCAA Initial-Eligibility Clearinghouse has provided the NCAA membership with a certification process whereby the academic records of all domestic and international prospects interested in attending either an NCAA Division I or Division II institution are reviewed to determine the academic status of each prospect.

Responsibilities of the Clearinghouse will expand to include the process of reviewing the amateur status of all prospects (high school/secondary school and junior college transfers) planning to enroll for the first time at an NCAA Division I or II institution in the fall 2007 and thereafter. This expansion is scheduled to occur November 20, 2006. This means that beginning on November 20th, prospective student-athletes will be able to register with the Initial-Eligibility and Amateurism Clearinghouse in one seamless, online process.

For those prospects who have already registered with the Initial-Eligibility Clearinghouse, shortly after November 20th each will be notified via email by the Clearinghouse of the opportunity and process for updating their Clearinghouse data with amateurism information. Please note that in order for a prospect to receive financial aid and/or participate at a Division I or II institution, he or she must complete the amateurism registration process and be certified as an amateur by the Clearinghouse.

For additional information on how the process will work, you are encouraged to visit the amateurism certification process website found on the Eligibility and Recruiting page under the Legislation and Governance tab at [www.ncaa.org](http://www.ncaa.org).

## RECRUITING RULES AND NLI SIGNEES

With the fall NLI signing period concluded, you should be aware that some NCAA rules distinguish between a prospect who has signed a National Letter of Intent and a prospect who has not yet signed.

Following are some examples of changes that take effect subsequent to a prospect signing an NLI with Purdue University:

- coaches are permitted to make unlimited phone calls to the prospect;
- a non-coaching staff member with sport specific responsibilities may initiate and receive calls related to pre-enrollment administrative issues;
- coaches are no longer limited in the number of contacts with the prospect (see Bylaws 13.1.6.8 and 13.1.6.8.1 for some important exceptions to the general rule);
- a prospect who has signed an NLI and is enrolled in the summer term prior to initial full-time enrollment may receive housing, meals, academic support and use of the training room facilities;
- coaches are no longer prohibited from commenting on the prospect;
- football and basketball prospects are permitted to engage in voluntary summer workouts conducted by the strength and conditioning coach;

- the prospects photograph may be used in printed institutional items (e.g., season-ticket brochure) to promote the season of the prospect's sport, however, promotional items that involve the purchase of commercial advertising (e.g., billboards or newspaper ads) remain prohibited.

## COMPLAINT QUIZ

*Answers to the quiz can be found on page 7.*

1. Is it permissible for an institution to provide a student-athlete with a return ticket at the conclusion of a foreign tour at any time?
  - a. Yes.
  - b. No.
2. Can a student-athlete take out a loan from an accredited commercial lending institution against his or her future as a professional athlete to protect against a disabling injury that would prevent the pursuit of that career?
  - a. Yes.
  - b. No.
3. Which of the following people is allowed to make telephone calls during the recruitment of a prospective student-athlete?
  - a. Paid coaching staff member.
  - b. Representative of athletics interests.
  - c. Enrolled student-athletes.

## IN THE NEWS ... UNIVERSITY OF KANSAS

### **Impermissible inducements to prospective student-athletes:**

During the period between 2002 and 2005, a representative of the institution's athletics interests supplied cash, transportation, clothing and other benefits to several men's basketball student-athletes and members of their families. The athletics representative befriended one of the young men while he was still a prospect, buying him clothing and meals and transporting him to a number of the institution's men's basketball contests. The student-athlete and his Amateur Athletic Union (AAU) basketball coach accompanied the athletics representative to watch the institution compete in the NCAA Division I Men's Basketball Championship Regional Semi-Final and Regional Final contests. During that round trip of approximately 1,000 miles, the athletics representative covered all the costs of the transportation, meals and lodging.

After the prospect enrolled at the University of Kansas, the athletics representative continued his relationship with the student-athlete, assisting the student-athlete's mother with the purchase of two vehicles, and providing meals, gifts, transportation and other benefits in excess of \$4,500 to the student-athlete and his family. The Athletics representative provided similar benefits to a second student-athlete and purchased meals for three other student-athletes during the summers of 2004 and 2005.

Violations also took place in the football program during the summer of 2003 when seven two-year college prospects moved onto campus to take part in voluntary conditioning activities. The most serious of the violations, academic fraud, occurred when a former graduate assistant football coach supplied two of the prospects with answers to test questions for an exam they were taking as part of a correspondence course. The prospects needed the course to become eligible for admission to the institution and participate in athletics. Prospects also were allowed to use student-athlete support services facilities and computers even though they were not enrolled in institutional classes.

The committee noted the elevated risk of violations when prospective student-athletes are brought to campus during the summer before their initial full-time enrollment and reiterated the need to carefully track the activities of prospects in the vicinity of campus during this time period. The committee found that, during the period in which the violations took place, the institution lacked control over its athletic department and the deficiency contributed to the problems that arose.

Shortly before the violations occurred, an outside auditor proposed that resources be reallocated to compliance. Instead of bolstering the compliance effort, the then Athletic Director assigned additional responsibilities to the sole full-time compliance staff person. When confronted as to why an additional compliance position was not filled despite available fund, the then AD responded, "compliance doesn't sell tickets".

As a result of the violations, the University of Kansas was placed on three years of probation, ordered to reduce scholarships and official visits in football and basketball, and faces a limitation on two-year college transfers. The athletics representative was disassociated from the program and the graduate assistant must appear before the committee for consideration of a show cause order prior to future employment.

<b>RECRUITING CALENDAR</b>		
<b>Men's Basketball</b>	Dead Period	December 24 – December 26
	Evaluation Period	December 27 – March 28
<b>Football</b>	Dead Period	December 18 – January 4 January 8 – January 11
	Quiet Period	January 5 – January 7 January 12 – January 13
	Contact Period	January 14 – January 31
<b>Women's Basketball</b>	Dead Period	December 24 – December 26
	Evaluation Period	December 27 – February 28 (85 days)
<b>Baseball</b>	Quiet Period	November 10 – February 28

*Answers to the compliance quiz on page 6.*

1. a (16.11.1.11)
2. a (16.11.1.4)
3. a (13.1.3.4, 13.1.3.5)