



COMPLIANCE MONTHLY

Northeastern * Old Dominion * Rhode Island * Richmond * Towson * Villanova * William & Mary

May 2009 Football Recruiting Calendar

ATTENDANCE RESTRICTIONS AND MATERIAL BENEFITS PROVIDED AT CAMPS/CLINICS

Date Published: April 9, 2009

Ed. Column

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RECRUITING CALENDAR

May 1– May 31: Evaluation Period

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NCAA Division I institutions should note that pursuant to NCAA Bylaw 13.12.1.2, an institution's sports camp or clinic must be open to any and all entrants. An institutional camp or clinic is any camp that is owned or operated by the institution or an athletics department staff member at the institution and includes participants who are prospective student-athletes. An institution may limit the attendance at its sports camps and clinics only by number, age, grade level and/or gender. Further, Bylaw 13.12.2.3.3 permits athletics department personnel, in sports other than basketball, to serve in any capacity at a non-institutional, privately owned camp or clinic that involves prospective student-athletes as participants, provided the camp is operated in accordance with restrictions applicable to institutional camps (e.g., open to any and all entrants, no free or reduced admission to or employment of athletics award winners, etc.). Finally, in accordance with Bylaw 13.12.1.5.4, prospective student-athletes may receive material benefits (e.g., awards, prizes, apparel) from an institution's sports camp or clinic only if the cost of the material benefits is included in the admissions fees charged for the camp or clinic. Recently, the NCAA Division I Legislative Council reviewed issues related to the promotion of institutional camps and clinics. The council issued an official interpretation determining that an institution may advertise or promote an institutional camp or clinic in any way, provided any camp or clinic advertisement or promotion (e.g., camp brochure, Web site, newspaper or magazine advertisement) stipulates that the camp or clinic is open to any and all entrants (limited only by number, age, grade level and/or gender). The following questions and answers are designed to assist Division I institutions in the correct application of these bylaws.

Attendance Restrictions

Question: Is it permissible for an institution to limit the attendance at a sports camp or clinic based on the skill level of the participants (e.g., elite athletes, letter award winners, high school varsity athletes)?

Answer: No, it is not permissible for an institution to limit the attendance at a sports camp or clinic in any way based on skill level. The only permissible limitations on attendance are number, age, grade level and/or gender.

Question: May an institution advertise or promote an institutional sports camp or clinic as an "elite" camp or clinic?

Answer: Yes, an institution may use any words or phrases to advertise or promote its institutional camps and clinics, provided the advertisement or promotion states that the camp or clinic is open to any and all entrants, in accordance with camps and clinics legislation.

Question: If it appears that an institutional camp or clinic is open to any and all entrants (e.g., no reference to elite camp) is an institution required to include a specific statement stipulating that the camp or clinic is open to any and all entrants on all advertisements or promotions for the camp or clinic?

Answer: Yes, all institutional camp and clinic advertisements and promotions must include a statement stipulating that the camp or clinic is open to any and all entrants, regardless of how the camp or clinic is advertised.

Question: May an institution include a statement or description in a camp or clinic advertisement that



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states advanced techniques will be taught at a camp or clinic without violating the attendance restriction regulations?

Answer: Yes, a statement or description may be included in an advertisement to inform potential participants of the level of instruction that will be provided at the camp or clinic, including advanced techniques, to allow the participants to make an informed decision about attendance at the camp or clinic. The advertisement, however, must stipulate that the camp or clinic is open to any and all entrants, in accordance with camps and clinics legislation.

Question: May an institution advertise and/or conduct a camp or clinic as a position camp? For example, may a volleyball program conduct a "setter's camp"??

Answer: Yes, institutions may conduct position camps provided no level of experience, skill or ability is required and the camp is open to any and all entrants. Any advertisements must include a statement stipulating that the camp or clinic is open to any and all entrants, in accordance with camps and clinics legislation.

Question: May an institution conduct an "invitation only" camp?

Answer: No. "Invitation only" camps are not permissible because attendance it is not open to any and all entrants, limited only by number, age, grade level and/or gender.

Question: Is it permissible for a coach to invite certain prospective student-athletes to a camp that is open to any and all entrants?

Answer: Yes, an institution's coach may invite certain prospective student-athletes to a camp, provided the camp is open to any and all entrants. However, an institution may not provide any type of priority registration for specific prospects. Additionally, an institution must abide by all applicable recruiting legislation when inviting certain prospects to a camp. For example, a coach may not call or write a prospective student-athlete in ninth grade to extend a camp invitation.

Question: May an institution reserve spots at a camp or clinic for specific prospective student-athletes?

Answer: No, an institution is not permitted to reserve spots at a camp or clinic for specific prospective student-athletes. For example, if a camp is limited to the first 100 entrants, the institution may not reserve 25 of the 100 places for the coach's top recruits. The coach would be permitted to invite those 25 recruits; however, if any of them are not within the first 100 to register, they would not be permitted to attend the camp or clinic.

Question: Is it permissible for an institution to conduct team camps without violating camps and clinics attendance restriction legislation?

Answer: Yes, an institution is permitted to conduct a team camp. A team camp must be open to any and all teams limited only by number of teams, age of the members of the teams, grade level of members of the teams (e.g., high school, middle school) and/or the gender of the teams. It should also be noted that the promotion of team camps is held to the same restrictions as any other institutional sports camp or clinic. Therefore, team camp advertisements and promotions must include a statement stipulating that the camp is open to any and all teams, limited only by number, age, grade level and/or gender.

CAA REMINDER: Per NCAA Bylaw 11.2.2 Contractual agreements, including letters of appointment, between a full-time or part-time athletics department staff member (excluding secretarial or clerical personnel) and an institution shall include the stipulation that the staff member is required to provide a written detailed account annually to the president or chancellor for all athletically related income and benefits from sources outside the institution. In addition, the approval of all athletically related income and benefits shall be consistent with the institution's policy related to outside income and benefits applicable to all full-time or part-time employees.

Question: May an institution's athletics department staff member work at a non-institutional camp or clinic that is advertised as an elite camp or clinic?

Answer: Yes, provided the camp is conducted in accordance with the legislation regulating institutional camps or clinics. Therefore, in order for an athletics department staff member to be employed on a salaried or volunteer basis at a non-institutional camp or clinic, advertisements or promotional materials must stipulate that the camp or clinic is open to any and all entrants. Athletics department administrators (e.g., rules compliance personnel) are encouraged to review non-institutional camps/clinics advertisements and promotional materials prior to permitting coaches and other athletics department staff members to be employed.

Provision of Apparel and Awards

Question: May an institution provide apparel and/or other merchandise (e.g., equipment, posters, gifts) to camp or clinic participants?

Answer: Yes, an institution may provide apparel and/or merchandise to camp and clinic participants, provided the total cost of the items is included in each camp or clinic participant's admissions fee. If the cost of the items is not included in each participant's admissions fee, then the institution is providing participants an impermissible benefit. For example, if an institution provides each camp participant a basketball and a shirt valued at \$45 but the camp admissions fee for each participant is only \$40, the institution has provided an impermissible benefit to each participant who received those items.

Question: May an institution provide apparel and/or other merchandise (e.g., equipment, posters, gifts) that it receives free of charge or at a reduced rate to camp participants without including the normal retail cost of the item(s) in the participants admissions fee?

Answer: No, the institution must assign normal-retail value to the item(s) it provides to camp participants regardless of whether the institution received the item(s) free of charge or at a reduced rate. The normal-retail value of the item(s) must be included in the participants' admissions fee.

Question: Per Bylaw 13.12.1.5.4, the cost of awards received by prospective student-athletes at an institutional camp or clinic must be included in the admissions fees charged to participants at the camp. Does the full cost of each award have to be included in the admissions fee for each camp participant even though not all camp participants will receive an award? For example, if all awards provided at the camp cost \$100, does the \$100 have to be included in each camp participant's admissions fee?

Answer: No, the full cost of each award does not need to be included in each participant's admissions fees. However, the full cost of the awards must be included collectively in the admissions fee for all camp participants. For example, if the total cost of all awards to be given out at an institutional camp or clinic is \$100 and the camp attendance is capped at 100 participants, each individual admissions fee would have to include an additional \$1 used to cover the awards provided at the camp or clinic.

RECRUITING ADVERTISEMENTS AT ATHLETICS COMPETITIONS INVOLVING PROSPECTS

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Ed. Column

NCAA Division I institutions should note that in accordance with NCAA Bylaw 13.4.4.1, an institution may not arrange for advertisements, including athletics camp and clinic advertisements, in facilities or publications related to any competition in which prospective student-athletes participate. Accordingly, it is not permissible to place a banner promoting the institution's athletics camp or clinic at a high school competition. The prohibition against advertising in conjunction with prospective student-athletes' competition includes not only the purchase of advertising for recruiting purposes, but also the arrangement of advertising for athletics recruiting purposes. Therefore, it is not permissible for an institution to make athletics camp or clinic brochures available at high school athletics competitions even if the institution does not pay a fee for the opportunity to place its materials in the venue.

CALLS REGARDING INSTITUTIONAL CAMP AND CLINIC LOGISTICAL ISSUES

Date Published: April 2, 2009

Official Interpretation

The committee determined that a telephone call to an individual (or his or her parents, guardians, relatives or coach) that relates solely to institutional camp and clinic logistical issues (e.g., missing registration information) is not subject to the restrictions on telephone calls, provided no recruiting conversation or solicitation of particular individuals to attend a camp or clinic occurs.