



MINUTES
CCACA IN-PERSON MEETING
Wednesday–Thursday, January 28–29, 2009

Participants:

Brian Barrio, America East; Shane Lyons, Eric Wood, ACC; Steve Sturek, Atlantic Sun; Ed Pasque, Kelly Webb, Atlantic 10; Joseph D’Antonio, Jennifer Condaras, Kenny Schank, BIG EAST; Jaynee Nadolski, Big Sky; Carol Iwaoka, Chad Hawley, Jennifer Vining–Smith, Kerry Kinney, Big Ten; Lori Ebihara, Keri Boyce, Big 12; Erica Montebaro, Big West; Kathleen Batterson, Colonial; Rob Philippi, Callie Hubbell, Conference USA; Mike Sharpe, Great West; Stephanie Jarvis, Brandy Ingles, Horizon; Carolyn Campbell–McGovern, Megan McHugo, Ivy; Barbara Church, Metro Atlantic; Dell Robinson, Jeff Bacon, MAC; Mary Mulvenna, Missouri Valley; Carolayne Henry, Gary Walenga, Mountain West; Joyce Bell, Northeast; Jackie Mynarski, Ohio Valley; Mike Matthews, Ron Barker, Erik Price, Pac–10; Joanna Kreps, Patriot League; Greg Sankey, Gil Grimes, SEC; Greg Walter, Summit; Kelly Brooks, Ashley Robinson, SWAC; Sarah Arens, West Coast; Anthony Archbald, WAC;

1. INAAC.

D’Antonio provided the group with today’s INAAC.

2. Review of Agenda

Jarvis, Horizon, would like to talk about student–athlete participant gifts.

3. Approval of the January 6, 2009 Conference Call Minutes

Minutes were unanimously approved.

4. Compliance Review CCACA Subcommittee Update

Condaras, Big East, reported that the subcommittee was in the process of finalizing the revisions to the compliance review materials and would circulate the completed document to the CCACA for comments via the list serve. In addition, she confirmed that third cycle certification questions were being incorporated into the review materials along with APR specific questions.

Batterson, Colonial, requested that the subcommittee consider creating a sample report that Conference Offices can use after the campus visit. Condaras indicated that the subcommittee has already discussed creating such a report.

5. NCAA Involvement

D’Antonio, Big East, announced that Brad Hostetter and Leland Zeller would most likely be unable to attend the meeting on Thursday due to weather conditions in Indianapolis.

6. Coaches’ Certification Exam CCACA Subcommittee Update

Condaras, Big East, reported that the subcommittee provided Jen Daniels of the NCAA with their feedback and suggestions to make the certification exam more accurate and user friendly for coaches. She added that the subcommittee had also drafted new questions to include on future exams; including questions pertaining to recently adopted legislation.

Several individuals expressed frustration that the NCAA was not receptive to membership feedback and/or suggestions about the test. In addition, they indicated that the NCAA had not been updating the certification exam in a timely way, and in particular when changes were suggested and/or errors were reported. The group agreed that the NCAA should place more of an emphasis on the recruiting exam and that the CCACA should not be responsible for providing that service.

D'Antonio, Big East, offered to follow up with Hostetter and share concerns about the response of the staff and the need to be receptive to changes to the exam. He added that it seemed to be a philosophical discussion about priorities.

7. **NLI – Where are we headed?**

Matthews, Pac-10, asked about the future administration of the National Letter of Intent program. Specifically, he noted that the Collegiate Commissioners Association remain in charge of the National Letter of Intent program and have the ability to make changes to the program without membership input.

Sankey, SEC, explained that the commissioners had negotiated with the NCAA to keep the NLI out of the general NCAA bureaucracy and retain ultimate control over the program. He also indicated that the SEC would be asking the CCA to consider ways to manage a signing period for mid-year enrollees.

Matthews, Pac-10, expressed an interest in exploring more ways to involve the Eligibility Center in the recruiting process. Iwaoka, Big Ten, noted that the cabinet agendas include discussions about linking the Eligibility Center to recruiting.

Jarvis, Horizon, asked the group if there was interest in allowing a 4-year transfer to sign an NLI. Matthews, Pac-10, noted that the NLI was intended to end the recruiting process for prospects and therefore it would make sense to consider using the program for a transfer.

Woods, ACC, indicated that their conference received regular questions about the one-year absence provision and how to implement the provision. He suggested that the language should be revised to clarify the intent.

Sankey indicated that individual concerns about the National Letter of Intent program should be directed to the CCA.

8. **The Impact of Technology**

Matthews, Pac-10, reported that the recruiting cabinet would be discussing the use of technology in the recruiting process and encouraged the group to get in front of the issue and give the cabinet a sense of direction. Campbell-McGovern, Ivy, added that the cabinet should evaluate technology in the overall recruiting process with regard to the time and cost involved in monitoring the rules.

The group discussed the “public” versus “private” use of the program “Twitter.” Campbell-McGovern, Ivy, indicated that she had followed up with the NCAA after the last conference call and that the NCAA had responded that “Twitter” was equivalent to an email and therefore would be permissible. Webb, A-10, shared that the NCAA had indicated the program was permissible provided there was no direct text exchange.

Matthews, Pac-10, indicated that he felt the NCAA interpretation was correct and that there needed to be an educational column. Monteabaro, Big West, requested that the NCAA communicate with the membership the means used to determine whether something is permissible.

D'Antonio indicated he would discuss the issues with the chair of the Recruiting Cabinet and specifically request that they explore a "big picture" approach to technology. In the interim, he offered to follow up with the NCAA about an educational column.

9. **Student–Athlete Reinstatement Issues**

Iwaoka, Big Ten, provided an update and asked for feedback on the process for amateurism related cases. Henry, Mountain West, indicated that there were no defined roles or timeline between the institution and the Eligibility Center. Specifically, she reminded the group that the Eligibility Center was supposed to be doing the data collection but it was now the responsibility of the institution instead. Henry also noted that the process seemed more like enforcement than a student–athlete friendly process.

Iwaoka, Big Ten, reminded the group that conferences must forward all hardship waiver appeals on behalf of their membership and that institutions should not be submitting an appeal. The group discussed whether the Reinstatement Committee should consider the totality of participation when reviewing hardship waivers and whether a redshirt year should be considered outside the control of the student–athlete. Sankey, SEC, noted that the redshirt consideration is a philosophical question (is the extension for participation or for educational reasons) and that the goal for student–athletes is graduation.

Finally, Iwaoka, Big Ten, noted that there was an increase in the number of "urgent" cases. She requested that the group remind their respective membership that "urgent" cases should only apply to those discovered within 48 hours of competition.

10. **NCAA Eligibility Center**

Boyce, Big 12, shared a concern with the group that the preliminary certification request program was only available one time per prospect. She noted that often times a prospect will add another course and therefore an institution will want to request another preliminary certification on that prospect. Ebihara, Big 12, encouraged the group to be sensitive to the time demands on the Eligibility Center and to encourage member institutions to make logical interpretations on campus. The consensus of the group was that it is reasonable to have a one–time request.

The group discussed a concern that the Eligibility Center doesn't update the status of a prospect (e.g. certified as a non–qualifier but the institution obtains a waiver) on the website. It was noted that the Eligibility Center had indicated they could not change the status.

11. **NCAA Governance Structure**

Several individuals shared how their respective conferences were managing the new structure. Specifically, some conferences took a "hands on" approach with cabinet representatives and met via conference call on multiple occasions before and after

the cabinet meetings; while some conferences adopted a de-centralized approach and spoke with the cabinet representatives as needed.

It was suggested that the NCAA prepare executive summaries from each cabinet meeting in order to ensure that the important information was being consistently and completely distributed back to conferences. They noted that the current format for minutes was tedious and too long.

Sankey, SEC, suggested that the NCAA revise the agendas so that there would be less committee reporting during the actual meeting, when possible.

12. **Intra-Conference Transfer Rules**

Several committee members shared their respective conference intra-conference transfer rules at the request of Jarvis, Horizon. Most conferences reported that they had both intra-conference transfer rules and a waiver process.

13. **Souvenir Cups**

Boyce, Big 12, indicated that souvenir cups are considered non-printed promotional items and therefore a souvenir cup with the name or picture of a student-athlete and commercial trademarks/logos would be impermissible per a May 17, 2000 interp and a February 15, 2002 educational column. She added that the Big 12 NCAA contact had confirmed that the souvenir cup used as an example would not be permissible.

Lyons, ACC, noted that the legislation referenced in an October 26, 1989 interpretation had not changed and therefore the October interpretation should apply. Campbell-McGovern, Ivy, added that the October 1989 interpretation did not address the issue of a commercial trademark or logo (which was printed on the souvenir cup that was used as an example.)

D'Antonio suggested that the discussion be continued with the involvement NCAA staff (note: NCAA staff was unable to attend the meeting due to weather.)

14. **Determining Legislative Positions**

Several committee members shared their respective conferences' process for determining voting positions on NCAA legislation. Some conferences involve the Faculty Athletic Representatives as the body to determine the conference position, while some conferences use Presidents, Athletic Directors and/or Senior Compliance Administrators.

15. **Conference APR Policies and Procedures**

Philippi, Conference USA, asked how conferences were tracking and managing the APR. Some conferences are engaging the Faculty Athletic Representatives and some conferences are very "hands off" and allow each institution to manage individually.

16. **Level II Violation Chart**

Batterson, Colonial, asked whether the Level II Violation chart was still being used by conferences and whether the chart should be made available on the website. Henry, Mountain West, indicated that the chart should be used as a guideline, only, and therefore should not be published.

Campbell–McGovern noted that the women’s basketball coaches are aware that penalties can be applied differently across conferences and are working to push the issue with Dr. Brand through the WBCA. Barker, Pac–10, responded that violations are never the same and that conferences should have discretion to review the circumstances of the violation and apply penalties accordingly. In addition, if there were published penalties, coaches may weigh the pros/cons of the penalty in order to decide whether it was worth committing a violation.

The group agreed to continue using the penalty structure only as a guide.

17. **Media Guide**

Sankey, SEC, indicated that the current recruiting/media guide legislation pertaining to “other publications” continues to be a source of frustration for the SEC. He presented three alternative proposals for the committee to discuss; including a proposal to allow an institution to produce two publications; deregulation of the current legislation and allowing an institution to produce two publications while deregulating the current legislation over the next three years. Sankey noted that the SEC would consider pursuing permissive legislation that would allow an institution to produce two publications.

Ebihara, Big 12, suggested that any legislation should be based on what is best for the prospect, while several others questioned whether media guides were even necessary at all. Lyons, ACC, noted that additional media guides would be a cost issue and reminded the group that the commissioners were currently engaged in discussions about cost containment strategies.

18. **Recently Adopted / Out for Comment Legislation**

D’Antonio reviewed the following proposals from the 2008–09 legislative cycle:

Proposal 2008–76 – D’Antonio indicated that there was some confusion on a national level about whether the proposal was expansive in nature and specifically whether it would allow more recruitment of 7th and 8th graders. He explained that the proposal was actually more restrictive in nature, and therefore he had requested that Steve Mallonee, NCAA, prepare an educational column.

Proposal 2008–75 – D’Antonio explained that this proposal would pass at the Board level and therefore he was working to develop a compromise for implementation on campus. Specifically, he noted that the proposed deadline had been revised to February 15th of each year. D’Antonio also indicated that the NCAA would still need to work through situations when the transcript for an early certification prospect was not available.

Proposal 2008–77 – D’Antonio explained that this proposal would also pass at the Board level because the NCAA staff needed to collect the data. He indicated that there were still details that needed to be finalized, including what to do when transcripts are not available and/or unable to be released. D’Antonio noted that he was working with the NCAA to develop a solution for those situations prior to April.

Proposal 2008–34 – D’Antonio explained that this proposal created a second exception to the baseline rule by permitting a prospect with a diagnosed education–

impacting disability who graduates from high school within the core-curriculum time limitation to use up to three core courses completed after high school graduation to satisfy the core-curriculum or minimum grade-point average requirements, or both. He reminded the group that the current legislation allows a prospect to use all core courses and that this legislation was an attempt to close the education-impacting disability loophole by limiting a prospect to three (3) courses.

The committee expressed a concern about potential lawsuits and an increase in waivers based on the anticipated three-core course maximum.

19. **Student-Athlete Participant Gifts**

Jarvis, Horizon, indicated the Horizon League was considering sponsoring legislation that would allow a conference to provide a Championship participant gift to all student-athletes that participate in a specific sport that participates in a conference Championship, regardless of whether they actually competed in the event (currently, a student-athlete must participate in the conference Championship in order to receive an award.)

Lyons, ACC, indicated that the ACC was considering sponsoring legislation that would permit a student-athlete serving a year of residency (and therefore unable to participate in the bowl game) to receive a bowl game participant gift.

20. **Future Meetings**

The group shared positive feedback about the format of the 2009 CCACA forum and in particular about the ability to create and manage the agenda items without the NCAA coordinating and/or running the meeting.

D'Antonio asked for feedback on future dates and location. Dallas and Tampa were identified as potential locations for D'Antonio to explore. Sankey, SEC, suggested holding the meeting on the Tuesday-Thursday period following the NLI signing period.

21. **Funneling of Money**

D'Antonio reviewed the talking points from the materials prepared by LuAnn Humphrey of the new NCAA Basketball Focus Group (BFG.) He explained that the BFG is a three-person team that operates as part of the NCAA enforcement staff and has been charged with monitoring and enforcing NCAA rules in the sport of men's basketball. The BFG was created in response to growing concerns in the men's basketball recruiting environment and will focus on being proactive in identifying trends and patterns in the men's basketball recruiting environment.

D'Antonio indicated he would circulate the materials electronically and emphasized the need for the group to circulate to their respective membership immediately.

22. **NCAA Update**

D'Antonio shared a report from Brad Hostetter of the NCAA. Specifically, he indicated that the NCAA would move ahead on all initiatives despite the current health issues of Dr. Myles Brand. In addition, the Academic and Membership Affairs staff would assume responsibility for all initial eligibility review cases, effective April 1. This includes initial-eligibility waivers and prospective student-athlete review cases

D'Antonio indicated he would draft a letter of support and well wishes to Dr. Brand on behalf of the CCACA.

23. **Legislative Council Subcommittee for Legislative Relief**

The group discussed a proposal that would allow institutions to approve certain previously approved waivers and then file with the conference office (similar to the process currently used for the incidental expense waivers.) An institution would only be permitted to self-apply a waiver if the institution's circumstances satisfy all of the specified criteria.

The following waivers would be eligible for this process:

Bylaw 13.2.1, 13.5.1 and 13.5.2.6 - Reimbursement of prospective student-athlete's parents'/legal guardians' official visit travel expenses when institution is responsible for cancelling visit.

Bylaw 13.2.9 - Death involving prospective student-athletes or prospective student-athletes' immediate family members.

Bylaw 14.7 - Outside competition during study-abroad program.

Bylaw 14.7.2 and 17.5.6 - Wheelchair basketball

Bylaw 16.8.1.2.1 - Early departure due to institutional policy prohibiting participation on Sundays.

Bylaw 13.4.1.1 - Language required by higher education associations or state law to be printed on institutional note cards.

Iwaoka, Big 10, asked if some of the proposed waivers should be legislative changes as opposed to requiring a waiver.

The committee endorsed the list and the concept and requested an opportunity to explore additions to the pre-approved list. In addition, they clarified that the approved self-applied waivers would be filed in the conference office, only.

24. **Next CCACA Conference Call**

D'Antonio reminded the group that the February 4, 2009 conference call had been cancelled

The next conference call will take place on Wednesday, March 4, 2009.

25. **Adjournment**