A G E N D A

National Collegiate Athletic Association

Division I Recruiting and Athletics Personnel Issues Cabinet

Hyatt Regency
Newport Beach, California

June 8-9, 2009

1. Welcome.

2. Review cabinet roster. [Supplement No. 1]

3. Discuss communication strategies within conferences.

   ***Background*:** The cabinet will discuss the strategies used within their respective conferences to identify best practices to ensure information is flowing effectively in both directions.

   ***Anticipated Action*:** None.

4. Report from the NCAA Division I Leadership Council Communications and Coordination Group. [Supplement No. 2]

   ***Background*:** The cabinet will review the group's previous minutes.

   ***Anticipated Action*:** None.

5. Report from the NCAA Division I Student-Athlete Advisory Committee representative.

6. Review cabinet's guiding principles. [Supplement No. 3]

   ***Background*:** As part of the cabinet's normal procedures, it will regularly review its guiding principles at each meeting.

   ***Anticipated Action*:** None.

7. Report from the NCAA Division I Legislative Council. [Supplement No. 4]

***Background*:** The cabinet will review the report from the NCAA Division I Legislative Council's April meetings.

***Anticipated Action*:** None.

8. Enforcement update. [Supplement No. 5]

Background: The cabinet will receive an update on recent major infractions cases related to recruiting issues and trends in secondary violations.

Anticipated Action: None.

9. Update from NCAA Policies and Practices Committee. [Supplement No. 6]

Background: The cabinet will receive an update on the Policies and Practices Committee report.

Anticipated Action: None.

10. Bylaw and practices review. [Supplement No. 7]

Background: The NCAA Division I Board of Directors recently charged the governance structure to review bylaws and practices in light of the increased financial pressures on the membership.

Anticipated Action: Develop preliminary list of areas for consideration.

11. Cabinet priority – Review coaching limits and athletics personnel issues. [Supplement No. 8]

***Background*:** The cabinet will review feedback from the discussion document distributed in April relative to the current coaching limits and athletics personnel legislative model.

***Anticipated Action*:** The cabinet may sponsor legislation for the 2009-10 legislative cycle.

12. Cabinet priority – Review impact of technology on printed recruiting materials and audio/video materials. [Supplement No. 9]

***Background*:** The cabinet will discuss issues related to the impact of technology on printed recruiting materials in NCAA Division I Bylaw 13.4.1.1 and audio/video materials in Bylaw 13.4.2.

***Anticipated Action*:** The cabinet may sponsor legislation for the 2009-10 legislative cycle.

13. Review issues related to general correspondence. [Supplement No. 10]

Background: The cabinet will review legislation applicable to general correspondence, specifically institutional letterhead and discuss the increasing number of questions and concerns related to these items.

Anticipated Action: The cabinet may affirm the current legislation or sponsor legislation for the 2009-10 legislative cycle.

14. Review recreational activities legislative concepts. [Supplement No. 11]

***Background*:** This item was referred by the Legislative Council during its October meeting. Specifically, the cabinet was asked to review the history and intent of the legislation as compared to current practice. During its February meeting the cabinet asked the staff to draft options for possible legislation for the cabinet to review in June.

***Anticipated Action*:** The cabinet may sponsor legislation for the 2009-10 legislative cycle.

15. Review sand volleyball legislative concepts. [Supplement No. 12]

***Background*:** The Legislative Council adopted NCAA Division I Proposal No. 2008-59 which added sand volleyball as an emerging sport for women. Accordingly, legislation must be established in all areas to address this new emerging sport.

***Anticipated Action*:** The cabinet may sponsor legislation for the 2009-10 legislative cycle to establish coaching limits and evaluation days for institutions sponsoring sand volleyball.

16. Request from American Volleyball Coaches Association (AVCA) to sponsor legislation in women's volleyball. [Supplement No. 13]

    ***Background*:** The AVCA has submitted three legislative concepts for the cabinet's review and is requesting the cabinet sponsor legislation on their behalf.

    ***Anticipated Action*:** The cabinet may sponsor legislation for the 2009-10 legislative cycle.

17. Future agenda items.

18. Articles of interest.

19. Future meetings.

    a. September 21-22, 2009 – Indianapolis, Indiana.
       - Sunday, September 20 – Travel.
       - Monday, September 21 – Meeting 3 to 8 p.m. (working dinner)
       - Tuesday, September 22 – Meeting 8 a.m. to 11 a.m. Return travel after 1 p.m.

    b. February, 2010 – Indianapolis, Indiana.

20. Other business.

21. Key takeaways.

22. Adjournment.

NCAA DIVISION I RECRUITING AND ATHLETICS PERSONNEL ISSUES CABINET
MEMBER ROSTER

SUPPLEMENT NO. 1

Institution Address	E-mail	Conference	Term End Date
Barber, Mr. Jeff Director of Athletics Liberty University 1971 University Boulevard Lynchburg, VA 24502 **Phone:** 434/582-2100 **Fax:** 434/582-2205 **Assistant:** Karen Goodwin **Phone:** 434/582-2100	jbarber2@liberty.edu	Big South	1-Jul-12
Brewer, Mr. Matt Director of Compliance Colorado State University 304 McGraw Athletic Center Fort Collins, Colorado 80523-0120 **Phone:** 970/491-5459 **Fax:** 970/491-3226 **Assistant:** **Phone:**	matt.brewer@colostate.edu	Mountain West	1-Jul-10
Doggett, Ms. Jana Senior Associate AD for External Affairs/SWA Utah State University 7400 Old Main Hill Logan, Utah 84322-7400 **Phone:** 435/797-3907 **Fax:** 435/797-1800 **Assistant:** Ronda Christoffersen **Phone:** 437/797-2060	jana.doggett@usu.edu	Western Athletic Conference	1-Jul-10
Gannon, Mr. Nicholas Senior Associate Athletics Director Drexel University Department of Athletics 3141 Chestnut Street Philadelphia, Pennsylvania 19104 **Phone:** 215-895-1589 **Fax:** 215-895-2037 **Assistant:** Kathy Kalatsantonakis **Phone:** 215/895-1978	gannon@drexel.edu	Colonial Athletic Association	1-Jul-11

Hamilton, Mr. Michael Director of Men's Athletics University of Tennessee, Knoxville P.O. Box 15016 Knoxville, Tennessee 37901-5016 **Phone:** 865/974-1224 **Fax:** 865/974-2060 **Assistant:** **Phone:**	mhamilton@tennesse.edu	Southeastern	1-Jul-10
Harvey-Vandenberg, Ms. Stephannnie Associate Athletics Director Eastern Michigan University 799 Convocation Center Ypsilanti, Michigan 48197 **Phone:** 734/487-3263 **Fax:** 734/487-6898 **Assistant:** Scott Schultz **Phone:** 734/487-5642 **E-Mail:** sschult4@emich.edu	sharvey6@emich.edu	Mid-American	1-Jul-10
Hutchinson, Mr. Brian Director of Athletics Morehead State University 195 Academic-Athletic Center Morehead, Kentucky 40351 **Phone:** 606/783-2089 **Fax:** 606/783-5035 **Assistant:** Sherry Adkins **Phone:** 606/783-2089 **E-Mail:** sc.adkins@moreheadstate.edu	b.hutchinson@moreheadstate.edu	Ohio Valley	1-Jul-11
Kido, Ms. Erin Assistant Director of Athletics Xavier University 3800 Victory Parkway Cincinnati, Ohio 45207-6114 **Phone:** 513/745-2855 **Fax:** 513/745-3733 **Assistant:** Janet O'Brien **Phone:** 513/745-3727 **E-Mail:** obrien@xavier.edu	kidoe@xavier.edu	Atlantic 10	1-Jul-12

Long, Ms. Petrina Senior Associate Athletics Director University of California, Los Angeles PO Box 24044 325 Westwood Plaza Los Angeles, California 90095-1639 **Phone:** 310/206-6149 **Fax:** 310/206-7047 **Assistant:** Martha Jameson **Phone:** 310/794-4875	plong@athletics.ucla.edu mjameson@athletics.ucla.edu	Pacific-10	1-Jul-10
Martin, Ms. Bridget Associate Athletic Director McNeese State University P.O. Box 90375 Lake Charles, Louisiana 70609 **Phone:** 337/475-5296 **Fax:** 337/475-5297 **Assistant:** **Phone:**	bmartin@mail.mcneese.edu	Southland	1-Jul-11
McCaw, Mr. Ian Director of Athletics Baylor University 150 Bear Run Waco, Texas 76711 **Phone:** 254/710-1222 **Fax:** 254/710-2823 **Assistant:** **Phone:**	Ian_McCaw@Baylor.edu	Big 12	1-Jul-10
Meehan, Ms. Kathleen Associate VP for Athletics St. John's University 8000 Utopia Parkway Carnesecca Arena Queens, New York 11439 **Phone:** 718/990-6173 **Fax:** 718/990-2080 **Assistant:** Julie Jurkovic **Phone:** 718/990-6138	meehank@stjohns.edu	Big East	1-Jul-10

Perkins, Mr. Louis "Skip" Director of Athletics University of Arkansas, Pine Bluff 1200 L.A. Davis Drive Mail Slot 4981 Pine Bluff, Arkansas 71601 **Phone:** 870/575-8675 **Fax:** 870/575-7880 **Assistant:** **Phone:**	perkinsl@uapb.edu	Southwestern Athletic	1-Jul-11
Peterson, Mr. Chris Athletics Director University of Arkansas, Little Rock 2801 South University Avenue Little Rock, Arkansas 72204 **Phone:** 501/569-8980 **Fax:** 501/569-3030 **Assistant:** **Phone:**	tlcampbell@ualr.edu	Sun Belt	1-Jul-10
Piotrowski, Ms. Audrey Cleveland State University 2367 Augustine Dr. Parma, Ohio 44134 **Phone:** 440/888-6027 **Fax:** 440/ 668-8103 **Assistant:** **Phone:**	xcaudrey17@yahoo.com audreypiotrowski03@gmail.com	NCAA Division I Student-Athlete Advisory Committee	
Prettyman, Mr. Ron Director of Athletics Indiana State University ISU Arena Suite 115 Terre Haute, Indiana 47809 **Phone:** 812/237-4089 **Fax:** **Assistant:** Debbie Nelson **Phone:** 812/237-4089	rprettyman@indstate.edu dnelson@indstate.edu	Missouri Valley	1-Jul-12
Radakovich, Mr. Dan Athletics Director Georgia Institute of Technology 150 Bobby Dodd Way, NW Atlanta, Georgia 30332-0455 **Phone:** 404/894-5411 **Fax:** 404/894-8864 **Assistant:** Stephanie Pippin **Phone:** 404/894-5411	drad@gatech.edu SPippin@at.gtaa.gatech.edu	Atlantic Coast	1-Jul-10

Reed, Mr. Shondell Sr. Associate Athletics Director Colgate University 13 Oak Drive Hamilton, New York 13346 **Phone:** 315/228-7605 **Fax:** 315/228-7008 **Assistant:** Cindy Chamberlain **Phone:** 315/228-7611	sreed@mail.colgate.edu cchamberlain@mail.colgate.edu	Patriot League	1-Jul-11
Sexton, Ms. Alison Senior Associate Athletics Director Fairfield University 1073 North Benson Road Fairfield, CT 06824 **Phone:** 203/254-4000 **Fax:** 203/254-4270 **Assistant:** **Phone:**	asexton@mail.fairfield.edu	Metro Atlantic Athletic Conference	1-Jul-12
Stull, Mr. Robert Athletics Director University of Texas at El Paso Athletics Department El Paso, Texas 79968-0579 **Phone:** 915/747-6822 **Fax:** 915/747-5247 **Assistant:** Rita Lerma **Phone:** 915/ 747-6822	rstull@utep.edu rlerma@utep.edu	Conference USA	1-Jul-10
Verlander, Mr. C. Alan Athletics Director Jacksonville University 2800 University Blvd. North Jacksonville, Florida 32211 **Phone:** 904/256-7401 **Fax:** 904/256-7424 **Assistant:** Nikki Swanson **Phone:** 904/256-7400	cverlan@ju.edu	Atlantic Sun	1-Jul-12

Willis, Ms. Miechelle Senior Associate Athletics Director The Ohio State University Address: 227 St. John Arena 410 Woody Hayes Drive Columbus, Ohio 43210 **Phone:** 614/292-7572 **Fax:** 614/292-0506 **Assistant:** Sherri Moore **Phone:** 614/292-6533	willis.102@osu.edu	Big Ten	1-Jul-10

SUPPLEMENT NO. 2

REPORT OF

THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

DIVISION I COMMUNICATIONS AND COORDINATION COMMITTEE

CONFERENCE CALL

Participants: March 3, 2009

Matt Baysinger, Big Twelve Conference – (SAAC)
Grace Calhoun, Indiana University – (Awards, Benefits and Financial Aid Cabinet)
Carolyn Callahan, University of Virginia – (Academics Cabinet)
Joseph D'Antonio, Big East Conference – (Legislative Council)
Damon Evans, University of Georgia – (Leadership Council)
Rob Halvaks, Big West Conference – (Administration Cabinet)
Petrina Long, UCLA – (Recruiting Cabinet)
Mike Rogers, Baylor University – (Amateurism Cabinet)
Jeff Schemmel, San Diego State University – (Championships/Sports Management Cabinet)
Beth DeBauche, NCAA – recording secretary

NCAA staff: Rachel Newman Baker, Matt Burgemeister, Angie Cretors, Kelly Groddy, Lynn Holzman, Amy Huchthausen, Steve Mallonee, Tim Nevius, Carol Reep, Abby Renaker, Kris Richardson Dave Schnase, Maricela Shukie, Geoff Silver, Sharon Tufano, and Leeland Zeller also participated on the call.

The conference call was called to order by the chair, Damon Evans, at 2:05 p.m.

INFORMATIONAL ITEMS.

1. Reports from the February cabinet meetings. The chairs of each cabinet were provided an opportunity to share meeting highlights as follows:

   a. Academic Cabinet.

      (1) Data-Driven Legislation and Policy Development. The Academic Cabinet emphasized the importance of data-driven decision-making as the basis for cabinet legislation and policy development. As such, the cabinet views the collection of data regarding the academic performance of 2-4 transfers and student-athletes certified by the early certification process as critical and necessary. Therefore, the cabinet recommended the Legislative Council adopt Proposal Nos. 2008-75 and 2008-77 (as amended by Proposal No. 2008-77-1).

(2) Nontraditional Coursework. The cabinet supported Proposal No. 2008-32-B, which would permit student-athletes to use nontraditional courses to meet up to 50 percent of the full-time enrollment requirement. The chair noted the conditions outlined in the proposal offers guidance to institutions seeking to ensure student-athletes receive quality instruction through nontraditional course delivery. [Note: To highlight the point made by the chair, the Communications and Coordination Committee discussed the importance of governance groups reviewing the actual legislative proposals and not just the intent statements.]

(3) Facilitating Learning and Achieving Graduation (FLAG). The cabinet endorsed the conceptual framework presented by the working group examining issues pertaining to academic risk. The chair explained that the FLAG is an optional management system that will enable member institutions to determine each student-athlete's potential barriers to graduation, match support services to address each student-athlete's risk, and evaluate the overall effectiveness of institutional and athletics academic support and life skills programming. [The Communications and Coordination Committee was informed that information regarding FLAG is being shared with other governance bodies and working groups.]

b. Awards, Benefits, Expenses and Financial Aid Cabinet.

(1) Review of Current Financial Aid Model. The cabinet has prioritized financial aid items to be reviewed over the next several meetings. The issues prioritized for further study are: (a) countable aid versus noncountable aid (e.g., government grants, institutional merit aid, state grants); (b) examination of issues related to determining counter status; (c) head-count versus equivalency designations; and (d) team financial aid limits. It is anticipated that this review may be completed by June 2010.

(2) Best Practices for Conducting Financial Aid Hearing Opportunities. The cabinet determined that no legislative changes were necessary at this time regarding financial aid hearing opportunities. The cabinet requested that the staff develop a comprehensive best practices document related to the application of the financial aid hearing opportunity legislation and renewal/nonrenewal process. This resource will be made available to the Division I membership on the NCAA Web site. The cabinet also requested the staff work with the staff liaisons for the athletics certification and the compliance review processes to determine if there are ways to ensure institutional policies and procedures for conducting financial aid hearings are reviewed on a regular basis.

(3) Outreach to Financial Aid Community**.** The cabinet directed the staff to develop a plan for NCAA staff to serve as a liaison to the financial aid community to discuss the best methods to enhance dialogue between the NCAA and NASFAA on financial aid issues. Potential outreach efforts may include, but will not be limited to, a coordinated effort to develop educational resources for use by NASFAA members and greater interaction during NCAA Regional Rules Seminars.

c. Recruiting and Athletics Personnel Cabinet.

(1) Early Recruitment. The cabinet will engage in an extensive examination of the current recruiting model in hopes of generating a thorough discussion to identify and understand the specific concerns within the broad topic of early recruitment. [Note: The chair asked for the Division I SAAC to provide assistance regarding this issue.]

(2) Coaching Limits and Athletics Personnel. The cabinet identified several issues within this area and will distribute a discussion document with potential concepts for feedback from the membership on how to appropriately address issues related to coaching limits, including noncoaching staff with sport-specific responsibilities.

(3) Impact of Technology on Recruiting. The cabinet discussed how advances in technology can be helpful in the recruiting process while being mindful of intrusive activities. The cabinet will solicit feedback from various constituencies about potential areas of deregulation in the areas of printed recruiting materials and video/audio materials by using alternate methods of delivering the same information. [Note: The chair asked for the Division I SAAC to provide assistance regarding this issue.]

d. Administration Cabinet.

(1) Committee Appointments. In the process of making appointments to 49 committees, the cabinet noted the importance of receiving complete nomination information that illustrates how the nominee's background is well-suited for the committee along with the nominee's interest in serving on the committee. The cabinet plans to identify ways to enhance the appointment process, which may include providing more education regarding the process to the Division I membership, additional outreach to the 31 multisport conferences, and modifications to the current nomination form to make it more user friendly.

(2) Governance Assessment Tool. The cabinet wants to ensure the newly modified Division I governance structure achieves its intended objectives and that the structure helps to establish a more coordinated Division I agenda. The cabinet therefore agreed to seek to develop a multi-dimensional tool to assess the Division I governance structure, which includes measurable outcomes. The cabinet believes that by developing this assessment tool shortly after the implementation of the new governance structure, any possible short comings can be addressed early and an impactful governance structure can be sustained.

(3) Membership Process. The cabinet, through education and discussion, has sought to lay the proper foundation with its members regarding the Division I membership reclassification process. The cabinet members have been assigned to review strategic plans and associated materials for transitional members. The cabinet will review and consider the status of transitional members during the June meeting.

e. Championships/Sport Management Cabinet.

(1) Bid/site selection process. The cabinet received an overview of the enhanced Championships Bid/Site Selection process, which is expected to not only yield greater uniformity of the criteria presented to the sports committees and ultimately to the cabinet but to allow for more effective synchronization of the championships calendar. The cabinet learned that this process should better position the championship events to be of the highest quality and be responsive to issues of mutual importance to the NCAA and its corporate champions, partners, fans and media interests. Finally, it is anticipated that the uniformity of the new bid cycle will lead to better awareness by prospective hosts of opportunities to bid and, therefore, an increased number of bids.

(2) NCAA controlling goal number two – Facilitating the business interests of the Association. The cabinet heard a presentation from Greg Shaheen, NCAA Senior Vice President for Division I Men's Basketball and Business Strategies. The presentation focused on the NCAA's current bundled-rights agreement and the importance of the various media platforms to the NCAA mission and ties to higher education. The cabinet will consider and discuss ways to facilitate the following priorities:

(a) Continue efforts to thoughtfully build NCAA championships;

(b) Actively participate in the creation of a platform that will allow the NCAA to ensure that its championships benefit from the transition to new forms

of media and be a resource for its member institutions and conferences as they forge their own new media strategies;

(c) Continue to develop new asset strategies that can diversify revenue streams for the Association;

(d) Continuously review policies with an eye toward challenges likely to be created in a new media environment; and

(e) Increase the convergence of principled support between the NCAA and its corporate champions and partners.

(3) Performance standards related to the administration of NCAA championships. The cabinet received information concerning an internal championships group initiative with respect to its methods and procedures for the planning and execution of championships. Included in this work ("Celebrating Champions") was the adoption of four over-arching goals: (a) effective management; (b) deliver the best student-athlete experience; (c) value to partners and hosts; and (d) efficient use of resources. A number of significant accomplishments have followed in support of these four goals, and the cabinet received information with respect to many of these accomplishments.

(4) Championships travel update. The cabinet received an update from staff on the continued monitoring and management of championships travel through the completion of the fall championships season and learned that through the fall season, championships travel costs have increased 3.6 percent over the previous year, which is a modest rate of increase compared to increases during the last three years. It appears that raising the fly/drive mileage threshold approved for the 2008-09 academic year, as well as a greater awareness by all concerned, has mitigated the anticipated increase in travel costs. It was noted that all matters related to the travel cost management efforts will continue to receive attention by the staff. The cabinet will evaluate previous actions taken when it convenes for its next meeting.

f. Amateurism.

(1) The cabinet continued to discuss the current definition of a professional team and its impact on the eligibility status of prospective and enrolled student-athletes. The cabinet agreed to forward the following interrelated legislative concepts to the NCAA Division I Leadership Council for comment before sponsoring legislation in June:

(a) To permit an individual, prior to initial full-time collegiate enrollment, to compete on a professional sports team without jeopardizing his or her amateur status, even if one or more members of the team received more than actual and necessary expenses to compete on the team. However, an individual's amateur status would be jeopardized if he or she receives more than actual and necessary expenses to compete on the team.

(b) A prospective student-athlete who does not initially enroll full-time in a collegiate institution within one year following the high school graduation date of the prospective student-athlete's class and participates in organized events after the one-year period shall be charged with a season of intercollegiate competition for each year of participation and shall fulfill an academic year in residence on matriculation at the certifying institution before being eligible to represent the institution in intercollegiate competition.

(2) The cabinet reviewed the final report of the Task Force on Commercial Activity in Intercollegiate Athletics and learned that the Division I Board of Directors has charged the Leadership Council with managing consideration of the broad range of issues through the governance structure. The cabinet anticipates being called upon to make recommendations regarding the necessary implementation details relative to that portion of the principles pertaining to the amateurism rules.

(3) The cabinet agreed to support a 12-month pilot program that designates the U.S. Census Bureau Web site as the source for expense valuation determinations in those cases where the Eligibility Center and the institution cannot reach an agreement when determining the value of actual and necessary expenses under Bylaw 12.02.4.

(4) The cabinet did not support Proposal No. 2008-79 as written; however, noted that it would be supportive of an early to mid-May deadline. The cabinet requested that the staff prepare a white paper outlining alternatives and points of consideration for each alternative.

2. Lessons learned. What worked well during the winter series of meetings and where did you experience challenges? Possible discussion topics include:

a. Level of preparation by members. The committee members reported that their members appeared to be very well prepared for meetings and discussed the fact that,

as chairs, it is incumbent on them that they set high expectations for cabinet and council members. They agreed that agendas should be built on the assumption that cabinet/council members will read materials prior to meetings and that the meetings should be focused on group examination of issues, rather than receipt of governance reports. The members suggested that necessary presentations should be limited in scope and materials supporting any presentation should be provided in advance of meetings.

b. Structure of meetings and agendas. The Communications and Coordination Committee chair reminded the committee that the new Division I governance structure was developed in part on the premise that the cabinets and councils would focus their meetings on a few items important to the overall Division I agenda. The committee members shared successful practices from their recently concluded meetings, which included the following:

(1) Requesting that cabinet and council members put personal electronic devises away during the meeting with the understanding there would be a set schedule of meeting breaks to allow members time to return phone calls.

(2) Scheduling a conference call in advance of the cabinet meeting to review preliminary matters and necessary governance reports.

(3) Establishing small discussion groups during the course of the meetings to allow members to not only get to know one another better but to benefit from small group discussions. It was mentioned that the composition of these groups was purposefully changed during the course of the meeting and the discussions appeared to be more productive when more structure was provided for the discussion on the front end.

c. Role of the SAAC member. The committee members reported that the SAAC members assigned to the cabinets and councils appear to be making important contributions to the meetings. It was suggested that a SAAC report be included as a standing agenda item for all councils and cabinets. Committee members noted they are planning to rely on SAAC members to provide feedback and input on the key issues on the Division I agenda. Issues being discussed at the cabinet level where the SAAC can be helpful include the examination of issues surrounding early recruitment, the use of technology in recruitment and student-athlete nutritional needs. Cabinet members also noted it may be helpful to assign SAAC members to cabinets based on their background, interest and sport affiliation.

d. Meeting reports. The staff reported that they are trying to ensure the meeting reports are "user friendly" to the membership so that people can stay informed about governance issues. The staff is attentive to ensuring an increased level of uniformity in the reports so they are easy for the membership to read and is trying to ensure that the proper balance is struck between providing an informative report and ensuring reports are not too lengthy. The committee discussed the importance of finding this balance point mindful that not all conferences have representatives on the cabinets. The staff agreed to keep the committee informed regarding developments in this area.

e. Use of technology. Amateurism Cabinet chair Mike Rogers shared his interest in having electronic chat rooms established so that cabinet and council members can share ideas on issues in between meetings. Members indicated general interest in learning more about the possibility of such technology, although it was noted that this tool should not be used to raise the level of expectation for representatives serving in the structure. The staff agreed to explore the available options and to report back to the committee.

3. Communication efforts. The committee members noted they have tried to stress the importance of cabinet and council representatives reporting back to their conferences and to affiliate groups to which they belong. Committee members were asked to share with staff any feedback they receive regarding communication with the broader Division I membership. The staff shared with the committee that outreach to the Division I membership regarding governance issues and communication would be a priority in the months ahead.

4. Leadership succession planning. The committee discussed as the new Division I governance structure was being established, the staff purposefully presenting the Division I Board of Directors with a slate of chairs that not only provided for experienced leadership but represented the diversity of the division in terms of gender, ethnic, positional and subdivision diversity. As the cabinets and the councils look to appoint vice chairs or develop succession plans, there needs to be a high level of coordination between all the cabinets and the councils to ensure that, at a minimum, this current level of diversity is maintained. The committee noted the complexity of the situation and suggested time be reserved on a future conference call to discuss this issue. The staff also agreed to try to suggest some possible approaches to address this situation.

5. Brief preview of the Leadership Council and Legislative Council meetings.

   a. Leadership Council. The Leadership Council chair reported that the council is next expected to meet on March 24. The focus of that group's meeting will be the on-going discussion regarding possible Division I standards and on the report of the Task Force on Commercial Activities in Division I Intercollegiate Athletics. He noted that the important discussion of membership standards may require input from a number of the cabinets as well.

   b. Legislative Council. The Legislative Council chair reported that at its next meeting on April 20, 2009, the council would formally consider the proposals still remaining in the 2009-10 legislative cycle plus any amendments or requests for non controversial or emergency legislation. He mentioned that the comments from the cabinets are helpful to the broader review of legislation.

6. Cabinets and Councils meeting schedule. The committee was informed that the staff is exploring the idea of trying to schedule cabinet meetings immediately one after the other in the same locale to determine if it allows for enhanced cost and planning efficiencies. The staff agreed to share its findings with both the committee members and the staff liaisons. Cabinet members noted such a schedule may have the added benefit of allowing for more coordination between the cabinets.

7. Proposed future call dates. The group determined that a conference call was not needed in advance of the April 20, 2009, Legislative Council meeting and requested that the next call be conducted in early May so that it is in advance of both the June cabinet meetings and conference spring meetings.

# # # # #

NCAA Division I Recruiting and Athletics Personnel Issues Guiding Principles

NCAA Division I Recruiting and Athletics Personnel Issues Cabinet's guiding principles identified, in order of significance, for consideration when reviewing legislative proposals or other recruiting issues:

a. Adherence to the principle governing recruiting set forth in NCAA Constitution 2.11. Specifically, that the recruiting process involves a balancing of the interests of prospective student-athletes, their educational institutions and the Association's member institutions and that recruiting regulations be designed to promote equity among member institutions in its recruiting of prospective student-athletes and to shield them from undue pressures that may interfere with the scholastic or athletics interests of the prospective student-athletes or their educational institutions;

b. Commitment to student-athlete well-being and coaches' quality of life (e.g., time commitment) issues;

c. Ensure legislation is written in a simple, clear and direct manner;

d. Consideration of cost implications to institutions;

e. Consideration of whether or not sport-specific legislative proposals can be expanded to include other sports;

f. Consideration of the amount of time legislation has been in effect in order to assess the full impact before supporting a legislative change to the same bylaws;

g. Whenever possible ensure feedback has been solicited from appropriate external groups (e.g., coaches associations, national governing bodies) on issues, particularly when reviewing legislative proposals that are sport specific;

h. Examine potential unintended consequences when reviewing legislation, particularly proposals designated as noncontroversial or emergency;

i. Consideration of flexibility with regard to issues involving communication (e.g., telephone calls, written and electronic correspondence, contacts) with prospective student-athletes who have signed an National Letter of Intent (NLI) or for those institutions not using the NLI, a written offer of financial aid and/or offer of admission; and

j. Consideration of legislative proposals that focus recruiting practices on scholastic activities.

REPORT OF THE
NCAA DIVISION I LEGISLATIVE COUNCIL MEETING
APRIL 20, 2009

ACTION ITEMS.

- None.

INFORMATIONAL ITEMS.

1. **Legislative Actions.** A list of the NCAA Division I Legislative Council's legislative actions may be found in Attachment A and detailed voting results may be found in Attachment B.

   [Note: Per NCAA Constitution 5.3.2.2.4.1, legislation adopted by the Legislative Council shall be subject to possible review by the NCAA Division I Board of Directors at its next meeting. At its discretion, the Board of Directors may ratify, amend or defeat legislation adopted by the Legislative Council.]

2. **Report of NCAA Division I Legislative Review/Interpretations Committee.** (Voting results may be found in Attachment B.)

   - The Legislative Council approved the minute from the March 25, 2009, teleconference (No. 7) as distributed.

3. **Report of the NCAA Division I Legislative Council Subcommittee for Legislative Relief.** (Voting results may be found in Attachment B.)

   a. The Legislative Council approved a recommended revision to the guidelines for review of and the required information standards for waiver requests involving NCAA Bylaw 14.2.3.2 (delayed enrollment -- tennis, swimming and diving and women's volleyball) and international mandatory military service. The revised guidelines specify that relief may be provided for situations involving international mandatory military service to permit the student-athlete to regain a season or seasons of competition; however, no relief may be provided for the academic year in residence requirement. Additional mitigation or extenuating circumstances unrelated to the mandatory military service shall be reviewed on a case-by-case basis to determine if relief of the academic year in residence requirement is warranted. The revision is effective January 1, 2010, for any tennis, swimming and diving or women's volleyball student-athlete who initially enrolls as a full-time student at a Division I institution on or after January 1, 2010. (For additional information, see Supplement No. 12 of the Legislative Council meeting materials and the NCAA Division I Legislative Council Subcommittee for Legislative Relief page on the NCAA Web site.)

b. The Legislative Council approved a process by which an institution may apply the outcome of a previously approved Subcommittee for Legislative Relief waiver without filing a waiver request with the NCAA national office in a case in which the institution's circumstances appear on an approved list of previously approved waivers and the established criteria for applying the outcome are satisfied. The established list of previously approved waivers (and accompanying criteria) and the process for applying the outcome of such waivers as outlined by the Subcommittee for Legislative Relief are effective immediately. (For additional information, see Supplement No. 12 of the Legislative Council meeting materials and the Subcommittee for Legislative Relief page on the NCAA Web site.)

4. Future Meeting Dates.

a. October 19-20, 2009, Indianapolis, Indiana.

b. January 13-14, 2010, Atlanta, Georgia, in conjunction with the NCAA Convention.

Council Chair: *Joseph D'Antonio, Big East Conference*
Council Liaisons: *Lynn Holzman, Academic and Membership Affairs*
Amy Huchthausen, Academic and Membership Affairs
Steve Mallonee, Academic and Membership Affairs
Leeland Zeller, Academic and Membership Affairs

ATTACHMENT A

NCAA Division I Legislative Council April 2009 Legislative Actions

1. Proposals Recommended as Emergency or Noncontroversial Legislation.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2009-1	COMMITTEES -- COMMON COMMITTEES -- COMMITTEES WITH GOVERNANCE ADMINISTRATION RESPONSIBILITIES -- INTERNATIONAL-STUDENT RECORDS COMMITTEE -- COMPOSITION	NCAA Division I Academics Cabinet.	Immediate	To specify that the International-Student Records Committee shall consist of eight members, including two Division I representatives, two Division II representatives, two representatives who may be from either Division I or Division II and two ex officio members.	Supported as noncontroversial legislation. Adopted.
2009-2	RECRUITING -- CONTACTS AND EVALUATIONS -- TIME PERIOD FOR OFF-CAMPUS CONTACTS AND TELEPHONE CALLS -- WOMEN'S ICE HOCKEY	NCAA Division I Recruiting and Athletics Personnel Issues Cabinet.	Immediate	In women's ice hockey, to specify that: (1) off-campus recruiting contacts shall not be made with an individual (or the individual's relatives or legal guardians) before July 7 following the individual's junior year in high school; (2) an institution is permitted to make one telephone call to an individual (or the individual's relatives or guardians) who is a resident of a foreign country on or after July 7 through July 31 following completion of the individual's sophomore year in high school; and (3) an institution is permitted to make one telephone call per week to an individual (or the individual's relatives or legal guardians) beginning July 7 following completion of the individual's junior year in high school.	Supported as noncontroversial legislation. Adopted.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2009-3	ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- DEAD OR QUIET PERIODS FOR OTHER SPORTS -- NATIONAL LETTER OF INTENT SIGNING DATE -- EXCEPTION -- NORTH AMERICAN CUP FENCING CHAMPIONSHIP	NCAA Division I Recruiting and Athletics Personnel Issues Cabinet.	Immediate	In fencing, to specify that during any year in which the National Letter of Intent signing date dead period occurs during the North American Cup Fencing Championship, it shall be permissible for authorized coaching staff members to observe prospective student-athletes participating in that event.	Supported as noncontroversial legislation. Adopted.
2009-4	AWARDS, BENEFITS AND EXPENSES -- BENEFITS, GIFTS AND SERVICES -- PERMISSIBLE -- RESEARCH STUDIES INVOLVING ONLY STUDENT-ATHLETES -- INSTITUTION-BASED RESEARCH STUDIES	NCAA Division I Administration Cabinet (Research Committee).	Immediate	To specify that a student-athlete may receive compensation from an institution for participating in a research study involving only student-athletes, provided the study is initiated and conducted by a faculty member at a member institution and the study and compensation arrangements are approved by the institutional review board of the faculty member's institution consistent with policies applicable to other institution-based research studies.	Supported as noncontroversial legislation. Adopted.
2009-5	ATHLETICS CERTIFICATION -- MANDATORY SELF-STUDY AND EXTERNAL PEER REVIEW -- RULES COMPLIANCE -- REVIEW OF PROGRAM AREAS	NCAA Division I Legislative Council (Committee on Athletics Certification).	Immediate	To specify that the required once-in-four-years evaluation of an institution's rules-compliance program by an authority outside the athletics department shall include a review of specifically enumerated program areas.	Supported as noncontroversial legislation. Adopted.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2009-6	ATHLETICS CERTIFICATION -- MANDATORY SELF-STUDY AND EXTERNAL PEER REVIEW -- ACADEMIC INTEGRITY -- ACADEMIC STANDARDS -- ADMISSION AND ENROLLMENT	NCAA Division I Legislative Council (Committee on Athletics Certification).	Immediate	To specify that in its athletics certification program self study, an institution shall demonstrate that it admits all student-athletes as regularly enrolled, degree-seeking students in accordance with the regular, published entrance requirements that apply to all applicants.	Supported as noncontroversial legislation. Adopted.
	ATHLETICS CERTIFICATION -- MANDATORY SELF-STUDY AND EXTERNAL PEER REVIEW -- ACADEMIC INTEGRITY -- ACADEMIC SUPPORT – REVIEW OF SUPPORT SERVICES	NCAA Division I Legislative Council (Committee on Athletics Certification).	Immediate	To specify that the required once-in-four-years evaluation of an institution's academic support services by appropriate academic authorities outside the department of intercollegiate athletics shall include a review of any services provided to student-athletes, which may include, but are not limited to, the specified examples of program areas.	Not supported as noncontroversial legislation. Sponsored into the 2009-10 legislative cycle.
	ATHLETICS CERTIFICATION -- MANDATORY SELF-STUDY AND EXTERNAL PEER REVIEW -- ACADEMIC INTEGRITY -- ACADEMIC STANDARDS -- ADMISSION AND ENROLLMENT	NCAA Division I Legislative Council (Committee on Athletics Certification).	Immediate	To specify that in its athletics certification program self study, an institution shall compare the retention rates of student-athlete subgroups to all student-athletes and not to comparable student body groups.	Not supported as noncontroversial legislation. Sponsored into the 2009-10 legislative cycle.

2. Actions Related to Modifications of Wording.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
M-2009-1	ELIGIBILITY -- SEASONS OF COMPETITION: FIVE-YEAR RULE -- CRITERIA FOR DETERMINING SEASON OF COMPETITION -- DELAYED ENROLLMENT -- TENNIS, SWIMMING AND DIVING, AND WOMEN'S VOLLEYBALL -- EARLY HIGH SCHOOL GRADUATION	NCAA Division I Legislative Council.	Immediate	In tennis, swimming and diving and women's volleyball, to clarify that a student-athlete who does not enroll in a collegiate institution as a full-time student in a regular academic term during a one-year time period after his or her high school graduation date or the graduation date of his or her class, (as determined by the first year of high school enrollment or the international equivalent as specified in the NCAA Guide to International Academic Standards for Athletics Eligibility and based on the prescribed educational path in the student-athlete's country) whichever occurs earlier, and participates in organized events after the one-year period, shall be charged with a season of intercollegiate competition for each year of participation and shall fulfill an academic year in residence on matriculation at the certifying institution before being eligible to represent the institution in intercollegiate competition.	Approved.
M-2009-2	ELIGIBILITY -- SEASONS OF COMPETITION: FIVE-YEAR RULE -- ADMINISTRATION OF HARDSHIP WAIVER -- REVIEW OF DENIED WAIVER	NCAA Division I Legislative Council.	Immediate	To clarify that a conference that denies an institution's hardship waiver may submit the waiver to the NCAA Division I Committee on Student-Athlete Reinstatement, which shall have the authority to review and determine whether to approve the waiver based on circumstances that may warrant relief from the application of the legislated waiver criteria.	Approved.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
M-2009-3	RECRUITING -- SPORTS CAMPS AND CLINICS -- DEFINITION OF PROSPECTIVE STUDENT-ATHLETE -- EMPLOYMENT OF PROSPECTIVE STUDENT-ATHLETES/NO FREE OR REDUCED ADMISSION PRIVILEGES -- MEN'S BASKETBALL	NCAA Division I Legislative Council.	Immediate	To clarify that an institution, members of its staff or representatives of its athletics interests shall not employ or give free or reduced admission privileges to a prospective student-athlete (including, men's basketball, any individual who has started classes for the seventh grade) who is an athletics award winner or any individual being recruited by the institution per NCAA Bylaw 13.02.12.1.	Approved.

3. Actions Related to 2008-09 Legislative Cycle Proposals.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-12	PERSONNEL -- LIMITATIONS ON NUMBER OF OFF-CAMPUS RECRUITERS AT ANY ONE TIME -- EXCEPTION -- BASKETBALL -- JULY EVALUATION PERIODS	Big East Conference.	Immediate	In basketball, to specify that during the July evaluation periods, a coach replaced for the purpose of off-campus recruiting activities is not required to return to the institution's campus before engaging in additional recruiting activities, provided no more than three coaches engage in off-campus recruiting activities each day.	Adopted.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-13-B	AMATEURISM -- EXCEPTION FOR PRIZE MONEY FOR STUDENT-ATHLETES -- OUTSIDE THE PLAYING SEASON DURING THE SUMMER VACATION PERIOD -- INDIVIDUAL SPORTS	Big Ten Conference.	Immediate	In individual sports, to permit a student-athlete to accept prize money based on his or her place finish or performance in an open athletics event (an event that is not invitation only), provided the competition occurs outside the institution's declared playing and practice season during the institution's summer vacation period and the prize money does not exceed actual and necessary expenses and is provided only by the sponsor of the open event.	Adopted.
2008-15-B	RECRUITING -- DEFINITIONS AND APPLICATIONS -- PROSPECTIVE STUDENT-ATHLETE -- INSTITUTIONAL ORIENTATION SESSION	Big Ten Conference.	Immediate	To specify that a recruited prospective student-athlete who has signed a National Letter of Intent [or, for an institution that does not use the National Letter of Intent in a particular sport or for a prospective student-athlete who is not eligible to sign an National Letter o Intent (e.g., four-year college transfer), the institution's written offer of admission and/or financial aid] and has reported to an institutional orientation session that is open to all incoming students within 14 calendar days prior to the opening day of classes of a regular academic year term shall not be subject to the contact restrictions in Bylaw 13 and shall be considered a student-athlete for purposes of Bylaw 16 as of the opening day of the orientation session.	Adopted.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-19	RECRUITING -- CONTACTS AND EVALUATIONS -- FOOTBALL -- ONE CONTACT WITH JUNIORS OR SENIORS -- SPRING EVALUATION PERIOD	Big Ten Conference.	Immediate	In football, to specify that during the spring evaluation period, an institution may make one in-person, off-campus contact per prospective student-athlete (including prospective student-athletes in their junior year) at the prospective student-athlete's educational institution; further, to specify that an institution may use an additional evaluation in conjunction with the contact.	FBS: Not moved. FCS: Not moved.
2008-20-A	RECRUITING -- FOOTBALL EVALUATIONS -- SCHOLASTIC AND NONSCHOLASTIC ACTIVITIES -- EVENTS ORGANIZED AND CONDUCTED BY SCHOLASTIC ATHLETICS GOVERNANCE BODIES -- OTHER EVALUATION EVENTS	Southeastern Conference.	August 1, 2009	In football, to specify that live athletics evaluations are permissible at events organized and conducted solely by the applicable state high school athletics association, state preparatory school association or state or national junior college athletics association; further, to specify that institutional staff members shall not attend a recruiting event in which information (e.g., athletics or academic credentials, highlight video) related to prospective student-athletes is presented or otherwise made available.	FBS: Approved an amendment to change the effective date from immediate to August 1, 2009. Adopted, as amended. FCS: Initially defeated; upon reconsideration, amended the effective date from immediate to August 1, 2009 and adopted the proposal, as amended.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-20-B	RECRUITING -- FOOTBALL EVALUATIONS -- SCHOLASTIC AND NONSCHOLASTIC ACTIVITIES -- OTHER EVALUATION EVENTS	NCAA Division I Legislative Council.	Immediate	In football, to specify that institutional staff members shall not attend a recruiting event in which information (e.g., athletics or academic credentials, highlight video) related to prospective student-athletes is presented or otherwise made available.	FBS: Rendered moot. FCS: Initially adopted; upon reconsideration and adoption of NCAA Proposal No. 2008-20-A, rendered moot.
2008-25-D	RECRUITING -- LETTER OF INTENT PROGRAMS -- REQUIREMENTS FOR OFFERS OF ATHLETICALLY RELATED FINANCIAL AID -- COMPLETION OF AMATEURISM CERTIFICATION QUESTIONNAIRE -- DELAYED EFFECTIVE DATE	Big Ten Conference.	August 1, 2010	To specify that an institution shall not provide a high school, preparatory school or transfer (if applicable) prospective student-athlete a written offer of athletically related financial aid until he or she has completed the amateurism certification questionnaire administered by the NCAA Eligibility Center.	Adopted.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-29	RECRUITING -- TRYOUTS -- EXCEPTIONS -- VOLUNTARY SUMMER CONDITIONING -- SPORTS OTHER THAN FOOTBALL AND BASKETBALL	Southeastern Conference.	Immediate	In sports other than football and basketball, to specify that a prospective student-athlete may engage in voluntary summer workouts conducted by an institution's strength and conditioning coach with department-wide duties and may receive workout apparel (on an issuance and retrieval basis), provided he or she is enrolled in the institution's summer term prior to the student's initial full-time enrollment at the certifying institution; further, to specify that an institution may finance medical expenses for a prospective student-athlete who sustains an injury while participating in such workouts.	Adopted.
2008-32-B	ELIGIBILITY -- GENERAL ELIGIBILITY REQUIREMENTS -- FULL-TIME ENROLLMENT -- REQUIREMENT FOR COMPETITION -- NONTRADITIONAL COURSES -- UP TO 50 PERCENT OF MINIMUM REQUIREMENT	Big Ten Conference.	August 1, 2009	To specify that enrollment in a nontraditional course (e.g., distance-learning, correspondence, extension, Internet courses, independent study or any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) offered by the certifying institution may be used to satisfy up to 50 percent of the minimum full-time enrollment requirement for competition, provided the specified conditions are met.	Defeated.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-34	ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS -- CORE CURRICULUM TIME LIMITATION -- STUDENTS WITH EDUCATION IMPACTING DISABILITIES	NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Initial-Eligibility Issues).	August 1, 2010, for student-athletes initially enrolling full time in a collegiate institution on or after August 1, 2010.	To specify that if a prospective student-athlete with a diagnosed education-impacting disability graduates from high school within the core-curriculum time limitation, he or she may use up to three core courses completed after high school graduation to satisfy the core-curriculum or minimum grade-point average requirements, or both.	Approved an amendment to change effective date from August 1, 2009 (for student-athletes initially enrolling full time in a collegiate institution on or after August 1, 2009) to August 1, 2010 (for student-athletes initially enrolling full time in a collegiate institution on or after August 1, 2010). Adopted, as amended.
2008-43	AWARDS, BENEFITS AND EXPENSES -- HOUSING AND MEALS -- FRUIT, NUTS AND BAGELS	Atlantic Coast Conference.	August 1, 2009	To specify that an institution may provide fruit, nuts and bagels to student-athletes at any time.	Adopted.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-45	PLAYING AND PRACTICE SEASONS -- GENERAL REGULATIONS -- SKILL INSTRUCTION -- SPORTS OTHER THAN FOOTBALL -- CONCURRENT SESSIONS	Big 12 Conference.	Immediate	In sports other than football, to specify that prior to September 15 and after April 15, no more than four student-athletes from the same team may be involved in skill-related instruction with their coaches at any one time in any one facility.	Defeated.
2008-46	PLAYING AND PRACTICE SEASONS -- BASEBALL -- PRESEASON PRACTICE AND FIRST CONTEST -- CHAMPIONSHIP SEGMENT	Conference USA.	Immediate	In baseball, to specify that in the championship segment, an institution shall not commence practice sessions prior to the Friday that is three weeks prior to the first permissible contest date for the championship segment and shall not play its first contest (game or scrimmage) with outside competition prior to the Friday in February that is 14 weeks before the Friday immediately preceding Memorial Day.	Adopted.
2008-48	PLAYING AND PRACTICE SEASONS -- BASEBALL -- MAXIMUM NUMBER OF CONTESTS -- 52	Pacific-10 Conference, Big South Conference and West Coast Conference.	August 1, 2009	In baseball, to reduce the maximum number of contests from 56 to 52.	Defeated.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-51	PLAYING AND PRACTICE SEASONS -- PRESEASON PRACTICE -- CROSS COUNTRY, FIELD HOCKEY, WOMEN'S RUGBY, SOCCER, WOMEN'S VOLLEYBALL AND MEN'S WATER POLO	West Coast Conference.	August 1, 2009	In cross country, field hockey, women's rugby, soccer and men's water polo, to specify that an institution shall not commence practice sessions before 16 days prior to the date on which the first permissible contest or date of competition may occur; further, in women's volleyball, to specify that an institution shall not commence practice sessions before 20 days prior to the date on which the first permissible contest may occur.	Defeated.
2008-52	PLAYING AND PRACTICE SEASONS -- FOOTBALL -- PRESEASON PRACTICE -- LIMIT ON NUMBER OF PARTICIPANTS -- REPLACEMENT OF STUDENT-ATHLETE DUE TO INJURY OR ILLNESS -- FCS	Southeastern Conference.	Immediate	In football, to specify that a student-athlete who sustains an injury or illness that prevents further participation in preseason practice activities may be replaced with another student-athlete without including that individual in the institution's limitation on the number of individuals who may participate in preseason practice.	FCS: Adopted.
2008-54	PLAYING AND PRACTICE SEASONS -- GOLF -- ANNUAL EXEMPTIONS -- HAWAII OR ALASKA	Western Athletic Conference.	August 1, 2009	In golf, to specify that the dates of competition in one event (e.g., dual competition, tournament) in Hawaii or Alaska either against or under the sponsorship of an active Division I member located in Hawaii or Alaska, by a member located outside the area in question are exempted from the maximum number of dates of competition.	Adopted.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-55-A	PLAYING AND PRACTICE SEASONS -- WOMEN'S SOCCER -- FIRST CONTEST OR DATE OF COMPETITION -- 12-WEEK SEASON	Atlantic Coast Conference.	August 1, 2009	In women's soccer, to specify that an institution shall not play its first contest or engage in its first date of competition (game) with outside competition prior to the 12th weekend prior to the start of the women's soccer championship.	Adopted.
2008-57	PLAYING AND PRACTICE SEASONS -- TRACK AND FIELD -- SAFETY EXCEPTION -- HURDLES AND STEEPLECHASE	Big 12 Conference.	Immediate	To specify that a coach may be present during voluntary individual workouts in the institution's regular practice facility (without the workouts being considered as countable athletically related activities) when the student-athlete is engaged in jumping hurdles or the jumping element of the steeplechase.	Adopted.
2008-59	DIVISION MEMBERSHIP -- DEFINITIONS AND APPLICATIONS -- EMERGING SPORTS FOR WOMEN -- SAND VOLLEYBALL	NCAA Division I Management Council (Administrative Committee) (Committee on Women's Athletics).	August 1, 2010	To add sand volleyball as an emerging sport for women.	Adopted.
2008-67	ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- SOFTBALL -- CONTACT PERIOD AUGUST 1 THROUGH THE DAY PRIOR TO THANKSGIVING DAY	Big East Conference.	Immediate	In softball, to establish a contact period from August 1 through the day prior to Thanksgiving day.	Adopted.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-68-B	ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- WOMEN'S LACROSSE -- FALL EVALUATIONS -- LIMITATION ON EVALUATIONS OF LACROSSE ACTIVITIES	Ivy Group.	August 1, 2009	In women's lacrosse, to specify that during the fall contact period, evaluations of prospective student-athletes participating in lacrosse activities are limited to the three weekends prior to Thanksgiving.	Adopted.
2008-75-1	ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS -- ELIGIBILITY FOR FINANCIAL AID, PRACTICE AND COMPETITION -- QUALIFIER -- EXCEPTION -- EARLY ACADEMIC CERTIFICATION -- SUBMISSION OF TRANSCRIPT -- WAIVER	NCAA Division I Legislative Council.	August 1, 2009	To amend Proposal No. 2008-75 to specify that the Academics Cabinet may waive the requirement, based on objective evidence that demonstrates circumstances for which a waiver is warranted, that an institution must ensure submission of the final high school transcript to the Eligibility Center for a student-athlete who is certified as a qualifier pursuant to the early academic certification exception.	Adopted.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-75 (as amended)	ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS -- ELIGIBILITY FOR FINANCIAL AID, PRACTICE AND COMPETITION -- QUALIFIER -- EXCEPTION -- EARLY ACADEMIC CERTIFICATION -- SUBMISSION OF TRANSCRIPT	NCAA Division I Board of Directors (Academics Cabinet).	August 1, 2009	To specify that if a student-athlete is certified as a qualifier pursuant to the early academic certification exception and his or her initial full-time collegiate enrollment occurs at the certifying institution during the first term of the academic year, the institution shall ensure submission of his or her final high school transcript (official or unofficial) to the NCAA Eligibility Center by February 1 following the student-athlete's initial full-time enrollment; to specify that if a student-athlete is certified as a qualifier pursuant to the early academic certification exception and his or her initial full-time collegiate enrollment occurs at the certifying institution after the conclusion of the first term of the academic year, the institution shall ensure submission his or her final high school transcript (official or unofficial) to the Eligibility Center by February 1 of the following academic year; further, to specify that a violation of this provision shall be considered an institutional violation, however, the student-athlete's eligibility shall not be affected.	Adopted, as amended.

Proposal Number	Title	Source	Effective Date	Intent	Legislation Council Action
2008-77-1	ELIGIBILITY -- TRANSFER REGULATIONS -- TWO-YEAR COLLEGE TRANSFERS -- SUBMISSION OF INFORMATION NECESSARY TO DETERMINE ACADEMIC INITIAL-ELIGIBILITY STATUS -- WAIVER	NCAA Division I Academics Cabinet.	August 1, 2009	To amend Proposal No. 2008-77 to specify that the Academics Cabinet may waive, based on objective evidence that demonstrates circumstances for which a waiver is warranted, the requirement that an institution submit information necessary to determine the academic initial-eligibility status of a two-year or 4-2-4 transfer student.	Adopted.
2008-77 (as amended)	ELIGIBILITY -- TRANSFER REGULATIONS -- TWO-YEAR COLLEGE TRANSFERS -- SUBMISSION OF INFORMATION NECESSARY TO DETERMINE ACADEMIC INITIAL-ELIGIBILITY STATUS	NCAA Division I Board of Directors.	August 1, 2010; applicable to two-year college and 4-2-4 transfer student-athletes who initially enroll in a Division I institution on or after August 1, 2010.	To specify that an institution shall ensure submission of all necessary information (e.g., high school transcripts, test scores), which may include official or unofficial transcripts and test scores, to the Eligibility Center to determine the academic initial-eligibility status of a two-year college or 4-2-4 transfer student-athlete prior to the end of the student-athlete's first regular academic term of full-time enrollment at the institution; further, to specify that a violation of this provision shall be considered an institutional violation; however, the student-athlete's eligibility will not be affected.	Adopted, as amended.

Proposal Number	Title	Source	Effective Date	Intent	Legislation Council Action
2008-79-1	AMATEURISM -- INVOLVEMENT WITH PROFESSIONAL TEAMS -- PROFESSIONAL BASKETBALL DRAFT -- FOUR-YEAR COLLEGE STUDENT-ATHLETE -- MEN'S BASKETBALL -- DECLARATION TO RESUME INTERCOLLEGIATE PARTICIPATION BY THE END OF MAY 8	Atlantic Coast Conference.	August 1, 2009	To amend Proposal No. 2008-79 to specify that, in men's basketball, an enrolled student-athlete may enter a professional league's draft one time during his collegiate career without jeopardizing eligibility in the sport, provided the student-athlete requests that his name be removed from the draft list and declares his intent to resume intercollegiate participation not later than the end of May 8 of the year in which the draft will occur; the student-athlete's declaration of intent is submitted in writing to the institution's director of athletics; and the student-athlete is not drafted.	Adopted.
2008-79 (as amended)	AMATEURISM -- INVOLVEMENT WITH PROFESSIONAL TEAMS -- PROFESSIONAL BASKETBALL DRAFT -- FOUR-YEAR COLLEGE STUDENT-ATHLETE -- MEN'S BASKETBALL	NCAA Division I Board of Directors.	August 1, 2009	In men's basketball, to specify that an enrolled student-athlete may enter a professional league's draft one time during his collegiate career without jeopardizing eligibility in the sport, provided the student-athlete requests that his name be removed from the draft list and declares his intent to resume intercollegiate participation by the end of the day prior to the first day of the spring National Letter of Intent signing period for the applicable year; the student-athlete's declaration of intent is submitted in writing to the institution's director of athletics; and the student-athlete is not drafted.	Adopted, as amended.

The National Collegiate Athletic Association
April 21, 2009 LZ:jh

NCAA Division I Legislative Council

April 20, 2009

Conference - Voting Delegates	Conference Type	Voting Weight	2008-12	2008-13-B	2008-15-B	2008-20-A, FCS only	Amend effective date of 2008-20-B, FCS only	2008-20-B as amended, FCS only	Amend effective date of 2008-20-A, FBS only	2008-20-A as amended, FBS only	Reconsideration of 2008-20-A, FCS only	Amend effective date of 2008-20-A, FCS only	2008-20-A, as amended, FCS only	2008-25-D	2008-29	2008-32-B
America East C. Doyle	I	1.20	Yes	Yes	No									No	Yes	Yes
Atlantic 10 D. E. Pasque	I	1.20	Yes	Yes	Yes									Abstain	No	Abstain
Atlantic Coast S. Lyons	FBS	3.00	Yes	Yes	Abstain				Yes	Yes				Yes	Yes	No
Atlantic Sun S. Williamson (Pioneer for FCS)	I	1.20	Yes	No	Yes	Yes	Yes	No			Yes	Yes	Yes	Yes	No	Yes
Big 12 L. Ebihara	FBS	3.00	Yes	Yes	Yes				Yes	No				Yes	Yes	Yes
Big East J. F. D'Antonio, Jr.	FBS	3.00	Yes	No	Yes				Yes	Yes				No	Yes	No
Big Sky J. Gee	FCS	1.20	Yes	No	No	No	Yes	Yes			Yes	Yes	Yes	Yes	Yes	Yes
Big South M. Eaker	FCS	1.20	Yes	No	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes	Yes	No
Big Ten B. Jaffee	FBS	3.00	No	Yes	Yes				No	Yes				Yes	Yes	Yes
Big West C. Masner	I	1.20	Yes	No	No									Yes	Yes	Yes
Colonial Athletic Association S. Groff	FCS	1.20	Yes	Yes	Yes	No	Yes	Yes			Yes	Yes	No	Yes	Yes	Yes
Conference USA R. Philippi	FBS	3.00	No	Yes	Yes				Yes	Yes				No	Yes	No
Horizon League E. Jacobs	I	1.20	Yes	Yes	Yes									Yes	Yes	Yes
Ivy Group C. Campbell-McGovern	FCS	1.20	No	No	Yes	No	Yes	Yes			Yes	Yes	Yes	Yes	No	Yes
Metro Atlantic Athletic W. J. Maher	I	1.20	No	Yes	Yes									Yes	Yes	No
Mid-American J. Gilbert	FBS	1.50	Yes	No	Yes				Yes	Yes				No	Yes	No
Mid-Eastern Athletic S. Stills	FCS	1.20	Yes	Yes	Yes	No	Yes	Yes			Yes	Yes	Yes	Yes	Yes	Yes
Missouri Valley M. Mulvenna	FCS	1.20	No	No	No	Yes	Yes	Yes			No	Yes	Yes	Yes	No	Yes
Mountain West J. Ruggiero	FBS	1.50	Yes	Yes	Yes				Yes	Yes				Yes	Yes	Yes
Northeast M. Hefferan	FCS	1.20	Yes	Yes	No	No	Yes	No			Yes	Yes	Yes	Yes	No	Yes
Ohio Valley J. Mynarski	FCS	1.20	Yes	Yes	Yes	Yes	Yes	Yes			Yes	Yes	Yes	No	No	Yes
Pacific-10 K. Koong	FBS	3.00	Yes	Yes	Yes				Yes	Yes				No	No	No
Patriot League J. Kreps	FCS	1.20	Yes	No	No	No	Yes	No			Yes	Yes	No	No	No	Yes
Southeastern G. Grimes	FBS	3.00	Yes	Yes	Yes				Yes	Yes				Yes	Yes	No
Southern D. King	FCS	1.20	Yes	No	No	No	Yes	No			Yes	Yes	Yes	No	Yes	No
Southland T. Shoemake	FCS	1.20	Yes	Yes	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes	Yes	Yes
Southwestern Athletic K. Brooks	FCS	1.20	Yes	Yes	Yes	Yes	Yes	Yes			Yes	Yes	Yes	Yes	Yes	Yes
Sun Belt K. Keene	FBS	1.50	Yes	Yes	Yes				Yes	Yes				Yes	Yes	No
The Summit League M. Moore	I	1.20	Yes	Yes	Yes									No	No	No
West Coast K. Peters	I	1.20	Yes	No	No									No	No	No
Western Athletic R. Spear	FBS	1.50	Yes	Yes	No				No	Yes				Yes	Yes	No
		Yes	41.40	35.70	36.90	6.00	13.00	9.00	22.50	24.00	12.00	13.00	11.00	32.10	37.20	24.30
		No	9.60	15.30	11.10	7.00	0.00	4.00	4.50	3.00	1.00	0.00	2.00	17.70	13.80	25.50
		Abstain	0.00	0.00	3.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.20	0.00	1.20
		Total	51.00	51.00	48.00	13.00	13.00	13.00	27.00	27.00	13.00	13.00	13.00	49.80	51.00	49.80

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NCAA Division I Legislative Council

April 20, 2009

Conference Delegate	Conference Type	Voting Weight	Amend effective date of 2008-34	2008-34 as amended	2008-43	2008-45	2008-46	2008-48	2008-51	2008-52, FCS only	2008-54	2008-55-A	2008-57	2008-59	2008-67	2008-68-B	2008-75-1
America East C. Doyle	I	1.20	Yes	Yes	No	No	Yes	Yes	Yes		Yes	No	Yes	Yes	Yes	Yes	Yes
Atlantic 10 D. E. Pasque	I	1.20	Yes	Yes	Yes	Yes	No	Yes	Yes		Yes	Yes	Yes	No	No	Yes	No
Atlantic Coast S. Lyons	FBS	3.00	Yes	Yes	Yes	Yes	Yes	No	No		Yes	Yes	Yes	No	Yes	Yes	Yes
Atlantic Sun S. Williamson (Pioneer for FCS)	I	1.20	Yes	Yes	No	No	Yes	No	No	No	No	No	No	Yes	No	No	Yes
Big 12 L. Ebihara	FBS	3.00	Yes	Yes	Yes	Yes	Yes	No	No		Yes	Yes	Yes	Yes	No	Abstain	Yes
Big East J. F. D'Antonio, Jr.	FBS	3.00	Yes	No	Yes	Yes	No	No	Yes		Yes	No	Yes	Yes	Yes	Yes	Yes
Big Sky J. Gee	FCS	1.20	No	Yes	No	No	No	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Abstain	Yes
Big South M. Baker	FCS	1.20	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Abstain	Yes
Big Ten B. Jaffee	FBS	3.00	No	Yes	No	No	No	Yes	No		No	No	Yes	No	No	Yes	Yes
Big West C. Masner	I	1.20	Yes	Yes	No	No	Yes	No	Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Colonial Athletic Association S. Groff	FCS	1.20	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Conference USA R. Philippi	FBS	3.00	Yes	Yes	Yes	Yes	Yes	Yes	Yes		No	Yes	Yes	Yes	Yes	Abstain	Abstain
Horizon League E. Jacobs	I	1.20	Yes	Yes	No	No	No	Yes	No		No	No	No	No	No	Yes	Yes
Ivy Group C. Campbell-McGovern	FCS	1.20	No	Yes	No	No	No	Yes	No	No	Yes	No	No	Yes	No	Yes	Yes
Metro Atlantic Athletic W. J. Maher	I	1.20	Yes	Yes	Yes	No	No	No	Yes		Yes	No	Yes	No	No	No	Yes
Mid-American J. Gilbert	FBS	1.50	No	No	Yes	Yes	No	No	Yes		Yes	Yes	Yes	Yes	Yes	No	No
Mid-Eastern Athletic S. Stills	FCS	1.20	Yes	Yes	No	No	No	No	No	No	Yes	No	No	No	No	Yes	Yes
Missouri Valley M. Mulvenna	FCS	1.20	Yes	Yes	Yes	No	No	Yes	No	Yes	No	No	No	No	No	Yes	No
Mountain West J. Ruggiero	FBS	1.50	Yes	Yes	Yes	Yes	Yes	Yes	No		Yes	Yes	Yes	Yes	Yes	No	No
Northeast M. Hefferan	FCS	1.20	No	Yes	No	No	No	Yes	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes
Ohio Valley J. Mynarski	FCS	1.20	Yes	Yes	No	No	No	No	Yes	Yes	Yes	Yes	No	Yes	Abstain	Abstain	Yes
Pacific-10 K. Koong	FBS	3.00	Yes	Yes	Yes	No	Yes	Yes	Yes		Yes	No	Yes	Yes	Yes	Yes	Yes
Patriot League J. Kreps	FCS	1.20	Yes	Yes	No	No	No	Yes	No	No	Yes	Yes	Yes	Yes	No	Yes	No
Southeastern G. Grimes	FBS	3.00	Yes	Yes	Yes	Yes	Yes	No	No		Yes	Yes	Yes	Yes	Yes	No	Yes
Southern D. King	FCS	1.20	Yes	Yes	Yes	No	Yes	No	No	Yes	Yes	No	No	Yes	No	Yes	Yes
Southland T. Shoemake	FCS	1.20	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Abstain	Yes
Southwestern Athletic K. Brooks	FCS	1.20	Yes	Yes	Yes	No	No	No	No	No	Yes	No	No	Yes	No	Abstain	Yes
Sun Belt K. Keene	FBS	1.50	No	Yes	Yes	No	Yes	No	No		Yes	Yes	Yes	Yes	Yes	Yes	Yes
The Summit League M. Moore	I	1.20		Yes	Yes	No	No	No			Yes	Yes	No	No	Yes	Yes	No
West Coast K. Peters	I	1.20	No	No	No	No	No	Yes	Yes		Yes	No	No	Yes	Abstain	Abstain	Yes
Western Athletic R. Spear	FBS	1.50	Yes	No	No	No	No	No	No		Yes	No	Yes	Yes	No	Yes	Yes
		Yes	39.00	43.80	33.30	21.60	26.40	24.90	23.70	7.00	41.40	26.10	39.00	37.80	27.90	29.40	40.20
		No	10.80	7.20	17.70	29.40	24.60	26.10	26.10	6.00	9.60	24.90	12.00	13.20	20.70	8.40	7.80
		Abstain	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.40	13.20	3.00
		Total	49.80	51.00	51.00	51.00	51.00	51.00	49.80	13.00	51.00	51.00	51.00	51.00	48.60	37.80	48.00

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NCAA Division I Legislative Council

April 20, 2009

Conference, Voting Delegate	Conference Type	Voting Weight	2008-75 as amended	2008-77-1	2008-77 as amended	2008-78-1	2008-79 as amended	Approve LRIC minute of 3/25/2009	Approve SLR P&P for Bylaw 14.2.3.2 and mandatory military service	Approve SLR P&P for previously approved waivers	2009-1 as NC	2009-1	2009-2 as NC	2009-2	2009-3 as NC
America East C. Doyle	I	1.20	No	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Atlantic 10 D. E. Pasque	I	1.20	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Atlantic Coast S. Lyons	FBS	3.00	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Atlantic Sun S. Williamson	I	1.20	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Big 12 L. Ebihara	FBS	3.00	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Big East J. F. D'Antonio, Jr.	FBS	3.00	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes
Big Sky J. Gee	FCS	1.20	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Big South M. Baker	FCS	1.20	No	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Big Ten B. Jaffee	FBS	3.00	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Big West C. Masner	I	1.20	Yes	Yes	Yes	No		Yes	Yes	Yes	Yes	Yes	Yes	Abstain	Yes
Colonial Athletic Association S. Croff	FCS	1.20	No	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Abstain	Abstain
Conference USA R. Philippi	FBS	3.00	No	Abstain	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Horizon League E. Jacobs	I	1.20	No	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Ivy Group C. Campbell-McGovern	FCS	1.20	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Metro Atlantic Athletic W. J. Maher	I	1.20	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Mid-American J. Gilbert	FBS	1.50	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Mid-Eastern Athletic S. Stills	FCS	1.20	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Missouri Valley M. Mulvenna	FCS	1.20	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
Mountain West J. Ruggiero	FBS	1.50	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Northeast M. Hefferan	FCS	1.20	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Ohio Valley J. Mynarski	FCS	1.20	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Abstain	Abstain	Abstain
Pacific-10 K. Koong	FBS	3.00	Yes	No	No	Yes	No		Yes	Yes	Yes	Yes	Yes	Yes	Yes
Patriot League J. Kreps	FCS	1.20	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Southeastern G. Grimes	FBS	3.00	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Abstain	Yes
Southern D. King	FCS	1.20	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Southland T. Shoemake	FCS	1.20	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Abstain	Yes
Southwestern Athletic K. Brooks	FCS	1.20	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Abstain	Yes
Sun Belt K. Keene	FBS	1.50	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
The Summit League M. Moore	I	1.20	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
West Coast K. Peters	I	1.20	Yes	No	No	No	No	Yes	Yes	Yes	Yes	Yes	Abstain	Abstain	Abstain
Western Athletic R. Spear	FBS	1.50	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes
			Yes	34.80	35.70	27.30	42.30	45.60	48.00	51.00	51.00	51.00	44.10	40.80	46.20
			No	16.20	12.30	23.70	8.70	4.20	0.00	0.00	0.00	0.00	4.50	0.00	1.20
			Abstain	0.00	3.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.40	10.20	3.60
			Total	51.00	48.00	51.00	51.00	49.80	48.00	51.00	51.00	51.00	51.00	48.60	40.80	47.40

NCAA Division I Legislative Council

April 20, 2009

Conference Delegate - Voting	Conference Type	Voting Weight	2009-3	2009-4 as NC	2009-4	2009-5 as NC	2009-5	2009-6 as NC	2009-6	Athletics certification proposal - review of academic support services as NC	Athletics certification - retention rate analysis as NC	Approve M-2009-1	Approve M-2009-2	Approve M-2009-3
America East C. Doyle	I	1.20		Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
Atlantic 10 D. E. Pasque	I	1.20	Abstain	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Atlantic Coast S. Lyons	FBS	3.00	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Atlantic Sun S. Williamson	I	1.20	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes
Big 12 L. Ebihara	FBS	3.00	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes
Big East J. F. D'Antonio, Jr.	FBS	3.00	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Big Sky J. Gee	FCS	1.20	Abstain	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Big South M. Baker	FCS	1.20	Abstain	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Big Ten B. Jaffee	FBS	3.00	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes
Big West C. Masner	I	1.20	Abstain	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
Colonial Athletic Association S. Groff	FCS	1.20	Abstain	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Conference USA R. Philippi	FBS	3.00		Yes	Yes	Yes	Yes	No	No	Yes	No	Yes	Yes	Yes
Horizon League E. Jacobs	I	1.20	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Ivy Group C. Campbell-McGovern	FCS	1.20	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Metro Atlantic Athletic W. J. Maher	I	1.20	Abstain	No	No	No	Yes	Yes	Yes	No	No	Yes	Yes	Yes
Mid-American J. Gilbert	FBS	1.50	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes
Mid-Eastern Athletic S. Stills	FCS	1.20	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
Missouri Valley M. Mulvenna	FCS	1.20	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes
Mountain West J. Ruggiero	FBS	1.50	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
Northeast M. Heffernan	FCS	1.20	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Ohio Valley J. Mynarski	FCS	1.20	Abstain	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	No	Yes
Pacific-10 K. Koong	FBS	3.00	Yes	Yes	Yes	No	No	No		No	No	Yes	Yes	Yes
Patriot League J. Kreps	FCS	1.20	Yes	No	Yes	Yes	Yes	Abstain	Yes	Yes	No	Yes	No	Yes
Southeastern G. Grimes	FBS	3.00	Abstain	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes
Southern D. King	FCS	1.20	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Southland T. Shoemake	FCS	1.20	Abstain	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes
Southwestern Athletic K. Brooks	FCS	1.20	Abstain	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Sun Belt K. Keene	FBS	1.50	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
The Summit League M. Moore	I	1.20	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes
West Coast K. Peters	I	1.20	Abstain	No	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes	Yes
Western Athletic R. Spear	FBS	1.50	Yes	Yes	Yes	No	Yes	No	Yes	No	No	Yes	Yes	Yes
			Yes	33.00	43.20	48.60	44.10	48.00	39.90	40.80	33.30	26.10	42.30	48.60	49.80
			No	0.00	7.80	2.40	6.90	3.00	9.90	7.20	17.70	24.90	8.70	2.40	0.00
			Abstain	15.00	0.00	0.00	0.00	0.00	1.20	0.00	0.00	0.00	0.00	0.00	0.00
			Total	33.00	51.00	51.00	51.00	51.00	49.80	48.00	51.00	51.00	51.00	51.00	49.80

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NCAA Division I Major Infractions Cases for January to April 2009 Involving Recruiting/Athletics Personnel Violations

University of Albany, January 2009

Sport: Football and baseball.

Summary: During one year, the football coaching staff sent impermissible text messages when it used recruiting software that enabled a coach to type a single message and send it to several prospects at once. As a result, the 36 occasions when football coaches sent text messages resulted in 331 messages sent and 220 prospects contacted. Also, during one summer, the head baseball coach sent a total of 56 impermissible text messages to five prospective student-athletes using his institution-issued cellular telephone. The NCAA Division I Committee on Infractions (COI) found that these violations occurred partly as a result of the institution's failure to monitor text messages.

Recruiting penalties: A limit of no more than 10.7 grants-in-aid in baseball for one year; a limit of 28 official paid visits in football for one year; the head baseball coach was restricted from all off-campus recruiting activities for one year; five assistant football coaches were suspended from recruiting activities between four to 48 weeks; recruiting activities in football were suspended for an additional four weeks during otherwise permissible contact periods; reduced by one the number of football coaches permitted to be engaged in off-campus recruiting at any one time for one year; suspended the recruitment of each involved prospect for varying time periods.

Eastern Washington University, February 2009

Sport: Football.

Summary: The football program exceeded the maximum number of 11 countable coaches during four years. Specifically, coaches designated as student coaches did not meet NCAA coaching legislation. Additionally, the life skills coach and one former football student-athlete who competed in the National Football League volunteered for the program and performed some coaching activities. The COI found that these violations occurred partly as a result of the head coach's and institution's failure to monitor individuals involved with the football program and the institution's failure to provide adequate NCAA rules education.

Athletics personnel penalties: A reduction of the number of full-time coaches by one for three years and a postseason ban for one year.

Texas A&M University – Corpus Christi, March 2009

Sport: Men's basketball.

Summary: Assistant men's basketball coach placed at least 92 impermissible telephone calls to four two-year college prospects; and the institution provided a men's basketball prospect, a four-year college transfer and international student-athlete, various recruiting inducements, including

cost-free lodging and transportation, prior to the prospect's enrollment. The COI found that these violations occurred partly as a result of unethical conduct by the former compliance director and the institution's failure to provide adequate NCAA rules education.

Recruiting penalties: Limit of official paid visits to two in men's basketball for one year; prohibited men's basketball coaches from making off-campus contacts for one week and from making recruiting telephone calls for one month. Also, an assistant coach was prohibited from making any off-campus contacts for an additional three weeks and prohibited from making any recruiting telephone calls for two months.

Northeastern University, April 2009

Sport: Men's basketball.

Summary: A representative of the institution's athletics interests assisted the men's basketball coaching staff in the recruitment of a prospect and provided impermissible benefits to the prospect, including an airline ticket, local transportation and one night of lodging. The COI found that these violations occurred partly as a result of the institution's failure to monitor the prospect's recruitment and to monitor an expenditure made on behalf of the men's basketball program.

Recruiting penalties: Reduction of grants-in-aid to 12 and of official paid visits to nine in men's basketball for one year.

NCAA Division I Secondary Violations Statistics for 2008
Recruiting Materials

There were a total of **259 NCAA Bylaw 13.4 violations reported in 2008**. Of those 259 violations, 100 were violations of Bylaw 13.4.1, where recruiting materials were sent prior to the permissible date to do so. In addition, 126 were violations of Bylaw 13.4.1.2, text messages.

Bylaw	Description of Violation	Number of Cases in 2008
13.4.1	Sending recruiting materials prior to the permissible date	100
13.4.1.1	Sending impermissible recruiting materials	33
13.4.1.2	Text messages	126

Bylaw 13.4.1.1 Violations by Sport

The 33 Bylaw 13.4.1.1 violations were reported by approximately 30 different NCAA member institutions. The most in any one sport was four (football and women's basketball), so there does not appear to be a significant distinction according to sport.

Sport	Number	Sport	Number	Sport	Number
Baseball	1	Men's wrestling	3	Softball	2
Men's basketball	2	Women's basketball	4	Women's soccer	3
Football	4	Women's cross country	2	Women's swimming	1
Men's golf	1	Women's equestrian	1	Women's track	2
Men's soccer	2	Field hockey	1	Women's volleyball	1
Men's swimming	2	Women's golf	1		
Men's track	1	Women's gymnastics	1		

Penalties: Inadvertent, isolated violations of Bylaws 13.4.1 and 13.4.1.1 are classified as Level II secondary violations and do not have prescribed penalties. As a result, institutions and/or conferences take whatever actions they believe are appropriate in response to the violations. Most penalties for sending recruiting materials prior to the permissible date (Bylaw 13.4.1) result in the involved coaching staff being precluded from sending recruiting materials to the involved prospect or all prospects for a period of time. Most penalties for sending impermissible recruiting materials (Bylaw 13.4.1.1) include a letter of admonishment to the involved staff member and rules education.

SUPPLEMENT NO. 7

MEMORANDUM

May 4, 2009

TO: Members of the Division I Communications and Coordination Committee.

FROM: Beth DeBauche, staff liaison.

SUBJECT: Bylaw and Practices Review.

1. Charge.

Given the current economic conditions that are placing stress on institutional and athletics budgets at many NCAA member institutions, the Division I Board of Directors at its April 30, 2009, meeting, requested that the Division I councils and cabinets begin an immediate review of all operational aspects under their purview to identify bylaws and practices that could possibly be modified to provide financial relief to the membership. Specifically, the Board asked that each governance body at its next meeting start developing an exhaustive list of possible bylaws and policy changes ranked in priority order with the relevant projected financial impact on the membership.

In conducting these reviews, the cabinets and councils should consider the impact of the proposed changes on the principles of fair competition, the well-being of student-athletes, sound academic standards, the integrity of the sport, and costs. The recommendations should be consistent with the NCAA principle governing the economy of athletics program operations, which states that intercollegiate athletics programs shall be administered in keeping with prudent management and fiscal practices to arouse the financial stability necessary for providing student-athletes with adequate opportunities for athletics competition as an integral part of a quality educational experience. The Board of Directors appreciates that some of the bylaws identified in this review may include concepts previously considered by the Division I governance structure but encourages the cabinets and councils to take a fresh look at issues in light of this charge.

2. Illustrations.

The NCAA staff was also asked to seek to think creatively about possible bylaw and policy changes that could provide financial relief on campuses and some of the ideas identified by

staff may be illustrative to the cabinets and councils as they seek to begin their examination. Ideas discussed included: suspending athletic certification for a year or predetermined amount of time; eliminating nontraditional seasons for selected sports; modifying championships bracketing and seeding; eliminating the printing of recruiting materials and media guides and modifying recruiting calendars.

3. Timeline.

Cabinets will be asked to begin this review at their June meetings. Cabinets shall provide a progress report in their June cabinet reports including a listing of bylaws appropriate for possible amendment. Depending on the scope of cabinet jurisdiction, some cabinets may be able to finish their reviews in June, while others may require additional time to formalize recommendations. Those cabinets needing extra time would be encouraged work expeditiously where possible with the goal of concluding their reviews during the September series of meetings. [Note: The Championships/Sports Management Cabinet does not have an in-person meeting scheduled in June but does have a conference call scheduled.]

The Leadership Council, with the help of the Legislative Council, will then be asked to prioritize the work and recommendations of the cabinets to ensure a level of consistency between recommendations in keeping with the priorities on the Division I agenda. The prioritized list of recommended changes will be presented to the Board of Directors during its October meeting, as the Board will be asked to consider sponsoring legislation in the 2009-10 legislative cycle as it deems appropriate. Consideration of the proposals by the membership will occur thereafter under the normal legislative process. It is hoped that as a result of this process appropriate legislative changes will be adopted that will result in cost savings from an operational standpoint on campus that will in no way compromise the well-being of student-athletes, sound academic standards, and the integrity of the sports.

SUPPLEMENT NO. 8

MEMORANDUM

April 17, 2009

P.O. Box 6222
Indianapolis, Indiana 46206
Telephone: 317/917-6222

Shipping/Overnight Address:
1802 Alonzo Watford Sr. Drive
Indianapolis, Indiana 46202

www.ncaa.org

TO: NCAA Division I Membership

FROM: Petrina Long, Chair
NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

SUBJECT: Discussion Document on Coaching Limits and Athletics Personnel Issues

During its initial meeting in September, 2008, the NCAA Division I Recruiting and Athletics Personnel Issues Cabinet identified several key priority items to guide its work. One of those key priority items is the issue of coaching limits and athletics personnel issues related to NCAA Division I Bylaw 11. The cabinet engaged in preliminary discussion of this broad issue during its past two meetings and identified several areas of concern. However, the cabinet agreed feedback from the membership and relevant constituent groups is vital before any specific legislative action is initiated. In order to obtain this feedback, the cabinet presents the attached discussion document which outlines the legislative and interpretive history regarding Bylaw 11. The document summarizes how current legislation applies and identifies issues and points to consider, based on cabinet discussion and informal membership comments. A table listing possible legislative concepts is included with the discussion document.

The primary goal of this document is to generate discussion and feedback. Accordingly, there are many different legislative concepts presented for consideration in an effort to address as many points and options as possible. Therefore, these ideas should not be taken as representative of the cabinet's current position of support or opposition to any of the ideas included. These concepts instead are intended to capture a wide variety of potential perspectives in an effort to stimulate meaningful discussion across the membership. While different individuals, institutions, conferences and constituent groups will likely have varying reactions to the concepts presented – some of support, some of opposition – the cabinet is interested in hearing all opinions, suggestions and comments. We are very much interested in any type of reaction and feedback, along with other options or alternatives not included, so we can conduct an informed review of this issue during our June, 2009, meeting.

In order for your comments to be reviewed by the cabinet in June, we request that you submit feedback no later than May, 29, 2009. Questions and feedback may be directed to Amy Huchthausen (ahuchthausen@ncaa.org) or Charnele Kemper (ckemper@ncaa.org) at the national office who serve as staff liaisons to the cabinet.

Finally, on behalf of the cabinet, thank you in advance for your participation in this important discussion.

cc: Selected NCAA Staff
Selected Coaches Associations

NCAA Division I Recruiting and Athletics Personnel Issues Cabinet
Coaching Limitations and Athletics Personnel Discussion Document

Background.

The NCAA Division I Recruiting and Personnel Issues Cabinet discussed issues related to limitations on the number and duties of coaches and athletics department personnel at its February 2009 in-person meeting. Specifically, the cabinet identified the following key issues: (1) proliferation of noncoaching staff members with sport specific responsibilities; (2) lack of uniformity in the duties performed by noncoaching staff members with sport-specific responsibilities and managers; (3) difficulty in monitoring and enforcing the activities performed by noncoaching staff members with sport-specific responsibilities and managers; and (4) the use of noncoaching positions with sport-specific responsibilities as a foundation for future coaching careers. The cabinet also discussed the role of managers, graduate assistant coaches and volunteer coaches relative to this area. The cabinet agreed to solicit feedback from the membership regarding potential legislative concepts to address these issues and will review the information received at its June 2009 in-person meeting.

History of Legislation.

Coaching limitations began with the adoption of legislation during a special convention in August 1975, effective August 1, 1976, to limit the maximum number of assistant football and basketball coaches who could be employed by Division I institutions. An amendment to limit the number of coaches in other sports was defeated at the special convention. The special convention was held as a result of the Special Meeting on Economy held in April 1975. Although the overarching reason for adopting coaching limitations was related to expenses, the issue of fairness was also addressed in the discussion of the legislation.

The legislation permitted institutions "to employ or otherwise utilize the services" of the following number of coaches:

- Football – One head coach, eight assistant coaches, two part-time assistant coaches.
- Basketball – One head coach, two assistant coaches, one part-time assistant coach.

Exceptions were provided for one volunteer coach per sport, undergraduate student-athletes who completed their eligibility and graduates of the institution in their fifth years, pursuant to specific restrictions.

The legislation specified that only individuals specified in the coaching limitations of the bylaw could participate in any manner in the coaching of the intercollegiate team in football or basketball during any game, practice or other organized activity. Questions were soon raised regarding "other organized activity" and the responsibilities of other athletics personnel. Case No. 319 in the 1977-78 NCAA Manual included the following question and answer:

Question: Does any organized staff activity related directly to football or basketball constitute an "other organized activity," thereby resulting in the individual (e.g., recruiting coordinator, academic counselor, dormitory supervisor, weight coach, prospective student-athlete scout) involved in such activity being counted in the football or basketball coaching limitations.

Answer: Yes. However, if the individual performs his responsibilities on a department-wide basis (e.g., a recruiting coordinator who coordinates recruiting for all intercollegiate sports conducted by the institution or an academic counselor who counsels all student-athletes in all sports rather than solely football or basketball), he shall be excluded from the limitations on the number of coaches in football and basketball.

Highlights of Changes to the Legislation since 1976.

- **1985 NCAA Convention Proposal No. 74 adopted**. The proposal specified that strength and conditioning coaches were permitted to conduct stretching, conditioning and warm-up drills prior to games and prior to and during practices.

- **1991 NCAA Convention Proposal No. 36 adopted.** The proposal established coaching categories (including the restricted-earnings coach) and imposed coaching limitations in all sports other than football and reduced the number of countable coaches in basketball. The proposal included the following rationale statement:

  The largest expense item in the athletics budget is personnel. Currently, only football and basketball have limits on the number of coaches who may be employed and the existing categorical designations of part-time graduate student and volunteer coach have not been effective in reducing the number of full-time paid employees associated with the sport. In addition, the committee (Special Committee on Cost Reduction) recognizes the recent proliferation of part-time personnel associated with many Division I sports. Proposed limitations reflect an effort to: (1) reduce the number of coaches associated with each sport by at least one full-time equivalent position; (2) establish an "unrestricted" head or assistant coach category that will accommodate any type of volunteer, paid, full-time or part-time coach, and (3) establish a "restricted-earnings" category that will encourage the development of new coaches while more effectively limiting compensation to such coaches.

- **1992 NCAA Convention Proposal No. 60 adopted.** The proposal established an exception to the limitations to allow for a volunteer coach in sports other than football and basketball. The rationale for the proposal included the need to address the concerns expressed by many institutions "that a group of unpaid volunteers, such as former student-

athletes and local club coaches, would be precluded from providing assistance to student-athletes".

- **1993 NCAA Convention Proposal No. 65 adopted.** The proposal redefined the individuals who must be included in an institution's coaching limitations in each sport. (Current Bylaw 11.7.1.1.1.1 Noncoaching Activities.) The proposal included the following rationale statement:

  At the 1991 Convention, Division I institutions adopted legislation, effective August 1, 1992, to reduce the number of coaching personnel in the sports of football and basketball, and to establish numerical coaching limitations in all other sports. Following the adoption of that legislation, a concern arose that institutions were reassigning individuals who previously counted against coaching limitations in an effort to avoid counting such individuals as coaches in the applicable sports. This practice results in minimal (if any) cost savings and provides an unfair competitive advantage for those institutions that continue to utilize the coaching expertise of such individuals. This result was not contemplated nor intended when the legislation was adopted. Further, there has been additional concern that the absence of a definitive standard of what constitutes "department-wide responsibilities" has permitted individuals to perform duties almost entirely in one sport without being included in an institution's coaching limitations in that sport. This new standard, recommended by the Interpretations Committee and the Council, more accurately reflects the intent of the legislation that established coaching limitations and provides a more workable definition for determining which individuals should be included in an institution's coaching limits.

  Interestingly, discussion related to Proposal No. 65 included the following statements: "There is no legislation related to the administrative staff limits and maybe that will be a topic at some later date the Convention will consider. As far as it pertains to the coaching staff limitations, we believe this definition closes the loopholes and makes the limitations more easily understood."

- **1995 NCAA Administrative Committee Action.** Earning restrictions for restricted-earnings coaches deleted.

- **Restricted-earnings designation changed to "restricted" in 1998.**

- **References to "restricted" coaches removed from the Manual via Proposal No. 2001-105.**

Current Legislation.

NCAA Division I legislation specifies a limit on the number of countable coaches (e.g., head, assistant) that may participate in coaching activities and who may contact or evaluate prospective student-athletes off-campus at any one time in each sport. Additionally, other coaches and athletics department staff members, including noncoaching staff members with sport specific responsibilities (e.g., administrative assistant, director of basketball operations, video coordinator), volunteer coaches, graduate assistant coaches in the sport of football, and student assistant coaches, are limited by the types of duties they may perform in their respective positions. The following chart summarizes current legislation in this area along with points and questions to consider as the membership evaluates what is appropriate and manageable for each individual position and for a collective coaching and personnel model.

Position: Countable Coach	
Legislation	***Points and Questions to Consider***
• Designated to perform coaching duties (paid or unpaid). • Participates in coaching of the team in practice, games or organized activities. • Limited in number for all sports. • May contact or evaluate prospective student-athletes off-campus, if certified on annual basis. • Limit on number who may contact or evaluate prospective student-athletes off-campus at any one time. • May make telephone calls to or receive calls from prospective student-athletes, their parents/legal guardians and coaches. • May perform recruiting coordination functions (e.g., telephone calls to prospects).	• Expanded expectations and responsibilities (e.g., fundraising, speaking engagements, community service) in recent years has resulted in increased time demands on coaches. • Increased pressure to constantly recruit has also increased time demands. • Less time to spend with student-athletes in coaching and mentoring activities.

Position: Graduate-Assistant Coach	
Legislation	***Points and Questions to Consider***
• Exception to coaching limits (noncountable coach) • Permitted only in Football Bowl Subdivision (FBS) and women's rowing. • Must have earned baccalaureate degree. • Must be enrolled in at least 50% of institution's regular graduate program. • May not receive compensation or remuneration in excess of a full grant-in-aid. • May receive employment benefits available to all institutional staff members. • General limit of two-year term. • May not contact or evaluate prospective student-athletes off-campus. • May participate in evaluation or selection of prospective student-athletes on-campus. • If certified, may make telephone calls to or receive telephone calls from prospective student-athletes and their parents/legal guardians or coaches.	• Serves as professional development opportunity for aspiring coaches, usually former student-athletes. • Similar to traditional higher education model of graduate assistantships that combine continued education and practical experience. • Should this exception be expanded to all sports to address time demands of coaches and reduce proliferation of noncoaching staff with sport-specific responsibilities?

Position: Student-Assistant Coach	
Legislation	***Points and Questions to Consider***
• Student-athlete who has exhausted eligibility or permanently injured. • Must be enrolled at institution where participation occurred. • Must be within the five-year eligibility period • Must be working towards baccalaureate or graduate degree. • Generally, must be a full-time student. • May not receive compensation or remuneration. • May receive expenses that student-athletes can receive. • May not recruit or evaluate prospects off-campus. • May not scout opponents off-campus. • May not perform recruiting coordination functions.	• Should the opportunity be open to all student-athletes and students, not just those student-athletes who have exhausted eligibility or injured? • If opportunity for more student-athletes to qualify as student assistant coaches is expanded, does this alleviate some concerns regarding the availability of coaches to work with student-athletes? • Should there be a limit established per sport?

Position: Volunteer Coach	
Legislation	***Points and Questions to Consider***
• Exception to coaching limits (noncountable coach) • May not receive compensation or remuneration. • Prohibited in football and basketball. • Generally, limited to one in each sport. • More than one permitted in women's rowing, equestrian and certain other sports. • May not contact or evaluate prospective student-athletes off-campus. • May not perform recruiting coordination functions. • After prospective student-athlete signs National Letter of Intent (NLI) (or written offer of admission/financial aid for institutions that do not use NLI), may make telephone calls or receive telephone calls from prospective student-athletes and their parents/legal guardians or coaches. • May be involved in official visits (e.g., receive a meal in conjunction with official visit; provide transportation from the bus, train station or nearest major airport).	• Original intent (as noted above in 1992 Proposal No. 60) was to provide opportunity for former student-athletes and local club coaches to be involved. Clearly, the position of local club coaches has evolved over the years. • In some instances, position has evolved into permanent staff member by permitting the individual to be compensated for working institutional camps and clinics or being employed by institution (outside of athletics). • Position is also able to receive expenses to away contests, complimentary admissions in coach's sport and meals with the team. • Have the avenues of compensation connected to the institution and/or other benefits perpetuated the increased role and expectations associated with this position? • Should this exception be expanded to football and basketball to address time demands of coaches and reduce proliferation of noncoaching staff with sport-specific responsibilities?

Position: Noncoaching Staff with Sport-Specific Responsibilities	
Legislation	***Points and Questions to Consider***
• May not be involved in on- or off-field coaching activities (e.g., throwing bounce passes, attending coaching meetings, analyzing film of institution's or opponent's team). • May not be identified as coaches. • May not be involved in off-campus recruiting. • May not scout opponents. • May not participate with or observe student-athletes in the staff member's sport who are engaged in nonorganized voluntary athletically related activities (e.g., pick-up games). • After prospective student-athlete signs National Letter of Intent (NLI) (or written offer of admission/financial aid for institutions that do not use NLI), may make telephone calls or receive telephone calls from prospective student-athletes and their parents/legal guardians or coaches. • May sit on the bench/sidelines during institution's contest, provided no coaching activities occur. • Noncoaching staff with sport-specific responsibilities may not attend or speak at banquets or meetings that are designed primarily to recognize prospects. • Noncoaching staff with sport-specific responsibilities generally may not attend an on- or off-campus athletics event in the staff member's sport in which prospective student-athletes participate, except if staff member is an immediate family member of prospect or event is a competition in the locale of the institution.	• Rationale for these positions is often as professional development for aspiring coaches. • Proliferation of these positions in certain sports and across different sports has raised many concerns. • Lack of specific "laundry list" of duties has caused frustration among compliance administrators for monitoring purposes. • Lack of uniformity of these positions in title (e.g., director of operations, director of player development, director of high school relations, quality control coordinator, special assistant to the head coach) • Lack of uniformity of these positions in duties, even if same title. • Compliance personnel express difficulty in monitoring of duties associated with these positions because they are not in attendance at coaches meetings, practice or on sidelines/bench during games. • Escalation of "arms race" has increased competitive advantage for those institutions who can afford additional staff. • Ability to hire unlimited number has contributed, in part, to abuses of "package deals" involving prospective student-athletes and parents (or legal guardians), advisors and club coaches. • Should there be a limit established by sport?

Position: Manager	
Legislation	***Points and Questions to Consider***

• Must perform traditional managerial duties (e.g., filling water bottles, laundry, run clock at practice).
• If a student, may also perform limited on-court/on-field activities (e.g., throwing bounce passes, ball shagging, throw batting practice).
• May not provide skill instruction to student-athletes.
	• Distinction in duties between students and non-students who fill these positions, but only referenced via interpretations.
	  o Student managers may perform limited on-court/on-field activities.
	  o Nonstudent managers may not perform any on-course/on-field activities.
	  o Should a distinction be maintained, expanded or eliminated?
	• In some cases, manager positions are being filled by non-students as a professional development opportunity for aspiring coaches. Is this an abuse?
	• Should managers be limited to full-time students?
	• Considered noncoaching staff members under current legislation, but should a separate definition be created?

Potential Concepts for Future Legislation.

Suggested concepts for future legislation are included in the attachment. Please note, the attachment contains only suggestions and is certainly not an exhaustive list of possible options as the cabinet hopes broad and diverse dialogue generates additional concepts for consideration. Further, it is important to note that two or more legislative concepts will likely be considered together as each position may warrant different modifications that, together, form a complete model structure for countable and noncountable coaches and noncoaching administrative staff to balance the interests, needs and concerns identified. For example, it is possible to restrict the duties of noncoaching staff personnel by prohibiting their participation in practice and game activities, while permitting the use of graduate assistant coaches in all sports in order to address concerns regarding the proliferation of noncoaching staff members and difficulty in monitoring their activities while providing an avenue for individuals who aspire to a future career in coaching.

Please note the NCAA's legal authority to limit the number of coaches employed by an institution in a particular sport was broadly upheld in *Hennessey v. NCAA*. However, any limits related to employment must be carefully scrutinized for potential legal implications. Any legislation to limit employment for coaches or staff should be based on solid principles, such as preserving competitive equity and the collegiate model of athletics and should be fully vetted to determine if it is the least restrictive measure to accomplish the desired outcome.

Conclusion.

In closing, the cabinet hopes this discussion document has aided in understanding the history and existing legislation along with identifying today's realities and concerns. It is interesting to note the same concerns – unlimited size of staff, costs, type of duties – that served as an impetus to initial restrictions in 1975 and thereafter exist today. Further, the discussion in 1993 regarding Proposal No. 65 was seemingly prescient to acknowledge a future conversation about the limits on the number of administrative staff as this issue has intensified in recent years. Therefore, the cabinet believes the timing is appropriate for a thorough examination of this entire area in order to ascertain what, if any, changes should be made to address the needs of coaches and student-athletes and concerns the membership believes are significant and real in the present environment.

Potential Legislative Concepts for Coaches and Athletics Personnel
Discussion Document

Group	Legislative Concept	Points to Consider
Countable Coaches	Increase permissible number. No increase in number of coaches who can recruit off-campus at any one time, but all would be available to recruit off-campus.	• Increased salary costs for institutions. • Additional coaches available to provide instruction to student-athletes. Addresses concerns that coaches' responsibilities have expanded (e.g., fundraising, speaking engagements) which limits number and availability to work with student-athletes. • No increased costs for recruiting; just increase in number of available coaches to recruit off-campus.
	Increase permissible number with restricted responsibilities (e.g., no off-campus recruiting).	• Increased salary costs for institutions. • Additional coaches available to provide instruction to student-athletes. Addresses concerns that coaches' responsibilities have expanded (e.g., fundraising, speaking engagements) which limits number and availability to work with student-athletes.
Graduate-Assistant Coaches	Permit in all sports.	• Establishes method for professional development of new coaches. • Aligns with traditional higher education model with tie to continued and advanced education and training. • Additional coaches available to provide instruction to student-athletes. Addresses concerns that coaches' responsibilities have expanded (e.g., fundraising, speaking engagements) which limits number and availability to work with student-athletes.

Student-Assistant Coaches	Modify definition to expand opportunity for any student within five-year eligibility period who forfeits future eligibility and establish a limit on number per sport. Specify that student assistant coaches could not participate in countable athletically related activities (e.g., practice player).	• Expands opportunities for individuals who are not student-athletes or for student-athletes who no longer participate for any reason to participate in professional development.
Volunteer Coaches	Permit in basketball and football.	• Establishes consistency across all sports. • Establishes method for professional development of new coaches. • Additional coaches available to provide instruction to student-athletes. Addresses concerns that coaches' responsibilities have expanded (e.g., fundraising, speaking engagements) which limits number and availability to work with student-athletes. • Minimal financial impact.
	Increase permissible number in all sports	• Establishes method for professional development of prospective coaches. • Additional coaches available to provide instruction to student-athletes. Addresses concerns that coaches' responsibilities have expanded (e.g., fundraising, speaking engagements) which limits number and availability to work with student-athletes. • Minimal financial impact.

Noncoaching Staff With Sport-Specific Responsibilities	Limit duties by prohibiting participation in practice and games (e.g., could not attend practice, sit on bench during games) and limiting interaction with student-athletes to non-countable athletically related activity.	• Establishes consistency in duties. • Establishes clear line of demarcation between coaching and noncoaching staff. • Easier to monitor activities. • Shifts emphasis of these positions from professional development opportunities to administrative support positions.
	Limit permissible number.	• Addresses competitive equity concerns. • Reduces proliferation of these positions which runs contrary to the collegiate model of intercollegiate athletics.
	Limit permissible number and expand responsibilities to include analyzing film and participation in coaches meetings. Not permitted to be identified as coaches, provide instruction to student-athletes or engage in off-campus recruiting.	• Establishes greater consistency in duties. • Addresses competitive equity concerns. • Reduces proliferation of these positions which runs contrary to the collegiate model of intercollegiate athletics. • Permits professional development for prospective coaches by permitting individuals to participate in coaches meetings. • May increase possibility for abuse of responsibilities.
Managers	Limit managers only to individuals who are full-time students and expand permissible duties from limited participation to regular participation in on-field/on-court activities, but instruction not permitted.	• Retain requirement of traditional managerial duties. • Permits student managers to have expanded duties. • Easier to monitor activities. • Shifts emphasis of these positions from professional development opportunities to traditional managerial positions.
	Create separate definition for managers (even if not limited to full-time students) to distinguish from other noncoaching staff members (e.g., professional or administrative staff).	• Codifies permissible duties for managers that are currently noted in interpretations and educational columns.

SUPPLEMENT NO. 9

Technology - Printed Recruiting Materials and Audio/Video Materials

Background

NCAA legislation regarding printed recruiting materials is governed by NCAA Division I Bylaw 13.4.1.1. Institutions may provide only the specified printed items to prospective student-athletes. All other printed materials are prohibited. Throughout the years, this bylaw has alternated between increased regulation and deregulation. This cyclical nature of the legislation has provided stability, or equity, for a certain amount of time before being subject to questions and concerns leading to a shift in the opposite direction from the status quo. These questions and concerns are usually the result of changing variables. With the advances in and increased use of technology to communicate, today's changing variable as it relates to printed recruiting materials is technology. Specifically, the use of electronic mail and the internet to deliver information that was previously only available via hard copy and regular mail has caused many to pause and consider the benefits and challenges of expanding the type of information sent directly to prospective student-athletes and the delivery methods used.

Similarly, audio and video materials are governed by Bylaw 13.4.2. Any audio or video materials produced specifically to show or provide to prospective student-athletes is governed by this legislation. Prior to the technological capabilities that exist today, the current restrictions were necessary to minimize cost and equity. However, nearly all institutional Web sites now contain some type of video content (e.g., interviews, press conferences, competition highlights, live or archived contests, facility tours) due to the minimal costs associated with recording, producing, posting, sharing and accessing video content. Further, much of today's online video content satisfies the "general information" standard and, therefore, is not subject to Bylaw 13.4.2. Additionally, per Bylaw 13.4.2.4 it is permissible for an institution to create and post to its Web site a computer recruiting presentation with certain restrictions. The rationale for this legislation (NCAA Division I Proposal No. 2006-43) cited the broad availability and minimal cost associated with such software programs, thereby significantly reducing, if not eliminating, any perceived recruiting advantage. These statements that applied to computer recruiting presentations in 2006 could now be applied to audio and video technology in 2009. Therefore, it may be appropriate to consider whether current legislation regarding audio and video materials is outdated, or even necessary, with the proliferation of and the minimal cost associated with audio and video capabilities in today's culture.

A discussion on what intrusion means to a recruiting demographic of "millennials" who seek, gather and consume information at a rapid and constant pace is critical in this examination. The expanded variety of communication sources and methods, and the user or recipient's own role in that process, has made it increasingly more difficult to assess the level of intrusion as previously evaluated. Furthermore, the dynamic nature of technology has made it difficult to analyze against the legislation as technology changes typically outpace legislative change.

The recent and continuing advances in technology coupled with the current economic situation present a unique opportunity to examine issues related to printed materials and audio and video materials to determine whether and what changes may be appropriate to reduce costs and provide

increased flexibility while maintaining equity and minimizing intrusion on the lives of prospective student-athletes.

Current Legislation

Bylaw 13.4.1.1 - Printed Recruiting Materials. ***Effective Date: August 1, 2009***

As specified below, an institution may provide the following printed materials to prospective student-athletes, their parents or legal guardians, their coaches or any other individual responsible for teaching or directing an activity in which a prospective student-athlete is involved: *(Adopted: 4/28/05 effective 8/1/05, Revised: 4/15/08)*

(a) **General Correspondence.** General correspondence, including letters and blank postcards issued by the U.S. postal service, may be sent only by mail. Attachments to general correspondence may only include materials printed on plain white paper with black ink that are not created for recruiting purposes, except for the additional printed materials listed in this section. All institutional staff members (e.g., faculty members, athletics department staff members and administrators) may prepare general correspondence. *(Revised: 3/8/06, 5/25/06, 12/12/06, 1/8/07 effective 8/1/07, 4/15/08, 4/24/08 effective 8/1/08)*

(b) **Business Cards.**

(c) **Camp Brochures.** Brochures are not restricted by content or design, but are restricted to a single two-sided sheet, not to exceed 17 by 22 inches in size when opened in full. Camp brochures may be provided to a prospective student-athlete at any time. (See also Bylaw 12.5.1.6). *(Revised: 4/15/08)*

(d) **Questionnaires.** An institution may provide questionnaires to a prospective student-athlete at any time. *(Revised: 4/14/08)*

(e) **Nonathletics Institutional Publications.** An institution may provide nonathletics institutional publications available to all students at any time (e.g., official academic, admissions and student-services publications published by the institution and available to all students).

(f) **NCAA Educational Material Published by the NCAA (e.g., NCAA Guide for the College-Bound Student-Athlete).** Such material may be provided to a prospective student-athlete at any time. *(Revised: 4/15/08)*

(g) **Athletics Publications.** An institution may produce a recruiting brochure or media guide (but not both). The publications may have only one color of print inside the cover and may not exceed 8 1/2 by 11 inches in size and 208 pages in length. An institution may not produce a

separate media guide that is intended to supplement the one permissible recruiting brochure or media guide. Such supplemental information (e.g., historical information, records) may be posted on the institution's Web site and may be printed in black and white, and provided to the media. An institution may not create a portfolio of information (e.g., pictures) to be used in the recruiting process unless it is considered the institution's one permissible athletics recruiting publication. An institution may produce additional media publications for separate purposes (e.g., postseason media guide, spring football practice guide), provided the additional publications are not provided to prospective student-athletes (or their parents or legal guardians). *(Revised: 3/23/05, 4/28/05, 5/12/05, 4/15/08)*

(h) **Game Programs.** Game programs (which may not include posters) may be provided to prospective student-athletes only during official and unofficial recruiting visits and may not be mailed.

(i) **Pre-enrollment Information.** Necessary pre-enrollment information regarding orientation, conditioning, academics and practice activities, may be provided to a prospective student-athlete, provided he or she has signed a National Letter of Intent or institutional financial aid agreement or has been officially accepted for enrollment. (See Bylaw 13.4.2.5.) *(Adopted: 12/12/06)*

(j) **Institutional Note Cards.** Institutional note cards may not exceed 8 1/2 by 11 inches when opened in full. In addition, such cards may only contain the institution's name and logo or an athletics logo on the outside, must be blank on the inside (one side of the card when opened in full) when produced and may include only handwritten information (e.g., words, illustrations) on the inside when provided to the recipients. *(Adopted: 1/8/07 effective 8/1/07, Revised: 4/15/08, 4/13/09)*

(k) **Institutional Postcards.** The dimensions of an institutional postcard may not exceed 4 1/4 by 6 inches. In addition, a postcard may contain only the institution's name and logo or an athletics logo on one side when produced and may include only handwritten information, (e.g., words, illustrations) on the opposite side when provided to prospective student-athletes. *(Adopted: 1/14/09 effective 8/1/09)*

Bylaw 13.4.1.1.1 - Express Mail Services.
An institution is not permitted to use express mail delivery services and may only use first class mail or a lesser rate of service (e.g., parcel post) with no extra services (e.g., certified mail, delivery confirmation) to provide permissible printed recruiting materials to prospective student-athletes, their parents or legal guardians, their coaches or any other individual responsible for teaching or directing an activity in which a prospective student-athlete is involved, who reside within the 50 United States, other than the National Letter of Intent or other written admissions and/or financial aid commitment to attend the institution and necessary pre-enrollment

information per Bylaw 13.4.1.1-(i). *(Adopted: 4/28/05 effective 8/1/05, Revised: 5/12/05, 1/14/08, 4/15/08*

Bylaw 13.4.1.2 - Electronic Transmissions. Electronically transmitted correspondence that may be sent to a prospective student-athlete (or the prospective student-athlete's parents or legal guardians) is limited to electronic mail and facsimiles. (See Bylaw 13.1.7.2.) All other forms of electronically transmitted correspondence (e.g., Instant Messenger, text messaging) are prohibited. Color attachments may be included with electronic mail correspondence sent to a prospective student-athlete, provided the attachment only includes information that is not created for recruiting purposes, except for items that are specifically permitted as printed recruiting materials (e.g., questionnaires). In addition, attachments shall not include any animation, audio or video clips and there shall be no cost (e.g., subscription fee) associated with sending the item attached to the electronic mail correspondence. *(Adopted: 4/28/05 effective 8/1/05, Revised: 12/12/06, 4/26/07 effective 8/1/07, 4/15/08)***Bylaw 13.4.1.2.1 - Exception -- Electronic Transmissions After National Letter of Intent Signing or Other Written Commitment.**

After the calendar day on which a prospective student-athlete signs a National Letter of Intent, there shall be no limit on the forms of electronically transmitted correspondence sent to the prospective student-athlete or his or her parents or legal guardians by the institution with which the prospective student-athlete has signed. For an institution not using the National Letter of Intent in a particular sport, or for a prospective student-athlete who is not eligible to sign a National Letter of Intent (e.g., four-year college transfer), there shall be no limit on the forms of electronically transmitted correspondence sent to a prospective student-athlete or his or her parents or legal guardians by that institution after the calendar day on which the prospective student-athlete signs the institution's written offer of admission and/or financial aid. *(Adopted: 1/14/08)***Bylaw 13.4.1.2.2 - Exception -- Electronic Transmissions After Receipt of Room or Tuition Deposit.**

On or after May 1 of a prospective student-athlete's senior year in high school, there shall be no limit on the forms of electronically transmitted correspondence that may be sent by an institution to the prospective student-athlete, provided the institution has received his or her room or tuition deposit in response to the institution's offer of admission. *(Adopted 1/14/09)***Bylaw 13.4.1.3 - Other Recruiting Materials.**

An institution may post recruiting materials not listed in Bylaw 13.4.1 on its Web site. General information (e.g., information not created for recruiting purposes) posted to an institution's Web site (e.g., press release, competition schedule) may be sent to a prospective student-athlete via electronic mail as an attachment or a hyperlink or such information may be printed on plain white paper with black ink and provided to a prospective student-athlete as an attachment to general correspondence, via facsimile or during any permissible on- or off-campus contact. *(Adopted: 4/28/05 effective 8/1/05, Revised: 1/14/09)*

Bylaw 13.4.2 - Video/Audio Materials.

A member institution may not produce video/audio materials to show or send to a prospective student-athlete except as specified in this section. Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, they shall not affect the prospective student-athlete's eligibility. *(Adopted: 1/11/94 effective 8/1/94; Revised: 1/9/96, effective 8/1/96, 1/8/07, 12/12/06)*

Bylaw 13.4.2.1 - Highlight/Video/Audio.
An institution may show highlight video to highlight or play audio for prospective student-athlete or the prospective student-athlete's coach but may not send it to or leave it with the prospective student-athlete or coach. Highlight video/audio consists of "game clips" that contain informational material that is related to a particular event or sports season. Any narration on the highlight video/audio must relate specifically to the event or sports season. Highlight video/audio may include only clips of actual athletics contests and activities that occur on the day of the contest that are directly related to the contest (e.g., pre-game player introductions, half-time band and cheerleader performances, locker-room talks, crowd reactions, sideline coaching staff activities, post-game on-field award presentations). The highlight video/audio may not include clips of other activities that are only indirectly related to the contests (e.g., team travel, team meals, entertainment activities, practice activities, institutional facilities). *(Adopted: 1/11/94 effective 8/1/94; Revised: 2/22/01)*

Bylaw 13.4.2.4 - Computer Recruiting Presentations.
An institution may produce a computer recruiting presentation (e.g., using presentation software) to show to a prospective student-athlete during any permissible on- or off-campus contact. In addition, the presentation may be posted to the institution's Web site. Such a presentation may not include any video/audio component (except as permitted in Bylaw 13.4.2) and may not be

personalized to include a prospective student-athlete's name, picture or likeness. Such a presentation may not be created by an entity outside the institution. *(Adopted: 1/8/07, Revised: 1/14/08)***Points and Questions to Consider**

1. In light of today's use of the internet to instantly seek and receive information, are all of the items listed in Bylaw 13.4.1.1 still relevant and useful to prospective student-athletes and their families?

2. Based on the increased types of communication methods available along with what we know about today's typical high school student, are there other methods of delivery or availability to provide the same information to prospective student-athletes that may be more effective and/or cost-efficient while still minimizing intrusion?

3. With the limit of producing either a media guide or recruiting brochure, many institutions create a hybrid publication that serves both a media and recruiting purpose. These publications are often costly to design and print.

    a. Are these hybrid publications, in their current format, truly useful to the media and/or prospective student-athletes?

    b. Would the media prefer a publication that is smaller and more concise?

    c. Are prospective student-athletes interested in the sections of the publication typically used by the media (e.g., history, records, statistics)?

    d. Are prospective student-athletes accessing much of the same information (e.g., rosters, staff directory, coaches' biographies, facility photos, academic support services) from each institution's Web site?

4. How would any potential changes to the legislation impact prospective student-athletes who do not have immediate or ready access to electronic mail or an institution's Web site on a regular basis?

5. Would a reduction in the amount or type of permissible printed materials lead to increased costs for Web development for recruiting purposes or are institutions already spending increased dollars on Web development for other purposes, including recruiting?

6. The legislation regarding electronic mail in Bylaw 13.4.1.2 does not permit an institution to send electronic mail (or attachments to electronic mail) containing animation, audio or video

clips; however, it is permissible to include a link to such material in the message. Is this distinction still necessary if the prohibition on additional cost associated with such content remains?

7. The terms "recruiting purpose" and "general information" are used as standards to determine whether information can be sent as an attachment to general correspondence under Bylaws 13.4.1.1 and 13.4.1.3. These standards have also been used to analyze whether video content on institutional Web sites is permissible.

    a. Should these standards be used to evaluate all institutional Web site content such that any content that has a recruiting purpose is not permissible?

    b. Should all institutional Web site content, including video, be deregulated such that institutions could post content with a recruiting purpose, provided it is not personalized to any particular prospective student-athlete or team?

8. Much of today's online audio and video content satisfies the "general information" standard. Therefore, is the legislation in Bylaw 13.4.2 and its subsets outdated or necessary even in a modified form?

Potential Options

The following are only suggested options for the cabinet's consideration if it believes modifications are warranted. Further discussion is likely to generate additional options to address any concerns or achieve any priorities the cabinet may identify.

1. Based on cost-savings and relevancy of the publication to prospective student-athletes, eliminate the provision of printed athletics publications (media guide or recruiting brochure) to prospective student-athletes. Specifically:

    a. Institutions would still be permitted to produce a hard copy media guides and make available to the media or sell to the general public.

    b. Prospective student-athletes would be permitted to access the media guide only from the institution's Web site.

    c. Institutions could provide the contents of the media guide to prospective student-athletes only as an attachment to general correspondence (i.e., printed on white paper with black ink), consistent with current legislation.

d. As an alternative, or in addition, to (b) and (c) above, institutions could provide the media guide to prospective student-athletes through other mediums (e.g., DVD, flash drive) in lieu of a hard copy version.

2. Propose legislation to modify Bylaw 13.4.1.2 (electronic transmissions) to permit institutions to send electronic mail and attachments with no restrictions on the use of animation, audio or video. Maintain current prohibition of additional costs associated with sending such types of electronic mail.

3. Propose legislation to modify Bylaws 13.4.1.3 (other recruiting materials) and 13.4.2 (audio/video materials) to prohibit all institutional Web site content that has a recruiting purpose.

4. Propose legislation to modify Bylaw 13.4.1.3 (other recruiting materials) and eliminate Bylaw 13.4.2 (audio/video materials) to permit any type of institutional Web site content (e.g., video, audio, computer presentations), as opposed to just materials, and to prohibit personalization of institutional Web site content to any particular student-athlete or team.

Recruiting Materials – General Correspondence
Discussion Document

Background.

Over the past 30 years there have been considerable legislative amendments, interpretations and discussion related to general correspondence. Specifically, restrictions on institutional stationery (e.g., letterhead) were regulated and subsequently, deregulated, in the early 1990's. Since the adoption of 1993 Proposal No. 123, institutional letterhead has remained largely deregulated with no restrictions on size, design or content. The rationale for this deregulation cited the ineffectual cost savings intent and interpretive minutiae that resulted from the numerous restrictions such as the color of printing, embossed stationary, foil printing, graphics and use of logo.

The intent and rationale of 1993 Proposal No. 123 clearly indicate a desire to deregulate this area. Consequently, interpretations provided by NCAA staff since then have been consistent with that intent resulting in no formal staff or official interpretations that place limitations on institutional letterhead. Some conferences have provided guidance to its members that general correspondence should minimally include a greeting, body and closing so that it retains the appearance of a letter while others have not provided similar advice based on the intent to deregulate these items.

While this legislation has been in place for over 16 years, concern from the membership over the design and content of institutional letterhead sent as permissible general correspondence under NCAA Division I Bylaw 13.4.1.1-(a) has generated an increased and persistent concern over the past several years. Specifically, institutional letterhead appearing to resemble advertisements, mini posters and press releases that change weekly rather than traditional letters or letterhead has raised similar concerns that led to the adoption of NCAA Division I Proposal No. 2006-39 (sponsored by the former Division I Academics/Eligibility/Compliance Cabinet Subcommittee on Recruiting) which restricted institutional note cards. The rationale statement for that proposal stated:

> "Concerns have been raised by the membership regarding a shift from the traditional institutional note card to items that have become larger and more elaborate. In response to multiple requests by the membership, this proposal would set a consistent standard for institutional note cards that are sent to prospects. A size and appearance restriction will limit costs of printing and postage, as well as limit any advantage related to the size of an institution's recruiting budget."

Prior to the adoption of Proposal No. 2006-39 there were no restrictions on institutional note cards in size, design or content; consequently, institutions were not bound by any limitations. That freedom and flexibility led to the creation of items that no longer resembled traditional note cards as intended. The rationale statement for Proposal No. 2006-39 accurately expresses the membership's concern and frustration with the "no limits" evolution of note cards. Following

the adoption of this proposal, a number of interpretive questions were raised which are largely addressed in an educational column (04/27/07) issued shortly after adoption. Since that time, the variety of new or unique questions has been relatively few. Further, the recent adoption of NCAA Division I Proposal No. 2008-22 which regulates institutional postcards has generated similar and fewer questions than the institutional note cards proposal.

Therefore, based on the number and nature of questions raised by the membership the academic and membership affairs staff believes the timing is appropriate for the NCAA Division I Recruiting and Athletics Personnel Issues Cabinet to review the issue of institutional letterhead sent to prospective student-athletes under Bylaw 13.4.1.1-(a) as general correspondence to determine whether current legislation is sufficient or if changes should be proposed.

Legislative History.

Listed below are key changes in NCAA legislation regarding general correspondence:

- 1991 NCAA Convention, Proposal No. 23. This proposal included the following items:

  - Established a date (i.e., September 1 beginning of the prospective student-athlete's junior year of high school) before which it was not permissible to provide printed recruiting materials;
  - Restricted institutions to producing either a media guide or recruiting brochure;
  - Prohibited greeting cards, special postcards or highlight films from being sent to a prospective student-athlete;
  - Restricted printing on institutional stationery and press releases to one color of printing;
  - Prohibited the use of photos of enrolled student-athletes, institutional staff or other promotional items on institutional stationery;
  - Prohibited personalized recruiting videotapes or audiotapes; and
  - Limited institutions to producing one generic all-sports recruiting videotape per year, with a maximum of three minutes per sport.

  This proposal was developed by the NCAA Council's Special Committee on Cost Reduction. The rationale for this proposal cited a reduction in both printing and mailing costs, noting the cost savings would be substantial for some institutions. Additionally, the rationale noted the excess provision of materials, use of colors in photographs and text and proliferation of single-sport recruiting videotapes. In summary, the sponsor noted this proposal would bring common sense to this area, resulting in cost savings and reduced pressure on institutions to keep pace with the activities of others. This proposal was adopted. This is the first appearance of legislation related to highlight films and recruiting videotapes.

- 1992 NCAA Convention, Proposal No. I-19. This interpretation for incorporation was expansive, including several interpretations along with a reorganization of Bylaw 13.4.1. Many of the interpretations cited were issued following the adoption of 1991 Proposal No. 23. This interpretation included specifics on institutional stationery (e.g., color of printing, embossed stationary, foil printing, graphics, use of logo).

- 1992 NCAA Convention, Proposal No. 139. This proposal permitted institutions to use two colors (as opposed to one) of printing on institutional stationery. The rationale noted many institutions have two official colors and this expansion would not be contrary to the original legislation's intent of cost savings. This proposal was adopted.

- 1993 NCAA Convention, Proposal No. 123. This proposal sought to eliminate the limitations on institutional stationery that were added under 1991 Proposal No. 23 and the 1992 Proposal No. I-19. The rationale and discussion on the floor noted that while the restrictions in the original legislation were intended to contain and reduce costs, it had not done so and had also resulted in interpretive minutiae. Further, this proposal was designed to be a first step towards deregulation of the recruiting materials legislation. This proposal was adopted.

Current Bylaws.

Bylaw 13.4.1.1 - Printed Recruiting Materials. *Effective Date: August 1, 2009*

As specified below, an institution may provide the following printed materials to prospective student-athletes, their parents or legal guardians, their coaches or any other individual responsible for teaching or directing an activity in which a prospective student-athlete is involved: *(Adopted: 4/28/05 effective 8/1/05, Revised: 4/15/08)*

(a) **General Correspondence.** General correspondence, including letters and blank postcards issued by the U.S. postal service, may be sent only by mail. Attachments to general correspondence may only include materials printed on plain white paper with black ink that are not created for recruiting purposes, except for the additional printed materials listed in this section. All institutional staff members (e.g., faculty members, athletics department staff members and administrators) may prepare general correspondence. *(Revised: 3/8/06, 5/25/06, 12/12/06, 1/8/07 effective 8/1/07, 4/15/08, 4/24/08 effective 8/1/08)*

(b) **Business Cards.**

(c) **Camp Brochures.** Brochures are not restricted by content or design, but are restricted to a single two-sided sheet, not to exceed 17 by 22 inches in size when opened in full. Camp

brochures may be provided to a prospective student-athlete at any time. (See also Bylaw 12.5.1.6). *(Revised: 4/15/08)*

(d) **Questionnaires.** An institution may provide questionnaires to a prospective student-athlete at any time. *(Revised: 4/14/08)*

(e) **Nonathletics Institutional Publications.** An institution may provide nonathletics institutional publications available to all students at any time (e.g., official academic, admissions and student-services publications published by the institution and available to all students).

(f) **NCAA Educational Material Published by the NCAA (e.g., NCAA Guide for the College-Bound Student-Athlete).** Such material may be provided to a prospective student-athlete at any time. *(Revised: 4/15/08)*

(g) **Athletics Publications.** An institution may produce a recruiting brochure or media guide (but not both). The publications may have only one color of print inside the cover and may not exceed 8 1/2 by 11 inches in size and 208 pages in length. An institution may not produce a separate media guide that is intended to supplement the one permissible recruiting brochure or media guide. Such supplemental information (e.g., historical information, records) may be posted on the institution's Web site and may be printed in black and white, and provided to the media. An institution may not create a portfolio of information (e.g., pictures) to be used in the recruiting process unless it is considered the institution's one permissible athletics recruiting publication. An institution may produce additional media publications for separate purposes (e.g., postseason media guide, spring football practice guide), provided the additional publications are not provided to prospective student-athletes (or their parents or legal guardians). *(Revised: 3/23/05, 4/28/05, 5/12/05, 4/15/08)*

(h) **Game Programs.** Game programs (which may not include posters) may be provided to prospective student-athletes only during official and unofficial recruiting visits and may not be mailed.

(i) **Pre-enrollment Information.** Necessary pre-enrollment information regarding orientation, conditioning, academics and practice activities, may be provided to a prospective student-athlete, provided he or she has signed a National Letter of Intent or institutional financial aid agreement or has been officially accepted for enrollment. (See Bylaw 13.4.2.5.) *(Adopted: 12/12/06)*

(j) **Institutional Note Cards.** Institutional note cards may not exceed 8 1/2 by 11 inches when opened in full. In addition, such cards may only contain the institution's name and logo or an athletics logo on the outside, must be blank on the inside (one side of the card when opened in full) when produced and may include only handwritten information (e.g., words, illustrations) on

the inside when provided to the recipients. *(Adopted: 1/8/07 effective 8/1/07, Revised: 4/15/08, 4/13/09)*

(k) **Institutional Postcards.** The dimensions of an institutional postcard may not exceed 4 1/4 by 6 inches. In addition, a postcard may contain only the institution's name and logo or an athletics logo on one side when produced and may include only handwritten information, (e.g., words, illustrations) on the opposite side when provided to prospective student-athletes. *(Adopted: 1/14/09 effective 8/1/09)*

Recently Adopted Proposals

Proposal No. 2006-39 RECRUITING -- PRINTED RECRUITING MATERIALS -- INSTITUTIONAL NOTE CARDS

Status: Adopted - Final

Intent: To specify that institutional note cards may not exceed 8 1/2 by 11 inches when opened in full and may only contain the institution's name and logo or an athletics logo on the outside and may not include any preprinted information on the inside.

Bylaws: Amend 13.4.1.1, as follows:

"Bylaw 13.4.1.1 Printed Recruiting Materials. As specified below, an institution may provide the following printed materials to prospective student-athletes, coaches of prospective student-athletes or any other individual responsible for teaching or directing an activity in which a prospective student-athlete is involved:

"(a) General Correspondence. General correspondence, including letters and postcards issued by the U.S. postal service (i.e., blank cards) may be sent to a prospective student-athlete only by mail. Attachments to general correspondence may include materials printed on plain white paper with black ink. The content of all general recruiting correspondence to prospective student-athletes (or prospective student-athletes' parents or legal guardians) must be prepared by the head coach or one of the assistant coaches who count toward the numerical limitations in Bylaw 11.7.4 (see Bylaw 11.7.1.2). It is not permissible for an institution's president or chancellor or director of athletics to prepare general correspondence to prospective student-athletes.

[13.4.1.1-(b) through 13.4.1.1-(h) unchanged.]

"**(i) Institutional Note Cards. Institutional note cards that are provided to prospective student-athletes may not exceed 8 1/2 by 11 inches when opened in full. In addition, such cards may only contain the institution's name and logo or an athletics logo on the outside and may not include any preprinted information on the inside.**"

Source: NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Recruiting).

Effective Date: August 1, 2007

Rationale: Concerns have been raised by the membership regarding a shift from the traditional institutional note card to items that have become larger and more elaborate. In response to multiple requests by the membership, this proposal would set a consistent standard for institutional note cards that are sent to prospects. A size and appearance restriction will limit costs of printing and postage, as well as limit any advantage related to the size of an institution's recruiting budget.

Estimated Budget Impact: May reduce printing and postage costs.

Impact on Student-Athlete's Time: None.

Proposal No. 2008-22 RECRUITING -- PRINTED RECRUITING MATERIALS -- INSTITUTIONAL POSTCARDS

Status: Adopted – Final

Intent: To specify that an institutional postcard may be provided to a prospective student-athlete, his or her parents or legal guardians, his or her coach or any other individual responsible for teaching or directing an activity in which a prospective student-athlete is involved, provided its dimensions do not exceed 4 1/4 by 6 inches, it contains only the institution's name and logo or an athletics logo on one side when produced and it includes only handwritten information, (e.g., words, illustrations) on the opposite side when provided to a prospective student-athlete.

Bylaws: Amend 13.4.1.1, as follows:

Bylaw 13.4.1.1. Printed Recruiting Materials. As specified below, an institution may provide the following printed materials to prospective student-athletes, their parents or legal guardians, their coaches or any other individual responsible for teaching or directing an activity in which a prospective student-athlete is involved.

[Bylaw 13.4.1.1-(a) through 13.4.1.1-(i) unchanged.]

(k) Institutional Postcards. The dimensions of an institutional postcard may not exceed 4 1/4 by 6 inches. In addition, a postcard may contain only the institution's name and logo or an athletics logo on one side when produced and may include only handwritten

information, (e.g., words, illustrations) on the opposite side when provided to prospective student-athletes.

[Remainder of Bylaw 13.4.1.1 unchanged.]

Source: Big 12 Conference.

Effective Date: August 1, 2009

Rationale: The distinction between institutional postcards and note cards can be confusing and prone to misapplication. This proposal will alleviate many questions regarding what constitutes a postcard and what constitutes a note card for recruiting purposes. Further, postcards are less expensive to produce and require less postage to mail. This proposal does not eliminate the option of sending a blank postcard issued by the U.S. postal service to a prospective student-athlete as general correspondence.

Estimated Budget Impact: Will vary depending on use of postcards.

Impact on Student-Athlete's Time: None.

Position Statement(s):

Recruiting and Athletics Personnel Issues Cabinet: The cabinet supports the proposal. The cabinet agrees with the sponsor's rationale statement that this will alleviate confusion and questions regarding postcards.

Recent Educational Columns

NCAA Bylaw 13.4.1.1 -- Recruiting -- Printed Recruiting Materials -- Institutional Note Cards (I)
Item Ref 1
Date Issued April 26, 2007
Date Published: April 26, 2007 **Educational Column:**

Effective August 1, 2007, institutional note cards that are provided to prospective student-athletes may not exceed 8-1/2 by 11 inches when opened in full. In addition, such cards may contain only the institution's name and logo or an athletics logo on the outside and may not include any preprinted information on the inside of the note card.

Below are some commonly asked questions and answers designed to assist the membership in applying this bylaw.

Question: Is it permissible to include multiple logos on the outside of the note card?

Answer: No. Each card may only include the institution's name and either a single institutional logo or a single athletics logo.

Question: Is it permissible to use a sport-specific logo and have sport-specific note cards?

Answer: It is permissible to use sport-specific logos and note cards. These logos do not have to be registered trademarks, but an institution must be able to demonstrate that what is printed on the note card is an official logo for that sport (e.g., logo is used on other materials and/or merchandise).

Question: Is it permissible to use color ink, foil ink and/or embossing on the outside of the card?

Answer: Yes. The legislation limits the type of information that may be included on the outside of the card, but not the printing mechanism or technique used to present the information. Institutions should note that a note card may include a solid color cell border around the outside edge; however, that cell border may not include pictures of any items (e.g., golf balls, basketballs).

Question: Is it permissible to use color paper or color stock for the note card?

Answer: Yes. The legislation limits the total size of the note card, but not the color or type of paper that is used to make the note card.

Question: How does the legislation apply to cards that are not rectangular in shape?

Answer: The legislation does not limit the shape of the note card. However, regardless of the shape of an institutional note card, when opened in full, it must fit within the area of a rectangle measuring 8-1/2 by 11 inches.

Question: What would constitute "preprinted information?"

Answer: The inside of the note cards must be blank when received from the publisher or printer that produces the cards. Therefore, any printing on the inside would constitute "preprinted information."

Question: Is it permissible to print a message on the inside of the note card through a printer or copier?

Answer: The NCAA Division I Legislative Review/Interpretations Committee reviewed this issue and determined that only handwritten information may be added to the inside of the note card.

Question: Is it permissible to modify the note cards (e.g., cut slits cut into the note card or create a folder flap on the inside of the note card) to hold any other materials such as business cards or camp brochures?

Answer: No. The legislation does not permit preprinted material on the inside of the card and the outside of the card is restricted to the institution's name and logo or sport-specific logo. Therefore, attaching other materials (e.g., business cards) to the note card is not permissible.

Question: How does the proposal apply to cards that are not folded or that are not folded in half?

Answer: Even if an institutional note card is not folded, one side must be considered the outside and the other must be considered the inside. If a card is not folded in half (e.g., tri-fold), when the card is opened in full, one complete side must be considered the outside and the other must be considered the inside. Note that a card mailed without an envelope is considered a postcard and, therefore, must be a blank card issued by the U.S. Postal Service.

[References: Bylaws 13.4.1 (recruiting materials) and 13.4.1.1 (printed recruiting materials); and an official interpretation (12/12/06, Item No. 1)]

Points and Questions to Consider.

- Current restrictions on institutional note cards appear to have achieved the intent to minimize cost and equity concerns. It appears that restrictions on postcards will be similarly successful. Will comparable restrictions on institutional letterhead help address the same concerns in the same manner?

- Will restrictions on institutional letterhead lead to an increase in interpretive questions that have not been contemplated or are different than note cards?

- Will restrictions on institutional letterhead lead to an increase, rather than decrease, in costs as occurred when increased regulation was adopted in 1991?

- Is current legislation, based on deregulation, most appropriate in permitting institutions to use their resources in this area at their discretion?

Possible Solutions.

The following options are presented below as an initial attempt to respond to the questions and concerns. The fundamental question is whether current legislation properly addresses institutional letterhead. If the sense of the cabinet is that current legislation is appropriate, then no modification to the legislation is necessary (Option A). However, if the cabinet believes that current legislation does not adequately address the concerns, then Options B through D are presented for consideration. Please note, these are suggestions only and should not be viewed as an exhaustive list. Further discussion is likely to produce other viable options for consideration.

Option A

- No change is necessary. No restrictions on size, design or content.

Option B

1. Letterhead cannot exceed 8.5 x 11 inches.

2. No restrictions on design or content.

3. Only one piece of institutional letterhead is permitted per mailing. Additional pages must be on plain white paper with black ink.

4. Restrictions on attachments to general correspondence remain.

Option C

- Same as Option B except (2):

    2. No restrictions on design or content on one side. The other side must be blank except for text (typed or handwritten) used to communicate a message to the recipient and any handwritten information.

Option D

1. Specify that general correspondence (other than attachments) under Bylaw 13.4.1.1.-(a) must be sent on institutional letterhead or on blank postcards issued by the U.S. Postal Service.

2. Institutional letterhead cannot exceed 8.5 x 11 inches.

3. Institutional letterhead may only contain the institution's name, contact information (e.g., coach's name, address, telephone, electronic mail, Web site) and a single institutional or athletics logo on one side. Additional photos, graphics or logos are not permitted on either side.

4. Any additional information is limited to text (typed or handwritten) used to communicate a message to the recipient and any handwritten information.

5. Only one piece of institutional letterhead is permitted per mailing. Additional pages must be on plain white paper with black ink.

6. Restrictions on attachments to general correspondence remain.

Review of Recreational Activities Legislation
Discussion Document

Background.

During its February 2009 meeting, the NCAA Division I Recruiting and Athletics Personnel Issues Cabinet examined the history of NCAA Division I Bylaw 13.11.2.2 (recreational activities). In addition, the cabinet discussed the intended effect of the legislation as compared with the current practice of recreational activities during official visits. The cabinet requested the staff to supply potential legislative recommendations for its consideration during its June 2009 meeting.

Current Application and Issues.

During the February 2009 cabinet meeting, the issue of recreational activities was discussed. The cabinet noted that this is a problem primarily in the sports of men's and women's basketball as opposed to all sports generally. The concern is that "pick-up" games, which are permitted within current legislation and interpretations, are being organized and conducted in a manner in which they are being observed by large public crowds. Further, the legislation clearly states that coaching staff members cannot be involved in the organization of any recreational activities per Bylaw 13.11.2.2; however, these games are still being arranged. One potential scenario for the arrangement is that the prospective student-athlete is initiating the "pick-up" game directly with current student-athletes and they are finding open time to access a court in the campus recreational center or team practice facility. Another scenario is that the prospective student-athlete is requesting arrangement of a "pick-up" game with current student-athletes and a noncoaching athletics staff member with sport-specific responsibilities (e.g., director of basketball operations) organizes and schedules the activity.

As noted above, some of these activities are occurring in the presence of spectators from the general public. While Bylaw 13.10.5 prohibits institutions from publicizing or arranging for the publicity of a prospective student-athlete's visit to campus, increased media attention and involvement of recruiting and scouting services often provides notification of a prospective student-athlete's visit to campus to the general public or interested parties. Subsequently, it is not uncommon for members of the general student body or general public to learn of a prospective student-athlete's visit and gather to observe or be around the prospective student-athlete without involvement by institutional staff. Depending on the size of the crowd and facility being used, the safety of the prospective student-athlete and participating student-athletes is sometimes in jeopardy, which is the rationale for the staff interpretation to permit institutions to use facilities not open to the general public for recreational activities: [Reference: 9/4/08, Item No. a]. Furthermore, the presence of a crowd creates a celebrity atmosphere around the prospective student-athlete's visit that is contrary to the efforts and standards set forth by the former NCAA Division I Recruiting Task Force, which sought, in part, to minimize this celebrity affect.

The cabinet also noted the difficulty in preventing crowds from observing these activities under the current legislation and interpretations, specifically, that they can be held in a facility that is open to the public. While this provision helps ensure that a workout can occur without the assistance or observation of a coaching staff member, it does not restrict the ability for a crowd of spectators to gather.

Potential Legislative Changes to Consider.

As requested the staff offers the following as possible options and points to consider for modifying the current legislation for the cabinet's consideration and discussion.

1. Sponsor legislation to permit recreational activities to occur only in a facility closed to the general public.

    a. If this provision were to be adopted, it is likely that noncoaching staff members (e.g., director of facilities, director of basketball operations) would need to be involved in the arrangement since student-athletes may otherwise not have access to closed facilities. However, a condition could be added that would restrict non-coaching staff from observing the activities.

    b. A condition could be added that these activities could be observed only by a member of the athletic training staff in order to help eliminate safety concerns associated with a closed facility.

    c. The legislation and interpretations prohibiting observation by a coaching staff member would remain to prevent the activity from becoming a tryout.

2. Sponsor legislation to prohibit recreational activities. If the cabinet believes that the legislation as it currently stands is no longer necessary or is not providing its original intended effect, the cabinet could propose to prohibit all activities.

    a. This could be proposed for all sports, or only for men's and women's basketball, based on the cabinet's view on the scope of the issue.

    b. This would eliminate the concerns raised, however, it would prevent prospective student-athletes from continuing their regular physical workouts as originally intended by the legislation.

3. Sponsor legislation to prohibit prospective student-athletes from participating in "pick-up" games or other similar organized activities with currently enrolled student-athletes.

    - This solution could allow prospective student-athletes to continue individual workouts during their recruiting visits to campus as originally intended by the

legislation; while eliminating the involvement of enrolled student-athletes in group or other organized activities.

Applicable Bylaws, Interpretations and Proposals.

Bylaw 13.10.5 Prospective Student-Athlete's Visit.

A member institution shall not publicize (or arrange for publicity of) a prospective student-athlete's visit to the institution's campus. Further, a prospective student-athlete may not participate in team activities that would make the public or media aware of the prospective student-athlete's visit to the institution (e.g., running out of the tunnel with team, celebratory walks to or around the stadium/arena, on-field pregame celebrations). Violations of this bylaw do not affect a prospective student-athlete's eligibility and are considered institutional violations per Constitution 2.8.1. *(Revised: 1/14/97, 9/12/03)*

Bylaw 13.11.2.2 Recreational Activities.

A prospective student-athlete visiting a member institution may participate in physical workouts or other recreational activities during a visit to an institution's campus, provided such activities:

(a) Are not organized or observed by members of the athletics department coaching staff; and

(b) Are not designed to test the athletics abilities of the prospective student-athlete. *(Revised: 1/11/94)*

Recreational Activities During an Official or Unofficial Visit (I). (Staff Interpretation)

Date Issued: September 4, 2008
Date Published: September 4, 2008
Item Ref: a

The membership services staff determined that during an official or unofficial visit a prospective student-athlete may participate in recreational activities in a facility that is not open to the general public (e.g., facility reserved for student-athletes to participate in voluntary activities), provided such activities are not organized or observed by members of the athletics department coaching staff (including strength and conditioning coaches) and are not designed to test the athletics abilities of the prospective student-athlete.

[Reference: NCAA Division I Bylaw 13.11.2.2 (recreational activities)]

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Prospective Student-Athlete Arranging "Pick-Up" Game with Enrolled or Former Student-Athlete. (Staff Interpretation)

Date Issued: October 5, 1994
Date Published: October 5, 1994
Item Ref: c

c. Prospective Student-Athlete Arranging 'Pick-Up' Game with Enrolled or Former Student-Athlete: The legislative services staff confirmed that it is permissible for a prospective student-athlete to arrange a 'pick-up' game with an enrolled student-athlete or a former student-athlete, provided all the arrangements are initiated by the prospect, the facilities are open to the general public if the institution's facilities are used and no recruitment activities occur. [References: 13.12.1 (tryouts -- prohibited activities); 13.12.2.3 (recreational activities), and 1994 Official Notice, Proposal No. 167]

Providing Workout Apparel to a Prospect During Campus Visits. (Official Interpretation)

Date Issued: August 25, 1994
Date Published: August 25, 1994
Item Ref: 2

2. Providing workout apparel to a prospect during campus visits: An institution may not provide workout apparel to a prospect who wishes to participate in recreational activities during a visit to an institution's campus. [References: NCAA Bylaws 13.12.2.3 (recreational activities) and 13.2.1 (offers and inducements -- general regulations)]

VISITS – PARTICIPATION BY PROSPECT IN RECREATIONAL ACTIVITIES

Intent: To permit a prospect visiting a Division I institution to participate in physical workouts or recreational activities during a visit even if the activities involve a sport for which the prospect is being recruited.

Bylaws: Amend 13.12.2.3, page 102, as follows:
[Division I only]

> "13.12.2.3 Recreational Activities. A prospect visiting a Division I or Division III institution may participate in physical workouts or other recreational activities during a visit to an institution's campus, provided such activities:
>
> *"(a) In Division I only, do not involve any sport for which the prospect is being recruited regardless of whether the institution's facilities are open at the time for use by the student body or general public;*

_____

"(b) **(a)** Are not organized or observed by members of the athletic department coaching staff; and

"(c) **(b)** Are not designed to test the athletics abilities of the prospect *for recruiting purposes*."

Source: NCAA Council (Legislative Review Committee).

Effective Date: Immediately.

Rationale: Prospects often need and want to continue their regular physical workouts or recreational activities during a visit to campus and should be allowed to do so, even in the sport for which they are being recruited, provided coaching staff members do not organize or observe the activities.

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MEMORANDUM

May 8, 2009

TO: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet.

FROM: Amy Huchthausen
Director of Academic and Membership Affairs.

SUBJECT: American Volleyball Coaches Association Legislative Proposals Regarding Sand Volleyball.

The recent adoption of NCAA Division I Proposal No. 2008-59 added sand volleyball to the list of emerging sports for women in NCAA Division I Bylaw 20.02.5 with an effective date of August 1, 2010. Consequently, legislation will need to be adopted in several areas (e.g., coaching limits, recruiting, financial aid, playing and practice seasons) prior to the effective date. The American Volleyball Coaches Association (AVCA) has been developing recommendations in these areas for governance structure review with the intent that the respective cabinets will sponsor legislation for the 2009-10 cycle. Accordingly, the AVCA's recommendations for consideration by the NCAA Division I Recruiting and Athletics Personnel Issues Cabinet in the areas of coaching limits and recruiting are attached. Please note, these are only recommendations and the cabinet has the final authority regarding any legislation it may sponsor.

Finally, on behalf of the staff and the AVCA, thank you in advance for your consideration of this legislation.

ABH:jsp

Attachment

American Volleyball Coaches Recommendations Regarding Coaching Limits

SPORT	Head or Assistant Coach	Limit on Off-Campus Recruiters	Date of Implementation
Sand Volleyball (without Volleyball)	2	2	Immediately
Volleyball/Sand Volleyball	4	2	Immediately

Rationale: The volleyball/sand volleyball combination limit is an increase on the current volleyball countable coach regulation for the principle reason of overlapping championship/non-championship segmented seasons. One of the unique challenges of this sport is the fact that a current model for a multidiscipline activity does not exist in the manner this cooperative will interact. In the fall, volleyball will be in the championship segment and sand volleyball will be in the nonchampionship segment. In the spring, volleyball will be in the nonchampionship segment and sand volleyball will be in the championship segment. To provide opportunity for dedicated sand volleyball student-athletes to train in the fall and allow for work/life balance of the countable coaches, a fourth coach is necessary to work with the sand volleyball student-athletes. During the championship segment in the spring, it is expected that the additional coaching staff member will enable a healthier work/life balance for the coaching staff of both programs.

American Volleyball Coaches Association Sand Volleyball Recruiting Recommendations

A. NCAA Division I Bylaw 13.1.8.12 Evaluation Days – Women's Volleyball and Women's Sand Volleyball.

Bylaw 13.1.8.12.1 Women's Volleyball Only. For institutions sponsoring women's volleyball only, each institution is limited to 80 evaluation days (measured August 1 through July 31) per Bylaw 13.02.6.2. A coach's employment activities in instructional camps/clinics do not count toward the evaluation days limitation. A coach's involvement outside the contact/evaluation period with a local sports club per Bylaw 13.11.2.3 shall count toward the limit. *(Adopted: 4/25/02 effective 8/1/02, Revised: 1/8/07 effective 8/1/07)*

Rationale: Commensurate with current Division I legislation for women's volleyball. Only modification to specify women's volleyball only.

B. Bylaw 13.1.8.12 Evaluation Days – Women's Volleyball and Women's Sand Volleyball.

Bylaw 13.1.8.12.2 Women's Volleyball and Women's Sand Volleyball. For institutions sponsoring both women's volleyball and women's sand volleyball, each institution is limited to 100 evaluation days (measured August 1 through July 31) per Bylaw 13.02.6.2. A coach's employment activities in instructional camps/clinics do not count toward the evaluation days limitation. A coach's involvement outside the contact/evaluation period with a local sports club per Bylaw 13.11.2.3 shall count toward the limit. *(Adopted: 4/25/02 effective 8/1/02, Revised: 1/8/07 effective 8/1/07)*

Rationale: It is understood that the number of volleyball (volleyball and sand volleyball) student-athletes participating at an institution will have to increase to accommodate programs sponsoring both women's volleyball and women's sand volleyball. For an increase in participants, there should be an increase in opportunities to recruit. While it is difficult to quantify expectations at this level, it is expected that in the initial years of sponsorship, a predominant number of sand volleyball participants will also be traditional volleyball participants. Coupled with the issue that opportunities to evaluate prospective student-athletes competing in sand volleyball events are not broadly available at this time, it is reasonable to expect that the search for sand volleyball student-athletes will be conducted during traditional volleyball events. Therefore the limit of 100 evaluation days is recommended as it represents a twenty-five percent increase in the number of opportunities to evaluate prospective student-athletes off-campus. It is estimated that the current average volleyball roster size is 13, which means during the initial years of sponsorship roster sizes could logistically be increasing by 4 or 5 student-athletes and by upwards of 8 to 10 in later years. It is important to note that the number of evaluation days is a historically contested issue for the volleyball coaching community. An increase of more than twenty-five percent initially may produce sweeping unintended consequences affecting the sport of volleyball.

C. Bylaw 13.1.8.12 Evaluation Days – Women's Volleyball and Women's Sand Volleyball.

Bylaw 13.1.8.12.3 Women's Sand Volleyball Only. For institutions sponsoring women's sand volleyball only, there is no limit on the number of days that may be spent off-campus participating in evaluation activities.

Rationale: Programs enlisting in the challenge of sponsoring women's sand volleyball with no other source of participants than the ones recruited to the institution should be afforded the option to recruit off-campus without limits.

SUPPLEMENT NO. 13

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MEMORANDUM

May 8, 2009

TO: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet.

FROM: Jeremiah Carter
Assistant Director of Academic and Membership Affairs.

SUBJECT: American Volleyball Coaches Association Legislative Proposals.

For the 2009-10 legislative cycle, the American Volleyball Coaches Association (AVCA) has put forward three proposals for consideration by the NCAA Division I Recruiting and Personnel Issues Cabinet. Specifically, the AVCA has put forward proposals which would amend NCAA Bylaws 30.10.6 (women's volleyball), 13.12.1.3 (recruiting calendar exceptions) and 11.7.4 (limitations on number of coaches and off-campus recruiters).

After review of the three proposals, the cabinet has the option to: (1) sponsor legislation for the 2009/10 legislative cycle, (2) request AVCA amend the legislation and resubmit for consideration at a later date, or (3) take no action. The proposed changes are attached for the cabinet's review.

Finally, on behalf of the staff and the American Volleyball Coaches Association, thank you in advance for your consideration of this legislation.

JC:kas

Attachment

ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- WOMEN'S VOLLEYBALL -- EVALUATION PERIOD IN CONJUNCTION WITH CHAMPIONSHIP

Status: Proposed

Intent: In women's volleyball, to specify that evaluations may occur at one event conducted on Thursday, Friday, Saturday or Sunday of the NCAA Division I Women's Volleyball Championship, provided the event occurs within a 30-mile radius of the site of the championship.

Administrative: Amend 30.10.6, as follows:

30.10.6 Women's Volleyball. The following recruiting periods shall apply to women's volleyball:

[30.10.6-(a) through 30.10.6-(b) unchanged.]

(c) Wednesday prior to the Division I Women's Volleyball Championship through December 31 [except for (1) and (2) below:	Dead Period
(1) Coaches attending the American Volleyball Coaches Association (AVCA) annual awards banquet may have incidental contact with two-year college prospective student-athletes being honored at the banquet. (See Bylaw 13.02.4.4.1)	Evaluation Period
(2) One event conducted on the **Thursday, Friday, Saturday OR Sunday** of the Division I Women's Volleyball Championship, provided it occurs within a **30-**mile radius of the site of the championship:	Evaluation Period

[Remainder of 30.11.6 unchanged].

Source:

Effective Date: Immediate

Proposal Category: Amendment

Topical Area: Recruiting

Rationale: The parameters of this proposal, without the requirement for event certification, essentially mirror that of the exception in place with women's basketball defined in 30.17. In broadening the time frame of the one exempted event, the bidding parties (municipal convention bureaus and sport authorities) will have greater opportunities to generate heightened interest for

the overall event. After experiencing the first year of the exemption, it was clear that limiting the opening to one day reduced the latitude necessary to accommodate the full benefit of such events, and the legislation should be changed to more closely follow the precedent of women's basketball. Women's basketball had similar interests when the first exemption was pursued, and women's volleyball may benefit from a comparable arrangement. It is also reasonable to expect the impact to the recruiting culture will be minimal as the AVCA Convention (held in conjunction with the NCAA Division I Women's Volleyball Championship) typically draws the largest numbers of Division I coaches in a single gathering. All would be allowed to be present at an event, but no one would be obligated to attend. It would be highly unlikely that any one coach or program would be advantaged nor disadvantaged by the adoption of this proposal.

Due to the fact this proposal does not differentiate substantially from 2007-5 which created the exception in the first place, and would now conform to current legislation for understandable interests in a similar sport, consideration of this proposal as non-controversial would be appreciated.

Estimated Budget Impact: Minimal.

Impact on Student-Athlete's Time: None.

Legislative Issue Form

Date: Fall 2008

Submitted by: TJ Meagher – Legislative Representative

Proposed change:

To specify that a college coach (head or assistant) who is employed, voluntary or compensated, by an organization which directs a sport specific activity must be counted as one of the two permissible off-campus recruiting coaches and count each day towards the program's 80 recruiting day limit for situations where he/she is coaching (directly or indirectly) prospects at a club tournament or coaching (directly or indirectly) prospects at a practice during a quiet period

Applicable NCAA Bylaw(s): 11.7.4
13.1.8.12
13.11.2.3
13.11.2.3.4

Rationale for change:

The interaction of college coaches employed as junior volleyball coaches of prospects has long been a topic of heated debate on the Division I level. It seems the climate of the industry (both college and club) has propelled coaches into situations where the reason to be involved with a club program is for the sheer recruiting benefit of such an alignment in terms of the personal relationships developed with prospects . The interest in teaching the game to younger players has ebbed to unabated access to prospects which play for the club or against it all in a concerted effort to circumvent NCAA regulations on recruiting exposure. This compromise allows for coaches who need their club affiliation to supplement their program's recruiting budget and probable salary deficiency without providing for more affluent programs an avenue to evade current limits. This legislation also allows for coaches to work with non-prospect aged players with little or no restrictions which give them opportunities to earn supplemental income.

Rationale against change:

This legislation if passed will drastically reduce the number of college coaches working in club programs. It is argued that the level of teaching players receive will drop just as drastically, and questions have been raised about the overall effect on the game. Also, it is justifiable that as soon as college coaches are removed from the club volleyball milieu, those who were most knowledgeable of NCAA rules are no longer there to keep some level of order possibly opening the industry to the same sordid influences which dragged AAU basketball into the reprehensible culture it has become. Furthermore, legislation of this nature could impact college coaches' abilities to earn income outside of their chose careers.

Financial Implications: Minimal

Student Athlete Welfare Issues: Minimal

How does this align with other sports (or other NCAA divisions)?

Men's and Women's Basketball currently has legislation which prevents all opportunities to be involved with privately owned clubs.

Voting Results: 332 NCAA Division I Volleyball Programs (83% responding)

215 In favor of proposal
54 Opposed to proposal
8 Abstentions
55 Did not respond

77.6% of the voting NCAA Division I membership support the proposal
Threshold for AVCA acceptance is 66.7% (2/3's)

Legislative Issue Form

Date: 18 January 2008

Submitted by: TJ Meagher – Legislative Representative

Proposed change: "Quiet Period Ban for Camp/Clinic"

To prevent coaches from being involved with off-campus institutional camps/clinics and privately owned camps/clinics during quiet periods within the recruiting calendar

Applicable NCAA Bylaw: 13.12.1.3 Recruiting Calendar Exceptions

Rationale for change:

A trend has become popular with coaches being involved with off-campus institutional camps/clinics and privately owned camps/clinics during the quiet period. It has also become an effective means of gaining exposure to a prospect or group of prospects at a time when off-campus recruitment is not allowed. NCAA Bylaw 13.12.1.3 details that recruitment is not permissible in these instances, however, it is widely believed that any participation in an off-campus camp/clinic is de facto recruitment for all prospects involved.

Rationale against change:

Eliminating this exception may prevent coaches who are looking to supplement their salaries from coaching with outside income.

Financial Implications: Minimal

Student Athlete Welfare Issues: Minimal

How does this align with other sports (or other NCAA divisions)?

Basketball and Football have legislation in place to limit the frequency of camp/clinic involvement.

Voting Results: **332 NCAA Division I Volleyball Programs (88% responding)**

214	**In favor of proposal**
76	**Opposed to proposal**
3	**Abstentions**
39	**Did not respond**

73% of the voting NCAA Division I membership support the proposal
Threshold for AVCA acceptance is 66.7% (2/3's)