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EDUCATIONAL COLUMN, JULY 6, 2010: RECRUITING-RECRUITING MATERIALS-ATHLETICS PUBLICATIONS-PROVISIONS OF ATHLETICS PUBLICATIONS AND AUDIO/VIDEO MATERIALS TO A PROSPECTIVE STUDENT-ATHLETES

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NCAA Division I Proposal No. 2009-42 is effective August 1, 2010. Division I institutions should note that an institution may produce a printed media guide; however, an institution shall not provide a printed media guide or any other printed athletics publication not listed in Bylaw 13.4.1.1 to a prospective student-athlete, his or her parents or legal guardians, the prospective student-athlete's educational institution or any individual involved in the coaching of a prospective student-athlete. However, an institution may provide a media guide to a prospective student-athlete via a digital media storage device (e.g., compact disc, flash drive), or post the media guide on its Web site.

Further, it is not permissible to make a printed media guide or any other printed athletics publication not listed in Bylaw 13.4.1.1 available free of charge to a prospective student-athlete, his or her parents or legal guardians, the prospective student-athlete's educational institution or any individual involved in the coaching of a prospective student-athlete, even if such publications are available to other members of the general public free of charge. Finally, an institution may not create a printed portfolio of information (e.g., pictures) to be used in the recruiting process.

The following questions and answers are designed to assist the Division I membership with the application of this legislation. Please note that when a prospective student-athlete is referenced it also includes his or her parents or legal guardians, the prospective student-athlete's educational institution or any individual involved in the coaching of a prospective student-athlete.

Question No. 1: May an institution provide a printed media guide to prospective student-athletes prior to August 1, 2010?

Answer: Yes. Institutions may provide a printed media guide to a prospective student-athlete prior to August 1, 2010. Therefore, if an institution is sending a printed guide to prospective student-athletes, it must be postmarked by July 31, 2010.

Question No. 2: May an institution produce more than one media guide?

Answer: No. Institutions may have only one official media guide per sport; that being the publication that is provided to the media and related to the institution's sports program.

Question No. 3: If an institution produces a printed media guide, do the color, size and page restrictions apply?

Answer: Yes. A printed media guide remains limited to only one color of print inside the cover, a size not in excess of 8 1/2 by 11 inches and a length of 208 pages. Any supplemental information (e.g., historical information, records) related to the media guide may be posted on the institution's Web site, printed in black and white and provided to the media.

Question No. 4: May an institution produce additional athletics publications (e.g., spring football prospectus, yearbook) and provide them to prospective student-athletes?

Answer: If an institution produces an additional athletics publication pursuant to Bylaw 13.4.1.3, posts the publication on the institution's Web site and it was not created for recruiting purposes, it may be sent to a prospective student-athlete via electronic mail as an attachment or a hyperlink. Further, 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.

Question No. 5: If an institution produces a printed media guide, does the electronic version that is provided to prospective student-athletes have to be an exact reproduction of the printed version?

Answer: Yes. The electronic version of an institution's printed media guide must be an exact reproduction of the printed media guide.

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Question No. 6: If an institution only produces an electronic media guide, do the color, size and page restrictions apply?

Answer: No, the color, size and page restrictions are not applicable if an institution only produces an electronic media guide.

Question No. 7: May an institution provide a printed media guide that is not created for recruiting purposes to a prospective student-athlete?

Answer: Regardless of whether a printed media guide is created for recruiting purposes, it is not permissible to provide it to a prospective student-athlete. It is also not permissible to print an electronic version of a media guide and provide it to a prospective student-athlete regardless of whether it is created for recruiting purposes.

Question No. 8: May an institution provide an electronic version of a media guide to a prospective student-athlete via electronic mail?

Answer: Pursuant to Bylaw 13.4.1.3, if the media guide is posted on the institution's Web site and was not created for recruiting purposes, it may be provided to a prospective student-athlete via electronic mail (as an attachment or via hyperlink).

Question No. 9: May an institution put a logo or other information on the packaging of a digital media storage device used to send a media guide to a prospective student-athlete?

Answer: Yes. However, any images or information on the packaging (e.g., label, insert) is limited to identification of the institution (e.g., name, logo).

Question No. 10: May an institution include other printed recruiting materials outlined in Bylaw 13.4.1.1 on the remaining free space on the digital media storage device used to send a media guide to a prospective student-athlete (e.g., camp brochures, questionnaires, etc.)?

Answer: Yes. Printed recruiting materials listed in Bylaw 13.4.1.1 may be included in the unused space on a digital media storage device used to provide the media guide and/or audio/video materials to the prospective student-athlete. It is important to note that storage devices used for this purpose must not exceed the minimum standard capacity necessary to store the media guide or the audio/video material (e.g., a media guide of 103 megabytes should be stored on a standard 128 megabyte flash drive). Therefore, the printed materials must fit in the remaining unused space.

Athletics publications not listed in Bylaw 13.4.1.1 are subject to the provisions of Bylaw 13.4.1.3 and, therefore, may not be included in the unused space on the digital media storage device.

Question No. 11: May an institution provide a prospective student-athlete with a media guide and a computer-generated recruiting presentation on the same digital media storage device?

Answer: Yes, provided that the storage device used does not exceed the minimum standard capacity necessary to store both items.

Question No. 12: May an institution provide an electronic multimedia institutional publication (other than a media guide) that contains documents not listed in Bylaw 13.4.1.1 and video to a prospective student-athlete on a digital media storage device?

Answer: The only items an institution may provide to a prospective student-athlete on a digital media storage device are: media guides; permissible audio/video materials; and computer-generated recruiting presentations. Therefore, if any component of an electronic multimedia institutional publication contains materials not permitted per Bylaw 13.4.1.1, it would not be permissible to provide the electronic multimedia institutional publication to a prospective student-athlete via a digital media storage device. However, videos from such a publication could be provided separately, provided they satisfy the provisions of Bylaw 13.4.1.2.

Question No. 13: If an institution contracts with a third party to produce its printed media guides, is it permissible for a prospective student-athlete to receive a printed media guide from the third party free of charge?

Answer: No. The third party is acting on behalf of the institution to produce the printed media guide; therefore, it is not permissible for a prospective student-athlete to receive a printed media guide from the third party free of charge.

Question No. 14: If an institution sells its printed media guides to the general public (e.g., at the institution's bookstore), is it permissible for a prospective student-athlete to purchase a copy of the printed media guide?

Answer: Yes. Provided the media guide is purchased in the same manner and at the same cost as is available to the general public, it is permissible for a prospective student-athlete to purchase a printed media guide from the institution.

RECRUITING CALENDAR

Cross Country/ Track & Field

August 1-August 14~ Quiet Period

August 15 -August 31 ~ Contact Period

Men's Basketball

August 1-August 31 ~ Quiet Period

Women's Basketball

August 1-August 31 ~ Quiet Period

Baseball

August 1-August 31 ~ Contact Period

Softball

August 1-August 31 ~ Contact Period

Women's Volleyball

August 1-August 31 ~ Contact Period

Men's Lacrosse

August 1-August 2 ~ Contact Period

August 3-August 9 ~ Quiet Period

August 10-August 31 ~ Dead Period

Women's Lacrosse

August 1-August 31 ~ Quiet Period

*Exception: Seven Contact Days (No evaluations) used at institutions discretion.

Football, Championship Division

August 1-August 31 ~ Quiet Period



STAFF INTERPRETATION: PROSPECTIVE STUDENT-ATHLETE PARTICIPATING IN VOLUNTARY WORKOUTS ON AN INSTITUTION'S CAMPUS PRIOR TO INITIAL FULL-TIME ENROLLMENT AT THE CERTIFYING INSTITUTION

The academic and membership affairs staff confirmed the following regarding a prospective student-athlete's participation in voluntary workouts on an institution's campus prior to initial full-time enrollment at the certifying institution:

- (1) Participation during a summer term in which the prospective student-athlete is enrolled. A prospective student-athlete may participate in summer voluntary workouts conducted by the institution's strength and conditioning coach with department-wide duties (or, in championship subdivision football, a countable coach who is a certified strength and conditioning coach) only during the period of an institution's summer term (opening day of classes through last day of final exams) in which he or she is enrolled.
- (2) Participation during the summer, but outside a summer term in which the prospective student-athlete is enrolled. A prospective student-athlete may participate in voluntary weightlifting or conditioning activities (e.g., conditioning on the track) on the institution's campus in the presence of (as opposed to conducted by) the institution's strength and conditioning coach during the periods of the summer that are outside the actual duration of the term or terms in which the prospective student-athlete is enrolled, provided such activities are not prearranged, the strength and conditioning coach is performing normal duties and responsibilities in the supervision of the weight room or facility in use (e.g., track) and does not work directly with the prospective student-athlete.
- (3) Participation during the summer prior to initial full-time enrollment when prospective student-athlete is not enrolled in the summer term, but has signed a National Letter of Intent. In sports other than football and basketball, a prospective student-athlete who has signed a National Letter of Intent (or a four-year college transfer who has signed a written offer of financial aid and/or admission), but who is not enrolled in an institution's summer term may participate in voluntary weightlifting or conditioning activities (e.g., conditioning on the track) on the institution's campus in the presence of the institution's strength and conditioning coach, provided such activities are not prearranged, the strength and conditioning coach is performing normal duties and responsibilities in the supervision of the weight room or facility in use (e.g., track) and he or she does not work directly with the prospective student-athlete. Involvement by the strength and conditioning coach (other than in a supervisory capacity) or the involvement of any coaching staff member in any capacity would constitute a tryout.
- (4) Participation prior to initial full-time enrollment at the certifying institution (other than during the summer prior to enrollment). A prospective student-athlete who has signed a National Letter of Intent (or a four-year college-transfer prospective student-athlete who has signed a written offer of financial aid and/or admission) may participate in voluntary weightlifting or conditioning activities (e.g., conditioning on the track) on the institution's campus in the presence of the institution's strength and conditioning coach, provided such activities are not prearranged, the strength and conditioning coach is performing normal duties and responsibilities in the supervision of the weight room or facility in use (e.g., track) and he or she does not work directly with the prospective student-athlete. Involvement by the strength and conditioning coach (other than in a supervisory capacity) or the involvement of any coaching staff member in any capacity would constitute a tryout.

[References: NCAA Bylaws 13.11.1 (prohibited activities), 13.11.2.2 (recreational activities), 13.11.3.8.1 (voluntary summer conditioning -- bowl subdivision football, 13.11.3.8.2 voluntary summer conditioning -- championship subdivision football, 13.11.3.9 (voluntary summer conditioning -- basketball), and 13.11.3.10 (voluntary summer conditioning -- sports other than football and basketball; staff interpretation (05/28/09, Item No. d) and an official interpretation (05/18/05, Item No. 1) which have both been archived.]

REMINDER: LAST DAY OF NLI SIGNING PERIOD IS AUGUST 1!

The last date to sign a prospect to an NLI for the 2010-2011 academic year is Sunday, August 1, 2010. Please note that if a prospective student-athlete signs an NLI on the final signing date (August 1) then in order to meet the 21 day submission deadline the NLI must be received at the CAA via fax or email/scan on or before Sunday, August 22, 2010.