

REASONABLE STANDARDS

In 2007, when I joined the NAAC Board of Directors, it was clear that a major accomplishment of the association would one day be the establishment of standards for monitoring an institution's compliance with NCAA rules. This was a high priority on NAAC's ambitious "to do" list. Within a year, I was asked to lead NAAC's effort to establish what had been deemed "reasonable standards." The Committee on Reasonable Standards (the Committee) was established, selected members, and started to work.



Kate Hickey



One of the first tasks for the Committee was to establish a definition of, and a template for, reasonable standards. As they have now been defined, NAAC's reasonable standards are intended to establish a norm to which all institutions should adhere when monitoring an institution's compliance with NCAA rules, providing education regarding NCAA rules and investigating potential violations of NCAA rules. Extenuating circumstances may arise justifying an occasional deviation from these norms, but these reasonable standards are intended to serve as the accepted minimum threshold for NCAA compliance monitoring. The goals of NAAC's Committee on Reasonable Standards are to:

- Create a set of standards for use by NCAA bodies or committees to determine whether an institution has fulfilled the NCAA's Principle of Institutional Control and Responsibility
- Clearly define the minimum monitoring expectation for NCAA member institutions' compliance programs
- Create a level playing field among NCAA member institutions with regard to the time, effort and resources devoted to monitoring an institution's compliance with NCAA rules, providing education regarding NCAA rules, and investigating potential violations of NCAA rules
- Maintain a balance between the obligations imposed on institutions, and specifically on compliance professionals, and the benefits derived from adhering to the standard
- Provide clear, easy to understand guidelines for use by compliance professionals when developing a compliance program
- Provide a means for institutions and external entities to evaluate the performance and structure of an institution's compliance program
- Improve the consistency of athletics compliance offices nationally and increase confidence in the athletics compliance profession

The process for rolling out reasonable standards has been slower than initially anticipated due to the importance of this initiative. The first standards established by NAAC must make sense to all constituents (e.g., AD's, compliance professionals) and they must be supported by data on current practices. The areas in which standards have currently been drafted include recruiting contacts and evaluations, complimentary admissions for student-athletes and their guests, and countable athletics-related activities. The Committee is in the process of reviewing data on current practices relating to its draft standards to determine if the standards are "on the mark" or if they must be adjusted. We expect that the first standards, which will be focused on Division I institutions, will be communicated to NAAC's membership later this year.

Establishing reasonable standards is an important step in inspiring trust in intercollegiate athletics, one of the common threads of all of NAAC's efforts. At the same time, there is concern that some will view these standards as absolutes. Meaning, if an institution does what the standard prescribes, it will be free and clear of any culpability should a violation of that particular rule occur. Or conversely, if an institution fails to meet the standard, it will be automatically responsible. These standards will not be absolutes, but merely a minimum threshold for all compliance offices to benchmark. While the standards should be viewed as bolstering institutional control, due diligence will still require every institution to evaluate its own needs in every area of the NCAA rules and proceed according to their specific circumstances. For example, some institutions may need to add checks, balances and education beyond the reasonable standard in the area of complimentary admissions due to frequent game sellouts, or past incidences of student-athletes accepting items in return for complimentary admissions. Other institutions with different circumstances may not need to take additional steps in this area.

From the chair of someone who has administered compliance at a conference office and on a campus, having reasonable standards is a must. Reasonable standards will not resolve all of our compliance challenges; however, they will provide direction where it is greatly needed. While the NCAA rules give us the "what" we need to do our jobs every day, it is time for NAAC to give us a framework for the "how" to ensure that we are all monitoring and educating at a level that is expected and reasonable.

Thanks for this article to Kate Hickey, senior associate athletics director/SWA at Rutgers University and NAAC 2nd Vice President.