



CCACA meeting minutes

Mon., February 9, 2004
9:05 a.m.—12:15 p.m. ET

Indianapolis Marriott Downtown

Participants: Tracy Shoemake, America East (co-chair); Oscar, AMPAS; Amy Huchthausen, ACC; Steve Sturek, Atlantic Sun; Liz Kane Perry, Atlantic 10; Jerome Rodgers, Keli Cunningham, Big East; Ron Loghry, Big Sky; Dawn Turner, Big South; Carol Iwaoka, Jennifer Heppel, Chad Hawley, Neil Sullivan, Big Ten; Lori Ebihara, Mary Ellen Enigk, Big 12; Erica Satterfield, Big West; Kathleen Hallock, Colonial; Noreen Morris, Charolette Hunt, C-USA; Stephanie Jarvis, Melanie DeBoer, Horizon; Carolyn Campbell-McGovern, Mary Mulvenna, Ivy; Barbara Church, MAAC; Dell Robinson, Shonna Brown, Mid-American; Angie Torain, Mid-Continent; Sonja Stills, MEAC; Sarah Weier, Missouri Valley; Carolayne Henry, Anthony Archbald, Mountain West; Corinne Wright, Northeast; Mike Matthews (co-chair), Erik Price, Pac-10; Dan Trump, Patriot; Gil Grimes, Torie Johnson, Ennio Jones, SEC; Patrick Carter; SWAC; Helen Grant, Jennifer Henderson, Sun Belt; Gloria Nevarez, WCC; Pat Hairston, WAC.

1. Approval of minutes of Jan. 7, 2004, conference call

◆ **ACTION:** The minutes were approved without dissent.

2. Grayshirting

Grimes asked about the involvement of prospects who are “grayshirting” (i.e., PSA has signed a NLI, but will delay enrollment or is enrolled part time) in team activities, such as attending practice and meetings. Grimes said the NCAA staff response was that such PSAs could only attend practices that were open to the public and they could sit only in the general seating area. Matthews indicated that he had advised Pac-10 schools that PSAs could not attend team or position (e.g., quarterback) meetings.

3. Applying NCAA 14.4.3.3 and NCAA 14.4.3.3.1

Turner reported that a Big South institution has a policy which states that any student who has passed 30 hours or more must achieve a 2.000 GPA or the institution will consider him/her not to be in good academic standing. However, she said, the institution does not impose any penalties associated with this until the end of its second summer session (July/August). Turner said the NCAA staff indicated that the institution’s policy supersedes the NCAA policy, and thus S-As may become ineligible under NCAA 14.4.3.3, even though the institution had not imposed a sanction on them at that time, and would not do so until the end of the summer.

Heppel noted that a S-A who is not in good academic standing is ineligible under NCAA rules, even before any other satisfactory progress or progress toward degree rules are applied. She suggested that the institution needed to better define good academic standing on its campus.

Morris noted that Conference USA had submitted an ARS blanket waiver to allow some institutions additional time to certify S-As under the NCAA's new term-by-term grade-point average requirements. She anticipated that Conference USA would submit NCAA legislation if the blanket waiver was approved.

4. SAOF

The group briefly exchanged information about use of the SAOF to date. It was noted that some conferences had engaged in conference-wide initiatives (e.g., awards) and that failure to use the SAOF would result in a smaller future allocation.

Matthews asked if any institutions were providing each S-A with a set amount of cash and requiring the S-As to return receipts documenting that the funds had been spent on a permissible item. Only one other conference indicated that it had one institution operating in this manner. Some indicated that the SAFSA procedure operated in this manner, and that if a S-A failed to produce a receipt in a timely fashion, his/her account was charged.

Heppel noted that the Big Ten would like the Management Council to revisit the possibility of using the SAOF to upgrade team travel, a use of the Fund which at one time had been on the list of permissible uses, but was removed by ManCo and so referenced in its April 2003 meeting report. She stated that improved team travel could lessen missed class time and increase safety.

Grant noted that some conferences permit the use of the SAOF for foreign student tax liability while others do not. Heppel suggested that an institution's general counsel would be the best resource for institutions to determine if this was a viable use of the SAOF. [Note: The CCACA agreed on June 13, 1995 that the SAFSA could not be used for this purpose.]

Enigk asked if summer aid provided via the SAOF was required to be proportionate to the amount of aid the S-A received during the academic year. Heppel believed that NCAA Bylaws 15 and 16 did not come into play with the SAOF, thus it would be permissible to award summer aid from the SAOF to S-As who did not receive financial aid during the academic year.

5. Pending legislation

5.1 Proposal 2003-048

Campbell-McGovern asked if under Proposal 2003-048, an institution would have to gather insurance information for all individuals mentioned in the proposal (including student-manager, trainers, cheerleaders) or risk being in violation of the rule.

5.2 Proposal 2003-022

Heppel noted that Proposal 2003-022 did not require the distribution of the NCAA banned drugs list to a PSA's legal guardian, and made no mention of

whether the list needed to be provided to PSAs over the age of 18.

5.3 Proposal 2003-088

Morris noted the Pac-10 was surveying other conferences regarding its position on Proposal 2003-088 and the printing of conference media guides. Matthews said the survey results were not yet available. Heppel said the Big Ten was prepared to support Proposal 2003-032, but was not sure of the conference's position on 2003-088. Morris suggested that the proposal would likely need an amendment to allow institutions to provide a media guide via CD-ROM.

5.4 Proposal 2003-063

Morris suggested Conference USA may offer an amendment to make Proposal 2003-063 consistent with current rules regarding speaking engagements by coaches (see NCAA 13.1.9).

5.5 Proposal 2003-102

Campbell-McGovern explained the rationale behind Proposal 2003-102, using a scenario that involved a disciplinary suspension rather than an academic suspension. Henry noted that the proposal was not specific about the reasons for a S-A not being eligible for enrollment and she found it problematic that a S-A who was suspended for an academic reason could escape application of the NCAA's eligibility rules.

5.6 Proposal 2003-139

The group discussed the language in Proposal 2003-139 and whether or not a S-A who had never engaged in competition could be provided medical benefits. [Note: A later check of the legislation showed that the magic phrase "to enable a student-athlete to return to competition" did not appear. Thus, it appears there is no link between the expenses and prior competition.]

6. Those who can't teach, administrate

Morris said she was recently contacted about a basketball team's desire to use managers and administrative assistants to function as a scout team for the varsity. She noted that the following interp did not mention administrative assistants by title:

LRIS 2/11/93

Countable coaches—managers, outside consultants. A manager does not have to be included in the institution's limitations on countable coaches, provided the individual is a student who performs traditional managerial duties. The committee noted that it is not permissible to employ or utilize a manager for the purpose of being involved only in on-court or on-field activities (e.g., pitching batting practice) without including such an individual in the institution's coaching limitations in that sport. Further, an institution may not employ an outside consultant to observe institutional practice sessions and

provide analysis of such sessions to coaching staff members without including the individual in the institution's coaching limitations in that sport. [References: 11.7.1.1.1.1 (noncoaching activities) and 11.7.1.1.1.3 (use of outside consultants)]

Ebihara said that the NCAA staff had advised the Big 12 to apply the interp to administrative assistants.

It was the sense of the group that the 2/11/93 interp should apply to this scenario.

- ◆ **FOLLOW-UP:** Matthews agreed to pass on to Brad Hostetter at the NCAA the sense of the group—that non-coaching staff personnel (e.g., administrative assistants, directors of basketball operations) may not participate in on-field or on-court team practice activities—and suggest that the staff issue a Hot Topic.

7. Hardship waivers and contemporaneous documentation

7.1 Proposal 1998-108

The group discussed the application of Proposal 1998-108, particularly the requirements of “appropriate medical documentation” when contemporaneous paperwork was not available. Henry and Matthews said it was their understanding that contemporaneous documentation was required for all hardship waiver petitions and that other documentation could be substituted only in extreme cases (e.g., the hospital and its records burned to the ground).

- ◆ **FOLLOW-UP:** Matthews agreed to ask the NCAA to clarify the intent of the language “appropriate medical documentation” in Proposal 1998-108 and provide some examples within a Hot Topic.

7.2 Standard form

Some members of the CCACA expressed concern that hardship waivers were not being processed consistently by conferences. Specifically, there was concern that institutions should be asking the same questions about student-athlete injuries and requesting the same medical documentation.

It was the sense of the group not to mandate use of a standard form for hardship waivers. It also was the sense of the group that while a hardship waiver for a transfer S-A could be processed by either conference, there was a preference for the conference in which the injury occurred to process the hardship waiver request. The group agreed to work together when such circumstances arose, noting that checking to see if a hardship waiver was granted (or denied) in a previous conference was a prudent strategy.

8. Official visit activities

The group reviewed a list of permissible official visit activities compiled by the Big East. It was the strong sense of the group that the use of police escorts during an official visit was an impermissible activity.

- ◆ **FOLLOW-UP:** Matthews agreed to ask the NCAA to distribute the list compiled by the Big East as a Hot Topic.

9. Carol Iwaoka: Governance Subcommittee report

The group discussed a number of recommendations about the NCAA legislative cycle, noting that further discussion was scheduled for the afternoon's forum session with the NCAA staff. Among the opinions expressed:

- Cabinets may need to have more complete meeting materials mailed to them farther in advance of the meeting to allow for adequate review prior to the meeting.
- The role of the Legislative Review Committee needs to be clarified. There was confusion as to whether or not it was supposed to filter out poor legislation or merely pass along proposals with comments.
- The Management Council should express its position when it votes in January. Is it merely voting to open a comment period (without supporting the legislation), or is it voting to support the legislation?
- Are two votes of the Management Council really necessary in a single legislative cycle? Some say maintaining two votes helps prevent the adoption of bad legislation.
- Interpretations of proposals should be forwarded to LRIS sooner so that determinations can be made earlier. The CCACA can help with this by gathering interp requests sooner rather than later.

10. Apparel

Jarvis noted a recent outbreak of polo and khaki sightings at team walk-throughs. The group noted that NCAA 16.8.2.1 prohibited institutions from issuing travel apparel that was not used in practice or competition and that such apparel could have been issued to a S-A as an award, or purchased via the SAOF.

- ◆ **FOLLOW-UP:** Matthews agreed to ask the NCAA to issue a Hot Topic on this subject.

11. Certification of amateur status

Nevarez discussed a recent case in the WCC involving the amateurism status of a foreign PSA. She noted that if there was a---wait for it---clearinghouse of sorts to certify a foreign PSA's amateur status, run by the NCAA, it would reduce the amount of time institutions would have to spend on this issue and produce a consistent result (instead of one which could vary from institution to institution). Others in the group were supportive of this concept. Nevarez agreed to raise it at the afternoon meeting with the NCAA staff.

[Editor's note: Can you tell I've been at this all day?]

12. Application of NCAA 11.7.2.2.2

Ebihara noted that when the Big 12 originally proposed NCAA 11.7.2.2.2, it intended that a head football coach could only exchange positions as a designated recruiter with an assistant coach, and that an assistant coach could not exchange positions with another assistant.

For example, on Sunday, Disney University designates Doc, Sleepy, Happy, Grumpy, Bashful, Sneezzy, and Dopey (all assistant coaches) as its seven recruiters for the week. The head coach, Walt, replaces Grumpy on Tuesday. From the Big 12's point of view, if Grumpy wanted to go back on the road on Wednesday, he could only replace Walt; he could not replace anyone else.

Many in the group believed it would be permissible for Grumpy to replace any of the other assistant coaches as long as no more than seven coaches were on the road at any one time.

◆ **FOLLOW-UP:** Ebihara agreed to discuss this ~~fairly~~ scenario and the Big 12's original intent with the NCAA staff. (After milk and cookies, of course.)

13. It's 2004, fercryinoutloud, let's get with it

After some prodding by Campbell-McGovern, Matthews agreed to set up an area of the Pac-10's Compliance Corner website for CCACA-specific information (surveys, minutes, etc.)

14. Employment earnings

Grimes expressed concern about the current employment earnings rules, which would appear to allow an institution to employ a former S-A as a video production assistant (for example) without being a counter. Matthews said that appeared to be true; since employment earnings were no longer defined as institutional aid, such a S-A could be employed (and paid the going rate for work actually performed) within the athletics department and not be a counter.

Morris was concerned that a PSA could one day be offered employment as a player-coach and essentially be hired as a staff member. She suggested that legislation be amended to preclude coaching related activities.

Heppel and Morris were also concerned about providing employment earnings in the form of a grant-in-aid because the earnings would be provided in advance of the work actually being performed.

15. Future conference calls

Future conference calls are scheduled for March 3, April 7, and May 5 at 9:00 a.m. Pacific time. Dial-in number: 888-453-5732, Passcode: 302269.