

# PAYDIRT PRESS



UTEP ATHLETICS COMPLIANCE NEWSLETTER

## COMPLIANCE HOT SHOT



**SHANE FITZPATRICK**  
ASSISTANT ATHLETIC  
TRAINER

Shane does an outstanding job of bringing questions to the compliance department for verification or better understanding in relation to his role as Assistant Athletic Trainer. We would like to thank Shane for his involvement with and support of the compliance staff.

## FEBRUARY RECRUITING CALENDARS

QUIET	EVALUATION	CONTACT	DEAD
EVALUATION / QUIET			

### TRACK/CROSS COUNTRY

SUN	MON	TUES	WED	THURS	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

### SOFTBALL

SUN	MON	TUES	WED	THURS	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

## AGENTS REMINDER

Any agreement with an agent, in writing or verbally to market his or her athletic skills will render a student-athlete ineligible for intercollegiate athletic competition. Additionally, any athletics department staff member that introduces an agent to a student-athlete is in violation of NCAA Bylaw 10.1.



## SPORTS WAGERING (GAMBLING)

The NCAA prohibits any athletics department staff members, staff members who have responsibilities within or over the athletics department, and student-athletes from wagering anything of tangible value on intercollegiate, amateur or professional athletics competition.



### FOOTBALL

SUN	MON	TUES	WED	THURS	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

### SOCCER

SUN	MON	TUES	WED	THURS	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

### VOLLEYBALL

SUN	MON	TUES	WED	THURS	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

### OTHER SPORTS

SUN	MON	TUES	WED	THURS	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

### MEN'S BASKETBALL

SUN	MON	TUES	WED	THURS	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

### WOMEN'S BASKETBALL

SUN	MON	TUES	WED	THURS	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

## FOOTBALL NLI PERIOD - REMINDERS

### **Limitation on Number of National Letter of Intent/Offer of Financial Aid Signings - Bowl Subdivision Football [FBS] - Bylaw 13.9.2.3**

In bowl subdivision football, there shall be an annual limit of 25 on the number of prospective student-athletes who may sign a National Letter of Intent or an institutional offer of financial aid and student-athletes who may sign a financial aid agreement for the first time.

### **Application [FBS] - Bylaw 13.9.2.3.1**

A prospective student-athlete who signs a National Letter of Intent or an institutional offer of financial aid or a student-athlete who signs a financial aid agreement that specifies financial aid will be initially provided in the fall term of an academic year shall count toward the annual limit on signings for that academic year. A prospective student-athlete who signs a National Letter of Intent or an institutional offer of financial aid or a student-athlete who signs a financial aid agreement that specifies financial aid will be initially provided during the second or third term of the academic year may count toward the limit for that academic year or the limit for the next academic year.

### **Exception - Agreement After Second Year [FBS] - Bylaw 13.9.2.3.2**

A student-athlete who has been in residence at the certifying institution for at least two academic years may sign a financial aid agreement for the first time without counting toward the annual limit on signings.

### **Exception - Incapacitating Injury or Illness [FBS] - Bylaw 13.9.2.3.3**

A prospective student-athlete or student-athlete who, prior to participation in athletically related activities, becomes injured or ill to the point that he or she apparently never again will be able to participate in intercollegiate athletics shall not count toward the institution's annual limit on signings.

### **Publicity - Comments Before Commitment - Bylaw 13.10.2.1**

Before the signing of a prospective student-athlete to a National Letter of Intent or an institution's written offer of admission and/or financial aid or before the institution receives his or her financial deposit in response to its offer of admission, a member institution may comment publicly only to the extent of confirming its recruitment of the prospective student-athlete. The institution may not comment generally about the prospective student-athlete's ability or the contribution that the prospective student-athlete might make to the institution's team; further, the institution is precluded from commenting in any manner as to the likelihood of the prospective student-athlete committing to or signing with that institution.

### **Publicity After Commitment - Bylaw 13.10.3**

There are no restrictions on publicity related to a prospective student-athlete after he or she has signed a National Letter of Intent or the institution's written offer of admission and/or financial aid or after the institution has received his or her financial deposit in response to its offer of admission, except as set forth in Bylaw 13.10.1. For institutions that subscribe to the National Letter of Intent program, this provision does not apply to a prospective student-athlete who only signs an institution's written offer of admission and/or financial aid prior to the initial regular (as opposed to early) signing date of the National Letter of Intent program in the applicable sport.

## STUDENT-ATHLETE EMPLOYMENT

### Criteria Governing Compensation to Student-Athletes - Bylaw 12.4.1

Compensation may be paid to a student-athlete:

- (a) Only for work actually performed; and
- (b) At a rate commensurate with the going rate in that locality for similar services.

#### Athletics Reputation - Bylaw 12.4.1.1

Such compensation may not include any remuneration for value or utility that the student-athlete may have for the employer because of the publicity, reputation, fame or personal following that he or she has obtained because of athletics ability.

#### Fee-for-Lesson Instruction - Bylaw 12.4.2.1

A student-athlete may receive compensation for teaching or coaching sport skills or techniques in his or her sport on a fee-for-lesson basis, provided:

- (a) Institutional facilities are not used;
- (b) Playing lessons shall not be permitted;
- (c) The institution obtains and keeps on file documentation of the recipient of the lesson(s) and the fee for the lesson(s) provided during any time of the year;
- (d) The compensation is paid by the lesson recipient (or the recipient's family) and not another individual or entity;
- (e) Instruction to each individual is comparable to the instruction that would be provided during a private lesson when the instruction involves more than one individual at a time; and
- (f) The student-athlete does not use his or her name, picture or appearance to promote or advertise the availability of fee-for-lesson sessions.

#### Camp/Clinic Employment, General Rule - Bylaw 12.4.3

A student-athlete may be employed by his or her institution, by another institution, or by a private organization to work in a camp or clinic as a counselor, unless otherwise restricted by NCAA legislation (see Bylaw 13.12 for regulations relating to camps and clinics). Out-of-season playing and practice limitations may restrict the number of student-athletes from

the same institution who may be employed in that institution's camp (see the specific sport in Bylaw 17 for these employment restrictions and Bylaw 13.12).

#### Self-Employment - Bylaw 12.4.4

A student-athlete may establish his or her own business, provided the student-athlete's name, photograph, appearance or athletics reputation are not used to promote the business.

## WALK-ON TRYOUTS

If you intend to hold a tryout, please notify the Compliance Office before the tryout takes place. Students must come to the Compliance Office and complete or present the following to be able to tryout:

- (a) Tryout approval form;
- (b) Proof of full-time enrollment;
- (c) Proof of a physical (including sickle cell solubility test results); and
- (d) Proof of health insurance.

If you wish to add a walk-on to your roster, please submit a Squad List Add/Delete form to the Compliance Office. At that time, the student will need to fill out the necessary compliance paperwork. The M.A.A.C. will then verify enrollment and NCAA eligibility requirements prior to him or her taking part in countable activities.

## **IN THE NEWS/NCAA APPEALS COMMITTEE SENDS FORMER DIRECTOR OF MEN'S BASKETBALL OPERATIONS OF CALIFORNIA STATE UNIVERSITY, NORTHRIDGE, CASE BACK TO THE COMMITTEE ON INFRACTIONS FOR RECLASSIFICATION**

**By Emily James, NCAA.org**

**January 30, 2018**

The NCAA Division I Infractions Appeals Committee sent the former director of men's basketball operations of California State University, Northridge, case back to the NCAA Division I Committee on Infractions for reclassification and penalty review. The appeals committee overturned the panel's finding that the former director of men's basketball operations knowingly committed academic misconduct on behalf of four student-athletes. The appeals committee upheld the finding that the former director of operations provided impermissible academic extra benefits to eight student-athletes.

The Committee on Infractions panel classified the case as a Level I-aggravated. The appeals committee's decision directs the Committee on Infractions to review the case without the academic misconduct finding to determine the classification and then adjust the penalties consistent with that classification's penalty guidelines.

In the Committee on Infractions' decision, the panel found the former director of operations acted unethically when he committed academic misconduct for and provided impermissible academic benefits to a total of 10 men's basketball student-athletes. The panel based its findings on the use of the former director of operations' work computer to complete online coursework for several student-athletes. The former director of operations denied completing coursework or providing impermissible academic benefits to student-athletes; however, the panel did not find him to be credible.

In his appeal, the former director of operations argued the findings against him should be set aside as not a violation of NCAA rules or contrary to the information presented during the hearing.

In its decision, the appeals committee found the totality of the record supports the finding that the former director of operations knowingly provided impermissible academic extra benefits, but it did not support the finding that he knowingly arranged for fraudulent academic credit.

The members of the Infractions Appeals Committee who heard this case were Patti Ohlendorf, acting committee chair and vice president for legal affairs at Texas; Ellen Ferris, associate commissioner for governance and compliance at the American Athletic Conference; Jack Friedenthal, professor emeritus at George Washington; and W. Anthony Jenkins, attorney in private practice.

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