

Educational Column - 1 Educational Column

Title:

Recruiting -- Recruiting Materials -- Athletics Publications -- Provision of Athletics Publications and Audio/Video Materials to Prospective Student-Athletes (I)

Item Ref: 1

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Educational Column:

NCAA Division I Proposal No. 2009-42 is effective August 1, 2010. Division I institutions should note that an institution may produce a printed media guide; however, an institution shall not provide a printed media guide or any other printed athletics publication not listed in Bylaw 13.4.1.1 to a prospective student-athlete, his or her parents or legal guardians, the prospective student-athlete's educational institution or any individual involved in the coaching of a prospective student-athlete. However, an institution may provide a media guide to a prospective student-athlete via a digital media storage device (e.g., compact disc, flash drive), or post the media guide on its Web site.

Further, it is not permissible to make a printed media guide or any other printed athletics publication not listed in Bylaw 13.4.1.1 available free of charge to a prospective student-athlete, his or her parents or legal guardians, the prospective student-athlete's educational institution or any individual involved in the coaching of a prospective student-athlete, even if such publications are available to other members of the general public free of charge. Finally, an institution may not create a printed portfolio of information (e.g., pictures) to be used in the recruiting process.

The following questions and answers are designed to assist the Division I membership with the application of this legislation. Please note that when a prospective student-athlete is referenced it also includes his or her parents or legal guardians, the prospective student-athlete's educational institution or any individual involved in the coaching of a prospective student-athlete.

Question No. 1: May an institution provide a printed media guide to prospective student-athletes prior to August 1, 2010?

Answer: Yes. Institutions may provide a printed media guide to a prospective student-athlete prior to August 1, 2010. Therefore, if an institution is sending a printed guide to prospective student-athletes, it must be postmarked by July 31, 2010.

Question No. 2: May an institution produce more than one media guide?

Answer: No. Institutions may have only one official media guide per sport; that being the publication that is provided to the media and related to the institution's sports program.

Question No. 3: If an institution produces a printed media guide, do the color, size and page restrictions apply?

Answer: Yes. A printed media guide remains limited to only one color of print inside the cover, a size not in excess of 8 1/2 by 11 inches and a length of 208 pages. Any supplemental information (e.g., historical information, records) related to the media guide may be posted on the institution's Web site, printed in black and white and provided to the media.

Question No. 4: May an institution produce additional athletics publications (e.g., spring football prospectus, yearbook) and provide them to prospective student-athletes?

Answer: If an institution produces an additional athletics publication pursuant to Bylaw 13.4.1.3, posts the publication on the institution's Web site and it was not created for recruiting purposes, it may be sent to a prospective student-athlete via electronic mail as an attachment or a hyperlink. Further, such information may be printed on plain white paper with black ink and provided to a prospective student-athlete as an attachment to general correspondence, via facsimile or during any permissible on- or off-campus contact.

Question No. 5: If an institution produces a printed media guide, does the electronic version that is provided to prospective student-athletes have to be an exact reproduction of the printed version?

Answer: Yes. The electronic version of an institution's printed media guide must be an exact reproduction of the printed media guide.

Question No. 6: If an institution only produces an electronic media guide, do the color, size and page restrictions apply?

Answer: No, the color, size and page restrictions are not applicable if an institution only produces an electronic media guide.

Question No. 7: May an institution provide a printed media guide that is not created for recruiting purposes to a prospective student-athlete?

Answer: Regardless of whether a printed media guide is created for recruiting purposes, it is not permissible to provide it to a prospective student-athlete. It is also not permissible to print an electronic version of a media guide and provide it to a prospective student-athlete regardless of whether it is created for recruiting purposes.

Question No. 8: May an institution provide an electronic version of a media guide to a prospective student-athlete via electronic mail?

Answer: Pursuant to Bylaw 13.4.1.3, if the media guide is posted on the institution's Web site and was not created for recruiting purposes, it may be provided to a prospective student-athlete via electronic mail (as an attachment or via hyperlink).

Question No. 9: May an institution put a logo or other information on the packaging of a digital media storage device used to send a media guide to a prospective student-athlete?

Answer: Yes. However, any images or information on the packaging (e.g., label, insert) is limited to identification of the institution (e.g., name, logo).

Question No. 10: May an institution include other printed recruiting materials outlined in Bylaw 13.4.1.1 on the remaining free space on the digital media storage device used to send a media guide to a prospective student-athlete (e.g., camp brochures, questionnaires, etc.)?

Answer: Yes. Printed recruiting materials listed in Bylaw 13.4.1.1 may be included in the unused space on a digital media storage device used to provide the media guide and/or audio/video materials to the prospective student-athlete. It is important to note that storage devices used for this purpose must not exceed the minimum standard capacity necessary to store the media guide or the audio/video material (e.g., a media guide of 103 megabytes should be stored on a standard 128 megabyte flash drive). Therefore, the printed materials must fit in the remaining unused space.

Athletics publications not listed in Bylaw 13.4.1.1 are subject to the provisions of Bylaw 13.4.1.3 and, therefore, may not be included in the unused space on the digital media storage device.

Question No. 11: May an institution provide a prospective student-athlete with a media guide and a computer-generated recruiting presentation on the same digital media storage device?

Answer: Yes, provided that the storage device used does not exceed the minimum standard capacity necessary to store both items.

Question No. 12: May an institution provide an electronic multimedia institutional publication (other than a media guide) that contains documents not listed in Bylaw 13.4.1.1 and video to a prospective student-athlete on a digital media storage device?

Answer: The only items an institution may provide to a prospective student-athlete on a digital media storage device are: media guides; permissible audio/video materials; and computer-generated recruiting presentations. Therefore, if any component of an electronic multimedia institutional publication contains materials not permitted per Bylaw 13.4.1.1, it would not be permissible to provide the electronic multimedia institutional publication to a prospective student-athlete via a digital media storage device. However, videos from such a publication could be provided separately, provided they satisfy the provisions of Bylaw 13.4.1.2.

Question No. 13: If an institution contracts with a third party to produce its printed media guides, is it permissible for a prospective student-athlete to receive a printed media guide from the third party free of charge?

Answer: No. The third party is acting on behalf of the institution to produce the printed media guide; therefore, it is not permissible for a prospective student-athlete to receive a printed media guide from the third party free of charge.

Question No. 14: If an institution sells its printed media guides to the general public (e.g., at the institution's bookstore), is it permissible for a prospective student-athlete to purchase a copy of the printed media guide?

Answer: Yes. Provided the media guide is purchased in the same manner and at the same cost as is available to the general public, it is permissible for a prospective student-athlete to purchase a printed media guide from the institution.

[References: NCAA Division I Bylaws 13.4.1 (recruiting materials); 13.4.1.1 (printed recruiting materials), 13.4.1.1.2 (athletics publications), 13.4.1.1.2.1 (media guide restrictions), 13.4.1.2 (electronic transmissions), 13.4.1.3 (other recruiting materials), 13.4.2.1 (material not created for recruiting purpose) and 13.4.2.4 (computer recruiting presentations); and staff interpretation (7/6/10 Item No. 1)]

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References

Legislative References		
Div.	Number	Title
I	13.4.1	Recruiting Materials.
I	13.4.1.3	Other Recruiting Materials.
I	13.4.1.5.2	Material Not Created for Recruiting Purposes.
I	13.4.1.5.3	Computer-Generated Recruiting Presentations.
I	13.4.1.1.2	Athletics Publications.
I	13.4.1.1.2.1	Media Guide Restrictions.
I	13.4.1.2	Electronic Transmissions.

Other
References Educational Columns: <u>1</u>
Educational Columns: 0
Proposals: 0