



## Compliance Chronicle

### DI session shines yellow light on red flags

*NCAA.org article*

Institutions that don't report secondary violations ... former student-athletes who hang around their college program talking with current student-athletes ... parents who relocate cross-country when their child enrolls ... clinics that invite only coaches recruiting a specific prospect. NCAA Vice President Julie Roe Lach said at Friday's educational session that those are red flags for her enforcement staff. Lach encouraged institutions to report all secondary violations because it shows that institutions are monitoring their program effectively. That is taken into account if there's a major infractions case.

Other presenters included Rachel Newman Baker, NCAA director of agents, gambling and amateurism, who noted trends her staff has seen recently, including an increase in **third parties** who insert themselves into the lives of prospective student-athletes in an attempt to make money off the recruitment and eventual professional career of the prospect.

"Part of the problem is that no one has jurisdiction over (third parties)," Newman Baker said. "They can look like student-athletes and even be **former student-athletes**. The former players have access to facilities; they can hang out with current student-athletes. You might not know when it's a problem." Newman Baker said these third parties are often responsible for arranging interviews with agents, obtaining additional disability insurance for elite student-athletes, collecting memorabilia and connecting student-athletes with party promoters. Often, the third parties can be current NFL players who receive reduced agent fees or outright compensation for their involvement.

The **involvement of assistant coaches** is another priority for the AGA staff, as well as student-athlete attendance at pre-combine training facilities, training that can cost in the tens of thousands of dollars.

LuAnn Humphrey, director of the two-year-old Basketball Focus Group, told session attendees that her staff ... will spend more time monitoring and investigating this year. One of the top concerns is the packages provided to recruits and their families as a condition of signing or enrolling with a particular school. **Parental relocations** are [also] an issue of concern.

Another red flag Humphrey said to look out for is **nonqualifiers or transfer student-athletes in the local vicinity or on campus before competing for that school**. Institutions should monitor how they are paying for tuition, transportation and living expenses, she said.

Humphrey said another major area of concern for her staff is **camps and clinics**, especially coaches who are asked to speak at a clinic that is held by people attached to a recruit. If the camp can advertise the presence of a big-name coach, it can make more money. The BFG is working with institutions to identify which clinics might be suspect.

Lach also talked about working with the American Football Coaches Association to develop a more significant set of **penalties for football coaches who violate recruiting rules**. Normally, these infractions would go through the secondary violation process, but the AFCA and enforcement staff are working together to ramp up penalties for such violations.

### Recruiting Calendar

- > **Men's Basketball:**  
10/6 - 3/30 : Evaluation Period
- > **Women's Basketball:**  
10/7 - 2/28: Evaluation Period  
3/1 - 3/31: Contact Period
- > **Baseball:**  
11/12 - 2/28: Quiet Period  
3/1 - 7/31: Contact Period
- > **Football:**  
1/31 - 2/3: Dead Period  
2/4 - 4/14: Quiet Period
- > **Softball:**  
1/2 - 7/31: Contact Period
- > **Volleyball:**  
1/1 - 7/31: Contact Period
- > **Soccer:**  
1/31 - 2/3: Dead Period
- > **Track / Cross Country:**  
1/3 - 7/31: Contact Period  
1/31 - 2/3: Dead Period  
3/11 - 3/13: Dead Period

#### **Rules Education Dates:**

Feb. 2, March 30 and April 26

### ACS REMINDER

Every sport must use the ACS system for *all* recruiting activities.

This includes:

- Updated and accurate list of prospects
- All phone calls
- Official visits
- Unofficial visits
- Contacts
- Evaluations

Please contact Matt in the Compliance Office if you have any questions.

## NCAA finds Texas Tech guilty of major violations

*Don Williams  
Lubbock Avalanche-Journal*

The NCAA placed Texas Tech on two years probation after agreeing with a Tech finding that coaches in football, men's golf and softball violated an NCAA ban on sending text messages to recruits. The probation period runs from Jan. 7, 2011, through Jan. 6, 2013.

The NCAA classified the text-message violations as major infractions, Tech's third major case with the NCAA since the mid-1980s.

**Tech and NCAA investigators determined there were 399 impermissible text messages sent by golf coaches, 293 by softball coaches and 234 by football staff — all to recruits. Another 25 were sent to a golf recruit's parent.**

The violations took place between August 2007 and February 2009, at which point they were discovered by Tech compliance staff. After a self-investigation, Tech filed a report with the NCAA in July 2009 and began self-imposed sanctions. Friday's NCAA ruling added the probation, a public reprimand and censure and accepted Tech's self-imposed penalties, many of which have already been served.

"Obviously, some of our coaches and former coaches made mistakes," Tech athletic director Gerald Myers said, "but we have a strong monitoring system in place and coaches who believe in doing the right thing. Our coaches do a great job of emphasizing the importance of NCAA compliance with their assistants and student-athletes."

The Avalanche-Journal first reported details of the case in February 2010, which prompted Tech to make it public. The major infractions involved 16 staff members sending texts to 62 recruits and one parent, the NCAA said.

The NCAA said the involvement of the head softball and men's golf coaches constituted "a failure to promote an atmosphere of compliance relating to text messages" in those sports.

Former Tech football coach Mike Leach, whose staff was implicated, said, "I told the NCAA I never knowingly violated any rule, nor would I ever. My conduct consisted of nine inadvertent texts to two football prospects that had not identified themselves to me." The NCAA report acknowledged as much, saying it was common for Leach to receive texts from well wishers after wins or during the holidays.

"On those occasions, he responded with a short message of thanks and did not notice to whom he was responding," the report said, "which likely resulted in some of the impermissible texts attributed to him."

Tech law professor Brian Shannon, who led the internal investigation, said the NCAA made no finding of lack of institutional control or failure to monitor. "In fact, they noted that it was our monitoring system that had detected the violations and led to our investigation and self-report," Shannon said. Of the 16 staff members implicated, 11 were connected to football, three to softball and two to golf. Shannon said only two still work at Tech — men's golf coach Greg Sands and football assistant coach Matt Moore.

"That assistant was not named a coach at risk in the report," Shannon said. "He had, I think, six over 18 months." Tech's penalties in football have already been served, Shannon said.

In football, Tech docked itself one scholarship and reduced paid campus visits for recruits in the year leading up to the 2010 national signing day. Tech football coach Tommy Tuberville pointed out the major infractions took place "before I arrived as head coach." "Each of the coaches on this staff has a thorough understanding of the rules and regulations that pertain to the NCAA and the Big 12 Conference," Tuberville said. "All of us here at Texas Tech are committed to running a program with the highest integrity and one that all Red Raider fans will be proud of. With that being said, we are glad to have this behind us."

**Sending text messages to recruits was banned in August 2007.** Initially, 34 schools called for the ban to be overturned, but it was upheld at the NCAA convention in January 2008.

As a condition of the punishment, Tech must notify football, softball and men's golf recruits of its probation and provide information about the probation and penalties to visiting recruits. It also must acknowledge the probation in media guides or web equivalents and a university alumni publication.

The NCAA report said four former assistant coaches were responsible for most of the violations in football. Those four sent about 123, 33, 19 and 19 texts, the investigation found. They are not named in the report. The coach who sent 123 texts said he did so mainly in areas in which he did not have cell phone service. **He told investigators he sent many of the texts to set up a time to call recruits, to provide information regarding official visits and transfers and to respond to holiday greetings. The coach who sent 33 texts said most were to stay in touch with recruits who had committed to or signed with Tech, but needed time at a junior college to achieve initial eligibility.**

The report said many of the coaches agreed Tech provided rules education about text messaging, but none consulted compliance to determine whether such texts were allowed.

*A summary of the penalties for the major infractions:*

**MEN'S GOLF**

- Suspended all recruiting activities for one month (May 2009) for both coaches (self-imposed by the university).
- Reduced the number of coaches who may engage in off-campus recruiting activities for an additional 17 months, through Oct. 31, 2010 (self-imposed).
- Restricted the off-campus recruiting activities of the head coach for seven months and placed a 12-month restriction on the former assistant coach for 12 months. (self-imposed).
- Reduced the number of official paid visits for prospective student-athletes from four to two visits for one year (self-imposed).
- Reduced the number of allowable scholarships from 4.5 to 4.35 for the 2010-11 academic year, a reduction of .1 from the four-year average (self-imposed).
- Banned the head coach and the former assistant coach (the entire men's golf program) from initiating any electronic or written communication with all recruits for two months. This excludes logistics related to campus visits and documents associated with sending a national letter of intent (self-imposed by the university).
- Banned the head coach from initiating electronic or written communication with all recruits for two months. The former assistant men's coach was restricted for six months (self-imposed).
- Banned the head coach and the former assistant coach from receiving any bonuses in 2009-10 related to the success of their team (self-imposed).
- The text messaging function for the head coach's cell phone was disabled for two months. The function was also disabled for the former assistant coach for two months. As a result, text messaging could not be used for conducting official business during this time period (self-imposed).

**FOOTBALL**

- Reduced the number of official paid visits for recruits by four from the four-year average of 44 for one year (self-imposed).
- Reduced the number of allowable scholarships from 85 to 84 for one academic year (self-imposed).
- Reduced by one the number of coaches who could engage in off-campus recruiting during the spring evaluation period for three weeks in the spring of 2009 (self-imposed).
- Banned one former assistant coach from off-campus recruiting for three weeks, recruiting telephone calls for one month, and initiating electronic or written communication with all prospects for three months (self-imposed).
- Barred three other former assistants from initiating electronic or written communication with all recruits for one month (self-imposed).
- Banned the football program from initiating any electronic or written communication with recruits, excluding logistics related to campus visits (self-imposed).

**SOFTBALL**

- Reduced the number of evaluation days from 50 to 45 for one year (self-imposed).
- Limited the number of official paid visits to seven for one year (self-imposed).
- Banned the softball program from initiating any electronic or written communication with all recruits for one and a half months, excluding logistics related to campus visits (self-imposed).
- Reduced the number of scholarship equivalencies from 12 to 11.7 for one year (self-imposed).

## **Recent NCAA Interpretations**

### **Use of the Medical Absence Waiver during a Nonqualifier Academic Year of Residence**

The academic and membership affairs staff determined that a nonqualifier who receives a medical absence waiver during his or her academic year of residence may use the nine prorated credit hours from the medical absence waiver toward satisfying the academic year of residence requirement.

### **Preseason Publicized Off-Campus Practice Activities**

The academic and membership affairs staff determined that an institution may publicize off-campus preseason practice activities that are conducted at a single designated site, provided the institution normally conducts preseason practice activities at that particular site.

### **Prospective Student-Athlete Observing Practices and Meetings**

The Legislative Council determined that the legislation that prohibits a coaching staff member from engaging in practice activities with a prospective student-athlete does not preclude a prospective student-athlete from only observing an institution's on-field or on-court practice sessions (including those sessions that are closed to the general public), regardless of whether he or she has signed a National Letter of Intent or a written offer of admission or financial aid, or has submitted a financial deposit to the institution in response to the institution's offer of admission. The Council determined that a prospective student-athlete may not observe off-field or off-court practice sessions (e.g., meetings, film review) that are closed to the general public if he or she has signed a National Letter of Intent or a written offer of admission or financial aid, or has submitted a financial deposit to the institution in response to the institution's offer of admission.

### **Alumna or Alumnus Participating in Occasional Practice Session with Former Institution's Team**

The Legislative Council determined that it is permissible for an alumna or alumnus of an institution (e.g., former student-athlete) to participate in an occasional practice session with a member institution's intercollegiate athletics team, provided the institution does not publicize the participation of the former student-athlete in the practice session.



# TENNESSEE COMPLIANCE



## Gambling Reminder

Remember that the NCAA strictly prohibits student-athletes and staff members from gambling or wagering on any sport that the NCAA sponsors. This includes providing information to an individual who uses it to gamble. Gambling includes the possibility of receiving / standing to lose anything of value. This ban applies to Fantasy Leagues in which an entry fee is required or there is an opportunity to win a prize / money.



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Compliance is an institutional responsibility and we need your help to protect The University of Tennessee from committing violations of NCAA regulations.

Remember ...

**VOLS PLAY BY THE RULES !**

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## Ethical Conduct

The NCAA expects all individuals associated with intercollegiate athletics (coaches, student-athletes, and staff members) to act with honesty and sportsmanship on and off the field. Examples of unethical conduct are described in bylaw 10.1 including but not limited to, participation in, or failure to report violations to the Compliance Office. The information in this newsletter is intended as a guide and should not be used as a substitute for the NCAA manual.