NCAA Creates Transfer Waiver Guidelines

The NCAA staff will use altered guidelines when determining which student-athletes will receive waivers of the rule that requires some student-athletes to sit out a year of competition after transfer.

Members of the Division I Legislative Council’s Subcommittee for Legislative Relief made the changes in response to current waiver trends and a belief among the membership that waiver decisions were not consistent from case to case.

The guideline changes are specific to waivers requested when a student-athlete wants to return to a school closer to home due to the illness or injury of an immediate family member. The subcommittee directed the staff to consider relief when:

The school presents medical documentation of a debilitating injury or illness to a student-athlete’s immediate family member that is debilitating and requires ongoing medical care. The previous standard had been “life-threatening.”

Additionally, the subcommittee decided if a student-athlete’s family member is given a specific amount of time to live, that potentially outweighs all other guidelines.

Subcommittee chair Robert Philippi, associate commissioner for academics and compliance at Conference USA, emphasized that the guidelines were for staff’s initial consideration of the waiver. Any staff decision can be appealed to the full subcommittee.

“It is important to understand the guidelines are for staff’s initial review,” Philippi said. “There are occasions in which the welfare of the student-athlete takes precedence or other unique circumstances are presented, and those cases should be appealed to the subcommittee.”

The changes to the guidelines are intended to be an updated standard for the staff to use when making waiver decisions.

The guidelines are just part of the waiver review process. Schools seeking a waiver of the transfer legislation for student-athletes with ill or injured immediate family members must submit various materials, including written medical documentation from the professional who diagnosed the condition, a letter from the student-athlete explaining the need for relief and information indicating that external third parties were not involved in the transfer.
### Secondary Violations Involving “Thanksgiving”

**Men’s Basketball:** Institution provided nonrecruited men’s basketball student-athlete with impermissible vacation period expenses valued at $180. Specifically, dormitories were closed during Thanksgiving break, but SA was still required to practice with team on campus. SA’s parents live in locale of institution and SA stayed at their home for break and should not have received any vacation period expenses.

**Men’s Golf:** Two men’s golf student-athletes participated in a 2-day pro-am golf event under a team-scoring format during institution’s regular academic year; specifically November 29 and 30, dates immediately following institution’s Thanksgiving vacation period but officially listed during institution’s regular academic year. Prior to participating in tournament, SAs asked their coach if it would be allowed. Head men’s golf coach asked the two compliance directors if it would be ok under NCAA rules. Compliance directors informed coach that it was permissible because it took place outside designated playing and practice season. However, compliance and coach failed to realize competition did not occur during an official institutional vacation period.

**Football:** The Head Coach provided impermissible lodging to SA1, SA2 and SA3 (a value of $33.20 per student-athlete). Specifically, the coach hosted a Thanksgiving dinner at his house for various football student-athletes. SA1, SA2 and SA3 missed the last metro train back into the city to return to campus. Therefore, the coach allowed these three SAs to spend the night at his home.

**Men’s Golf:** The head men’s golf coach sent a text message to two men’s golf prospective student-athletes. Specifically, the head coach sent a mass “Happy Thanksgiving” text message, and then he subsequently discovered that he had sent the text to the two prospects by mistake.

**Baseball:** The baseball coaching staff conducted countable activities with the baseball student-athletes outside the playing season during an institutional vacation period. Specifically, the baseball coaching staff conducted countable activity during the Thanksgiving break as published as an institutional vacation period. The baseball coach mistakenly believed that conditioning activities were permissible during the week prior to final exams.

### Rules for Handling Meals When Team is Traveling

An institution may provide meals to student-athletes in conjunction with away-from-home competition pursuant to one of the following options:(a) All student-athletes are permitted to receive a pregame or postgame meal as a benefit incidental to participation in addition to regular meals (or meal allowances per Bylaw 16.8.1.2.3). An institution, at its discretion, may provide cash, not to exceed $15, in lieu of a postgame meal; or (b) All student-athletes are permitted to receive meals at the institution’s discretion from the time the team is required to report on call for team travel until the team returns to campus. If a student-athlete does not use team travel to return to campus, he or she may receive meals at the institution’s discretion up to the point he or she is released from team-related activities by the appropriate institutional authority. An institution shall not provide cash to student-athletes in lieu of meals under this option before their release. An institution may provide a meal or cash, (not to exceed $15), but not both, to a student-athlete at the time of his or her release by the institutional authority, regardless of whether he or she uses team travel to return to campus.
Some Violations Involving Institutional Booster Clubs

**Football 16.11.2.1:** Institution provided parents of a football student-athlete impermissible transportation and lodging expenses to attend an away contest. The parents are members of institution's football booster club. As members they are permitted to travel with the football team and stay at team hotel if they pay the fees in advance. In the past, club members had been permitted to pay their expenses after the trip. Director of booster club was unaware that he could not extend that courtesy to parents of a student-athlete. As members they can attend a football game tail-gates. Both events were permissible. He was suspended from coaching duties for two weeks.

**Baseball 11.01.5:** A booster provided cost free housing to volunteer coaches for several years and was awarded booster club credit for doing so. The booster owned a property management company and provided the cost free housing in exchange for university booster club gift in kind credit to his account for providing this benefit which is considered income and is not a permissible arrangement for volunteer assistant coaches to receive. The head coach was aware of the benefit but believed it to be permissible. He was suspended from coaching duties for two weeks.

**Football 16.11.2.1:** A football student-athlete’s parents and godparents were allowed to watch a football game from a stadium suite. Violation was discovered when institution’s special events coordinator for institution’s booster club observed SA’s parents and godparents sitting in a representative’s suite.

**Gymnastics 12.5.1.1:** The team attended two otherwise, permissible, non fundraising events for the institution’s booster club. Both events were football game tail-gates. These events would have been approved if approval had been sought prior to the dates of the events. The forms were not submitted until after the event occurred.

**Baseball 11.11.2.1:** Student-athletes’ parents who attended an intrasquad scrimmage received a catered meal. It was thought to be permissible as the parents were all members of the booster club, however, it was not made available to all booster club members.

**Women’s Golf 13.1.2.1:** Women’s golf prospect had in-person, on-campus contact with boosters during her official visit to the institution. Specifically, prospect and her mother were escorted to the basketball game by the head coach. Prior to the game, head coach took prospect into the booster club room to hear a pre-game talk from the assistant men’s basketball coach. Head coach did not introduce PSA to anyone in the room, but boosters were present. Both head coach and the director of the booster club are new to their positions and were unaware of the restrictions regarding boosters’ contact with PSAs.

The upcoming early signing period dates are November 14-21 for all sports except football, field hockey, soccer, track and field, cross country, and men’s water polo. The dead period surrounding the signing period begins Monday, Nov. 12th and runs through Thursday Nov. 15th. During a dead period there can be no face to face contact on or off-campus nor any evaluations at any location.

In order for an NLI to be created and sent, a prospective student-athlete (including two-year college transfer) must register with the Eligibility Center and appear on the Institutional Request List.

An NLI cannot be sent to a prospect without an accompanying financial aid agreement for the corresponding academic year.

Please get all NLI and financial aid requests to Kristi Pierce as quickly as possible so they may be processed in a timely manner.

Remember that the Early Signing Period is in November
NCAA Puts Violation Responsibility on Head Coaches

What is a head coach’s responsibility for ensuring NCAA violations do not occur within his/her program?

As of October 30, 2012, NCAA Division I Bylaw 11.1.2.1 will state that an institution’s head coach is presumed to be responsible for the actions of all assistant coaches and administrators who report, directly or indirectly, to the head coach. A head coach shall promote an atmosphere of compliance within his or her program and shall monitor the activities of all assistant coaches and administrators involved with the program who report, directly or indirectly, to the coach.

If the NCAA enforcement staff alleges that a head coach violated Bylaw 11.1.2.1 as a result of involvement in a major/Level I or Level II violation, what could happen?

Pursuant to Bylaw 11.1.2.1, a head coach is presumed responsible for major/Level I and Level II violations (e.g., academic fraud, recruiting inducements) occurring within his or her program unless the coach can show that he or she promoted an atmosphere of compliance and monitored his or her staff. After August 1, 2013, if the Committee on Infractions finds that a head coach violated Bylaw 11.1.2.1, he or she may be suspended, pursuant to a show-cause order, for an entire season for Level I violations and half of a season for Level II violations. The number of contests that a head coach would be suspended from will depend.

Are there secondary/Level III violations that may result in a suspension of a head coach?

Yes. Currently, for specific secondary violations that involve the sports of Division I men’s basketball (e.g., camp employment) and football (e.g., impermissible recruiters) a head coach and assistant coaches may be suspended for committing secondary violations by the institution at the direction of the enforcement staff.

Compliance Trivia Contest…

1) What page in the NCAA Manual is the rule on about the number of coaches who can recruit off campus at one time?
2) Is Women’s Rugby an NCAA sponsored sport?
3) Who is the current President of the NCAA?
4) What do the letters FAR stand for?
5) What is the required APR needed to compete in NCAA championships?
6) When computing athletic hours how many hours do you assign to a competition event?
7) What is the maximum number of scholarship allowed for a women’s water polo team?

Do the Rules Have You Frustrated??

Call Compliance For the Help You Need

Email all answers to the Compliance staff at Jason.Gray@usm.edu

Jason Gray
Senior Associate
Athletic Director
Compliance and Student Services
Jason.Gray@usm.edu
601-266-6586

Kristi Pierce
Compliance Coordinator
Kristina.Pierce@usm.edu
601-266-5485

The Educator