

**Implementation Plan for Recommendations from Basketball Focus Group and Academic
and Membership Affairs Staffs on Solutions to Current Issues in Men's Basketball
Recruiting**

Tier I: Recommendation that the NCAA Board of Directors take immediate action - All items to be effective immediately upon adoption.

1. Approve a new interpretations process through revisions to NCAA Constitution 5.4 that provides clear direction to the membership on what constitutes a violation of NCAA rules related to men's basketball recruiting. The process will identify automatic violations of NCAA recruiting rules without the opportunity to appeal to the NCAA academic and membership affairs staff or the NCAA Division I Legislative Review and Interpretations Committee for interpretive relief. Instead, an institution may present information to the NCAA enforcement staff to assist in determining the classification of the violation (i.e., secondary or major), with the opportunity to appeal consistent with the existing appeals process available through the enforcement process. In warranted circumstances, an institution may be granted a waiver by the NCAA Division I Legislative Council Subcommittee for Legislative Relief (SLR) pursuant to the applicable policies and procedures.

2. Approve the following interpretations to apply in the sport of men's basketball:
 - a. The definition of an "individual associated with a prospect" is any person who maintains (or directs others to maintain) contact with the prospective student-athlete, the prospective student-athlete's relatives or legal guardians, or coaches at any point during the prospective student-athlete's participation in basketball, and whose contact is directly or indirectly related to the prospective student-athlete's:
 - (1) Athletic skills and abilities; or
 - (2) Recruitment by or enrollment in an NCAA institution.

This definition includes, but is not limited to, parents, legal guardians, handlers, personal trainers and coaches. An individual who meets the definition of an individual associated with a prospect retains that status during the enrollment of that prospect at that institution.

 - b. A violation of NCAA Bylaws 13.2.1 and 13.12.2.2-(b) would occur if an institution or men's basketball staff member employs (i.e., volunteer or paid) an individual associated with a recruited prospective student-athlete at the institution's or men's basketball staff member's camp or clinic. [Note: The proposed legislation in Tier III-2 also addresses camp/clinic employment issues.]

 - c. A violation of Bylaws 13.11 and 13.12 would occur if an institutional or men's basketball staff member's basketball camp offers a different participation,

registration procedure, fee structure, advertisement and/or logistical experience (e.g., lodging, meals, transportation or awards/mementos) than the other men's/boys' basketball camps operated by the institution or men's basketball staff. [Note: The proposed legislation in Tier III-3 also addresses camp operation issues.]

- d. A violation of Bylaws 13.2.1 and/or 13.15.1 would occur if an institution or a men's basketball staff member provides money to a nonprofit foundation that expends funds for the benefit of a nonscholastic team, prospective student-athlete(s) or an individual associated with a prospective student-athlete. [Note: A violation would occur even if the foundation provides funding to or services for both prospective student-athletes and individuals younger than prospect age.]
- e. A violation of Bylaw 13.2.1 would occur if an institution or a men's basketball staff member provides a consulting fee to an individual associated with a prospective student-athlete or to a consulting firm in which an individual associated with a prospective student-athlete has a proprietary or financial interest.
- f. A violation of Bylaw 13.2.1 would occur if a men's basketball staff member places a telephone call to a 1-900 number connected to a prospect or an individual associated with a prospect.
- g. A violation of Bylaws 13.15.1 (and potentially 13.11.1) would occur if a men's basketball staff member or a representative of the institution's athletics interests is involved in any way in the operation or planning of a men's basketball nonscholastic event on its campus. [Note: The proposed legislation in Tier III-4 also addresses nonscholastic men's basketball events on campus.]

[Note: Contracts signed by boosters before October 29, 2009, may be honored.]

- 3. Endorse and strongly encourage the use of suspensions of a head men's basketball and/or assistant men's basketball coach by the enforcement staff, in the case of secondary infractions, or the NCAA Division I Committee on Infractions, in the case of secondary or major infractions, from coaching in NCAA tournament games or regular season games for violations of the following:
 - a. The employment of individuals associated with prospective student-athletes in athletics department noncoaching staff positions. [Tier III-1]

- b. The employment of individuals associated with recruited prospective student-athletes at men's basketball camps and clinics. [Tier I-2-b, Tier II and/or Tier III-2]
- c. The operation of men's basketball camps in violation of NCAA legislation. [Tier I-2-c and/or Tier III-3]
- d. The subscription to a recruiting service that does not meet the requirements of NCAA legislation. [Tier I-6]
- e. A donation to a nonprofit foundation that expends funds for the benefit of a nonscholastic team, specific prospective student-athlete(s) or an individual associated with a prospective student-athlete (suspension applicable to the head coach and any involved coach). [Tier I-2-d]
- f. The payment of a consultant fee to an individual associated with a prospective student-athlete or to a consulting firm in which an individual associated with a prospective student-athlete has a proprietary or financial interest. [Tier I-2-e]
- g. The provision of event tickets to individuals associated with a prospective student-athlete in violation of NCAA legislation (suspension applicable to the head coach and any involved coach). [Note: Complimentary tickets provided via pass list in compliance with existing legislation remains permissible.]
- h. The involvement of a men's basketball staff member in the planning, funding or operation of nonscholastic events (suspension applicable to the head coach and any involved coach). [Tier I-2-g and/or Tier III-4]

Unless otherwise noted, the coaching suspension will impact only the head coach of the involved program. This penalty would "follow the coach" if he decides to take a job at a different institution from the one at which the violation occurred. In most cases, the penalty will be in addition to any other penalties imposed through the enforcement process; however, the enforcement staff, in the case of secondary infractions, and Division I Committee on Infractions, in the case of secondary or major infractions, have the discretion to forgive the penalty (e.g., If a show cause order is levied, it may not be necessary to suspend the coach from the NCAA championship tournament). Bylaws 19.5.2 and 19.5.2.2 currently allow for the suspension of coaches from competition as a disciplinary measure for secondary and major violations. The enforcement process also provides an appellate opportunity to institutions and coaches desiring to appeal this penalty.

4. Endorse and strongly encourage that the NCAA Student-Athlete Reinstatement Committee apply the following presumptions in reinstatement decisions:

a. Permanent ineligibility for competition at the offending institution for a men's basketball student-athlete if:

- (1) During a two-year period prior or subsequent to the anticipated or actual enrollment of the involved prospective student-athlete, the institution employs an individual associated with the involved prospect in any athletics department noncoaching staff position. [Tier III-1]
- (2) An institution or men's basketball staff member pays consulting fees to an individual associated with a prospective student-athlete or to a consulting firm in which an individual associated with a prospective student-athlete has a proprietary or financial interest. [Tier I-2-e]

If a student-athlete is deemed to be permanently ineligible pursuant to 4a-(1) or 4a-(2) above, and the student-athlete wants to transfer and participate at another Division I institution, the student-athlete's new institution may submit a SLR waiver for immediate relief from the transfer year in residence.

b. Eligibility consequences and notice requirements for violations in the men's basketball program involving:

- (1) Camp employment [Tier I-2-b, Tier II and/or Tier III-2];
- (2) Camp operation [Tier I-2-c and/or Tier III-3]; or
- (3) Men's basketball staff involvement in the operation of nonscholastic events. [Tier I-2-g and/or Tier III-4]

In the event that any of these violations occur, the institution will be required to declare all involved prospects ineligible at that institution and provide written notification and explanation to all such prospects that the actions of the institution affected the eligibility consequences for the prospect.

5. Require men's basketball staff members on an annual basis to affirmatively state in writing that:

a. No personal or institutional funds have been donated or solicited by the staff member on behalf of a nonprofit foundation that expends funds for the benefit of

a nonscholastic team, prospective student-athlete(s) or an individual associated with a prospective student-athlete [Tier I-2-d]; and

- b. No event tickets, including the staff member's discretionary tickets, have been provided to an individual associated with a prospect in violation of the NCAA legislation. [Note: Complimentary tickets provided via pass list in compliance with existing legislation remains permissible.]

These written affirmations may be included with the staff member's completion of the form required per Bylaw 30.3.5 (Report of NCAA Violation Involving Institution).

6. Recommend support for the current legislative proposal (2009-56) sponsored by the NCAA Division I Men's Basketball Issues Committee and NCAA Division I Championships/Sports Management Cabinet to further define permissible recruiting/scouting services.

Tier II: Recommendation that the Board of Directors adopt emergency legislation effective immediately upon adoption.

Definition of recruited prospective student-athlete. Sponsor and adopt a legislative proposal to specify that in the sport of men's basketball, for the purposes of NCAA camps and clinics legislation, a "recruited prospective student-athlete" is defined as an individual whose attendance at any institutional camp or enrollment at the institution has been solicited by the institution (or a representative of athletics interests). Further, in men's basketball, an individual who has been sent any recruiting materials, had any recruiting contact (in person or via electronic means) with men's basketball staff members (including contact initiated by the prospective student-athlete), has received a verbal offer of athletics aid, has verbally committed to an institution and/or whose activities meet the current definition of "recruited" in Bylaw 13.02.12.1 would be considered a recruited prospective student-athlete. [Note: This legislative action is necessary based on the adoption of Tier I-2-b.]

Tier III: Recommendation that the Board of Directors sponsor legislative proposals to be introduced in the 2009-10 legislative cycle with an immediate effective date upon adoption.

1. Noncoaching staff hiring practices. Sponsor a legislative proposal to specify that during a two-year period prior or subsequent to the anticipated or actual enrollment of a prospective student-athlete, an institution may not employ an individual associated with the prospective student-athlete in any athletics department noncoaching staff position. [Note: Under this proposal, an institution may choose to make the hire or secure the enrollment of the prospect, but both may not occur.]

[Note: Contracts signed before October 29, 2009, may be honored.]

2. Men's basketball camp/clinic employment. Sponsor a legislative proposal to specify that an institution or a men's basketball staff member may hire only enrolled students and/or institutional staff members at its men's basketball camps or clinics.
3. Institutional camp operation. Sponsor a legislative proposal to specify that:
 - a. It is permissible for men's basketball coaches to recruit during a men's basketball camp.
 - b. A prospective student-athlete does not have to leave the locale of the camp before beginning an unofficial visit.
4. Nonscholastic events on campus. Sponsor a legislative proposal to specify that a Division I institution is precluded from hosting, sponsoring or conducting a men's basketball nonscholastic event in its campus facilities or facilities used regularly by the institution for practice and/or competition.

[Note: Contracts signed before October 29, 2009, may be honored.]

Tier IV: Recommendation that the Board of Directors refer the following items to the governance structure for discussion with instructions to report recommendations to the Board of Directors at the August 2010 meeting. [Note: This option also may include the sponsorship of legislative proposals by the appropriate governance entities for the 2010-11 legislative cycle.]

1. A complete review of the current Division I men's basketball recruiting calendar (NCAA Recruiting and Athletics Personnel Issues Cabinet and NCAA Division I Men's Basketball Issues Committee).
2. Review the merits of permitting tryouts of men's basketball prospective student-athletes starting in their junior year (Recruiting and Athletics Personnel Issues Cabinet and Men's Basketball Issues Committee).

3. Determine whether the provision of travel expenses to men's basketball prospective student-athletes by individuals associated with the prospective student-athlete (other than parents or legal guardians) should be impermissible (NCAA Division I Amateurism Cabinet and Men's Basketball Issues Committee).
4. Review and evaluate existing rules related to recruiting communication in all sports (Recruiting and Athletics Personnel Issues Cabinet and Men's Basketball Issues Committee).
5. Review the merits of impacting a prospective or enrolled student-athlete's eligibility by the refusal of an individual associated with a prospective or enrolled student-athlete to furnish information or the provision of false or misleading information in response to an inquiry by the NCAA. The discussion may include a legislative proposal to amend Bylaws 14 and 19.01.3 to specify that full cooperation by an individual associated with a prospect is a condition of eligibility (Committee on Infractions and NCAA Division I Student-Athlete Reinstatement Committee).