

**REPORT OF THE
NCAA DIVISION I MEN'S BASKETBALL ISSUES COMMITTEE
JUNE 1, 2009, MEETING**

ACTION ITEMS.

1. Legislative Action Items.

a. Recruiting/Scouting Services.

- (1) Recommendation. The NCAA Division I Men's Basketball Issues Committee recommends that the NCAA Division I Championships/Sports Management Cabinet sponsor legislation to be considered in the 2009-10 legislative cycle to amend NCAA Bylaws 13.14.3.1 and 13.14.3.2 to specify that institutions are permitted to subscribe to published recruiting and video services, provided the service meets the following minimum guidelines. The service must:
 - (a) Disseminate information on at least a quarterly basis;
 - (b) Make public all applicable rates;
 - (c) Make public whether the service is a local, regional or national service, and the quarterly reports must reflect broad-based coverage of that chosen scope.;
 - (d) Incorporate some type of analysis into the report beyond demographical information or rankings of prospects; and
 - (e) Make sample reports available to subscribers prior to purchase.
- (2) Effective Date. Immediate.
- (3) Rationale. Current NCAA rules only require a recruiting or scouting service to be regularly published and available at the same fee rate for all subscribers. There has been a proliferation of these services, particularly in the sport of men's basketball, that do not provide information consistent with the original intent of the legislation. Many of the operators of the recruiting or scouting services are tied directly to teams or events involving highly skilled prospective student-athletes and concerns have been expressed in the coaching community that the service is used as leverage. In some instances, the service merely provides demographical information that is available from other sources or in other instances, no

information that would assist the men's basketball coaches in the evaluation of talent. Many coaches are convinced that unless the staff subscribes to these recruiting or scouting services, the staff will be disadvantaged in attempts to recruit prospects linked with the recruiting-service operator. The committee acknowledged the value that can be derived from the use of recruiting or scouting services. This proposal reflects the intent of the original legislation by establishing minimal guidelines that must be satisfied in order for institutions to subscribe to such a service.

- (4) Estimated Budget Impact. Potential significant cost savings to institutions based on the excessive number of current scouting-service subscriptions that produce limited or insufficient information.
- (5) Student-Athlete Impact. None.

[Note: The cabinet may wish to consider whether the proposal should apply to all sports. Given the fact that this proposal impacts Division I men's basketball recruiting, it will be referred to the NCAA Division I Recruiting and Athletics Personnel Issues Cabinet for review at its September 2009 meeting.]

b. Observation of Prospective Men's Basketball Student-Athletes by Noncoaching Athletics Department Staff Members with Basketball Responsibilities.

- (1) Recommendation. The committee recommends that the cabinet sponsor legislation to be considered in the 2009-10 legislative cycle to amend Bylaw 13.1.2.2 to specify that it is not permissible for noncoaching athletics department staff members with responsibilities in the sport of men's basketball to attend an off-campus athletics event (e.g., high school contest, sports camp) to observe a prospective men's basketball student-athlete, unless the staff member is an immediate family member of one of the participants in the activity. The staff member's attendance to observe activities involving a participant who is an immediate family member shall not be for evaluation purposes, the staff member shall not have direct contact with any prospective men's basketball student-athlete participating in the activity and the staff member shall not act as an institutional recruiter (e.g., by reporting back to the institution's coaching staff about the performance of a prospective men's basketball student-athlete, by

speaking to a prospective men's basketball student-athlete's parents or coach).

- (2) Effective Date. Immediate.
- (3) Rationale. Currently, there is an official interpretation that permits noncoaching athletics department staff members with responsibilities in the sport of men's basketball to attend an off-campus athletics competition that involves prospective men's basketball student-athlete in the locale of the staff member's institution. Although the interpretation attempts to establish restrictions to avoid potential recruiting advantages, there is concern in the basketball community that the mere presence of these individuals at prospective student-athletes' competitions is providing their institutions with a recruiting advantage. Multiple noncoaching athletics department staff members clothed in institutional apparel are attending basketball games in the institution's locale involving high-profile men's basketball prospects. The issue is magnified in major metropolitan areas that include a significant number of high-profile prospective student-athletes. It is difficult to enforce the official interpretation as there may be no real evidence that the staff member has been specifically directed to attend the contest. The committee believes there is no reason for these noncoaching staff members to be in attendance at such contests, unless the staff member has an immediate family member participating in the contest.
- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. None.

[Note: The cabinet may wish to consider whether the proposal should apply to all sports. Given the fact that this proposal impacts Division I men's basketball recruiting, it will be referred to the NCAA Division I Recruiting and Athletics Personnel Issues Cabinet for review at its September 2009 meeting.]

2. Nonlegislative Action Items.

- None.

INFORMATIONAL ITEMS.

1. **Updates.** The committee received updates regarding the following:
 - a. **NCAA Division I Men's Basketball Ethics Coalition.**
 - b. **Future of college basketball.**
 - c. **NCAA Committee on Sportsmanship and Ethical Conduct initiative [The “Respect” Campaign].**
 - d. **NCAA Division I Men’s Basketball Academic Enhancement Group.**
 - e. **New legislation impacting Division I men's basketball.** The committee received an update of the legislative proposals in the 2008-09 legislative cycle that were adopted by the NCAA Division I Legislative Council. The group engaged in a discussion regarding the impact of NCAA Division I Proposal No. 2007-30-C, which eliminated the observation of nonscholastic activities during the April contact period and also shortened the contact period. It was agreed that the legislation should be monitored and evaluated over a period of time to ascertain whether the desired objectives of promoting educational objectives/academic commitment and minimizing nonscholastic influences are being met. The group noted that there are issues for future discussion that have merit including the opportunity for observations of seniors at weekend events conducted by scholastic entities in the state in which they reside, the opportunity for institutions to conduct tryouts for senior prospective men’s basketball student-athletes and a possible modification of the contact period. The staff clarified that it remains permissible pursuant to the legislation for coaches to observe regular out-of-season practice activities (including participation in leagues) involving prospective men’s basketball student-athletes and their scholastic coaches during the April contact period, provided such activities are permitted by the applicable state scholastic athletics association.
2. **Other topics considered and discussed.** The committee reviewed and discussed the following issues:
 - a. **Employment of Individuals Associated with a Prospective Men’s Basketball Student-Athlete as Result of the Prospective Student-Athlete's Athletics Ability.** The committee noted the proliferation of institutions employing individuals associated with a prospective men’s basketball student-athlete (e.g.,

nonscholastic coach, high school coach) in the institution's athletics department in some capacity and the difficulty in enforcing the current legislation that precludes a future employment arrangement if it is contingent on the enrollment of the prospective student-athlete. The committee referred the issue for continuing study and action by the NCAA Division I Men's Basketball Ethics Coalition.

- b. Nonscholastic events held on institution's campus during May.** The committee discussed the proliferation of nonscholastic men's basketball events that are held on campus outside a permissible contact period and noted increasing concern over the degree of involvement by the basketball coaching staff in arranging for such events to be conducted at the institution as well as campus activities during the event. The committee noted that current legislation precludes an institution from making contact with or observing any of the prospective men's basketball student-athletes participating in the activity, precludes institutions from making special financial arrangement for use of institutional facilities, prohibits athletics department staff members from any involvement in the conduct or administration of such events and precludes institutional-arranged activities (e.g., campus tours) during the event. The committee referred the issue for continuing study and action by the Men's Basketball Ethics Coalition.
- c. Coaches' discretionary tickets.** The committee discussed an emerging issue relating to men's basketball coaches being leveraged to provide tickets to specific events (e.g., conference tournaments, season football tickets) from the coaches' discretionary ticket allotment to persons tied to prospective men's basketball student-athletes. The committee noted that such an arrangement would constitute an impermissible recruiting inducement and referred the issue for continuing study and action by the Men's Basketball Ethics Coalition.
- d. Excessive event packet costs.** Coaches continue to complain about the escalating costs charged by event operators in order to obtain an event packet containing information about prospective men's basketball student-athletes. The committee referred the issue for continuing study and action by the Men's Basketball Ethics Coalition.
- e. Reduction of the summer evaluation period.** The committee discussed the merits of reducing the number of days available during the July evaluation period based on continuing concerns about the health, safety and well-being of participants, but declined to make any recommendation to change the current evaluation period.

- f. Guaranteed games.** The committee discussed the complex issues involved with scheduling concerns and guaranteed games, but declined to make any recommendations at this time. The committee determined that a more comprehensive review of the issues was necessary before any further action should be considered by the committee.

*Committee Chair: Kevin Anderson, United States Military Academy,
Patriot League*

*Staff Liaison(s): Tom Jernstedt, Executive
LuAnn Humphrey, Enforcement
Steve Mallonee, Academic and Membership Affairs*