

Athletics Newsletter

University of Wyoming

January 2012

Implementation of \$2,000 allowance suspended until January

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The new rule allowing Division I institutions to give some student-athletes an additional \$2,000 miscellaneous expense allowance has been suspended until the Board of Directors convenes in January.

As of Dec. 15, enough schools – 125 – have called for an override of the legislation to prompt the automatic suspension under NCAA bylaws.

The reasons the schools cited fell into four areas: how quickly it was implemented, perceived impact on competitive equity, application of the allowance for student-athletes in equivalency sports, and implications for Title IX.

“Based on conversations I have had, I am confident that there remains a very high level of support for this permissive legislation to provide better support for our student athletes,” NCAA President Mark Emmert said.

“I am also confident that we can develop implementation changes that will address most of the concerns raised by many of our campus leaders. It is absolutely critical that we implement this legislation, for example, in a way that supports Title IX and women’s athletic programs. Modification of the legislation language can certainly achieve this essential requirement. Similarly, changes can be made that will clarify how this legislation can be implemented more smoothly and with less confusion.”

The Board, which will meet in Indianapolis Jan. 14, will have several options. It can do nothing, which keeps the suspension in place until an override vote occurs. It can reconsider its adoption and eliminate the rule.

Or, it can alter the proposal in some way to try to address the concerns of those asking for the override. Changing the rule would create new legislation that is then subject to another 60-day override period.

The legislation, 2011-96, allows institutions to award student-athletes who receive the value of a full scholarship an additional \$2,000 or the institution’s cost-of-attendance, whichever is less. The rule also allows student-athletes to receive additional institutional aid up to the value of a full scholarship without counting against team limits, a key provision that also is suspended.

Many of those objecting to the legislation cited the rapidity of adoption as their concern. The rule was generated in the wake of the Division I Presidential Retreat called by Emmert to address major issues in Division I. The issue of student-athlete well-being was assigned to one presidentially-led group, and the concept of the miscellaneous expense allowance was one it supported.

Other schools who objected to the legislation stated they can’t afford the additional expense but feel it will be necessary to find the money to pay for it in order to compete for recruits.

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COMPLIANCE QUESTIONS OF THE MONTH

Question 1:

Can an international student-athlete take 9 hours of online classes and 5 hours of on-campus classes during the Spring semester?

Question 2:

A two-year college transfer student-athlete who was not a qualifier must satisfactorily complete 6 hours of English and 3 hours of Math. If a course transfers into an institution as math credit (e.g., MATH 999, MAT XXXX, Math Elective) but is not equated to a specific course offering at the certifying institution (e.g., MATH 101, MATH 2122) does the course satisfy the transfer requirement?

Ohio State cited for failure to monitor, receives postseason

The Ohio State University was cited for failure to monitor, preferential treatment and extra benefit violations in its football program, according to findings announced today by the Division I Committee on Infractions. The former head coach also was found to have engaged in unethical conduct for not reporting NCAA rule violations.

The penalties in this case, some of which were self-imposed by the university and adopted by the committee, include a one-year postseason ban for the 2012 season, additional scholarship reductions, disassociation of both an involved booster and a former student-athlete, forfeiture of almost \$340,000 and a vacation of records. In addition, the former head coach received a five-year show-cause order that limits his athletically related duties and applies to any NCAA member school which may consider employing him. The public report includes additional details.

According to the facts of the case, eight football student-athletes received more than \$14,000 in cash payments or preferential treatment from the owner of a Columbus, Ohio, tattoo parlor. In addition to free or discounted tattoos and cash for memorabilia received by these student-athletes, one football student-athlete received a loan and discount on a car. The committee also found the former head coach concealed these NCAA violations when he was notified of the situation, which led to his unethical conduct finding.

“Of great concern to the committee was the fact that the former head coach became aware of these violations and decided not to report the violations to institutional officials, the Big Ten Conference or the NCAA,” the committee stated in its report. Specifically, the committee noted that the former head coach had at least four different opportunities to report the information, and his failure to do so led to allowing several football student-athletes to compete while ineligible. Many of these student-athletes were key contributors to the team’s winning 2010 season.

Following the Committee on Infractions hearing on August 12, the enforcement staff and university investigated additional allegations that had come to light. These additional violations centered on a booster providing nine football student-athletes with more than \$2,400 in payments for work not performed and cash. The university also was cited for failing to monitor the booster’s employment of football student-athletes. Ohio State conceded it could have done more to monitor the booster by taking additional steps that would have reduced the likelihood of these violations occurring.

The penalties, some of which were self-imposed by the university and adopted by the committee, include:

- Public reprimand and censure.
- Three years of probation from Dec. 20, 2011, through Dec. 19, 2014. The public report contains further details on the conditions of this probation.
- Postseason ban for the 2012 football season, which includes the conference championship game.
- Reduction of football scholarships from 85 to 82 for each of the 2012-13, 2013-14 and 2014-15 academic years. This is an increase from the university’s proposal of five initial scholarships spread over three academic years.
- Vacation of all wins for the 2010 football regular season, including the 2010 Big Ten Conference co-championship and participation in the 2011 Sugar Bowl. The public report contains further details (self-imposed by the university).
- Forfeiture of \$338,811, which is the amount the university received through the Big Ten Conference revenue sharing for its appearance in the bowl game (self-imposed by the university).
- Five-year show-cause order for the former head coach. The public report contains further details.
- Disassociation of the booster for 10 years, including among other conditions, the prohibition of any financial or other support (self-imposed by the university).
- Disassociation of a former student-athlete for five years, including among other conditions, the prohibition of any financial or other support (self-imposed by the university).

ANSWERS TO COMPLIANCE QUESTIONS

Answer 1:

No. Because international student-athletes are here on a student Visa they must follow the guidelines set out by the US Government. Per immigration regulations, international students must be enrolled in at least 9 hours of on-campus courses each semester.

Answer 2:

Yes, the course satisfies the transfer requirement. The transferable math course (e.g., MATH 999) is not required to match a specific course offered at the certifying institution. A math elective may fulfill the transferable math requirement.

Legislation Suspended (Cont.)

A final concern that could be addressed by the Board is the rule's impact on an institution's Title IX compliance. Some schools look at their scholarship levels and believe that because they have more male student-athletes playing in sports with a financial aid model that grants a full scholarship than females, they are unable to offer the miscellaneous expense allowance and comply with Title IX. The Board could address Title IX concerns in two ways:

- A school could choose not to award the miscellaneous expense allowance to all student-athletes in head count sports, in order to keep the number of male and female student-athletes receiving the benefit equal. This will create some inequities within teams that have never had to confront that issue, a concept that is unpalatable to some.
- The provision allowing student-athletes in sports that allow less than a full scholarship to accept other aid to bring them up to the value of a full scholarship without counting against team limits has the potential to get more female student-athletes eligible for the benefit. Title IX requires essentially the same number of dollars to be spent annually on athletically related financial aid in all men's sports and all women's sports. The miscellaneous expense allowance is considered athletics aid, but the NCAA is still waiting for clarification from the Office for Civil Rights on this issue.

The Board also could alter the proposal to allow for easier compliance with Title IX by allowing schools to award a percentage of the miscellaneous expense allowance commensurate with the percentage of a full scholarship a student-athlete receives. This concept was suggested by the FBS Faculty Athletics Representatives group as a way to help schools comply with federal law without having to make decisions that would create disparity in head-count locker rooms.

Board action in January also is needed to avoid a potential disparity with the 2012-13 recruiting classes. Any allowances offered in writing during the November early signing period will be honored, according to Division I Vice President David Berst. Nearly 10,000 prospective Division I student-athletes signed National Letters of Intent for next year during the early signing period in November.

Unless the Board takes some action to alter the proposal, prospective student-athletes who sign with schools during the upcoming signing periods in February and April will not have the option to receive the additional \$2,000 allowance.



DEPARTMENT SPOTLIGHT

A new feature starting this year for the Athletics Newsletter is the Department Spotlight. Each month we will be getting to know employees in various departments of Athletics. This month we will be talking with the Marketing staff. The Marketing staff includes Jen Kost, Shelley Heward and Sean Valentine. We asked all of them 4 questions that will help us get to know them.

- 1) What is your New Year's resolution?

Jen: I don't have a resolution. I feel like you should constantly try to improve yourself throughout the year, not just at the beginning.

Shelley: To stop making so many impulse purchases, mainly shoes.

Sean: My new year's resolution is to gain 20 pounds, as Joi Thomas once told me "I'm not going to let a little food stand between me and where I want to be."

- 2) Where did you grow up?

Jen: I grew up in Powell, WY

Shelley: Evanston, WY

Sean: I'm from Rock Springs, WY

- 3) What is your favorite part about living in Laramie?

Jen: I love the summers in Laramie.

Shelley: The summers and playing sand volleyball at Undine Park.

Sean: I like the people in Laramie, the small town feel where you can walk through the grocery store and see 10 people you know is nice.

- 4) What is your favorite holiday treat?

Jen: I would have to say my favorite holiday treat is reindeer fodder. It's a treat my great grandmother started making. It has peanuts, captain crunch, rice krispies and marshmallows covered in chocolate.

Shelley: Candy Canes!!!!

Sean: I don't really have a favorite holiday treat, the holidays usually mean going home and anything home cooked is good!



Shelly Heward, Sean Valentine, Jen Kost

UW FACULTY/STAFF CORNER

Open Letter to Higher Education Community

Dear Higher Education Community:

Higher education and intercollegiate athletics have been rocked in recent weeks by allegations of pedophilia involving coaches and young boys. Sexually abusive behavior is not confined to intercollegiate athletics or higher education. These are despicable societal ills, as well; but it is especially disturbing when those entrusted with the mission of teaching and guiding young people instead exploit and abuse them.

The truth is none of us knows how deeply issues of sexual abuse run within the education community at any level or society as a whole. But we know that one instance is more than we can bear. It must also be true and broadly understood that sexual abuse will not be tolerated, that policies for awareness and reporting are in place and actively administered, that unsafe environments are eliminated, and that consequences for offenders are as swift and sure as the law and our policies will provide. No individual or component within the broad education community – from grade school to graduate school – is above the expectations for teaching and protecting those in our care.

The recent allegations of outrageous behaviors by sexual predators sadden and disturb us, but they are also reminders of the vigilance we must practice as education professionals. We must establish and have well-understood standards in place for behaviors in and around our programs and premises. We must be aware of and watchful for signs or signals that abuse might be taking place. We must be prepared to bring the weight of organizational sanctions on any who would ignore the signs or impede the reporting of child abuse.

Most importantly, we must encourage those who have been victims and those who may have witnessed instances of abuse or suspect that abuse has taken place to report their concerns to the appropriate authorities. We know that one of the ways to defeat this is by lifting the veil of secrecy around sexual abuse of children. Every campus should have protective policies and a means for anonymous reporting. To help foster an environment in which abuse is reported, the NCAA has identified a national organization, Stop It Now! committed to preventing child sexual abuse. This is one of many fine organizations working to stop such behavior. Anyone who has been a victim, seen abuse or believes there is cause for concern in a particular situation, can and should call their local or state child protection agency or law enforcement. But they can also call Stop It Now! for help when they are unsure about reporting at 1-888-PREVENT or go online to www.stopitnow.org/ncaa. The purpose of the help line is to put those in need in touch with those who can help.

Child sexual abuse is a crime that breaks our hearts. It is the very antithesis of what we in education are charged to do – teach and protect. Please join us in working to put a spotlight on the world of child sexual predators and eliminate the dark corners where they can exist.

Mark Emmert, President
National Collegiate Athletic Association

COMPLIANCE CRYPTOGRAM

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z
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RECRUITING CALENDAR January 2012

Sport	Contact/ Evaluation Period	Contact Period	Evaluation Period	Quiet Period	Dead Period
Men's Basketball			Oct 6 – Mar 28		
Women's Basketball			Oct 7 – Feb 29		
Football		Nov 27-Jan 28		Jan 4-8 (JC); Jan 8; Jan 29; Feb 3-Apr 14	Dec 19-Jan 3; Jan 9-12; Jan 30-Feb 2
Men's Golf	Aug 1-July 31				
Women's Golf	Aug 1-July 31				
Women's Soccer	Aug 1-July 31				Jan 30-Feb 2
Women's Tennis	Aug 1-July 31				
Swimming & Diving	Aug 1-July 31				
Track & Field/Cross Country		Jan 3-July 31		Dec 12-Jan 2	Jan 30-Feb 2
Volleyball		Jan 1-July 31		Jan 1-13	
Wrestling	Aug 1-July 31				

Recruiting Period Definitions

Contact Period: Permissible to make in-person, off-campus, recruiting contacts and evaluations.

Evaluation Period: Permissible to be involved in off-campus activities designed to assess the academic qualifications and playing ability of prospects. NO in-person, off-campus contacts may be made during evaluation periods.

Quiet Period: Permissible to make in-person recruiting contacts ONLY on the UW campus.

Dead Period: NOT permissible to make in-person contacts or evaluations on- or off-campus or to permit official or unofficial visits.

HAVE QUESTIONS?

Please contact the Athletics Department staff for further information or for answers to NCAA related questions.

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