

BYLAW 2

Recruitment of Student Athletes

2.1 ATHLETIC RECRUITING

Athletic recruiting is defined as any solicitation of an individual, a member of his/her family, legal guardian, or coach by a college staff member or by a representative of the college's interests to encourage enrollment in that institution for the purpose of athletic participation. The following are allowable activities for recruiting within a college's recruiting area:

- A. Initiating or arranging first contact with a prospect, family member, legal guardian, or coach whether in person, by telephone, or by correspondence.
- B. Providing transportation to the campus. (This does not apply to a student being recruited under an out-of-state waiver.)
- C. Visiting a prospect, family member, or legal guardian.
- D. Providing information regarding employment opportunities, matriculation, housing, financial aid, etc.
- E. Any form of correspondence sent to a prospect, family member, or legal guardian; such as e-mail, letters, memos, news releases, or newspaper articles.
- F. Arranging or providing for a meal or meals during a campus visit.

2.1.1 If not specifically permitted in Bylaw 2.1, the activity is disallowed.

2.2 REPRESENTATIVES AND AGENTS

2.2.1 All things prohibited by this *Constitution and Bylaws* to colleges, faculty, staff, and representatives are also prohibited to anyone acting as a representative or agent of the college; i.e., non-employees, volunteers, alumni, boosters, relatives, friends, students, and any others speaking for or on behalf of the college and its programs.

2.2.2 An agent is anyone (college staff member, parent/relative/friend of an athlete or college, alumnus(i), booster, high school coach/teacher, etc.) whose actions are designed to benefit a certain athletic program. The most common activities of an agent are:

- A. Making initial contact with out-of-recruiting-area athletes for the purpose of recruiting them to a specific athletic program that is outside their recruiting area.
- B. Making contact with out-of-recruiting-area coaches and asking them to contact athletes out of their recruiting area.

- C. High school coaches who personally refer and encourage their athletes to attend a specific out-of-recruiting-area/out-of-state community college and/or contact the out-of-recruiting-area community college on a student’s behalf.

2.2.3 Agents may be encouraged by an athletic department’s program or they may exist without the knowledge of the program. In the latter case, as soon as the college becomes aware of an agent, it must take steps to stop the activity.

2.2.4 Only an out-of-recruiting area student athlete can make first person-to-person contact with a community college. This must be documented (FORM C) at the time of first contact by the community college staff member contacted.

2.2.5 A college is responsible for the actions of any person acting as an agent of the college.

2.3 FIRST CONTACT

First contact is defined as an unsolicited inquiry. A college’s employee and/or representative may make an unsolicited inquiry of any prospect who resides in that California community college’s recruiting area. However, any student who is currently an enrolled and actively attending student at another California community college, regardless of residence, shall not be athletically recruited.

- A. A district’s “recruiting area” is defined as the district itself and its contiguous community college districts.
- B. Contiguous districts are those that share a common geographical boundary with another community college district.
- C. If a district’s recruiting area, as defined above, is perceived by the district to be inequitable, the district’s chief executive officer may make a *Request for a Redefinition of Recruiting Area*. The request is made in a letter addressed to the COA Executive Director. The COA Executive Director shall make a recommendation to the COA Board that shall have the final decision. A district may request a redefinition of recruiting area based upon a combination of the following:
 - 1. Fifty (50) percent or more of the district’s latest fall enrollment (head count) reside outside the originally defined recruiting area, and
 - 2. The number of high schools which offer athletic programs in the district’s originally defined recruiting area is 75 percent or less than the average number of high schools offering athletic programs in the recruiting areas of the other districts in its conference.
- D. Upon verification of the data, the COA Executive Director will make a recommendation to the COA Board that may redefine the recruiting area.
- E. The COA Board will insure that any redefinition of recruiting area results in reciprocity for all the districts involved.

- F. For the purposes of this section, the following are not considered to be enrolled in and attending at another community college:
 - 1. A student enrolled in and attending summer school and/or intercession at another college.
 - 2. A student enrolled in and attending an online course or course offered by another college.
 - 3. A high school student concurrently enrolled in and attending another college.

2.4 CONTACT FROM OUTSIDE A DISTRICT’S RECRUITING AREA

- 2.4.1 If a student from outside a district’s recruiting area makes an unsolicited inquiry (first contact) with a college regarding athletic participation, FORM C, Out-of-Recruiting Area Student Contact Record, is to be filled out on the first person-to-person visit within a district’s recruiting area. This FORM C will be kept on file in the athletic director’s office.
- 2.4.2 The only permissible response to an inquiry from a student living outside a district’s recruiting area is to provide information. Any aspect of the college’s programs, including athletics, as well as any other pertinent information, such as housing, employment opportunities, financial aid, registration procedures, etc., may be provided to the prospect. Continuing communications, by phone or mail, may exist between the college staff and the prospect, but person-to-person dialog may only take place within the district’s recruiting area.
- 2.4.3 At no time may athletic recruiting activities take place outside a district’s recruiting area. If an “incidental contact” initiated by the student athlete occurs, the coach or representative shall:
 - A. Be courteous.
 - B. Provide only his/her name and the college address and office telephone number of the head coach.
 - C. Request the athlete to make contact during business hours.
 - D. Inform the colleges of the district of residence of the contact using FORM C.
- 2.4.4 None of the recruiting activities allowed for prospects in a district’s recruiting area are permitted for students living outside a district’s recruiting area with the exception of the normal process of providing information by way of the telephone or by correspondence.

2.5 OUT-OF-STATE RECRUITING

- 2.5.1 Out-of-state recruiting is prohibited except upon written approval by the COA Board.

2.5.2 Upon written request from the college's chief executive officer to the COA Executive Director, a college may be granted a waiver to the restriction against out-of-state recruiting, if the COA Executive Director verifies that the college's fall enrollment (head count) in the most recently completed academic year was 5,000 or less, AND (*Adopted & effective October 17, 2008.*)

- A. The number of high schools which offer athletic programs in the district's recruiting area is less than the statewide average of high schools per recruiting area, **OR**
- B. The district shares a geographic boundary with another state.

2.5.3 Upon verification of the data, the COA Executive Director will make a recommendation to the COA Board, which may grant a waiver of the out-of-state recruiting prohibition.

2.5.4 Once a waiver has been approved by the COA Board, it will be valid for five (5) academic years beginning July 1 following the Board's approval.

2.5.5 A college may request subsequent waivers.

2.6 HIGH SCHOOL DATA

The COA Executive Director shall periodically update and maintain a list of the number of high schools offering athletic programs in each community college district's recruiting area.

2.7 OUT-OF-RECRUITING AREA EVALUATION OF ATHLETES

2.7.1 Members of the institution's coaching staff, for the purposes of evaluation only, may attend the out-of-recruiting area contests of out-of-recruiting area prospects who have made first contact.

2.7.2 During the out-of-recruiting area evaluation of a prospect, the coach or representative may not:

- A. Mingle with out-of-recruiting area participants at any time before, during, or after the contest.
- B. Mingle with out-of-recruiting area coaches at any time before, during, or after the contest.
- C. Wear any college-identifying attire such as a hat, shirt, jacket, or any other item that is associated with the college he/she represents.
- D. Meet with the out-of-recruiting area athlete's parents, family, or legal guardian at any location outside the college's area.
- E. Commit any other act that may be construed as a recruiting activity.

2.8 DISSEMINATION OF RECRUITMENT BYLAW

- 2.8.1 The college president, working through the appropriate athletic administrator or director, is responsible for ensuring that the college is in compliance with this Bylaw on athletic recruitment.
- 2.8.2 All college personnel, representatives, and agents approved by the athletic program to be involved in athletic recruiting shall attend a certification and information meeting regarding the *Constitution and Bylaws* at least once a year. A FORM R-2, Statement of In-Service Training, indicating attendance and commitment of adherence to the *Constitution and Bylaws* shall be forwarded to the Office of the COA Executive Director, a copy to the conference commissioner, and a copy retained in the college president's office on campus. These meetings shall be held throughout the year as individuals are hired to assume the responsibilities of the aforementioned positions. Subsequent Statements of In-Service Training forms necessary throughout the year shall be distributed as previously mentioned.
- 2.8.3 Only those personnel certified by the college president, as outlined above, shall have approval to recruit. Recruiting by any parties not certified is illegal.
- 2.8.4 Each college president shall certify that the college has complied with Bylaw 2.8.2 by signing a FORM R-1, Statement of Compliance, and submitting that form to the Office of the COA Executive Director by August 27 of each year. Additionally, the colleges shall send copies of the FORMS R-1 and R-2 to the conference commissioner and retain a copy in the college president's office on campus. Failure to file these forms by August 27 will result in the forfeiture of all completed contests. (*Adopted & effective April 6, 2007.*)

2.9 ALL-STAR CONTESTS AND COMPETITION (*Adopted October 19, 2007; effective October 19, 2007.*)

- 2.9.1 No college employee or representative shall participate directly in the organization, management, coaching, supervision, promotion, or player selection for any all-star team or contest involving players who have started classes in the ninth grade or above at a school located outside the college's recruiting area.
- 2.9.2 California community college facilities may be used for high school all-star contests providing the sponsoring agency follows the normal facility use procedures of the college. Colleges are expected to be involved in the normal administration and management of their facilities and to do so in a manner that does not lead to a recruiting advantage for their programs.
- 2.9.3 If a person has made a verbal or written contractual commitment to be involved in any of the activities listed in Bylaw 2.9.1 or 2.9.4.1 for a high school all-star game and subsequently makes a verbal or written contractual commitment to be an employee or representative of the college prior to the game or contest being held, that person shall immediately disassociate himself/herself from that game or contest.

2.9.4 **FOOTBALL ONLY:** (*Adopted & effective October 19, 2007.*)

2.9.4.1 No employee of a college and/or any other individual acting on behalf of a college shall be involved in the sponsorship, game management, coaching, supervision, promotion, or player selection of any high school football all-star team or contests which include players who have started classes in the ninth grade or above.

2.9.4.2 High school all-star football teams may not hold practices on any community college field.

Exceptions:

Shasta and Yuba Colleges: College coaches or staff may not participate, watch practices, or communicate with all-star athletes. The athletic director of these colleges will hold their staff responsible and accountable to see that this rule is followed.

2.9.4.3 Football Only: California community college football coaches may not attend any all-star practices.

2.9.4.4 Coaches/staff members may attend football all-star games but cannot wear school colors or logos, be on the sidelines, or talk with any students participating in the game.

2.9.4.5 Coaches may only attend out-of-state football all-star games if any of the participants in the game are legal student athletes from their district playing in the game.

Exceptions:

Sierra College may attend the Reno All-Star Game where students from the Sierra Joint Community College District are competing.

2.10 SPEAKING OR ATTENDANCE REQUESTS

Acceptance of speaking or attendance requests for banquets, clinics, camps, service club meetings, etc. from groups located outside the California community college’s recruiting district is permitted as long as the individual does not represent his or her college or its athletic program(s).

2.11 SUBSIDIZING, INDUCEMENTS, AND SPECIAL PRIVILEGES

2.11.1 Receipt by a prospect/student athlete of a subsidy, inducement or special privilege not authorized by the *Constitution and Bylaws* would be a violation of Bylaw 2. Minimum penalties shall be assessed as described in Article 7.4.12.

2.11.2 Subsidizing is defined as providing any manner of service or financial assistance to prospects or student athletes that is not available to all other students. Subsidization in any manner by the college or individual(s) or groups acting in the interest of the college is not permitted. Examples of service or financial assistance, which would be prohibited include, but are not limited to the following:

- A. The promise of or the providing of actual payment in dollars or products for athletic participation to a prospect/student athlete.
- B. The paying for, the providing of, the pre-payment with expectations of reimbursement, the providing at less than actual cost or the waiving of a prospect's/student athlete's tuition, fees, housing, meals, books, supplies, transportation, student body cards, laundry service, clothing, groceries, telephone calls, etc.
- C. The obtaining, securing, or soliciting of housing for a prospect/student athlete that is not available to all students at the community college.
- D. The promise of or the payment to a prospect/student athlete for a job that does not exist and/or at a higher rate than the actual value of the job.
- E. The providing to a prospect/student athlete for free or reduced costs the use of credit cards, debit cards, phone cards, etc.
- F. The promise of or the providing to a prospect/student athlete any award, loan, grant, or scholarship not available to all eligible students at the community college. (See Bylaw 2.11.3.)
- G. The payment to or providing any form of assistance to a prospect/student athlete for serving as a coach of a team while competing on that same team during a season of sport.

2.11.3 Inducements are defined as athletic recruiting acts that are designed to entice a prospect. Inducements may only be provided to prospects who reside within the individual college's "recruiting area." Examples of inducements which may be provided include the following: providing transportation to and/or from the campus for a college visit (this does not apply to a student being recruited under an out-of-state waiver); providing meals during a campus visit; making a home visit to a prospect, family member, or legal guardian; providing information regarding employment opportunities, matriculation, housing, financial aid, etc.; providing a class schedule; sending correspondence to the prospect, family member, or legal guardian, such as letters, memos, news releases, or newspaper articles; providing tickets to an on-campus activity during the campus visit for a game, drama production, guest speaker, etc. The promise of providing cash or other forms of assistance as an inducement is illegal. The providing of any of the inducements listed above to prospects who reside outside the individual college's "recruiting area" would be a violation of Bylaw 2.

2.11.4 In general the giving of special privileges or special consideration to student athletes is forbidden by the *Constitution and Bylaws*. Student athletes may only receive services that are available to all eligible students. There are however certain categories of activities which are permissible.

- A. Banquets and Awards
 - 1. End-of-the-season team banquets are permissible.
 - 2. Individual awards and team awards may be presented to student athletes.

3. The above listed events must adhere to college, department, and gender equity policies.

B. Meals and Lodging

1. The provision of meals and lodging in conjunction with travel to away contests is permissible.
2. It is prohibited to provide lodging to student athletes prior to home athletic events.
3. Meals provided either prior to or following home contests are permissible if they are infrequent “special occasions.” It would be a violation if a team was provided a pre-game meal by an individual(s) or agency prior to every home game. This would be a form of subsidization.
4. The meals and lodging provided must always adhere to college, department, and gender equity policies.

C. Complimentary Admissions and Ticket Benefits

1. It is permissible to provide complimentary admission for home athletic contests to student athletes and their families.
2. Gate or guest lists must be used. The handing out of actual “hard” tickets for admission is prohibited.
3. The admission policies must adhere to college, department, and gender equity policies.

D. Scholarships/Grants

1. Student athletes are eligible to receive:
 - a. Federal or state aid.
 - b. An academic grant which is based solely on academic achievement.
 - c. A grant which is open to any other student on campus and which does not have athletic participation or athletic ability as one of the criteria.
 - d. Other scholarships from on/off campus groups whose criteria are not based on athletic ability or participation.

These grants and scholarships are to be part of the financial aid or scholarship program administered by the appropriate office on campus.

2. Student athletes who have completed their athletic eligibility at the community college may receive an award/grant to help finance their continued education. These awards/grants are to be granted at the completion of the term of final participation. The promise of such may not be used as an inducement to attend a

particular California community college. These awards/grants may have athletic ability and athletic participation as a criterion provided the conditions stated above have been met.

E. Academic and Support Services

Academic counseling and tutoring services may be provided to the student athlete as long as similar services are available to other students on campus.

F. Athletic Insurance

Accident insurance may be provided to student athletes to assist in covering costs resulting from injuries incurred during practice, competition, and travel.

G. Non-Athletic Activities

1. There are a wide variety of activities which take place at most California community colleges during the sport season which are outside of normal practice and competition. It is believed by community college administrators that these activities have educational value and are “team building” in nature and therefore should not be considered to be a “special privilege.”
2. Examples of these activities include but are not limited to the following: A barbecue for both teams after a football game, a camping trip, a day at the beach, a coach buying pizza after practice, a mother cooking dinner for the basketball team before a home game, a visit to an amusement park while on a road trip, attending a professional sporting event, a visit to an aquarium, a visit to a senior center, a team “retreat” held at an off-campus site, etc.
3. For these types of activities not to be considered “special privileges” they should be infrequent special events, and promise of them cannot be used as an “inducement” in the recruiting process. The non-athletic activities must adhere to college, department, and gender equity policies.
4. The granting of “special privileges” that are available only to athletes and not to other students in areas not listed in Bylaw 2.11.4 is a violation of Bylaw 2.

2.12 USE OF INTERNET WEB PAGES

Internet web pages with information on college athletic programs shall be located within the college’s web site. Community college athletic programs shall not construct or maintain their official web pages other than within their official college web sites. Athletic web pages shall include a statement identifying them as the college’s official site, with a disclaimer regarding the existence and accuracy of information about their athletic program which may appear on any web page not located within their official college web site.

2.13 PENALTIES FOR VIOLATION OF BYLAW 2

- 2.13.1 See Article 7.4.12.

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