



Recruiting Calendar

Baseball

September 11- October 31 Contact Period

Men's Basketball

September 9 - October 5 Contact Period

October 6 - 31 Evaluation Period

Women's Basketball

September 1– September 15 Quiet Period

September 16 - October 6 Contact Period

October 7-31 Evaluation

Football

September 1- October 31 Evaluation Period

Cross Country/Track and Field

September 1– October 31 Contact Period

Softball

September 1 - October 31 Contact Period

Volleyball

September 1 - October 31 Contact Period

The University of Tennessee

A Message From Brad

Welcome to the start of a new academic year. Please remember these three things as we start a new year:

- 1) Comply and Verify is tracking your recruiting calls. This does not replace your duty to complete phone logs– it is simply a monitoring program.
- 2) Keep asking questions - "Ask Before You Act."
- 3) Schedule compliance orientation sessions for any new employees with the compliance staff.

Thank you for your cooperation.

NCAA Asks Oklahoma to Keep Eye on Athletes' Employment

Associated Press
18 July 2009

NORMAN, Okla. -- The NCAA has asked Oklahoma to enhance its compliance education program relating to the employment of athletes as part of the school's continuing probation following rules violations by former quarterback Rhett Bomar.

In a letter sent to the school last month, Committee on Infractions assistant director James A. Elworth asked Oklahoma to emphasize the proper use of forms provided to athletes, their employers and coaches.

When the school ran into trouble because Bomar and two other football players were being paid for work they didn't do at a Norman car dealership, Oklahoma was unable to detect the violations because it wasn't making sure athletes were filling out employment forms.

The letter was released Friday after an open records request by the Associated Press.

Oklahoma must submit annual compliance reports to the NCAA as part of its probation, which is set to end in May. Elworth's one-page letter informed the school that the NCAA had received and approved its 2009 report, but was seeking more information on the monitoring of athletes' employment in next year's report.

By failing to collect the forms -- claiming that athletes didn't fill them out -- Oklahoma was unable to detect that Bomar was paid more than \$7,400 in extra benefits and offensive lineman J.D. Quinn got more than \$8,100 from their time at Big Red Sports and Imports. The school also blamed a change in who was responsible for monitoring the forms for leading to the violations.

The NCAA penalized Oklahoma after ruling that it had information that at least one athlete worked at the car dealership, but didn't do enough to monitor the business.

Both players were dismissed and later transferred to other schools.



OSU baseball program faces NCAA hearing

Bill Haisten
Tulsa World
8 July 2009



On Aug. 7, Oklahoma State University President Burns Hargis, athletic director Mike Holder and baseball coach Frank Anderson will be in Indianapolis to meet with members of the NCAA Committee on Infractions.

For the first time since 1992, an OSU program – in this case, the baseball program – is alleged to have committed a major violation. Documents obtained by the Tulsa World through an open-records request indicate that a former OSU baseball player allegedly received a gift – a used car – from an out-of-state church congregation in December 2007.

The documents do not identify the former player, the church or the location of the church. An OSU source indicated that the former player was an active member of the Cowboy baseball team only in 2006 and 2007, receiving only limited playing time. In a response letter addressed to Hargis, the OSU athletic department acknowledged being aware that the former player was given a car.

The letter stated that Scott Williams, OSU's associate athletic director for compliance, "should have made greater inquiry into the source of the gift, which would have led to the conclusion that the gift was, in fact, impermissible."

In a letter also addressed to Hargis, David Price, the NCAA's vice president of enforcement, wrote that the Committee on Infractions "will determine if violations of NCAA legislation have occurred and whether those violations are major or secondary violations. If the committee finds that major violations have occurred, then it will determine what penalties are appropriate."

An OSU spokesman explained that the former player was on an out-of-state summer baseball roster in 2007, and during that summer attended a church. The player did not own a vehicle and had money problems, the spokesman said.

Months later, in December 2007, church members contributed to the purchase of a used car for the player. The OSU spokesman said the car was a 10-year-old model valued at less than \$5,000.

OSU's NCAA compliance office initially determined that the car did not qualify as an impermissible gift because the church had no connection to Oklahoma State University. The university reported that the church had no history of OSU ticket purchases or donations.

Later, when the facts of the situation were revisited by OSU officials, the player was ruled ineligible for the 2008 season.

In the response to Hargis, the athletic department wrote that church members "have made clear that their gifts were motivated by their concern for the young man (and) not by his association to (OSU)." The OSU athletic department described the church's gift as "an innocent and charitable act."

The NCAA's allegation of a major violation is the first for OSU since 1992, when the Cowboy wrestling program was penalized for a litany of violations.

Cabinet to Sponsor Nontraditional-coursework Proposal

By Michelle Brutlag Hosick
The NCAA News

The Division I Academic Cabinet will sponsor legislation in the 2009-10 cycle that would add to the conditions required for applying nontraditional courses toward initial eligibility.

The legislation is considered an incremental step in a more extensive review of non-traditional courses, including Internet, distance-learning, correspondence and other courses not offered in a traditional classroom setting with face-to-face interaction between instructor and student. Prospective student-athletes often use nontraditional courses to earn core-course credits before and after graduation and also to improve sub-par grade-point averages.



The Academic Cabinet's proposal would require regular and ongoing interaction between a student and instructor throughout the course. The proposal also would provide a system that permits review and validation of a student's coursework and a defined timeline for completion. Current Division I rules require only that the instructor and student have access to one another and do not specify a way to make sure a student is doing the work himself or herself. They also do not give appropriate times for coursework completion.

The cabinet members heard from an NCAA Eligibility Center representative about some of the "loopholes" prospective student-athletes have discovered that might raise suspicion about the validity of nontraditional coursework, including completing courses in an unreasonably brief period and receiving grades significantly higher in online coursework than in a similar course with a traditional setting.

Adoption of the proposal would provide more specific guidance to prospects, high schools and member institutions regarding the use of such courses to prepare academically for college-level work. It also would assist Eligibility Center staff in working with the providers of nontraditional course curricula, setting a standard that is required of their materials for their classes to be considered acceptable for meeting NCAA eligibility standards.



**Eligibility
Center**

The cabinet also recommended that the NCAA staff develop an educational column to clarify the use of "credit by examination" (for example, a process by which a student who has failed a course takes an exam on the material to recover credit for it) and repeated courses to meet core-course requirements. Current interpretations of NCAA legislation prohibit the use of credit by examination to fulfill core-course requirements.

Current legislation permits the use of repeated coursework for initial-eligibility standards, but the cabinet members believe the membership is unclear about what constitutes repeat coursework, particularly when the same course is repeated at a different school. Repeat courses must be substantially comparable – qualitatively and quantitatively – to the original course.

Also, the cabinet updated the policies of the Student Records Review Committee to require explanations for academic irregularities to be corroborated by academic authorities in writing and with other supporting documentation, to require (if applicable) consideration of a prospect's academic profile including course materials (syllabus, timeline for completion, validation of completion, course content, instruction methodology, instructor/student interaction and student assessments).

The cabinet expects that these changes are just a first step toward a more broad examination of nontraditional courses, for both initial- and continuing-eligibility purposes.

DI Financial Aid Cabinet Ponders Counters

By Michelle Brutlag Hosick
The NCAA News

The Division I Financial Aid Cabinet is considering a change in the way need-based aid factors into institutional totals as part of a comprehensive review of the division's financial aid bylaws.

Charged by the Division I Board of Directors with reviewing NCAA legislation for potential cost savings while also enhancing student-athlete well-being, cabinet members are exploring changes in the way need-based aid is tallied – perhaps allowing student-athletes to accept either institutional or athletics aid, whichever is greater, without negatively affecting team totals. In September, the group will look at how that concept and others would work legislatively and begin generating membership discussion with an eye toward crafting legislative proposals within the next year.

The cabinet will consider a broad range of possible changes that could influence the financial aid model, including changing what it means to be a recruited student-athlete or a counter.

Cabinet Chair Grace Calhoun, senior associate athletics director at Indiana, said the time is perfect for a review that would emphasize student-athlete well-being while also relieving financial strain on athletics departments. Various groups in the governance structure have reviewed the financial aid model in recent years (particularly in 2002), but this will be the first extensive review of the system in a decade.

Cabinet members last month heard from about a dozen financial aid administrators who believed that assigning aid to student-athletes was complicated by NCAA rules regarding different forms of aid. Those rules pertain to institution-, state- and federal-based aid and grants and scholarships from outside sources.

The circumstance is made more complicated by the fact that some student-athletes prefer to accept athletics aid over need-based aid in order to be perceived as “an NCAA scholarship student-athlete.” For example, if a prospective student-athlete was qualified for more need-based aid but was offered a nominal athletics scholarship, the prospect might be tempted to accept the athletics money because of the prestige factor.

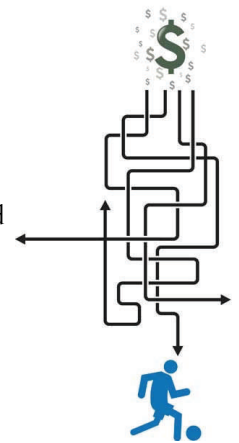
Calhoun said she was struck by survey results from the financial aid community that the Division I athletics culture sometimes puts student-athletes in an awkward position when they are deciding to accept minimal athletics aid or apply for need-based aid, which can often be more comprehensive. Also, student-athletes with a demonstrated need often turn it down because of NCAA rules that would make them “counters” (in head count sports) or count against team financial aid limits. Many of those rules were put in place to ensure competitive equity.

“In so much of what we do, we try to make sure that student-athletes are integrated and have a comparable experience to other students,” Calhoun said. “We want to place a premium on student-athlete well-being and treat student-athletes consistently with the general student body.”

Not only do the economic downturn and a focus on student-athlete well-being play a part in any revisions to the way Division I regulates financial aid, the revamped governance structure also allows for the Financial Aid Cabinet to spend more time on an issue that might not have gotten as much attention in the old structure. When the structure was reorganized in 2008, the cabinets and councils were told to “think globally.” They were instructed to think less about how legislative changes would affect individual institutions or conferences – an adjustment that allays some concerns about financial aid changes that some believe could impact the competitive balance in Division I.

The review also is prudent, given the economy, since scholarships represent such a large percentage of athletics departments budgets in Division I (ranging from about 17 percent in the Football Bowl Subdivision to nearly 30 percent for Division I schools without football). Calhoun said changing the financial aid model could provide some welcomed relief. “When you look at the financial aid conversation, we have to get people there philosophically,” Calhoun said. “Do they agree with keeping student-athlete well-being at the forefront? Do they want to make sure that everyone who wants and is qualified to pursue higher education has that opportunity?”

Can we get people feeling like these are just the basic things we should stand for? “We have to get people to think in different ways. And once we do, I think we can make some meaningful changes.”



Recent Interpretations

Media Presence at Institutional Camps or Clinics-Date Published: June 17, 2009

The committee confirmed that institutions may not arrange for the media, including recruiting or scouting services, to be present at an institutional camp or clinic by inviting members of the media to attend or providing special access (e.g., access to areas not open to the general public) for the media to observe, meet or otherwise interact with prospective student-athletes. Further, the committee determined that members of the media who are present at an institutional camp or clinic may be positioned only in areas open to the general public.

Baseball Midyear Transfer Returning to Original Institution-Date Published: June 24, 2009

The committee determined that, in baseball, a midyear 4-4 or 4-2-4 transfer student who qualifies for the return to original institution exception to the transfer residence requirement is not eligible for competition until the ensuing academic year.

Media Presence at Institutional Camps or Clinics-Date Published: June 17, 2009

The committee confirmed that institutions may not arrange for the media, including recruiting or scouting services, to be present at an institutional camp or clinic by inviting members of the media to attend or providing special access (e.g., access to areas not open to the general public) for the media to observe, meet or otherwise interact with prospective student-athletes. Further, the committee determined that members of the media who are present at an institutional camp or clinic may be positioned only in areas open to the general public.

Basketball Off-Campus Recruiting -- July Evaluation Periods -Date Published: July 1, 2009

The academic and membership affairs staff determined that, in basketball, during the July evaluation periods, an institution may use either the general rule regarding the limit on the number of coaches who may recruit off campus at any one time (i.e., a replaced coach may not engage in additional recruiting activities until after he or she has returned to the institution's campus) or the exception to the general rule (i.e., a replaced coach is not required to return to the institution's campus before engaging in additional recruiting activities, provided no more than three coaches engage in off-campus recruiting activities each day).

Eligibility for Institutional Athletically Related Financial Aid -- Student-Athlete Returns to Original Institution-Date Published: July 1, 2009

The academic and membership affairs staff determined that a transfer student from a four-year institution who is returning to his or her original institution must have been eligible to compete in the next regular academic term had the student remained at the previous institution in order to receive athletically related financial aid during the first academic year of his or her return to the original institution.

Member Institution Arranging for Media Interviews With Prospective Student-Athletes Participating in Voluntary Summer Workouts Conducted by Strength and Conditioning Coach-Date Published: July 17, 2009

The academic and membership affairs staff determined it is permissible for a member institution to arrange for media outlets to conduct interviews with a prospective student-athlete during the summer prior to initial full-time enrollment, provided the prospective student-athlete is on campus and permitted to participate in voluntary summer workouts conducted by an institution's strength and conditioning coach.

Publishing Results of a High School Athletics Event Held on Institution's Campus-Date Published: July 17, 2009

The academic and membership affairs staff determined that it is permissible for a member institution to post the results of a high school athletics event held on a member institution's campus on its institutional Web site or use other media outlets normally used by the institution to publish such results. The staff noted an institution must post complete event results and may not highlight the results of, or provide any commentary on the performance of specific participants and/or teams.

Early Qualifier Added to Squad List after Deadline for Submission of Final Transcript-Date Published: July 13, 2009

The academic and membership affairs staff determined that if a student-athlete who is certified as a qualifier pursuant to the early academic certification exception is added to an institution's squad list for the first time after the deadline for submission of his or her final transcript to the NCAA Eligibility Center (i.e., February 1 of the same academic year if enrollment occurs in the first term or February 1 of the following academic year if enrollment occurs after the first term), the institution shall ensure submission of his or her final high school transcript (official or unofficial) to the Eligibility Center by February 1 of the next academic year.

Four-Year College Basketball Prospective Student-Athlete Participating in Voluntary Summer Workouts Conducted by Strength and Conditioning Coach-The academic and membership affairs staff determined that, in basketball, it is permissible for a four-year college transfer prospective student-athlete to participate in voluntary summer workouts conducted by an institution's strength and conditioning coach, provided the prospective student-athlete has signed the institution's written offer of admission and/or financial aid.

Penalties for Former Indiana Coach Upheld

The NCAA News

The NCAA Division I Infractions Appeals Committee upheld findings of violations and associated penalties for the former head men's basketball coach at Indiana University, Bloomington.

In November 2008, the NCAA Division I Committee on Infractions issued a report for findings of violations in the men's basketball program for Indiana. The case included violations of NCAA rules regarding impermissible telephone contacts and unethical conduct involving the former head coach.

The Committee on Infractions case included multiple telephone recruiting restrictions and violations of sanctions self-imposed on the university from when it hired the former head coach and adopted his previous penalties as its own. The violations in this appeals case included at least 16 prohibited three-way calls with seven prospective student-athletes.

The former head coach also appealed the unethical conduct and failure-to-monitor charges against him. Specifically, the former head coach received a five-year show-cause order, which outlined how the former coach's recruiting and other coaching duties must be limited at any future employing NCAA institutions. Those limitations are further detailed in the public report.

In his appeal, the former head coach asserted that the findings of violations should be set aside as clearly contrary to the evidence presented to the Committee on Infractions and affected by a procedural error. Regarding this alleged procedural error, the former head coach claimed that the Committee on Infractions may not determine a hearing date before receiving the notice of allegations affirming that the staff has charged violations. He also appealed the five-year show cause order and its conditions, stating that it should be set aside as excessive.



In affirming the violations and penalties, the Infractions Appeals Committee stated in its report that it found no basis on which to conclude that the finding of violations was contrary to the evidence. The Infractions Appeals Committee also stated that it did not find any basis on which to conclude that the length of the show cause order was excessive such that it constituted an abuse of discretion by the Committee on Infractions. Finally, it noted that NCAA rules do not address when the Committee on Infractions may schedule the hearing of a particular case, and therefore found no procedural error.

In considering the former head coach's appeal, the Infractions Appeals Committee reviewed the notice of appeal, the transcript of the university's Committee on Infractions hearing, and the submissions by the former head coach and the Committee on Infractions.

The Infractions Appeals Committee may overturn a determination of fact or violation finding only if the Committee on Infractions' finding is contrary to the evidence presented; the facts found by the committee do not constitute a violation of NCAA rules; or there was a procedural error and, but for the error, the Committee on Infractions would not have made the finding of violation. A penalty by the Committee on Infractions may be set aside on appeal if the penalty is "excessive such that it constitutes an abuse of discretion."

The members of the Infractions Appeals Committee who heard this case were Christopher L. Griffin, Foley & Lardner LLP, chair; Susan Cross Lipnickey, Miami University (Ohio); Noel M. Ragsdale, University of Southern California; David Williams II, Vanderbilt University; and Allan A. Ryan Jr., Harvard University. Ryan is a former member of the committee who participated in this case due to the recusal of Jack Friedenthal, George Washington University.

Reminders

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- Please remember to give forms that require a sport administrator signature to the appropriate administrator before they are given to compliance.
- Remember to turn in phone logs at the beginning of each month.
- Be sure to keep recruiting logs up to date.

The University of Tennessee
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Compliance is an institutional responsibility and we need your help to protect The University of Tennessee from violations of NCAA Regulations, so remember:

VOLS PLAY BY THE RULES!