Title:
Basketball Focus Group Frequently Asked Questions -- Tier I (1)
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Educational Column:

Any questions related to the issues noted within this educational column should be directed to the Basketball Focus Group staff.

Definition of "Individual Associated With A Prospect"
Q1: How long does the status of "individual associated with a prospect" (IAWP) remain attached to a specific individual?
A1: The IAWP status is not indefinite like that of a booster in NCAA Bylaw 13.02.13. IAWP status is prospect specific and, once attached, stays with the IAWP throughout the involved prospect's recruitment and tenure at any secondary education and/or NCAA institution. Once the prospect/student-athlete has exhausted his eligibility at the institution, the involved individual is no longer considered an IAWP for that particular prospect. It is possible to be considered an IAWP for multiple prospects at any time.

Institutional Camp Operation
Q1: Are institutions allowed to operate elite men's/boys' basketball camps under the new NCAA Board of Directors' interpretations?
A1: An institution may operate any type of basketball camp (i.e., father/son camp, position camp, team camp, individual camp, etc.) as long as all camps are conducted in the same manner. Inevitably, there will be distinctions to be drawn between certain types of camps (e.g., father/son vs. team camp); but at a minimum, all camps must have the same advertising and registration procedure, fee and employment structure, lodging, meals, transportation, and awards. Based on the requirement that all camps be conducted in the same or comparable manner, it is not likely that an elite camp, as most have been operated over the past few years, will meet the new requirements. If an institution decides to run an elite camp, any deviation in logistics will be viewed as highly suspect by the enforcement staff.

Q2: Are institutions allowed to host two camps of different lengths (e.g., one-day camp vs. three-day camp with lodging provided)?
A2: Yes. An institution may operate two camps for different lengths of time as long as they are conducted in a similar manner. In addition, if an institution operates a five-day camp, the cost of that camp must be used in determining the cost of all other camps conducted. For example, if the cost of the five-day camp excluding lodging is $500, then the minimum that should be charged for the one-day camp should be $100.

Q3: Do the camp logistics have to be identical for all camps?
A3: No. In some instances, a violation will not result if the circumstances are not exactly the same. For example, if the campers stay in Dorm A for one camp and Dorm B for another, there may be no violation if the amenities for both dorms are comparable. However, if there are significant qualitative differences in Dorm A and B, and the dorm with more amenities is used during the camp when the institution's top prospect is attending, the use of such a dorm will be highly scrutinized. Each situation will be analyzed based on the specific facts and circumstances.

Q4: Would it be permissible for an institution to add a camp to the schedule at the last minute?
A4: Yes. The institution may conduct any camp provided that all camps are logistically operated and advertised in the same manner. The duration of advertising will be a critical factor in the analysis of a "pop-up camp" and may be a significant hurdle in ensuring consistency among the camps. Please note that such a last-minute addition to the schedule will be scrutinized and reviewed based on the totality of the circumstances.

Q5: Is it still permissible to grant reduced entry to a camp for an institutional staff member's son if the institution is recruiting the son?
A5: Yes. It would be permissible to grant a reduced admission for an institutional staff member's son provided that institutional procedures are followed and all institutional staff members are given the opportunity for reduced entry.

Definition of "Recruited Prospect"
Q1: There is a new definition of a "recruited prospect," which includes any prospect who has initiated contact with men's basketball staff members. If a prospect calls the institution one time and requests a camp brochure, is that sufficient for the prospect to become a "recruited" prospect?
A1: A single, isolated request for a camp brochure from a prospect will likely not trigger "recruited" status, but all facts and circumstances relating to interactions between the coaching staff and the prospect or his IAWPs must be considered in the analysis. For example, if the evidence shows that there was only one contact between the coaching staff and the prospect (e.g., a request for a camp brochure), but there were a significant number of contemporaneous contacts with an IAWP, that prospect will be deemed to be a recruited prospect.

Q2: Does the mass mailing of camp brochures trigger recruited status for each prospect who receives the brochure as part of that mass mailing?
A2: No. A mass mailing of camp brochures does not automatically trigger recruited status, but all facts and circumstances relating to any contemporaneous interactions between coaching staff members and the prospect or his IAWPs must be considered.

Q3: Does the mailing of a questionnaire trigger recruited status?
A3: No. The lone act of mailing of a questionnaire does not automatically trigger recruited status. Nevertheless, any contemporaneous interactions between coaching staff members and the prospect or his IAWPs can trigger recruited status.

Q4: How long does a prospect retain recruited status?
A4: A prospect retains "recruited" status until the prospect:

1. Enrolls at another NCAA institution; or
2. If that prospect is currently enrolled at your institution, after that specific prospect has graduated or is no longer eligible under NCAA rules for competition at the institution. Thus it is not permissible to employ an individual who is associated with a recruited prospect who is now a currently enrolled student-athlete.

Q5: Does the new definition of a "recruited prospect" impact financial aid legislation?
A5: No. The definition relates only to the application of NCAA institutional camp and clinic legislation. As such, recruited status under Bylaw 13.02.12.1 remains applicable for purposes of applying other NCAA legislation (e.g., outside aid awards).

**Camp Employment**

Q1: Is it ever permissible to hire an IAWP to work the institution's men's basketball camps?
A1: Yes. It is important to remember that the prohibition on camp employment applies only to an IAWP who is tied to a recruited prospect (IAWRP). Therefore, it would be permissible to hire an IAWP to work camp if that IAWP is not tied to a prospect that the institution is or has recruited as defined by the new definition of a "recruited prospect."

Q2: Is there any exception to the prohibition against camp employment for a high school coach associated with a recruited prospect if the high school coach has worked the institution's camps?
A2: No. There are no exceptions to the camp employment prohibition if the individual is associated with a recruited prospect, regardless of any prior institutional camp employment.

Q3: What is the duration of the camp employment prohibition for an IAWRP?
A3: An IAWRP could not be employed to work an institution's camp until that specific recruited prospect:

1. Enrolls at another NCAA institution; or
2. Has exhausted eligibility at your institution. Thus, it is not permissible to employ an IAWRP at the institution's camp until the recruited student-athlete is no longer eligible to represent the institution.

Q4: Can an IAWRP serve as a volunteer at a camp?
A4: No. An IAWRP cannot be employed on a volunteer basis or in any capacity at an institutional men's basketball camp.

Q5: Is it permissible for a middle school coach from the same school system of a recruited prospect to be hired to work camp?
A5: It depends on whether the middle school coach has sufficient ties to the prospect to achieve IAWP status with regard to that prospect. The determination of the status is person-to-prospect specific.

Q6: There are some instances when coaches identify a prospect late in the recruiting process. Is it permissible to employ a high school coach to work camp in June 2010 if the institution subsequently recruits the high school coach's player after the start of camp?
A6: If the institution has not triggered the recruitment of the prospect at the time of the high school coach's employment, there will be no violation. It would be permissible to subsequently recruit the prospect, but that particular high school coach could not be employed at camp contemporaneously with recruitment until that prospect enrolled elsewhere or the prospect was no longer eligible for competition at your institution.

Q7: Is it permissible to employ a third party entity (e.g., professional service, distribution company) to handle the registration and fees process associated with camp?
A7: Yes. It would be permissible to use an outside agency, provided that an IAWRP does not have a proprietary or financial interest in such a service. The institution is responsible for ensuring that all of the logistics handled by the outside agency meet the requirements of NCAA legislation. It also is strongly recommended that the institution include a provision in any such contract that the outside agency grant access to the institution and NCAA to any and all camp-related records.

Q8: Institutional camps routinely use the services of referees going through training or a certification process during competition conducted at the camps. Would an institution have to identify whether any such referee was an IAWRP?
A8: If the referees are assigned for participation by an outside agency, the institution would only be required to determine whether an IAWRP has a proprietary or financial interest in that agency. If the institution actually makes the decision to hire or employ specific referees, then the institution is responsible for determining whether each referee is an IAWRP.

Q9: Is it permissible for a high school coach to coach his team at an institution's team camp?

A9: Yes. A high school coach who is tied to a recruited prospect may still attend team camp to coach his team. However, such a coach cannot be employed or receive any financial benefit (e.g., free lodging, transportation, etc.) from the institution.

Q10: May a currently enrolled student-athlete who has a prospect-aged sibling be employed at the institution's camp?

A10: Yes. Provided that all men's basketball student-athletes are given the opportunity to work camp, there would be no violation. If only a limited number of student-athletes are offered employment, and the institution is recruiting the younger brother, then the prospect's brother could not be employed.

Q11: Can a newly hired assistant coach who is not officially on the payroll work an institutional men's basketball camp?

A11: If the new hire is an IAWRP, it would not be permissible for that individual to work camp unless he was officially employed by the institution at the time of the camp. For example, an IAWRP could not be employed at a June camp if he is not scheduled to begin full-time duties for the institution until August. Only currently employed men's basketball staff members are permitted to work the institution's camp.

Q12: Is it permissible for the institution to employ a former student-athlete to work camp?

A12: Such employment would be precluded if the former student-athlete is an IAWRP.

Donations to Nonprofit Organizations

Q1: Is the institution or coaching staff precluded from making a donation to the United Way or Coaches vs. Cancer?

A1: The determination of whether a donation to a nonprofit organization is permissible is dependent on what individuals or entities receive financial benefits from the nonprofit organization. The fact that an IAWP is tied to a nonprofit does not necessarily preclude the donation. The key is determining who benefits from the nonprofit organization. It is not permissible to donate to a nonprofit organization that provides financial benefits to:

1. A nonscholastic team;
2. Specific prospective student-athlete(s); or
3. An IAWP.

If the nonprofit organization does not benefit the proscribed entity or individual, a donation would be permissible.

Q2: Is it permissible for a coaching staff to provide items of value to a nonprofit organization for use in an auction (e.g., autographed memorabilia)?

A2: Any type of donation would be precluded if the nonprofit organization provides financial benefits to:

1. A nonscholastic team;
2. Specific prospective student-athlete(s); or
3. An IAWP.

Q3: Is it permissible for a coach to merely attend a fund-raiser for a nonprofit organization that provides financial benefits to a nonscholastic team?

A3: No. Because the nonprofit organization derives financial benefit from the fact that NCAA Division I coaches are present, attendance at such an event will be deemed to be a donation and, thus, impermissible.

Q4: Is it permissible for a booster to make donations to a nonprofit organization that benefits any of the proscribed individuals or entities?

A4: Booster donations to such a nonprofit entity will be scrutinized based on the following factors:

1. Whether the entity or individual is located in the community in which the booster resides;
2. Whether the booster is acting independently of the institution's recruiting interests;
3. Whether the funds are distributed through established channels in place for the nonprofit organization conducting the fund-raising activity; and
4. Whether the funds were earmarked directly for any specific prospective student-athlete.

Any donation by a booster that benefits a proscribed individual or entity outside of the booster's local community will be presumed to be a violation.
Provision of Tickets to an Institution’s Contests

Q1: Is it permissible to provide hard tickets to an IAWP for an institution’s contests?

A1: No. An IAWP should only be receiving tickets pursuant to the complimentary admission legislation set forth in Bylaw 13.8.1 or as part of the official or unofficial visit entertainment rules. An IAWP should not have access to tickets, including from the coaches’ allotment, that are not available through the institution’s complimentary admissions policies.

Q2: Is there a pre-existing relationship exception for the provision of tickets to an institution’s contest?

A2: No. If an individual is deemed to be an IAWP, the provision of a coach’s discretionary tickets to that individual constitutes an inducement pursuant to Bylaw 13 or an extra benefit pursuant to Bylaw 16. There is no pre-existing relationship exception.

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References

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