# Transforming Intercollegiate Athletics
# Working Group of Collegiate Model – Rules

## Benefits for Others - Defining "Others" and Permissible Benefits

### Current Legislation.

Current legislation set forth in NCAA Division I Bylaw 16 allows five categories of other individuals who are either family (parents/legal guardian, spouse, child, immediate family) or teammates to receive permissible benefits provided by the institution in some circumstances. The permissible benefits that these other individuals may receive vary based on their affiliation with a student-athlete and the type of benefit and expense. For example, a spouse and child of a student-athlete may receive expenses for a postseason football game or NCAA championship, but parents, legal guardians or other family may not. Further, some benefits are simply restricted by number [i.e., admission to home or away competition (4) or admission to a postseason event (6)]. Therefore, the current legislation is not uniform regarding what types of benefits may be received, by whom and in what amount.

### Option No 1: Student-Athlete "Declares."

This model proposes replacing the current legislative definition of who is permitted to receive benefits and allows the student-athlete to "declare" who should be permitted to receive benefits in conjunction with the student-athlete's experience. This model addresses the aspect of nontraditional families and would eliminate the need for the institution to determine who is a relative of a student-athlete. The institution would have the ability to determine if a student-athlete should be limited on the number of individuals he or she may declare based upon institutional resources and policies. This model would encourage a shared responsibility by requiring the institution to monitor who the student-athlete is declaring and ensure that none of the declared individuals are agents or runners.

Issues for further discussion related to this model include how and when a student-athlete would be required to declare. For example, a student-athlete may be required to declare at the start of the student-athlete's eligibility or on a year-by-year basis. Additionally, how a student-athlete makes changes to his or her declaration would need to be determined.

Another issue to be addressed is related to individuals associated with prospective student-athletes who may be declared by student-athletes. Often these individuals associated with prospective student-athletes are associated with multiple prospective student-athletes and theoretically could be declared by multiple student-athletes at multiple institutions. Allowing individuals associated with prospective student-athletes to be declared may result in undue influences on institutional staff and coaches who may be recruiting other associated prospective student-athletes who have yet to enroll in a collegiate institution.

**Option No. 2: Legislated Definition for a "Relative or Comparable Relationship."**

This model proposes replacing the current legislative definition with a broader definition for individuals who would be permitted to receive benefits in conjunction with the student-athlete's experience. Specifically, these individuals would be defined as a "relative or individual of comparable relationship." This is the definition currently used in Division III for benefits and expenses for friends and relatives of a student-athlete. Unlike the current model, this model would encompass nontraditional families. Further, this model maintains a level of regulatory culture and would encourage a shared responsibility by requiring an institution to determine who in a student-athlete's life is of comparable relations as a relative. Because this model maintains a level of legislative definition, it may minimize undue pressures from third parties or individuals associated with prospective student-athletes.

**Option No. 3: Benefits as an "Allotment."**

The current legislation specifically identifies who may permissibly receive a benefit in each instance within Bylaw 16 (e.g., parents/legal guardians, immediate family member, student-athlete's spouse). Rather than requiring the institution to determine who may receive a benefit, consideration should be given to a model where a student-athlete is provided an allotment of each benefit on a yearly basis. It would be up to the student-athlete's discretion to determine how he or she uses the allotment, provided such benefits are not given to agents or runners.

For example, the current legislation specifies that a student-athlete may receive up to four complimentary admissions to a home game or event in which the student-athlete is being honored. The bylaw stipulates that the four admissions may only be used for parents/legal guardians and the student-athlete's spouse. In the proposed model, the student-athlete would receive ten admissions to the event and it may be given to anyone (other than an agent or runner). To highlight this model in another example, the legislation allows a student-athlete's parents/legal guardians, spouse and teammates to receive from the institution expenses when a student-athlete suffers a life-threatening injury or illness. Rather than limiting expenses to these individuals, the allotment model would allow such benefits to be provided on four occasions each year for anyone to be present when a student-athlete suffers a life-threatening injury or illness or an institution would be allowed to pay for eight individuals to be present on each occasion.

This model would decrease the amount of monitoring needed in terms of trying to identify who is an immediate family member or legal guardian, etc. Compliance would need to track on the allotment usage for each student-athlete and to ensure that benefits are not being provided to agents or runners. In addition, this would be permissive legislation and each institution could establish more restrictive requirements and allotments.

**Other Permissible Benefits for Consideration.**

The proposed options for the receipt of benefits by "others" associated with student-athletes contemplate the institution, conference or NCAA providing the permissible benefits. In addition, in accord with the current legislation, "others" may receive expenses from a commercial entity only to attend Olympic events in which the student-athlete is competing.

The permissible benefits that "others" may receive can be placed into three general categories: admissions and expenses related to competition, special circumstances involving the health and well-being of student-athletes and awards and celebrations. With regard to admissions, under the proposed models, "others" may receive admission to home and away contests and postseason events, along with expenses for a postseason football game or NCAA championship. When considering the student-athlete experience and the limited number of student-athletes that have an opportunity to participate in an NCAA championship or other postseason event, it is recommended that the provision of expenses to attend one home or away contest per academic year be explored. By expanding the opportunity for an institution to use its discretion to provide expenses for "others," the student-athlete experience is enhanced by having those individuals present at a contest once a year.

With regard to the health and well-being of student-athletes, "others" may currently receive expenses related to life-threatening injuries or illnesses involving a student-athlete. It is recommended that the language "life-threatening" injury or illnesses be eliminated and an institution be permitted to use its discretion in providing benefits for family and friends to be present when a student-athlete is injured. Further consideration should be made to expand the legislation to include the provision for expenses for "others" related to the funeral for an individual associated in some manner with the student-athlete. Legislative relief waivers are periodically submitted requesting to provide funeral expenses for an immediate family member of a student-athlete and relief is generally provided if a financial need is demonstrated.

Currently, legislation regarding awards and celebrations permits "others" to receive refreshments at educational meetings and celebratory events and in limited situations; certain individuals may receive complimentary admissions to awards banquets at which the student-athlete is being honored. Specifically, an institution is permitted to provide complimentary admissions to attend an institutional banquet to a student-athlete's spouse and on a one-time basis to the student-athlete's parents at the conclusion of the student-athlete's eligibility. To further support the student-athlete experience, it is recommended that the legislation be made uniform for all "others" and be expanded to permit "others" to receive expenses to attend an institutional, conference or NCAA award ceremony or banquet in which the student-athlete is being honored.

**Transforming Intercollegiate Athletics**
**Working Group of Collegiate Model – Rules**

**Benefits for Former Student-Athletes.**

Much of the Division I Manual is focused on rules and regulations for current student-athletes and prospective student-athletes. However, in various places, legislation may be found that applies solely to former student-athletes or those that have exhausted eligibility, such as allowing for them to continue their educational pursuits or to explore the coaching profession while on campus as graduate assistant coaches. Many of the benefits that may be afforded to former student-athletes generally appear in random interpretations of the legislation. The following are some examples:

1. A former student-athlete may receive a benefit of nominal value (e.g., meal, ride, overnight lodging and tickets) on an occasional basis from an institution.

2. A former student-athlete who has exhausted eligibility and is enrolled as a full-time graduate student may participate in practice activities, provided the student-athlete has eligibility remaining under the five-year/10-semester rule.

3. A former student-athlete who is no longer enrolled in the institution may receive medical expenses for an athletically related injury incurred during practice or competition at that institution.

Current parameters are in place to ensure that former student-athletes are not being used primarily by the former institution to gain an unfair advantage. However, given that these student-athletes have exhausted their eligibility and many are engaging in legitimate pursuits with the institution, it may be prudent to revisit what benefits an institution may provide to its former student-athletes. Consideration should be given to a concept that allows an institution to provide former student-athletes benefits similar to what they received when they were student-athletes, such as in the area of medical expenses, tickets to athletic events, academic support services, professional development opportunities and nominal gifts.

Such a concept would be permissive legislation and would be left up to each institution's discretion to establish a limit or to even provide a specific benefit. Evidence that such a shift may be forthcoming in all areas is the adoption of NCAA Division I Proposal No. 2011-97 financial aid -- eligibility for institutional financial aid -- former student-athletes; period of institutional financial aid award -- multiyear grants-in-aid, which now allows former student-athletes to receive institutional financial aid in any term in which they are enrolled (full time or part-time), even beyond six years of enrollment.

**Transforming Intercollegiate Athletics**
**Working Group of Collegiate Model – Rules**
**– Benefits for Student-Athletes – Meals**
**Discussion Document**

Current legislation related to the provision of meals in relation to a student-athlete's participation is extremely prescriptive and can inhibit the student-athlete experience. The following are two alternative options to be reviewed which would eliminate the need for prescriptive legislation related to meals in conjunction with practice, competition, vacation period expenses, institutional committee service and fruit, nuts and bagels. Lastly, because the nutritional supplement legislation is tied to the NCAA policy on banned substances, it is recommended that this legislation be maintained.

**Option No. 1.**

Deregulate the current legislation to allow an institution to finance meals that the institution determines to be appropriate and necessary for the nutrition of the student-athlete at any time. This option enhances the student-athlete experience by allowing for proper nutrition at the institution's discretion.

**Option No. 2.**

Allow an institution to finance meals that the institution determines to be appropriate and necessary for the nutrition of the student-athlete in conjunction with practice, competition or other required events in which the student-athlete is representing the institution. This alternative addresses concerns with nonscholarship student-athletes and the provision of board.

| **Question.** |
| --- |
| **How should student-athletes who are not given a board scholarship be treated in terms of the provision of meals?** |

**Transforming Intercollegiate Athletics**
**Working Group of Collegiate Model – Rules**
**– Benefits for Student-Athletes – Awards**
**Discussion Document**

The legislation currently regulates the types of awards a student-athlete may receive, the time of year when he or she may receive the award and the value of the award. In an effort to simplify the legislation and support the student-athlete experience, it is recommended that timing of a student-athlete's receipt of an award (i.e., during the academic year or during the summer) be deregulated and the membership adopt general rules that encompass after initial full-time enrollment and after a student-athlete's eligibility is exhausted. This will eliminate the variations of acceptance of awards depending on the time of the year. Current legislation only permits the receipt of prize money up to actual and necessary expenses in two situations: (1) A prospective student-athlete, prior to initial enrollment; and (2) A student-athlete in an individual sport who competes outside the academic year. Therefore, in an effort to create more consistency within the legislation, it is recommend that this legislation be modified to allow any student-athlete to receive prize money that does not exceed actual and necessary expense for participation in a competition while maintaining the notion that the student-athlete should generally not be permitted to receive any cash or award that is redeemable for cash.

While all awards provided to student-athletes on a particular team should be uniform, it is recommended that the maximum value for awards being provided by an institution, conference or the NCAA be eliminated. This allows an institution or conference to use its discretion in terms of expending institutional funds. Further, it is recommended eliminating eligibility requirements (e.g., eligible for competition) for participation awards and allow an institution to determine when it is appropriate to provide such an award to a student-athlete. Based on institutional budgets, a student-athlete should be permitted to contribute to an institutional award; therefore, the legislation precluding this should be eliminated.

Current legislation is very prescriptive in terms of awarding agencies and what types of outside entities may provide expenses to a student-athlete to receive a noninstitutional award (e.g., hometown group, established regional, national or international award, local civic organization). To ease administrative burdens in determining appropriate awarding agencies, it is recommended the legislation be modified to reflect similarities to the financial aid from an outside source within NCAA Bylaw 15.2.6.3 (financial aid from an established and continuing program). Specifically, it is recommended that the legislation be modified to allow a student-athlete to receive any award from an outside entity provided the award is established and continuing and there is no direct connection between the awarding agency and the institution. However, it is recommended that maximum values should be maintained for any awards being provided by an outside entity.

**Question No. 1.**

**Are there any concerns with permitting any student-athlete, other than just those in individual sports, to receive prize money not exceeding actual and necessary expenses for participating in competition outside the academic year?**

**Question No. 2.**

**Are there any concerns with eliminating the maximum value for awards provided by an institution, conference or the NCAA and allowing more discretion by the institution and conference for eligibility of such awards?**

**SUPPLEMENT NO. 6**

# Transforming Intercollegiate Athletics
# Working Group of Collegiate Model – Rules

## Benefits for Student-Athletes – Departure and Return Restrictions

## Discussion Document

**Background.**

The current legislation allows an institution to pay the travel expenses for student-athletes to represent the institution in competition, provided the student-athlete leaves for the competition not earlier than 48 hours prior to the start of the competition and remains not more than 36 hours (24 hours in men's basketball) following the end of the competition. NCAA Bylaw 16.8.1.2.1.1 (exceptions) allows for eleven exceptions to this rule.

Before 1991, there were not any NCAA rules governing departure times for contests. The rule limited the amount of time a team could remain at any site to 48 hours. The rationale for the change in 1991, which is now the current rule except for men's basketball, was the need to save money and to decrease the amount of missed class time.

**Overview of Legislative Relief Waivers for Bylaw 16.8.1.2.1. (Departure/Return Expense Restrictions).**

**Summary of Waivers.**

1. A total of 237 cases were submitted with 180 requests for departure beyond the permissible 48-hour period from August 20, 2006 through August 20, 2011.

2. Sixteen requests to return beyond the 36-hour period (24 hours for men's basketball).

3. Forty of the submitted requests have been archived as a result of legislative changes.

4. One request was a blanket waiver.

**Summary of Staff Decisions.**

The following is a summary of decisions, made by staff, of the departure restriction legislation of Bylaw 16.8.1.2.1.

1. A total of 180 departure waivers were decided.

2. A total of 164 waivers were granted.

3. A total of 16 waivers were denied.

4. One hundred sixteen waivers requested departure times up to six hours beyond the permissible time; 108 were granted.

5. Forty-three waivers requested departure times between six and 12 hours beyond the permissible time; 38 were granted.

6. Twenty-one waivers requested departure times more than 12 hours beyond the permissible time; 18 were granted.

**Options for Consideration.**

1. No change to the current rule.

2. Eliminate the current rule and defer to institutional policy and missed class time policy.

3. Extend the timeframe for departure.

4. Have all waivers of the current rule be processed by the conference office.