

# Falcon Compliance

## “Tip of the Week”

9.20.2010

Falcon Compliance “Tip of the Week” will include a weekly tip on a particular subject dealing with Compliance and the NCAA. The tip should be read by all staff members and coaches as part of the Rules Education at The University of Texas of the Permian Basin.

Coaches should take the time to remind their student-athletes of the information found in the Falcon Compliance “Tip of the Week”.

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This week’s tip deals with the restrictions on providing transportation to student-athletes. The extra benefit bylaws in the NCAA manual restrict the types of transportation a student-athlete can receive from a coach, manager, booster, former student-athlete, athletics department staff member, professor, tutor, institutional staff member, etc. Student-athletes are not permitted to receive local transportation from any of these individuals unless it is on an occasional basis. An example of occasional basis would be if a student-athlete’s car breaks down and a staff member passes the student-athlete on the side of the road. Driving student-athletes from campus to their apartment or vice versa is not permitted, even if their apartment is one mile away.

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### 16.11.2.3 Other Prohibited Benefits.

An institutional employee or representative of the institution’s athletics interest may not provide a student-athlete with extra benefits or services, including, but not limited to:

(d) Transportation that is not generally available to the institution’s students and their friends and relatives [see Bylaws 16.11.1.1 and 16.9(e)]

### 16.9 Permissible Travel Expenses Not Related to Practice or Competition

It is permissible for an institution to provide the following travel expenses not related to practice or competition:

(e) **Local Transportation.** Reasonable local transportation to student-athletes *on an occasional basis*.

***The following are some examples of secondary violations involving the bylaws listed above. Please read through these examples closely.***

#### **Student-Athlete Reinstatement/Secondary Case**

**Involved Sports:** Men’s Basketball

**Facts:**

During the 2006 fall semester, a financial aid office employee allowed a men's basketball student-athlete (SA) to borrow her vehicle for personal use, in addition to providing transportation to members of the men's basketball team. Specifically, the financial aid office employee worked with the men's basketball team and formed a relationship with the student-athletes. A special friendship developed between the financial aid office employee and the SA during the duration of the financial aid office employee's involvement with the team. The financial aid office employee allowed the SA to borrow her vehicle on various occasions for personal use and to transport members of the men's basketball team to various locations. The SA's relationship with the financial aid office employee prevented him from recognizing he was receiving an "extra benefit" by borrowing the financial aid office employee's vehicle.

**ASK BEFORE YOU ACT!**

**Institutional Action:**

The student-athlete transferred to another institution. However, the student-athlete remains ineligible for competition until he makes restitution for the value of the impermissible benefit, if that value is \$100 or less. If the value of the impermissible benefit is more than \$100, then the SA must have his eligibility reinstated by the NCAA student-athlete reinstatement staff. The assistant athletic director for compliance reviewed the relevant bylaws with all coaches, student-athletes, and staff that have access to student-athletes.

**Student-Athlete Reinstatement/Secondary Case****Involved Sports:** Men's Volleyball**Facts:**

Institution's head men's volleyball coach asked student-athlete (SA) to drive him to the airport and permitted SA to drive the coach's personal vehicle to the airport and back to campus. Institution and SA assert that SA drove back to campus after dropping head coach off at airport. Head coach believed that since he wasn't actually driving SA anywhere (rather, SA was driving him), no violation would result. Violation was discovered when assistant athletics director witnessed SA driving head coach's vehicle.

**Institutional Action:**

Institution shall issue head coach a letter of admonishment. Institution has educated head coach regarding applicable legislation.

**Student-Athlete Reinstatement/Secondary Case****Involved Sports:** Women's Basketball**Facts:**

Head women's basketball coach provided transportation to two student-athletes (SAs) from the airport back to campus following Thanksgiving break.

**Institutional Action:**

A letter of reprimand was issued to head coach. The basketball coaching staff will be subject to compliance office educational sessions and the topic of transportation was discussed with all coaches at monthly staff meeting. SAs donated the amount of the extra benefit (\$15 each) to a charity.

**Student-Athlete Reinstatement/Secondary Case****Involved Sports:** Women's Soccer**Facts:**

On two separate occasions, a representative of the institution's athletics interests (representative) provided impermissible transportation to a women's soccer student-athlete (SA). Specifically, the SA accepted transportation from the institution to her home at a distance of approximately four miles and, on another occasion, the representative transported the SA and her mother from the local airport to the SA's home at a distance of approximately eight (8) miles. The total value of the impermissible transportation was thirty-seven dollars and twenty-three cents (\$37.23).

**Institutional Action:**

SA has been declared ineligible for competition until donation in the amount of \$37.23 is made to the charity of her choice. Rules education session conducted with the SA on the applicable legislation.

**Student-Athlete Reinstatement/Secondary Case****Involved Sports:** Men's Tennis**Facts:**

The head men's tennis coach provided automobile transportation to a SA from campus to an airport (a total distance of approximately 100 miles) to return home at the conclusion of the spring semester.

**Institutional Action:**

The coach has received a private reprimand, the violation has been noted in his employment file and he had been required to review all bylaws related to benefits for SAs. The SA will make a donation equal to the improper benefit received to a charity of his choice (\$28).

**ASK BEFORE YOU ACT!**