


# *A Review of Newly Adopted Legislation*



*UNIVERSITY OF COLORADO  
MONTHLY COMPLIANCE MEETING  
FEBRUARY 12, 2009*

*PROTECT*  
**YOUR**  **TEAM**

# Overview of Today's Session



- Announcements from HAC
- Announcements from Jo
- Review of International Tax Issues for Your SAs
- Newly Adopted Legislation
- Compliance Quote of the Month
- Budget Process from Clayton Hamilton

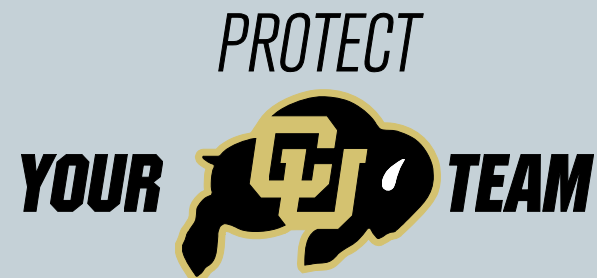
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# Announcements from the HAC



- **Fall 2008 Team GPAs!**
- **Priority Registration for Fall Classes**  
March 30<sup>th</sup>  
Students must see academic advisor  
Students must clear all Registration Stops  
Practice times for fall
- **CU Experience Class**  
For all student-athletes new to CU Spring 09 or Fall 09  
Mondays 12:00-12:50
- **Student Workers**
- **Class Attendance**
- **“The Realities of APR”: A Lunch and Learn Webinar**  
February 24  
11am-12pm  
1B55 Regent



# Jo's Announcements



- March MCM is March 19<sup>th</sup>, moved to third week to accommodate the travel schedules of our coaches.
- NLI Originals (TR, MFB, WSO)
- “Change in Status” Form – ASAP after change. Add, Subtract. Remember the 14 day try-out!

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# Just so you are aware: International Tax



- **International Student-Athletes are taxed on their income/payments 14% by the US Federal Government.**
- **Required deductions**
  - Monthly Room and Board Stipends
  - Vacation/Break Payments
  - SAF/SAOF
- **Other Payments**
  - Per Diem
  - Tuition & Fees

## International Tax, Cont.



- Payment Vouchers must be signed by Bernadette or another Tax Counselor before they can be processed.
- Some student-athletes' countries have Treaties and are exempted from the 14% tax, but they must fill out paperwork with Bernadette in order to be exempted (Piterniece).
- Working on-campus & obtaining a SSN.
- On-campus SAs are also taxed on their housing, if they are on enough aid to receive a portion of it paid. This is CHARGED to them, as opposed to being withheld.
- Information is important to notify students before they arrive in U.S. so their families can be prepared.



# **Newly Adopted Legislation**

# 2008-76

- Definition of a PSA – Men’s Basketball
  - In **men's basketball**, for purposes of the tryout rule and the regulations related to camps and clinics, to specify that a prospective student-athlete is an individual who has started classes for the seventh grade.
  - Effective Date: **IMMEDIATE**

# Rationale



- **Current legislation prohibits basketball coaches or noncoaching staff members with basketball-specific responsibilities from being employed at other institutional camps or clinics or at noninstitutional privately owned camps or clinics. However, the prohibition applies only to camps or clinics in which prospect-aged participants (grade nine and above) are involved. Further, current legislation requiring camps or clinics to be open to any or all entrants does not apply to those conducted for non-prospect-aged participants. Noninstitutional camp operators conduct elite basketball camps for seventh and eighth graders and are employing DI BB coaches. Coaches feel pressured work at the camps since many of the operators also have ties to nonscholastic teams that include prospects. This situation increases the nonscholastic influence in youth basketball, creates potential recruiting advantages for coaches who are employed at the camps and encourages the practice of early verbal offers and commitments, which can be detrimental to the well-being of the youth and the collegiate institutions. Additionally, some coaches are conducting elite basketball camps for 7<sup>th</sup> & 8<sup>th</sup> graders and are using this unfettered access to further their own recruiting interests. This proposal furthers the creation of a healthier environment for the recruitment of men's BB PSA.**
- **It is recommended that this proposal be adopted as noncontroversial or emergency legislation inasmuch as it is simply an attempt to adopt a common sense principle that coaches should not be involved in recruiting activities of youth of in seventh and eighth grade and it attempts to address some of the concerns related to the current youth basketball environment, particularly the increase in nonscholastic influences and the early recruitment of youth, which are issues that have been identified by the NCAA that infringe on a core principle of the Association related to the recruitment of PSA.**

# 2008-14

- **ENROLLMENT AND ATTENDANCE IN SUMMER CLASSES PRIOR TO INITIAL FULL-TIME ENROLLMENT**
  - To specify that an individual shall no longer be considered a PSA for purposes of the contact limitations in Bylaw 13 and shall be considered a SA for purposes of Bylaw 16 at the point in which he or she officially registers and enrolls and attends classes in an institution's summer term prior to initial full-time enrollment
  - Effective Date: IMMEDIATE

# Rationale



- Current legislation permits any individual who is enrolled in CU's summer session prior to his/her initial, full-time enrollment at CU, to **be provided academic support services and to use the institution's training room facilities without signing a NLI.**
- In addition, in FB & BB, any individual who is enrolled in CU's summer session prior to his/her initial, full-time enrollment at the CU may engage in voluntary summer workouts **conducted** by CU's strength and conditioning coach regardless of whether the individual has signed an NLI or is receiving athletically related financial aid during the summer session.
- Although these individuals have not signed an NLI and are not receiving summer financial aid, they are no longer being recruited by the institution and they receive the same access to institutional facilities and services as individuals who have signed an NLI or are receiving summer financial aid. Accordingly, these individuals should also be provided the benefits of SAs for purposes of Bylaw 16 and the institutions at which they are enrolled should not be subject to the contact restrictions of Bylaw 13.

# 2008-16

- **CONTACTS AND EVALUATIONS -- EXCEPTION -- OFFICIAL CHURCH MISSION**
  - To specify that an institution shall not contact a SA who has begun service on an official church mission without obtaining permission from the institution from which the SA withdrew prior to beginning his or her mission if the SA signed a NLI and attended the institution (with which he or she signed the NLI) as a full-time student;
  - further, to specify that if such a SA has completed his/her official church mission and does not enroll full time in a collegiate institution within one calendar year of completion of the mission, an institution may contact the SA without obtaining permission from the first institution
  - Effective Date: August 1, 2009

# Rationale



- An official church mission is a time when an individual should not have to deal with distractions due to numerous recruiting contacts by coaches. In many cases, the missionary's church may restrict contact between the missionary and his or her family and friends to correspondence and two phone calls per year.
- Current legislation allows for active recruitment of such a student-athlete to recommence after he or she has been officially withdrawn from a four-year institution. Recruitment during the mission experience detracts from the goals and focus of the mission.
- In addition, many resources are expended in recruiting prospective student-athletes. The fact that a student-athlete who serves an official church mission will once again become eligible for recruitment discourages many schools from recruiting those prospective student-athletes prior to their missions.
- This proposal would protect such SAs and the institutions with which they sign NLI's of Intent from external recruiting interferences during the SA's missionary service.

# 2008-17

- **CONTACTS AND EVALUATIONS – Head Football Coach activities during spring evals**
  - In bowl subdivision football, to specify that the head coach shall not participate in;
    - ✦ an off-campus coaching clinic,
    - ✦ visit a PSA's educational institution for any reason or
    - ✦ meet with a PSA's coach at an off-campus location during the April 15 through May 31 evaluation period.
  
  - **Effective Date: IMMEDIATE**

# Rationale



- The current restriction on off-campus recruiting activities was adopted with the intent of prohibiting head football coaches from engaging in any off-campus recruiting activities during the spring evaluation period.
- Following the adoption of the restriction, confusion arose regarding the activities in which head coaches were allowed to engage off an institution's campus.
- This proposal further defines the activities in which head coaches may not participate during the spring evaluation period.
- A head coach would be permitted to speak at engagements held at locations other than a PSA's educational institution that are open to the general public or engagements organized for institutional (NCAA institution) fundraising purposes.

# 2008-22



- **Recruiting Materials- Institutional Postcards**

- To specify that an institutional postcard may be provided to a PSA, his/her parents or legal guardians, his or her coach or any other individual responsible for teaching or directing an activity in which a PSA 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 PSA.
- 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 PSA as general correspondence.

# Further help...



## **1/16/2009 Educational Column**

- **Question:** Is it permissible to include **multiple** logos on one side of the postcard?
- **Answer:** **No.** Each postcard may include the institution's name and either a single institutional logo or a single athletics logo on one side and handwritten information on the opposite side.
- **Question:** How does the proposal apply to postcards that are not rectangular in shape?
- **Answer:** Regardless of the shape of the postcard, it must fit within the area of a rectangle that measures 4 1/4 x 6 inches.
- **Question:** If an institution wishes to mail a postcard in an envelope, what restrictions would apply?
- **Answer:** A card mailed to a prospective student-athlete in an envelope would be considered to be an **institutional note card** and would be subject to the restrictions on such cards and the envelopes in which they are mailed.
- **Question:** May the postcard include a preprinted return address? May address labels be used for the return address and addressee?
- **Answer:** Yes. The postcard may include a preprinted return address and address labels may be used.

# PERMISSIBLE



6"



**UNIVERSITY OF COLORADO**

*Congratulations on your win last week. Keep up the good work!*

4 1/4"



*Go Buffs!  
- Coach*


# IMPERMISSIBLE



6"

**COLORADO BUFFALOES**  
**COMPLIANCE**  
*FROM THE DESK OF:*  
*Rob Heuer*  
*Rules Education Coordinator*

(303)492-6155  
*Rob.Heuer@colorado.edu*

*PROTECT*  
**YOUR  TEAM**

4 1/4"

# 2008-23

- Recruiting Materials- Electronic transmissions -- exception -- after receipt of room or tuition deposit
  - To specify that **on or after May 1** of a PSA'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 PSA, provided the institution has received his/her room or tuition deposit in response to the institution's offer of admission.
  - Effective Date: Immediate

# Rationale



- This proposal would establish an exception to the electronic correspondence legislation that would be similar to the current legislation regarding publicity released by an institution after a PSA has evidenced his/her commitment to attend the institution.
- A key factor in the membership's desire to eliminate text messaging and other electronically transmitted correspondence is the intrusive nature of these particular methods of communication during the recruiting process. However, such communication to PSAs who have already committed to the institution does not present a recruiting advantage and is not overly invasive.
- PSAs who have submitted a tuition or room deposit may not have signed a (NLI), but they have shown the same level of commitment as those PSAs who have. Institutions should be able to communicate with those PSAs via the same electronic methods. This proposal would allow for a more consistent application to prospective student-athletes who have committed to attend the institution.
- The May 1 date ensures that electronically transmitted communication (other than e-mail or facsimiles) with a PSA who qualifies for the exception will occur subsequent to the initial date of the spring NLI signing period.

# 2008-30-B

- Recruiting- Entertainment, reimbursement and employment of high school/college-preparatory school/two-year college coaches -- employment as speaker/presenter in athletically related institutional activities -- basketball
  - In **basketball**, to specify that an institution shall not employ (either on a salaried or a volunteer basis) an individual who is involved in coaching PSA or is associated with a PSA as a result of the PSA's participation in basketball as a speaker or presenter at any athletically related events or activities (e.g., camps or clinics, booster club functions, as outside consultant).
  - Effective Date: Immediate

# Rationale



- This alternative was sponsored at the request of the National Association of Basketball Coaches in order to address additional concerns related to the payment of fees to prospective student-athletes' coaches or other individuals associated with PSA.
- A broader prohibition on employment of coaches and individuals involved with pPSAs as a result of participation in basketball is necessary to address other means by which payments may be directed to such individuals.
- In many cases, the purpose of such employment is to gain favor with these individuals and greater access to the prospects who these individuals influence and, many times, control. College coaches need to be protected from scholastic and non-scholastic coaches (and others associated with prospects) who seek to leverage access to the prospects by offering themselves to be employed at camps, clinics, booster club functions and similar activities. The proposed prohibition will promote greater integrity in the youth basketball recruiting process.

# 2008-33

- Eligibility -- Seasons of competition -- Five-year rule -- criteria for determining season of eligibility -- Delayed enrollment -- Women's volleyball
  - In **women's volleyball**, to specify that a SA who does not initially enroll full time in a collegiate institution within one year following the high school graduation date of the SA'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.
- August 1, 2010, for SAs initially enrolling full time in a collegiate institution on or after August 1, **2010**.

# Rationale



- There is support among members of the (AVCA) for this legislation to address concerns regarding the current organized competition legislation.
- It is becoming increasingly common for women's VB PSAs to intentionally delay initial collegiate enrollment in order to compete and train at an elite level.
- Under the current legislation, these PSA may delay enrollment until age 21 and train and compete for three to four years before entering college.
- This proposal adds women's volleyball to the legislation by which tennis and swimming and diving have addressed similar concerns.

# 2008-37



- **ELIGIBILITY -- TRANSFER REGULATIONS -- EXCEPTIONS FOR TRANSFERS FROM FOUR-YEAR COLLEGES -- CHURCH MISSION**
  - To eliminate the church mission exception to the transfer residence requirement for transfers from four-year colleges.
  - **Effective Date: August 1, 2009**

# Rationale



- Current legislation provides an exception to the residence requirement for a transfer student from a four-year institution if the SA actively serves at least 12 months on an official church mission.
- The exception essentially makes a SA who is serving an official church mission a "free agent," because he or she is not required to fulfill a year in residence on returning and transferring to another institution.
- Since the current legislation provides an exception to the transfer residence requirement, many institutions are discouraged from investing the time, energy and finances into recruiting PSAs who plan to serve missions.
- As a result, an individual who would otherwise serve a mission may choose not to do so in order to receive a scholarship offer, which may be contingent on not serving a mission. Legislation affecting official church mission service should be distinguished from active military service due to a recent increase in the recruitment of SAs who serve official church missions.

# 2008-38



- ELIGIBILITY -- TRANSFER REGULATIONS -- FOUR-YEAR COLLEGE TRANSFERS -- COMPETITION AND RECEIPT OF ATHLETICALLY RELATED FINANCIAL AID IN YEAR OF TRANSFER -- **TENNIS**
- In tennis, to specify that a transfer student from a four-year institution who enrolls at the certifying institution as a full-time student after the conclusion of the first term of the academic year and qualifies for an exception to the one-year residence requirement shall not be eligible for competition until the following academic year if he or she has competed during the same academic year and received athletically related financial aid during the same academic year from the previous four-year institution.
- **Effective Date: August 1, 2010**

# Rationale



- Current legislation precludes a SA from engaging in competition in a particular sport at two different institutions in the championship segment of the same academic year.
- In tennis, the season of competition is typically divided into two segments, but the Intercollegiate Tennis Association (ITA) is concerned about situations in which a student-athlete may compete for two different institutions in the same academic year and the difficulty some institutions have in replacing a SA midyear.
- Accordingly, the ITA supports this proposal, which limits the ability of a midyear tennis transfer SA to compete for two four-year institutions in the same academic year if the student-athlete received athletically-related financial aid at the first institution.
- Additionally, this proposal encourages and promotes more careful consideration by the coach and the SA during the recruiting process and helps to solidify the commitment made by both parties.

# 2008-42



- **AWARDS, BENEFITS AND EXPENSES -- COMPLIMENTARY ADMISSIONS AND TICKET BENEFITS -- POSTSEASON EVENTS**
- To specify that an institution may provide each SA who participates in or is a member of a team participating in a postseason event (e.g., conference championship, NCAA championship, National Invitation Tournament, bowl game) with six complimentary admissions to all intercollegiate athletics events at the site at which the student (or team) participates.
- **Effective Date: August 1, 2009**

# Rationale



- **This proposal would simplify and bring consistency to the application of the complimentary admissions legislation and permit a SA to receive six complimentary admissions to postseason events in which the SA participates or is a member of a team participating in the event—ex: WBB in the WNIT last spring.**

# 2008-49



- PLAYING AND PRACTICE SEASONS -- **BASKETBALL** -- FIRST CONTEST -- EXCEPTIONS -- INFORMAL PRACTICE SCRIMMAGES -- NO MISSED CLASS TIME
- In basketball, to specify that no class time shall be missed in conjunction with an informal practice scrimmage, including activities associated with such scrimmages (e.g., travel, pregame and postgame activities).
- **Effective Date: August 1, 2009**

# Rationale



- Current legislation permits an institution to participate in an informal basketball scrimmage after the start date for on-court practice. Such a scrimmage may be conducted against another Division I institution.
- The current rules have established conditions to ensure that the scrimmage is conducted in privacy and does not, in essence, become an additional contest.
- However, there is no requirement that SAs do not miss class time to participate in such a scrimmage. In recent years, there have been some instances involving institutions that have traveled significant distances to participate in scrimmages against other Division I institutions.
- These scrimmages originally were designed to permit institutions in close proximity to each other to engage in an informal type of practice session.
- As such, SAs should not be missing class time to participate. This proposal will help further the original intent of the legislation.

# 2008-52

- PLAYING AND PRACTICE SEASONS -- **FOOTBALL** -- PRESEASON PRACTICE -- LIMIT ON NUMBER OF PARTICIPANTS -- REPLACEMENT OF STUDENT-ATHLETE DUE TO INJURY OR ILLNESS -- FBS
- In bowl subdivision football, to specify that a SA who sustains an injury or illness that prevents further participation in preseason practice activities may be replaced with another SA without including that individual in the institution's limitation on the number of individuals who may participate in preseason practice.
- **Effective Date: Immediate**

# Rationale



- Current legislation limits the number of SAs who may participate in and receive expenses related to preseason practice activities. In addition, current legislation does not allow an injured or ill student-athlete to be replaced in the limit on preseason participants.
- This proposal would permit replacement of a SA who sustains an injury or illness that prevents further participation in preseason practice.
- For the SA to be replaced, he must immediately cease participation in all athletically related activities and may not resume participation in athletically related activities prior to the institution's first day of classes or first contest, whichever occurs first.
- The replaced SA would not be permitted to return to practice for the remainder of the preseason-practice period; however, football programs that lose SAs to injuries or illnesses would be able to maintain a consistent number of preseason practice participants.

# 2008-53



- **PLAYING AND PRACTICE SEASONS -- GOLF --  
MAXIMUM CONTEST LIMITATIONS --  
DETERMINATION OF DATE OF COMPETITION**
  - In golf, to specify that an institution is considered to have used a date of competition if five or more SAs participate on behalf of the institution or any number of SAs contribute to a team score on a particular date.
  - **Effective Date: August 1, 2009**

# Rationale



- Currently, if one or more SAs participate in a golf event, it constitutes an institutional date of competition. As a result, institutions have created junior varsity programs with teams carrying enough student-athletes to fill two or more teams.
- Pursuant to current legislation and interpretations, student-athletes competing as individuals trigger a varsity date of competition if 50 percent or more of the student-athletes participating in the event compete "primarily on the varsity level" (defined as playing in 50 percent or more of a team's varsity contest).
- Applying and tracking this standard has created substantial confusion and has made scheduling and planning difficult. Although this proposal does not remove these interpretations for those institutions that want to conduct a junior varsity and/or a freshman squad, it gives institutions flexibility without creating competitive advantages.
- Finally, each SA is limited to 24 dates of competition and there is no increase in missed class time or additional dates of competition for any individual.

# 2008-56



- **PLAYING AND PRACTICE SEASONS -- TENNIS --  
MAXIMUM NUMBER OF DATES OF COMPETITION --  
INDIVIDUAL SINGLES OR DOUBLES TOURNAMENT  
LIMITATIONS -- NUMBER OF PARTICIPANTS**
  - In tennis, to increase from three to four the number of student-athletes who may participate in an individual singles or doubles tournament without counting the event as one of the institution's dates of competition.
  - **Effective Date: August 1, 2009**

# Rationale



- This proposal would permit institutions to send two doubles teams to such an individual singles or doubles tournament without using an institutional date of competition. Under the current limit of three student-athletes, one SA is not able to participate in doubles competition at such a tournament.
- The additional SA will not result in additional missed class time or an increase to the number of dates of competition for individual student-athletes because participation in tournaments would still count against the individual SA's maximum dates of competition.
- Even though an additional SA would be able to travel to a particular individual singles or doubles tournament, that SA would presumably be traveling to the same number of total events throughout the playing season under the current rule.

# 2008-63



- DIVISION MEMBERSHIP -- MEMBERSHIP REQUIREMENTS -- MINIMUM PARTICIPANTS REQUIREMENTS FOR SPORTS SPONSORSHIP -- **TRACK AND FIELD** -- MULTI-DAY MEETS
- In track and field, to specify that if the number of SAs participating in a multi-day meet on behalf of the institution over the course of the entire meet equals or exceeds the minimum number of participants required for sports sponsorship and the meet is conducted on consecutive days, an institution may use the competition as a contest in meeting the minimum-contest requirements.
- **Effective Date: August 1, 2009**

# Rationale



- In track and field, many meets are conducted over the course of two days for a variety of reasons, including facility availability, weather, hours of daylight, large field sizes and the safety of involved student-athletes.
- Currently, in the case of a multi-day meet, 14 student-athletes must compete on at least one day of the meet in order for the meet to count toward the institution's minimum number of contests for the purpose of sport sponsorship.
- As a result, in many instances involving multi-day meets, coaches are forced to make roster and travel decisions that are not based on competitiveness or the student-athlete's well-being, but on satisfying the requirement that 14 student-athletes participate on at least one day.
- This proposal would help assure that student-athletes will no longer be asked to compete in meets based solely on the day that an event is contested and that coaches will not be required to transport an unnecessarily high number of student-athletes.
- Further, institutions will not be penalized for choosing to attend two-day rather than single-day meets.

# 2008-65



- ADMINISTRATIVE REGULATIONS -- FOREIGN TOURS AND COMPETITION -- TIMING OF TOUR -- PROHIBITION DURING ACADEMIC YEAR LABOR DAY VACATION PERIOD
  - To specify that an institution shall not participate in a foreign tour that occurs in conjunction with a Labor Day academic year vacation period.
- **Effective Date: August 1, 2009; however, institutions may honor a contract beyond this date if a contract for participation was signed before April 14, 2008.**

# Rationale



- Currently, an institution may participate in a foreign tour during Labor Day weekend provided it recognizes Labor Day as a vacation period. Institutions that do not recognize Labor Day or only recognize it for institutional staff and administration (e.g., not extended to students and professors) have sought NCAA Division I Management Council Administrative Review Subcommittee (now NCAA Division I Legislative Council Subcommittee for Legislative Relief) waivers in order to participate in tours.
- Eleven requests from men's basketball programs have been submitted since July 2005. Relief has been provided to those institutions that recognize Labor Day in some manner (e.g., administrative day for staff and administration).
- The intent of a foreign tour is to provide student-athletes with additional cultural and educational opportunities. However, competitive equity concerns have been raised. Those concerns relate to the fact that institutions are allowed ten days of practice before the start of the tour and that freshmen student-athletes may participate on such tours if the institution's academic year has begun.
- This legislation would not apply to institutions for which Labor Day occurs during the summer vacation period before the start of the regular academic year (e.g., quarter institutions).
- The current legislation does not permit incoming freshman to participate in summer foreign tours. Therefore, this proposal promotes competitive equity as it relates to freshman participation.



# Questions About Newly Adopted Legislation?

# Just A Few Reminders....



- **NCAA Bylaw 13.14.1 Use of Recruiting Funds—  
Institutional Control .**
  - Do not accept a airline ticket from family member to fly in and see the PSA.
  - Do not accept a ride from them to/from the airport.
  - Do not accept the offer to stay over night in their home.
  - Be very careful about accepting meals from the family.
    - ✦ Refreshments are permissible-
    - ✦ Light snack is permissible-(chips/salsa, etc.)

# Interpretations Request Assignments:



- **Julie will field interp requests for:**
  - Volleyball
  - Cross Country -Track & Field
  - Ski
  - Men's/Women's Golf
- **Rob will field interp requests for:**
  - Football
  - Men's/Women's Basketball
  - Soccer
  - Tennis

## Compliance Quote of the Month



*“Adversity causes some men to break,  
and others to break records”.*

-- Source Unknown



**CLAYTON HAMILTON  
BUDGET PROCESS FOR  
2009-2010**