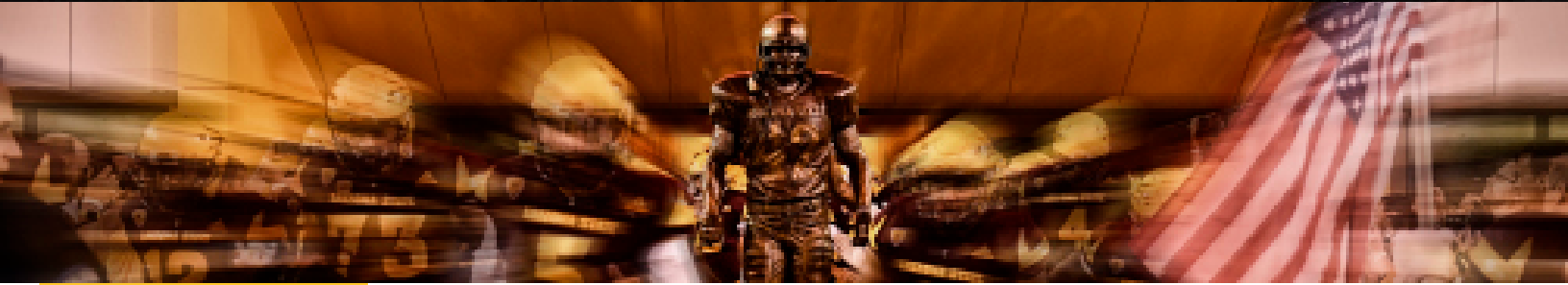




# SUN DEVIL COMPLIANCE

VOLUME 12 - ISSUE 9 - MAY 2023



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## D1 COUNCIL UPDATES

In April, the NCAA DI Council adopted several legislative proposals relating to official visits, including the following:

**New rule:** There is no cap on the number of official visits that a prospect may take.

**What this means:** Before, a prospect was limited to five total official visits. Now, prospects may take as many official visits as they would like to make informed decisions. Note, prospects are still limited to one visit per institution. Sports with official visit caps (football, baseball, basketball) maintain their annual limits.

**Effective date:** July 1, 2023

**New rule:** For official visits, a sports program may pay for the transportation costs to and from campus for up to two prospect family members.

**What changed:** In the past, for sports other than football and basketball, programs could only pay for prospect transportation. Now, in addition to paying for a prospect's transportation (e.g., flight, mileage), ASU can pay for transportation costs for up to two family members (as that term is defined under NCAA rules).

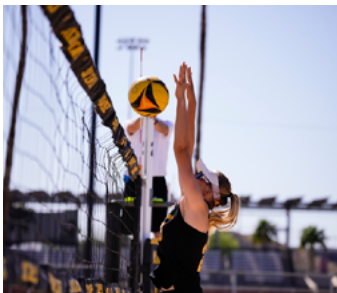
**Effective Date:** July 1, 2023

**New rule:** Official visits are limited to a two-night stay.

**What changed:** There is no longer a strict 48-hour limit, but rather a limit on the number of nights. So, coaches have a greater flexibility with arrival and departure times.

**Effective Date:** July 1, 2023

All proposals related to unofficial visits, including allowing parking and meals to prospects were tabled for further review.



## FAMILY LODGING POSTSEASON EVENTS

SDA may reserve or secure lodging at any postseason event (other than a conference event) at a reduced or special rate for the family members of a student-athlete who is a participant. SDA, however, may not cover any costs of lodging (including any costs associated with reserving or securing lodging).

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- Snacks may be provided at any time including during the summer.
- MIPs may be provided at any time including during the summer.
- Occasional meals (ARMS) may be provided during the summer.
- In-season sports should work with Leo regarding vacation period meals and per diem.

## IN THE NEWS

### Miami NIL Case

In the NCAA's first Level I or II case relating to NIL, the University of Miami women's basketball program was penalized after a booster was found to have had impermissible contacts with two prospects. The contacts between the booster and the prospects were facilitated by the head and assistant women's basketball coaches.

After being introduced at a university donor event, the head women's basketball coach and a Miami booster communicated via text and phone regarding upcoming visits the two prospects were taking to the institution. The head coach instructed the assistant coach to work with the prospects to let them know that this booster was a legitimate businessperson whom they should get to know.

The prospects and their NIL representative communicated with the booster and set up a time to meet at the booster's home in the institution's locale. The booster and his son met with the prospects and their family and discussed their admiration for the institution and the local area. In addition to those discussions, the booster provided the family with a chef-prepared dinner.

The head coach also violated the recruiting publicity rules by discussing a specific prospect with a booster. The head coach also failed to promote an atmosphere of compliance because she was personally involved in the violations.

Penalties: Head coach suspension for three games, one year of probation, reductions in official visits and recruiting-person days, and a three-week communication ban with all recruits once the transfer portal window opened.

#### KEY TAKEAWAYS:

1. This is the first NIL infractions case and highlights that NCAA recruiting rules still exist and must be followed in the new NIL landscape.
2. An NIL deal cannot be pre-arranged for prospects because such an arrangement is an impermissible recruiting inducement under NCAA rules.
3. While the booster was not disassociated by Miami in this case, the Committee On Infractions gave a stern warning that it "will strongly consider disassociation penalties in future cases involving NIL-adjacent conduct."

## VOLUNTARY WORKOUTS

Student-athletes are allowed to participate in voluntary strength and conditioning during the summer vacation period, which begins May 7. An activity is voluntary only if all of the following are true:

Student-athletes request the activity;

Coaches and noncoaching staff do not observe, supervise, or direct the activity (unless there is a safety exception);

Information related to the activity is not reported to coaches (e.g., wearables);

Coaches and noncoaching staff do not access/see any data relating to the activities;

Attendance at the activity is not recorded; and

There is no penalty for missing or no recognition/incentive for participating in the activity.

If all the voluntary conditions are met, strength and conditioning coaches may design and conduct student-athlete summer voluntary workouts if the student-athletes are on campus.

For sports other than football and basketball, student-athletes may participate in voluntary activities only. For football and basketball: mandatory activities for 8 weeks (typical 8 hours per week rules).

## SPOT THE VIOLATION

At the end of the semester, the track team coach provided the team with wearable watches that had an app that tracked student-athlete activity and sleep. The coach had access to the information and checked in periodically to make sure that student-athletes were following the recommended voluntary strength and conditioning schedule that strength and conditioning created for them.



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## INITIAL ARRIVAL TO CAMPUS

Last year, the NCAA DI Council adopted Proposal 2022-3. In addition to the requirements from last summer, the NCAA DI Council just modified the rule to include a third requirement. So under the new rules a prospect becomes a student-athlete when the prospect:

- Has signed an athletics scholarship or is admitted, paid enrollment deposit, and signed the walk-on admissions form;
- Has completed all academic requirements at the previous institution (e.g., graduated from high school, last day of finals at 4-year institution); **and**
- Receives a benefit from the institution (e.g., flight for initial arrival to campus, meal), participates in required athletically related activities (including summer athletic activities) at the institution; or enrolls in and attends classes during the institution's summer term before initial full-time enrollment or enrolls in a minimum full-time program of studies and attends classes in a regular term at the institution..

The incoming prospect will become a student-athlete on this date, so now,

- **The incomer can arrive in the locale on or after this date.**
- Coaches and staff can provide the incomer gear and equipment.
- Once cleared by sports medicine and the Compliance Office, the prospect can participate in permissible sports activities that other student-athletes can participate in.

However, student-athlete rules restrictions remain in place. For example,

- The incomer cannot stay cost-free anywhere.
- The incomer cannot participate in any workouts until they are fully cleared by the Compliance Office.

To help manage the requirements of the new rule, the Compliance Office will enter the date in the Summer Clearance ARMS Roster management view under the Incoming Student-Athlete Academic Clearance Arrival Date column. This athlete-specific arrival date is dependent on the verification that the prospect has fulfilled the requirements of the new rule.

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## COMPLIANCE OFFICE METRICS

The Compliance Office tracks adherence to ASU compliance policies and procedures through measurable metrics. The metrics are tracked through four parts:

- Monthly newsletters sent out at the beginning of each month. A click report is used to determine who viewed the newsletter.
- Rules education meetings which typically occur for all staff the second Tuesday of every month or on an individual sport basis. Attendance at the meetings is recorded. Coaches and staff who miss may watch the recorded meeting video and provide their takeaways from each topic discussed.
- Recruiting log statements submitted by countable coaches to the Compliance Office by the 5th business day of each month.
- CARA logs submitted by each sport for Compliance Office approval by 11:59 p.m. every Monday. Late submissions are recorded for each sport.

Please reach out to the Compliance Office if you have questions regarding metrics.

## AND THE ANSWER IS . . .

Because the coach had access to the activity data and checked on student-athlete fitness progress periodically through the wearable device's app, the activities were not truly voluntary, and because they were not truly voluntary, the sport program had impermissible countable activities during the summer.

# RECRUITING CALENDARS

For information about permissible dates for various recruiting activities, check out our Recruiting 101 tip sheet, available [here](#). And please see sport recruiting calendars listed below.

## MAY 2023

### CALENDAR KEY

 EVALUATION PERIOD
  CONTACT PERIOD (Recruiting Period in MBB)
  QUIET PERIOD
  DEAD PERIOD

#### FOOTBALL

	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	29	30	31			

#### BASEBALL

	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	29	30	31			

#### MEN'S BASKETBALL

	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	29	30	31			

#### BEACH VOLLEYBALL

	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	29	30	31			

#### WOMEN'S LACROSSE

	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	29	30	31			

#### WOMEN'S VOLLEYBALL

	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	29	30	31			

#### WOMEN'S BASKETBALL

	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	29	30	31			

#### SOFTBALL

	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*	29*	30	31			

#### ALL OTHER SPORTS

	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	29	30	31			

\*Recruiting shutdown period: No visits, off-campus recruiting, emails, texts, phone calls, etc.

\* Softball evaluations only at scholastic practices and competitions.

Please note this table has dates that run until May 31. Many of the periods run past May 31.

Visit the [NCAA Recruiting Calendars website](#) for full recruiting calendars and NCAA sport-specific recruiting guides.

# ASK FIRST!