



Football Compliance Monthly

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Educational Column

Application of NCAA Division I Proposal No. 2013-31-B (Awards, Benefits and Expenses -- Meals and Snacks Incidental to Participation)

Date Published: October 21, 2014
Item Ref: 1

Educational Column:

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Update to May 28, 2014, Statement

NCAA Division I member institutions are reminded that beginning August 1, 2014, an institution is permitted to provide meals and snacks to student-athletes as a benefit incidental to participation in intercollegiate athletics. The following information is designed to assist institutions with the application of the legislation.

Since the adoption of NCAA Proposal No. 2013-31-B, the NCAA national office has received numerous questions from the membership regarding the application of the new legislation. More specifically, given that the legislation provides institutions the discretion to provide all student-athletes (scholarship and nonscholarship) with meals and snacks incidental to participation, questions have arisen concerning the impact on financial aid legislation and the meaning of "incidental to participation." Consistent with the deregulatory nature of this rule change and recognizing the uniqueness of institutional meal plans and polices, institutions and conferences have the discretion to provide student-athletes other meals or snacks as they deem appropriate and consistent with institutional policies and financial aid regulations. As adopted, the legislation does not permit institutions to avoid applying the financial aid legislation. For example, meals and snacks provided as benefits incidental to participation in intercollegiate athletics are not intended to replace meals that would normally be provided through a dining plan or an off-campus board stipend.

The Division I membership will have the opportunity to examine the various outcomes of this new legislation through the new governance model.

Lastly, similar to the deregulation that occurred as part of the NCAA Working Group on Collegiate Model - Rules process in the area of student-athlete benefits, the membership should be assured that exercising the discretion described above to provide meals or snacks to student-athletes will not result in second-guessing by the NCAA staff.

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Additional Information.

In response to requests from the membership for additional information related to implementing this legislation, please note the following:

1. While there may be instances when a student-athlete who was previously provided a meal (e.g., meal plan, off-campus stipend, etc.) will need to take advantage of a meal incidental to participation being provided to his or her team, the legislation does not permit institutions to systematically circumvent the normal application of financial aid legislation.

a. It is not permissible to provide, in effect, additional equivalencies by either not providing a student-athlete with a board allowance or only providing a partial board allowance and telling the student-athlete that his or her board will instead be covered by "meals incidental to participation."

b. It is not permissible to consistently provide student-athletes with both a meals stipend and meals incidental to participation such that the student-athlete, in effect, would be "double dipping" (e.g., duplicating breakfast, lunch and dinner; providing 24-hour access to meals; etc.).

2. Consistent with the approach described earlier in this document, institutions that have implemented approaches to this legislation that are inconsistent with the discretion described above are expected to immediately take steps to work with their campus leadership, conference office and, as appropriate, the NCAA national office staff, to change their approach to one that complies with the intent of the legislation.

[References: NCAA Division I Bylaws 15.2.2.1 (off-campus room and board stipend), 16.5 (housing and meals) and 16.11 (benefits, gifts and services)]

Official Interpretation**Payment of Expenses for Test Scores to be Sent to the Eligibility Center**

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Item Ref: 8

The Legislative Council determined that an institution may pay expenses for a prospective student-athlete's ACT or SAT score to be sent from the testing agency to the Eligibility Center, provided the prospective student-athlete has signed a National Letter of Intent or the institution's written offer of admission and/or financial aid, or the institution has received his or her financial deposit in response to its offer of admission.

[References: NCAA Division I Bylaws 13.2.1 (offers and inducements -- general regulation), 13.15.1 (pre-college expense -- prohibited expenses) and 13.15.2.1 (ACT and SAT scores); and an official interpretation (4/6/94, Item No. 4), which has been archived]

NCAA Bylaws**13.02.7 Evaluation**

Evaluation is any off-campus activity designed to assess the academic qualifications or athletics ability of a prospective student-athlete, including any visit to a prospective student-athlete's educational institution (during which no contact occurs) or the observation of a prospective student-athlete participating in any practice or competition at any site. *(Revised: 1/10/91 effective 8/1/91, 1/11/94 effective 8/1/94)*

13.02.7.1 Exception -- Football

In football, any evaluation that occurs during a contact period by a coaching staff member is a countable contact per Bylaw **13.02.4.1** rather than a countable evaluation. *(Adopted: 1/10/95 effective 8/1/95)*

13.02.7.2 Evaluation Days -- Football, Softball, Women's Volleyball and Women's Sand Volleyball

An evaluation day is defined as one coach engaged in the evaluation of any prospective student-athlete on one day (12:01 a.m. to midnight). Two coaches making evaluations on the same day shall use two evaluation days. See Bylaws 13.1.7.9.3, 13.1.7.11, 13.1.7.12 and 13.1.7.13. *(Adopted: 1/9/96 effective 8/1/96, Revised: 1/12/99 effective 8/1/99, 4/27/00 effective 8/1/01, 4/25/02 effective 8/1/02, 4/28/05 effective 8/1/05, 1/14/08 effective 8/1/08, 4/14/08, 1/16/10 effective 8/1/10, 1/15/11 effective 8/1/11)*

13.1.4.2 Football and Women's Basketball.

In football and women's basketball, institutional staff members may visit a prospective student-athlete's educational institution on not more than one occasion during a particular week within a contact period, regardless of the number of prospective student-athletes enrolled in the institution or whether any prospective student-athlete is contacted on that occasion. *(Revised: 1/11/94 effective 8/1/94, 10/27/11 effective 8/1/12)*

13.1.4.2.1 Visits During Contact Period -- Football. FBS/FCS

In football, one contact per prospective student-athlete is permitted during each week of the contact period as specified in Bylaw **13.17.4** either at the prospective student-athlete's educational institution or any other location (e.g., prospective student-athlete's home). A visit to the prospective student-athlete's educational institution and any other location (e.g., prospective student-athlete's home) during the same calendar day shall be considered one contact. *(Adopted: 1/10/92 effective 8/1/92, Revised: 1/11/94 effective 8/1/94, 12/15/06)*

13.1.5.2 Football. FBS/FCS

In football, each institution shall be limited to six in-person, off-campus recruiting contacts per prospective student-athlete at any site and shall include contacts made with the prospective student-athlete's relatives or legal guardians, but shall not include contacts made during an official visit per Bylaw **13.6**. *(Adopted: 9/12/03, Revised: 12/15/06)*

13.02.4.1 Evaluation Activities During Contact Period -- Football. FBS/FCS

In football, a visit to a prospective student-athlete's high school, preparatory school or two-year college, or an evaluation at any site that occurs during a contact period shall constitute a contact (for all prospective student-athletes in that sport at the educational institution) for that particular week even if no contact is made with a prospective student-athlete. *(Adopted: 1/11/94 effective 8/1/94, Revised: 1/10/95 effective 8/1/95)*

13.1.7.4 Limitations on Number of Evaluations -- Football. FBS/FCS

In football, institutional staff members shall be limited to three evaluations during the academic year during which the prospective student-athlete competes or practices on any team. Not more than one evaluation may be used during the fall evaluation period and not more than two evaluations may be used during the April 15 through May 31 evaluation period. An authorized off-campus recruiter may use one evaluation to assess the prospective student-athlete's athletics ability and one evaluation to assess the prospective student-athlete's academic qualifications during the April 15 through May 31 evaluation period. If an institution's coaching staff member conducts both an athletics and an academic evaluation of a prospective student-athlete on the same day during the April 15 through May 31 evaluation period, the institution shall be charged with the use of an academic evaluation only and shall be permitted to conduct a second athletics evaluation of the prospective student-athlete on a separate day during the evaluation period. **[D]** *(Adopted: 9/12/03)*

Student-Athlete Reinstatement/Secondary Case

Secondary Case Number: 36256 **SA Reinstatement Case Number:** 0

Secondary Decision Date: July 31, 2008 **SA Reinstatement Decision Date:**

Division: I

Involved Sports: Football

Facts:

The head football coach and two assistant coaches made in-person, off-campus contact with a football prospective student-athlete (PSA) twice during the same week. Specifically, on January 13, 2008, the head coach and one of the assistant coaches observed the PSA at a kicking camp. Subsequently, on January 16, 2008, a second assistant coach made in-person, off-campus contact with the PSA at his home. Both contacts occurred during the same recruiting week. The violation was a result of a communication error among the football coaching staff members. The violation was discovered during a review of football contact and evaluation logs.

Institution Action:

The institution has taken action by issuing a letter of admonishment to the involved coaches, providing rules education and awareness to the involved coaches, and reducing the number of coaches permitted to recruit off-campus during the first two days of the spring evaluation period from seven to six.

Enforcement Action:

The institution should be required to reduce the football coaching staff's next contact period by two days. Please note that the PSA is ineligible for intercollegiate competition at the institution until his eligibility is restored by the NCAA student-athlete reinstatement staff.

14.4.3.1.6 Additional Eligibility Requirements -- Football. FBS/FCS

In football, a student-athlete who is a member of the institution's football team and who does not successfully complete at least nine-semester hours or eight-quarter hours of academic credit during the fall term or does not earn the Academic Progress Rate eligibility point for the fall term (or does not successfully complete either requirement) shall not be eligible to compete in the first four contests against outside competition in the following playing season. *(Adopted: 4/28/11 effective 8/1/11, Revised: 5/28/13)*

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FCS Recruiting Calendar

Quiet Period/Eval. Period 

Contact Period 

42 Eval days during the months of September, October, and November selected at the discretion of the institution and designated in writing in the office of the director of athletics; authorized off-campus recruiters shall not visit a PSA's educational institution on more than one calendar day during this period.

***NOTE* All other dates shall be considered a quiet period.**

Coming up in the December Football Compliance Monthly Newsletter: Football Midyear Junior College Transfers Recruiting Calendar and NLI Reminders.

Football Junior College Transfer NLI Signing Period begins December 17, 2014 and ends January 15, 2015.

NLI Education Tutorial. Are you new to the NLI and looking for an educational Session? Do you just need a refresher? Are you looking for an educational session for your coaches? View the NLI Education Tutorial located in the NLI Resources on the member institution portal.

NLI Education Sessions. NLI Education sessions will be offered on **November 3 at 5:00 PM and November 5 at 3:00 PM**. Please contact your campus compliance administrator for more information.

