

Division: I

Proposal Number: 2019-28

Title: ATHLETICS PERSONNEL -- CONDUCT -- INSTITUTIONALLY ISSUED DEVICES AND DISCLOSURE OF INFORMATION

Status: Withdrawn

Intent: To specify that staff members of the athletics department of a member institution must conduct all telephone calls and electronic correspondence related to the recruitment of a prospective student-athlete on a device (cell phone, computer, tablet) issued by the institution; further, such staff members must disclose information, at the institution's discretion, regarding any individual with whom the staff member communicated for recruiting purposes.

Category: Amendment

Bylaws: Amend 11.1, as follows:

11.1 Conduct of Athletics Personnel.

[11.1.1 through 11.1.3 unchanged.]

11.1.4 Institutionally Issued Devices and Disclosure of Information. Staff members of the athletics department of a member institution must conduct all telephone calls and electronic correspondence related to the recruitment of a prospective student-athlete on a device (cell phone, computer, tablet) issued by the institution. Such staff members must disclose information, at the institution's discretion, regarding any individual with whom the staff member communicated for recruiting purposes.

[11.1.4 through 11.1.5 renumbered as 11.1.5 through 11.1.6, unchanged.]

Source: Big Ten Conference

Effective Date: August 1, 2022

Topical Area: Athletics Personnel

Rationale: Recruiting is the lifeblood of a successful program, building relationships is the lifeblood of recruiting and relationships are commonly built through communication that occurs via telephone calls and electronic correspondence. Institutions may regularly monitor various recruiting communications and some institutions may already require coaches to use institutionally issued devices. Institutions and NCAA enforcement may have limitations in terms of monitoring the activities of coaches (e.g., wiretaps are not feasible), but requiring the use of institutionally issued devices sets a clear expectation of transparency and disclosing information on individuals involved in the recruitment process allows institutions to track the frequency or patterns of such engagement. Such a rule provides an enforcement mechanism in the event coaches do not comply--particularly for those coaches who would intentionally circumvent the rule.

Estimated Budget Impact: Will vary depending on whether an institution currently requires staff members to use institutionally issued equipment for recruiting purposes.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statements:

Women's
Basketball
Oversight
Committee

Opposes

The committee noted: (1) Differences in what institutions provide to coaching staffs; and (2) Currently, institutions and coaches are required to follow NCAA recruiting rules, regardless of device used.

History:

Jul 15, 2019	Submitted to National Office	
Nov 14, 2019	In Progress	
Feb 7, 2020	Ready for Vote	
Apr 1, 2020	Tabled	Due to the COVID-19 pandemic, the Council tabled the proposals that remained in the 2019-20 legislative cycle.
Jul 1, 2021	In Progress	The Council moved the remaining tabled proposals from the 2019-20 legislative cycle to the 2021-22 legislative cycle.
Feb 1, 2022	Withdrawn	Withdrawn by the sponsor.

Legislative References

Legislative Cite	Title
11.1	Conduct of Athletics Personnel.

Student-Athlete Success/Well-Being: Not applicable.

Enforceable and Merits Outweigh Monitoring Burdens: Yes. Requiring the use of institutionally issued devices would set a clear expectation of transparency and would allow institutions to track the frequency or patterns of engagement with individuals related to recruitment of prospective student-athletes.

Consequential or Nationally Significant: Yes.

Division I Commitment: The Commitment to Institutional Control and Compliance
