

FARA Positions on 2009-10 Division I Legislative Proposals

Proposal No.	FARA Position	Comments
2009-12-A	Support	
2009-12-B	Support	
2009-13	Oppose	
2009-14-A	Support	
2009-14-B	Support	
2009-15	Oppose	
2009-16-A	Oppose	Prefer that coaches remain on campus during bye week, teaching and coaching the student athletes already in the program.
2009-16-B	Oppose	See above.
2009-17	Support	
2009-22	Support	
2009-23	Support	
2009-24	Support	
2009-28-A	Oppose	There is a need to limit early recruitment and the associated issues; however, this legislation is premature.
2009-28-B	Oppose	See above.
2009-29	Support	With the modifications to the proposal this is now acceptable.
2009-32-A	Oppose	Intrusion on PSA time was thought more compelling than the reduced monitoring costs.
2009-32-B	Oppose	See above.
2009-33	Support	
2009-35	Support	
2009-60	Support	
2009-61	Oppose	While this would support the U. S. Olympics effort, there are potential adverse effects on campus.
2009-62	Oppose	See above.
2009-63	Support	Enhances student-athlete options and well-being without creating any competitive advantage.
2009-64	Oppose	Support the principle of establishing standards for non-traditional courses, but are not convinced that this legislation correctly identifies the necessary corrective measures.
2009-65	Oppose	No evidence that this sport needs to be excluded from the one time transfer exception.
2009-66	Support	
2009-68	Support	
2009-74	Oppose	Potential for abuse.

2009-75-A	Support	
2009-75-B	Support	Preferred to 2009-75-A because it allows those with documented test results to be exempt.
2009-76	Support	Enhances student athlete well being.
2009-77	Weak Opposition	
2009-78	Support	
2009-79-A	Oppose	Legislation is not necessary. Institutions already have the ability to curtail costs in the non-traditional season.
2009-79-B		
2009-79-C		
2009-79-D	Oppose	The most restrictive form of limiting the non traditional season, by eliminating it, is strongly opposed. Students see this as an opportunity to earn a roster spot or additional playing time.
2009-81	Weak support	Does this adversely affect quarter schools?
2009-83	No position	Some opposition stemmed from the upcoming override vote. Others thought it was important to have legislation in place should the override fail.
2009-84	Oppose	
2009-88	Support	
2009-96	Support	
2009-98	Oppose	Would prefer to split the proposal into three parts, and act on each on its own merits as opposed to the package deal this proposal encompasses.

2009-10 NCAA Division I Division I Proposal Review Chart – December Update

Proposal Number	Title	Intent	Rationale	N4A Position/Comments
2009-47-A	RECRUITING -- LETTER OF INTENT PROGRAMS, FINANCIAL AID AGREEMENTS -- WRITTEN OFFER OF AID BEFORE SIGNING DATE -- FOOTBALL	In football, to specify that prior to August 1 of a prospective student-athlete's senior year in high school, an institution shall not provide a written offer of athletically related financial aid or indicate in writing to the prospective student-athlete that an athletically related grant-in-aid will be offered by the institution.	Over the years, a culture has developed in football in which prospective student-athletes are receiving letters from coaches at the beginning of their junior year in high school that, essentially, offer athletics scholarships. Although they are not able to sign a National Letter of Intent until their senior year in high school, many prospective student-athletes view the early scholarship offer letters they receive as binding agreements. This proposal will eliminate the confusion such letters create with prospective student-athletes.	We feel 47-B is better as it applies to all sports.
2009-47-B	RECRUITING -- LETTER OF INTENT PROGRAMS, FINANCIAL AID AGREEMENTS -- WRITTEN OFFER OF AID BEFORE SIGNING DATE	To specify that prior to August 1 of a prospective student-athlete's senior year in high school, an institution shall not provide a written offer of athletically related financial aid or indicate in writing to the prospective student-athlete that an athletically related grant-in-aid will be offered by the institution.	This alternative proposal applies the principle of Proposal No. 2009-47-A to all sports. Over the years, a culture has developed in which prospective student-athletes are receiving letters from coaches at the beginning of their junior year in high school that, essentially, offer athletics scholarships. Although they are not able to sign a National Letter of Intent until their senior year in high school, many prospective student-athletes view the early scholarship offer letters they receive as binding agreements. This proposal will eliminate the confusion such letters create with prospective student-athletes.	We agree with this one as it is more consistent across the board; however, there is concern over how this will correlate with admissions (and assuring students meet admissions standards). We further believe it is important to have preliminary evaluations prior to an offer of financial aid. Overall, we feel it is important to reduce the growing problem of early commitments.

Proposal Number	Title	Intent	Rationale	N4A Position/Comments
2009-79-D	PLAYING AND PRACTICE SEASONS -- NO OUTSIDE COMPETITION DURING THE NONCHAMPIONSHIP SEGMENT -- CROSS COUNTRY, FIELD HOCKEY, SOCCER, WOMEN'S VOLLEYBALL AND MEN'S WATER POLO	In cross country, field hockey, soccer, and women's volleyball, to eliminate outside competition during the nonchampionship segment of the playing season.	Economic pressures have caused athletics programs to examine expenditures in all areas. Restricting travel to ground transportation for nonchampionship segment competition may result in some cost savings, but it has the potential to increase missed class time. In addition, this approach usually results in the need to address geographic challenges that will not necessarily reduce travel costs (e.g., Proposal No. 2008-79-B). Eliminating outside competition during the nonchampionship segment for fall championship sports is a more effective means to achieve cost savings to sustain the viability of today's sports programs and reduce missed class time. For these sports, competition during the nonchampionship segment is more developmental in nature and is not included in regular season records or in determining postseason championships access, inasmuch as the championship segment is over.	<p>There is no firm position yet; however, a couple of questions.</p> <p>Why are the Spring sports not included in this proposal (baseball and softball specifically)? Especially softball which was included in the others.</p> <p>In addition, by eliminating this, will it cause more 'tours' during a break (like an overseas exhibition) or is this covered in the proposal?</p>

Proposal Number	Title	Intent	Rationale	N4A Position/Comments
2009-96	ELIGIBILITY -- TWO-YEAR COLLEGE TRANSFERS -- PHYSICAL EDUCATION ACTIVITY COURSES -- MEN'S BASKETBALL	In men's basketball, to specify that not more than two credit hours of physical education activity courses may be used to fulfill the two-year college transfer requirements; further, to specify that a student-athlete enrolling in a physical education degree program or a degree program in education that requires physical education activity courses may use up to the minimum number of credits of physical education activity courses that are required for the specific degree program to fulfill the two-year college transfer requirements.	Current data indicates that two-year college basketball transfers graduate at a lower rate than basketball student-athletes who initially enroll at a four-year institution and remain at that institution until graduation. The data also shows that two-year college basketball transfers graduate at a lower rate than their counterparts who transfer from four-year institutions. However, the current data available for review does not include the characteristics of a successful Division I men's basketball two-year college transfer student-athlete. There are specific gaps in current NCAA data, which include a lack of information on the academic preparedness of two-year transfers as they leave high school, and a complete lack of data on the academic experiences of these students at the two-year colleges. Legislation has been adopted to fill these gaps. It is anticipated that such data will assist the NCAA in identifying patterns of course selection at two-year institutions that lead to better academic success once these students transfer to Division I institutions. While that data is being collected, this proposal will assist with addressing the concern regarding the poor academic performance of transfer student-athletes in men's basketball, particularly two-year college transfer student-athletes.	<p>We strongly support this proposal but wonder if the data suggest this is a good idea, why is it only a good idea for Men's Basketball?</p> <p>In addition, we do want to make sure there is an opportunity for a student to use more than two credit hours of physical education if it counts toward their degree program (suggestion – to change the language as stated to the left).</p> <p>Finally, we would like to express one concern for the student-athlete. Isn't this hard to monitor for those Two Year Colleges without academic support for student-athletes? Will they pay attention to this rule?</p>

Proposal Number	Title	Intent	Rationale	N4A Position/Comments
2009-97	FINANCIAL AID -- COUNTERS -- AID AFTER DEPARTURE OF HEAD COACH -- NONCOUNTER -- MEN'S BASKETBALL	In men's basketball, to specify that a student-athlete who receives athletically related institutional financial aid in academic years following the departure of a head coach from the institution is not a counter, provided: (a) The student-athlete participated in basketball and received athletically related institutional financial aid during the coach's tenure at the institution; and (b) The student-athlete does not participate in basketball during the later academic years at the institution; further, to specify that if the student-athlete later participates in basketball at the institution, the student-athlete shall become a counter for all years during which athletically related institutional aid was received.	This legislative change would provide additional flexibility to men's basketball student-athletes when their head coaches leave, particularly for those student-athletes who are in their final two to three semesters of a degree program who may not wish to transfer. Those student-athletes who wish to remain at an institution to complete their degrees will be much more likely to be able to do so if they may continue to receive athletically related financial aid.	We have concerns about this proposal but need a lot more information before we can take a strong stance. Some immediate questions we have are: What is the overall purpose? Is it to assist in APR numbers? So these students will not count into APR? How will this affect institutions who cannot afford to fund an entirely new team while keeping students toward the end of their athletic career on aid? Do students just get to 'choose' not to participate? Are there concerns about coaches just 'reloading' the team? How much control will a new coach have in this situation? How does the decision of these students affect the former coach (in terms of the APR of that Head Coach)? How does this affect the academic support staff (will it now be supporting a full team of individuals playing and potentially 5-7 other students who are not playing)?

Proposal Number	Title	Intent	Rationale	N4A Position/Comments
2009-98	PLAYING AND PRACTICE SEASONS -- PRESEASON PRACTICE MODEL -- MISSED CLASS-TIME POLICIES -- MEN'S BASKETBALL	<p>In men's basketball, to establish a preseason practice model, as specified.</p> <p>[In relevant part]</p> <p>A. Constitution: Amend 3.2.4.14, as follows:</p> <p>3.2.4.14 Missed Class-Time Policies. Active members are obligated to establish policies in all sports concerning student-athletes' missed class time due to participation in intercollegiate athletics and in athletics competition scheduled during final examination periods (see Bylaw 17.1.6.6.1). <u>In men's basketball, an institution's athletics participation schedule, which shall include the anticipated amount of missed class time due to athletics participation, shall be approved by the institution's faculty athletics representative or faculty oversight committee prior to the beginning of each regular academic term.</u></p>	<p>The proposed playing and practice season model provides for a slight reduction in the current maximum number of games, a staggered schedule for the start of team practice to acclimate student-athletes and other legislative modifications designed to minimize missed class time during the season. The implementation of this basic scheduling philosophy will reduce missed class time during the playing season and promote better academic performance for men's basketball student-athletes. Further, permitting institutions to use a staggered schedule for the start of team practice, beginning October 1, will allow freshman student-athletes more time to become acclimated to college life and for further development of the relationships between coaches and student-athletes to occur prior to the beginning of the traditional on-court team practice time.</p>	<p>We support if it is reducing the games; however, staggering the schedule does not appear to help.</p>

Comments on Basketball Proposals

We support having students attend prior to their first year of fulltime collegiate enrollment; however, tying it to eligibility does not appear to be a good thing.

2009-10 NCAA Division I Proposal Review Chart

Proposals for N4A Review/Comments



Proposal Number	Title	Intent	N4A Position/Comments
2009-29	RECRUITING AND ELIGIBILITY -- FOUR-YEAR PROSPECTIVE STUDENT-ATHLETES -- PERMISSION TO CONTACT AND TRANSFER RELEASE -- RESPONSE TO REQUEST AND HEARING OPPORTUNITY	To specify that an institution shall grant or deny a request to permit another institution to contact a student-athlete about transferring or a request for release as a condition of the one-time transfer exception within seven calendar days of receipt of the request; further, to specify that if the request is denied, the institution shall conduct a hearing within fourteen calendar days of receipt of the student-athlete's written request and that the student-athlete shall be provided the opportunity to actively participate in the hearing.	<ul style="list-style-type: none"> • Support !' < Uj Y ei Y gh j c b g f Y . Y b z f W a Y b h
2009-36	RECRUITING -- EVALUATIONS -- NONSCHOLASTIC EVALUATIONS DURING ACADEMIC YEAR -- NATIONAL STANDARDIZED TESTING WEEKENDS -- WOMEN'S BASKETBALL	In women's basketball, to specify that evaluations at nonscholastic events during the academic year evaluation period shall not occur on any weekend (including Friday, Saturday and Sunday) during which the PSAT, SAT, PLAN or ACT national standardized tests are administered.	<ul style="list-style-type: none"> • Support – no comments
Proposal Number	Title	Intent	N4A Position/Comments

2009-60	ELIGIBILITY -- ACADEMIC WAIVERS -- AUTHORITY OF INITIAL-ELIGIBILITY WAIVERS COMMITTEE AND PROGRESS-TOWARD- DEGREE WAIVERS COMMITTEE	To specify that the NCAA Division I Initial-Eligibility Waivers Committee shall be the final appellate body for initial-eligibility waivers and that the NCAA Division I Progress-Toward- Degree Waivers Committee shall be the final appellate body for progress-toward- degree waivers.	<ul style="list-style-type: none">• Support – no comments
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<p>2009-64</p>	<p>ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS -- CORE-CURRICULUM REQUIREMENTS -- NONTRADITIONAL COURSES</p>	<p>To specify that for purposes of using a nontraditional course to satisfy NCAA core-course requirements, the course must be one in which the instructor and the student have ongoing access to one another and regular interaction with one another for purposes of teaching, evaluating and providing assistance to the student throughout the duration of the course; the student's work (e.g., exams, papers, assignments) is available for review and validation; and a defined time period for completion of the course is included.</p>	<ul style="list-style-type: none"> • Support – J qy g'Cuqekvqj'j cu eqpegtput'gi ctf lpi 'y j q'y qwf 'monitor cpf 'tgxly 'vj g'eqwtugu'epf 'j qy 'vj g xci wg'igi kucvqj'y qwf 'dg'lpvgr t gvgf 0'
<p>2009-65</p>	<p>ELIGIBILITY -- TRANSFER REGULATIONS -- FOUR-YEAR COLLEGE TRANSFERS -- ONE-TIME TRANSFER EXCEPTION -- WOMEN'S VOLLEYBALL</p>	<p>To specify that the one-time transfer exception to the four-year transfer residence requirement is not applicable to student-athletes in women's volleyball.</p>	<ul style="list-style-type: none"> • Support . Whkg'vj ku'ku'twr r qt vgf . k'ku nqvgf 'vj cv'ir qt v'ur gekle't wgu't n'eg stress on the advisors to 'remember' which sports fall under the exception to the rule. Vj gt g'ku'cnq'tome concern over j cxlpi 'rules applying to certain sports cpf 'pqv'bthers.
<p>Proposal Number</p>	<p>Title</p>	<p>Intent</p>	<p>N4A Position/Comments</p>

<p>2009-66</p>	<p>ELIGIBILITY -- TRANSFER REGULATIONS -- FOUR-YEAR COLLEGE TRANSFERS -- COMPETITION OR RECEIPT OF ATHLETICALLY RELATED FINANCIAL AID IN YEAR OF TRANSFER – TENNIS</p>	<p>In tennis, to specify that a transfer student from a four-year institution who enrolls at the certifying institution as a full-time student after the conclusion of the first term of the academic year and qualifies for an exception to the one-year residence requirement shall not be eligible for competition until the following academic year if he or she has competed during the same academic year or received athletically related financial aid during the same academic year from the previous four-year institution.</p>	<ul style="list-style-type: none"> • P q'èqo o gpv'è'vj kr'vko g0
<p>2009-78</p>	<p>PLAYING AND PRACTICES SEASONS -- WOMEN'S BASKETBALL -- NUMBER OF CONTESTS -- MAXIMUM LIMITATIONS</p>	<p>In women's basketball, to specify that an institution shall limit its total regular-season playing schedule with outside competition to 26 contests and one qualifying regular-season multiple team event or 28 contests during a playing season in which the institution does not participate in a qualifying regular-season multiple team event.</p>	<ul style="list-style-type: none"> • Support this one – j qy gxgt.'question'vj g' rko k'pi 'vq'Women's Basketball0
<p>Proposal Number</p>	<p>Title</p>	<p>Intent</p>	<p>N4A Position/Comments</p>

<p>2009-79</p>	<p>PLAYING AND PRACTICE SEASONS -- NONCHAMPIONSHIP SEGMENT -- NUMBER OF CONTESTS AND DATES OF COMPETITION AND TRAVEL RESTRICTIONS -- CROSS COUNTRY, FIELD HOCKEY, LACROSSE, SOCCER, SOFTBALL AND VOLLEYBALL</p>	<p>In cross country (for institutions without indoor or outdoor track and field), field hockey, lacrosse, soccer, softball and volleyball, to reduce the number of dates of competition in the nonchampionship segment as specified; further, to specify that team travel to competition in the nonchampionship segment shall be restricted to ground transportation.</p>	<ul style="list-style-type: none"> • Opposed/Against – this `Y[jg`U]cb` doesn't UddYUf`rc` take into account SA Welfare. ðigl\ ci `X`VY` up to the institution to determine k \ Uimeasures to take to ensure economic accountability and not legislation.
<p>2009-86</p>	<p>ATHLETICS CERTIFICATION -- MANDATORY SELF-STUDY AND EXTERNAL PEER REVIEW -- ACADEMIC INTEGRITY -- ACADEMIC STANDARDS – RETENTION</p>	<p>To specify that if the retention of any student-athlete subgroup is lower than that of all student-athletes, the disparity shall be analyzed, explained and, if necessary, addressed through specific plans for improvement by appropriate institutional authorities.</p>	<ul style="list-style-type: none"> • No firm position cv'vj k'vlo g'but would like cf f ksqpcilinformation'tgi ctf lpi 'j qy " vj g'f cw'y kndg'wugf .

American Swimming Coaches Association

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Ms. Maisha Palmer
NCAA Assistant Director of Championships.
PO Box 6222
Indianapolis, Indiana, 46202

Nov. 9, 2009

Dear Maisha,

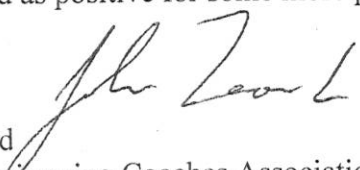
Thank you for the opportunity to comment on 2009-22 (legislative proposal) relating to involvement with professional teams and the issue of eligibility for NCAA athletes.

This proposed legislation has very serious consequences for NCAA Swimming and would dramatically reduce the opportunity for American citizen student athletes to compete fairly in NCAA Swimming Competition. In my discussions with our collegiate coach members, they are largely opposed to this measure, and if it is applicable for other sports, would prefer to have an exemption for the sport of swimming, to retain the eligibility rules relating to amateurism remain as they are at present.

It is currently very difficult, I am aware, for the office to determine who is eligible and who is not. This difficulty should not be a reason for a change that would make it far more attractive for NCAA institutions to attract non-USA-citizens who have benefitted from many more professional opportunities, available at an early age, as offered by many foreign nations sport ministries.

"Reducing our headaches" is a quote from a prominent member of the NCAA Division I Amateurism Cabinet. If our students came to us with that as an explanation for a major philosophical change, we'd laugh them out of the building. This deserves the same fate. At the very least, please urge an exemption for the sport of swimming if this legislation is perceived as positive for some more prominent sports.

All the Best,


John Leonard
American Swimming Coaches Association

EAST - 5101 NW 21st AVENUE, SUITE 200 • FORT LAUDERDALE, FL 33309-2731 • (954) 563-4930 • 1-800-356-2722 • FAX (954) 563-9813 • E-MAIL: asca@swimmingcoach.org
WEST - 7797 NORTH FIRST, SUITE 150 • FRESNO, CA 93720 • (559) 322-0700 • 1-888-927-2722 • FAX (559) 322-0705 • E-MAIL: lklatt@swimmingcoach.org

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DIVISION I-AAA ATHLETIC DIRECTORS ASSOCIATION SURVEY RESULTS

1. **Proposal 2009-32** – Allows for unlimited telephone calls to prospective-student-athletes during a contact period.

23	Support	27	Not Support
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2. **Proposal 2009-41** – Prohibits producing and printing media guides. While they could be on website, they would not be allowed to be printed in the traditional format.

27	Support	21	Not Support	2	No Position
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3. **Proposal 2009-42** – Prohibits the distribution of media guides to prospective student-athletes. This proposal would still permit the production of media guides for distribution to media and for sale to the general public. Media guides would be available online.

35	Support	14	Not Support	1	No Position
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4. **Proposal 2009-51** – Restricts the location of institutional camps and clinics in men’s and women’s basketball to the institution’s campus or within a 100-mile radius of the campus.

45	Support	5	Not Support
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5. **Proposal 2009-64** – Creates parameters for nontraditional courses taken prior to enrollment that are used for initial-eligibility purposes.

44	Support	6	Not Support
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6. **Proposal 2008-78** – Limits women’s basketball teams to 26 regular-season contests and one qualifying regular-season multiple team event or 28 contests (if no participation in a multiple-team event).

32	Support	17	Not Support	1	No Position
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7. **Proposal 2009-79** – Restricts nonchampionship competition travel to ground transportation in certain sports.

38	Support	12	Not Support
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8. **Proposal 2009-88** – Expands the opportunity for foreign tours to incoming freshmen and transfers who meet specific requirements.

36	Support	14	Not Support
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9. **Proposal 2009-96** – Limits to no more than two physical education credit hours to fulfill the two-year college transfer requirements (or up to the minimum number required for degrees in the subject).

38	Support	12	Not Support
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10. **Proposal 2009-97** – Change in counter status of men’s basketball student-athletes on athletically related financial aid who wish to stay at an institution after a coach’s departure, but not participate in basketball. Allows student-athletes to remain on aid and graduate but not count toward financial aid team limits.

31	Support	18	Not Support	1	No Position
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11. **Proposal 2009-98** – Reduces the number of regular-season games to 28 (or 26 plus a multiple-team event) and provides a “staggered” schedule for the start of team practice beginning October 1 (four of the eight

allowable hours devoted to practice the first week, increasing to the current 20-hour week beginning October 15).
(Men's Basketball Only)

29 Support 21 Not Support

12. **Proposal 2009-102** – Allows institutions to hire only its own staff members or enrolled students at its camps and clinics.

22 Support 28 Not Support

13. **Proposal 2009-110** – Prohibits institutions from hosting, sponsoring, or conducting nonscholastic men's basketball events on campus or in facilities used by the institution.

27 Support 23 Not Support

14. **General Proposal** – A mandatory summer academic preparation and college acclimatization model that includes an assessment of all incoming freshmen and transfers and the requirement of appropriate support/summer school sessions. Allows student-athletes who enroll in a summer session the opportunity to practice with a coach. Schools without summer school would be exempt.

20 Support 29 Not Support 1 No Position

15. **General Proposal** – Provides the opportunity for institutions to pay for travel expenses to and from official visits for the parents or legal guardians of a men's basketball student-athlete.

17 Support 32 Not Support 1 No Position