

*College of Alameda*

*Athletics*

**ATHLETIC PROGRAM REVIEW**

**APRIL 2005**

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# **Program Profile**

## **A Narrative Statement On The Profile Of The Institution**

## **DESCRIPTIVE BACKGROUND AND DEMOGRAPHICS**

The descriptive background and demographics provided were taken from the Spring 2003 Institutional self-study for Reaffirmation of Accreditation for College of Alameda.

### **HISTORY**

Residents of Alameda, Albany, Berkeley, Emeryville, Oakland, and Piedmont voted to establish a single community college district in 1963. The new district became Peralta Community College District on July 1, 1964. The name was selected to reflect the fact that the six cities of the district are located on the 44,800 acres which were granted to Sgt. Luis Maria Peralta in August 1820.

From the outset, it was determined that the existing campuses, as well as future campuses, would become comprehensive colleges, offering vocational, occupational, and liberal arts courses.

The District's voters passed a \$47 million bond issue for new Peralta campuses in October 1965, and construction began on new campuses for Laney, Merritt and for the new College of Alameda.

The College of Alameda campus was opened in June 1970. It occupies a 62-acre site in the northwest sector of the City of Alameda. Four original buildings were constructed in 1969-70: Building A, which houses administrative offices, classrooms, computer laboratories and laboratories for Dental Assisting Program; Building B, which houses Automotive Technology Program and the Auto Body and Paint Program; Buildings C and D, which are connected and house classrooms, science and computer labs and Instructional Division Offices; and Building F, which houses the Student Center, cafeteria, bookstore, and Associated Students offices.

Over the years, additional buildings were constructed: Building G, Gymnasium (1976); Building L, Library/Learning Resources Center (1976-77); Child Care Center (1977); and Building E, Diesel Mechanics (1989). The Air Facility houses the Aviation Maintenance Technology Program and is located adjacent to the North Field of Oakland International Airport in the city of Oakland. Outdoor facilities include tennis courts and an all weather track and multipurpose field.

College of Alameda offers day, evening, and weekend credit classes that support academic degree programs for transfer; occupational degree and certificate programs; and general and remedial education. The number of instructional computer laboratories has grown to 14. This growth in instructional labs mirrors the increase in use of multimedia and information technology in instructional classrooms. The implementation of technological changes affecting delivery of instruction and services will be an ongoing challenge to College of Alameda.

The Peralta Community College District serves area, located in Alameda County, includes the cities of Alameda, Albany, Berkeley, Emeryville, Oakland, and Piedmont. College of Alameda, as well as the other three colleges in the District, draws students from this service area which includes schools residing inside the contiguous boundaries.

The following four-year institutions are in proximity to the College of Alameda:

- a. California State University East Bay
- b. University of California, Berkeley
- c. Patten College
- d. Holy Names College
- c. Mills College

The challenge to College of Alameda's athletic programs continues to be recruitment of in-district student athletes by larger more prestigious colleges (Chabot, Diablo Valley, San Jose City, San Francisco City, and Santa Rosa) colleges.

## **ATHLETICS**

College of Alameda, located in the northwest sector of the City of Alameda on the island of Alameda, is the third largest member of the multi-college Peralta Community College District (PCCD) which includes Laney College and Merritt College in Oakland and Vista College in Berkeley. All four colleges are situated within a 10-mile radius of each other, the closest being College of Alameda and Laney College at a distance of 1.1 miles. With the exception of Vista College, the remaining three sister colleges offer separate athletic programs. However, of note is the distribution of men's and women's sports among the three Colleges' programs which take into account sport-specific District teams located at individual colleges. The formation of District teams was a result of a financial crisis in 1988 necessitating a state loan for the District to remain solvent. Layoffs and the streamlining, re-locating and/or elimination of instructional programs which include athletics, was a painful effort at recovery that took four years.

Formation of District teams also took account the close proximity of the colleges and the realization that, to offer all sports at all colleges, would compete for the same athletes. Moreover, Laney College's size, location and subsequent larger student enrollment was seen to be too formidable against which COA could compete given its smaller campus and enrollment. However, given the interest in volleyball, an available facility and the need to provide participation opportunity for women after a 3-year hiatus, the women's volleyball team at COA in 1994 was re-instated in competition with an established team at Laney College. Both teams fluctuate in the number of female athletes participating from year to year. There are also two men's basketball teams, one at Merritt College and the other at COA, the rationalization being that there is abundant interest and numbers to accommodate more than one District team.

## DEMOGRAPHICS

The Peralta Community College District service area, located in Alameda County, includes the cities of Alameda, Albany, Berkeley, Emeryville, Oakland, and Piedmont. College of Alameda, as well as the other three colleges in the District, draws students from this service area. \*

### PERALTA CCD SERVICE AREA POPULATION

#### Alameda

County	2001
Alameda	74,300
Albany	16,700
Berkeley	104,300
Emeryville	7,300
Oakland	409,300
Piedmont	11,100
<b>Total</b>	<b>623,000</b>

Source: California Statistical Abstracts

The population of Alameda County is ethnically diverse.

### ALAMEDA COUNTY ETHNICITY

	Asian	Af. Am.	Filipino	Hispanic	Nat. Am.	Other	White	TOTAL
Count	292,673	211,124	8,458	273,910	5,306	61,175	591,095	1,443,741
Percent	20.3	14.6	.6	19.0	.4	4.2	40.9	

Source: U.S. Census 2000

\* Unless otherwise noted, Peralta Facts 2000 serves as source of demographic data.



# College of Alameda

555 Atlantic Avenue • Alameda, California 94501 • (510) 522-7221 • FAX (510) 769-6019

Cecilia Y. M. Cervantes, Ph.D.  
President

March 5, 2004

Commission on Athletics  
Presidents, Bay Valley Conference  
Dr. Al Mathews, Commissioner, Bay Valley Conference  
Dr. Joanne Fortunato, State Commissioner

College of Alameda is appealing to the Commission on Athletics to form a separate athletic conference. We join with the following community colleges in making this appeal: Contra Costa, Laney, Los Medanos, Marin, Mendocino, Merritt, Napa, Solano, and Yuba.

The rationale for making this appeal are delineated below:

- Each of the colleges listed is of comparable size and has similar resources, which includes playing surfaces and number of part-time/full-time coaches. Therefore, competition among these colleges will be more equitable. This will particularly be apparent in women's sports.
- The philosophy of the proposed conference will include playing primarily with local community college student athletes. Out-of-state players will not be actively recruited.
- The financial commitment from each college will remain unchanged. There will be no additional financial impact.
- Geographic proximity of the proposed conference's colleges will remain unchanged, however, in some cases distances between competing colleges will be shorter than they currently are. Therefore, no travel hardships will be imposed with the new conference.
- The colleges in this new conference offer sufficient sport options for both the men as well as the women athletes.

With the Commission's approval, it is my hope that the conference would be operational and the ten colleges would begin to play in this new conference at the beginning of the 2005-2006 academic year.

Thank you for your consideration of this appeal, which is intended to provide our student athletes with a more successful experience.

Sincerely,

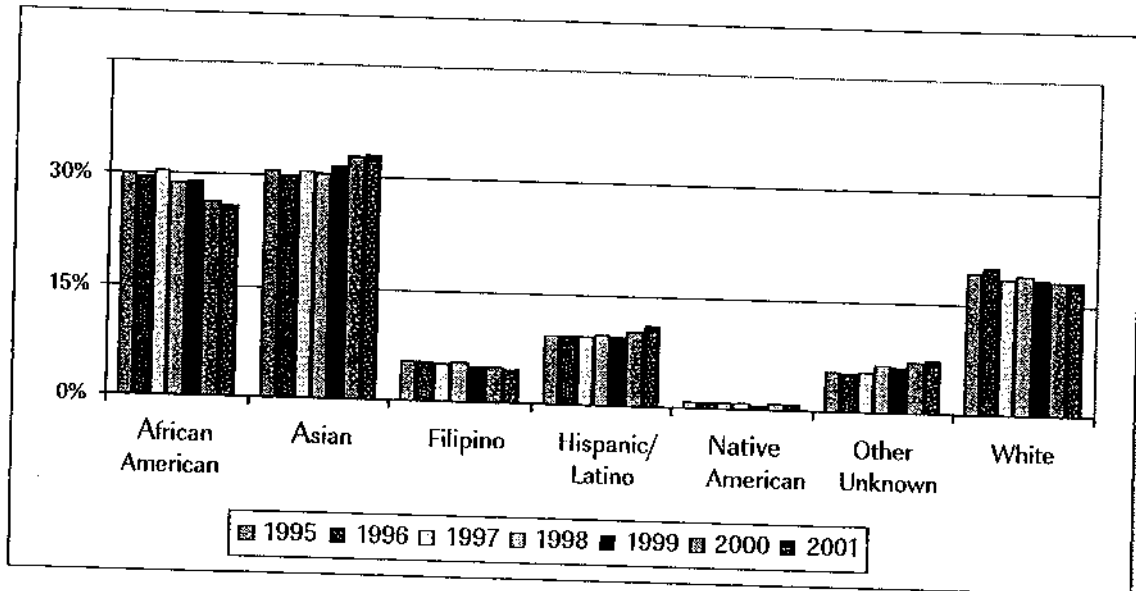
A handwritten signature in cursive script that reads 'Cecilia Cervantes'.

Cecilia Cervantes, Ph.D.  
President

Peralta Community College District

Ethnicity of the Peralta Community College District service area is reflected in the ethnicity of College of Alameda students.

College of Alameda  
Enrollment by Ethnicity  
Fall 1995–Fall 2001



ETHNICITY	1995	1996	1997	1998	1999	2000	2001
African American	1,606	1,647	1,590	1,660	1,749	1,594	1,636
<i>Pct</i>	30%	30%	30%	29%	29%	26%	26%
Asian	1,655	1,680	1,605	1,754	1,894	1,970	2,094
<i>Pct</i>	31%	30%	31%	30%	32%	33%	32%
Filipino	286	293	264	298	293	293	294
<i>Pct</i>	5%	5%	5%	5%	5%	5%	5%
Hispanic/Latino	499	525	487	556	565	608	688
<i>Pct</i>	9%	9%	9%	10%	9%	10%	11%
Native American	36	37	37	41	37	48	53
<i>Pct</i>	1%	1%	1%	1%	1%	1%	1%
Other/Unknown	286	283	282	361	367	423	454
<i>Pct</i>	5%	5%	5%	6%	6%	7%	7%
White	1,032	1,108	970	1,095	1,099	1,093	1,148
<i>Pct</i>	19%	20%	19%	19%	18%	18%	18%
Total	5,400	5,573	5,235	5,765	6,004	6,029	6,367



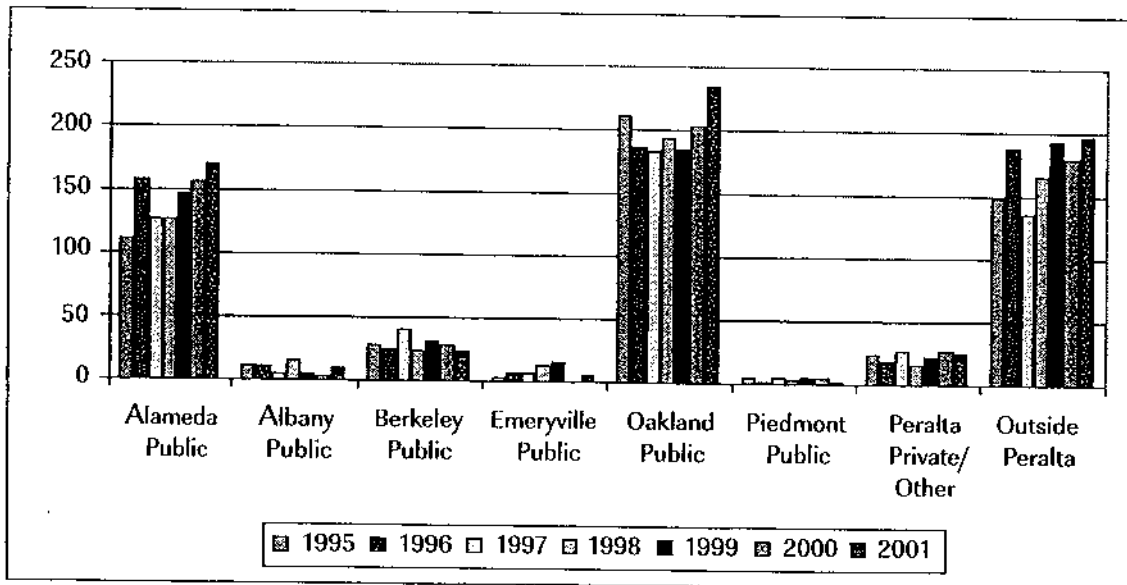
Enrollment at College of Alameda has grown consistently over the years.

**College of Alameda  
Unduplicated Fall Semester  
Enrollment**

<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>
5,235	5,765	6,004	6,029	6,367

College of Alameda's service area includes public high schools and private/independent high schools.

**College of Alameda  
Enrollment by High School District Attended  
New Students who Were Recent High School Leavers  
Fall 1995–Fall 2001**

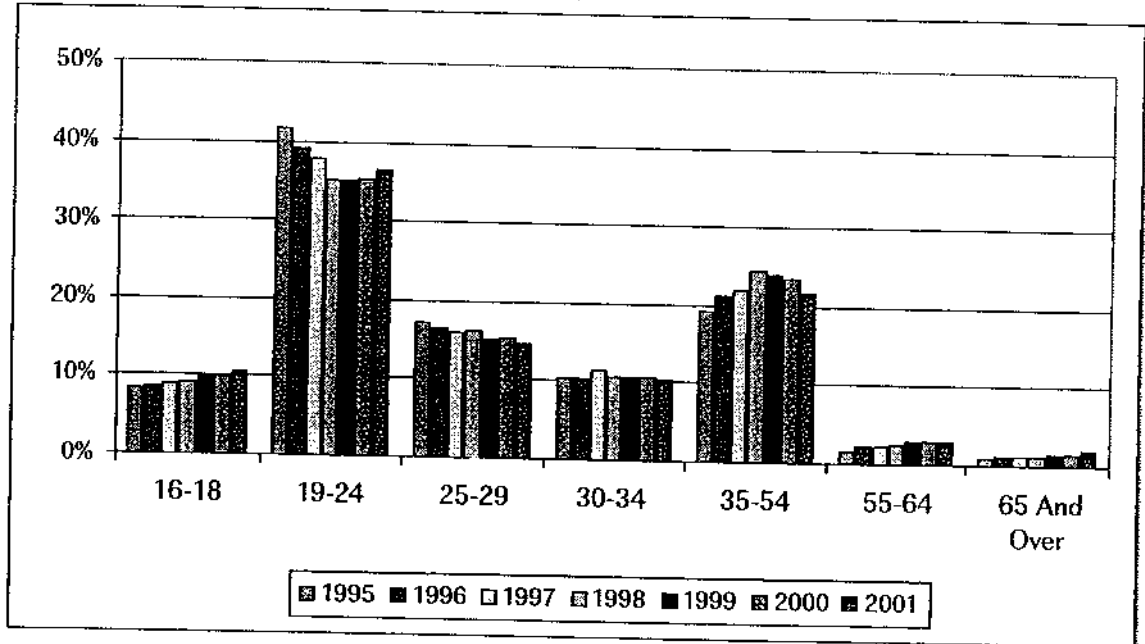


HS DISTRICT	1995	1996	1997	1998	1999	2000	2001
Alameda Public	111	158	127	127	147	156	170
<i>Pct</i>	21%	27%	24%	23%	24%	26%	26%
Albany Public	11	11	5	15	4	3	9
<i>Pct</i>	2%	2%	1%	3%	1%	1%	1%
Berkeley Public	28	25	40	24	32	28	24
<i>Pct</i>	5%	4%	8%	4%	5%	5%	4%
Emeryville Public	3	6	7	12	15	0	4
<i>Pct</i>	1%	1%	1%	2%	3%	0%	1%
Oakland Public	211	186	183	193	184	203	235
<i>Pct</i>	39%	31%	35%	35%	31%	34%	35%
Piedmont Public	4	2	5	3	5	4	2
<i>Pct</i>	1%	0%	1%	1%	1%	1%	0%
Peralta Private/Other	24	19	27	16	22	27	25
<i>Pct</i>	4%	3%	5%	3%	4%	5%	4%
Outside Peralta	148	187	136	166	193	180	197
<i>Pct</i>	27%	32%	26%	30%	32%	30%	30%
<b>TOTAL</b>	<b>540</b>	<b>594</b>	<b>530</b>	<b>556</b>	<b>603</b>	<b>604</b>	<b>666</b>

The population for this chart consists of new Peralta students who left high school within three years of the term. Example: in Fall 2000 the last year in high school would be 1998, 1999 or 2000. The last year in high school is self-declared on the application form.

The majority of College of Alameda students are in the 19 years-24 years age range.

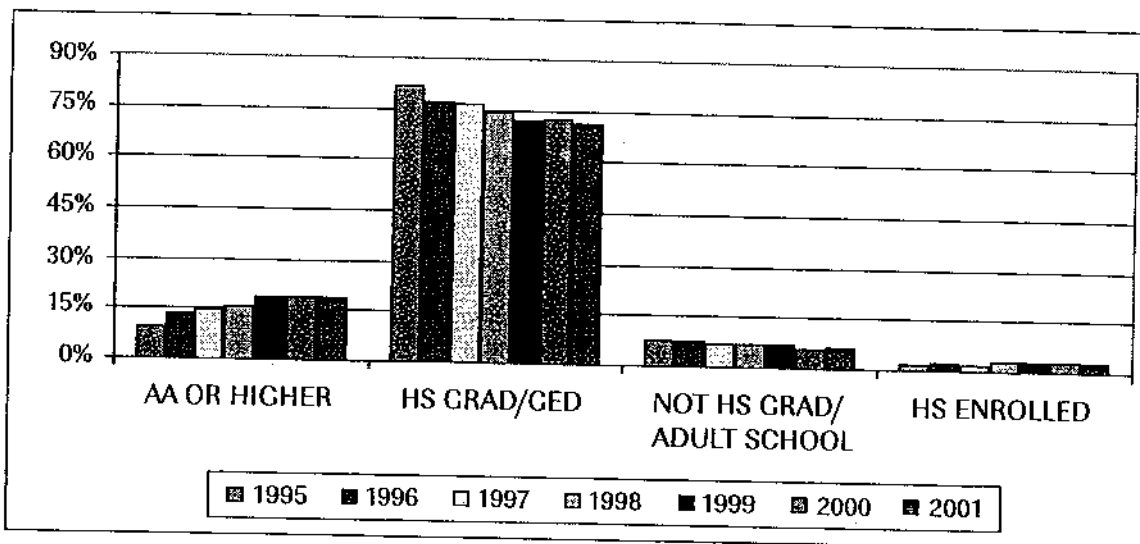
College of Alameda  
Enrollment by Age  
Fall 1995-Fall 2001



AGE GROUP	1995	1996	1997	1998	1999	2000	2001
Under 16	15	38	30	54	53	46	43
16-8	451	478	464	521	609	592	680
19-24	2,248	2,182	1,986	2,017	2,103	2,136	2,333
25-29	929	915	827	929	909	924	938
30-34	564	574	590	608	628	643	657
35-54	1,037	1,178	1,149	1,413	1,433	1,413	1,384
55-64	76	123	118	149	180	185	199
65 And Over	62	72	66	71	83	88	129
Unknown Or Under 10	18	13	5	3	6	2	4
<b>Total</b>	<b>5,400</b>	<b>5,573</b>	<b>5,235</b>	<b>5,765</b>	<b>6,004</b>	<b>6,029</b>	<b>6,367</b>

More than half of College of Alameda students have high school diplomas.

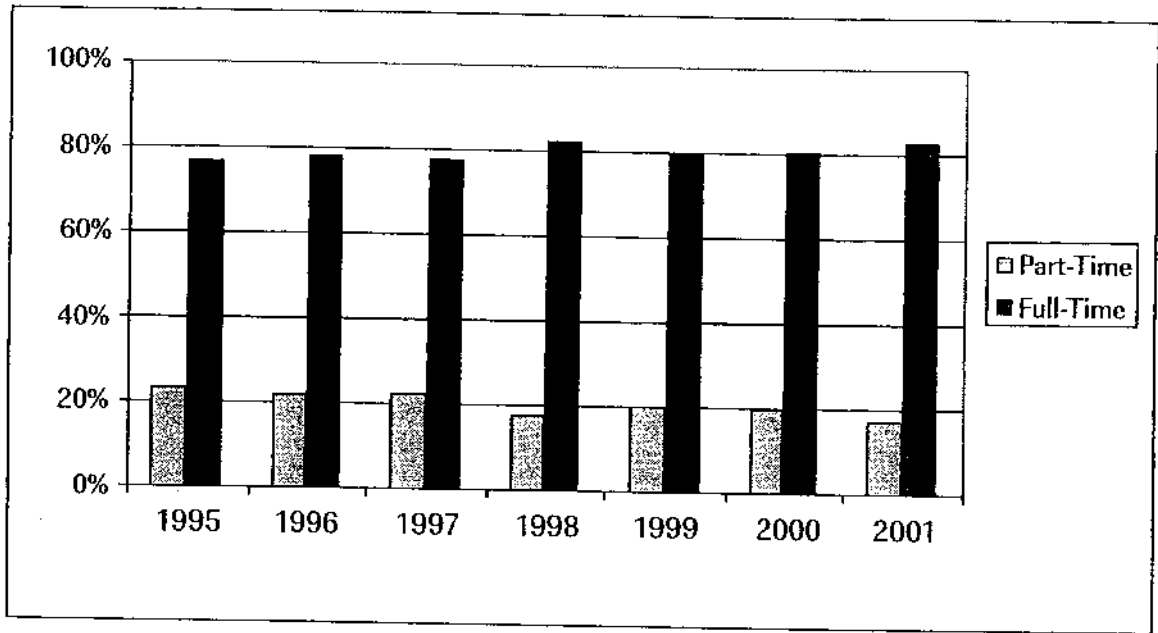
College of Alameda  
Enrollment by Highest Level of Education  
Fall 1995–Fall 2001



ED LEVEL	1995	1996	1997	1998	1999	2000	2001
Not HS Graduate	347	338	311	340	334	292	343
HS Enrolled	82	128	89	156	176	169	199
Adult School	59	74	62	64	73	66	66
HS Diploma	3,545	3,451	3,192	3,369	3,311	3,336	3,506
GED	234	281	263	286	308	304	265
HS Proficiency	55	50	36	53	60	80	79
Foreign HS	569	514	531	564	632	647	701
AA Degree	229	253	249	290	325	303	346
Higher Degree	276	480	501	632	784	831	860
Unknown	4	4	1	11	1	1	2
<b>Total</b>	<b>5,400</b>	<b>5,573</b>	<b>5,235</b>	<b>5,765</b>	<b>6,004</b>	<b>6,029</b>	<b>6,367</b>

The student body includes more part-time than full-time enrollees.

College of Alameda  
Student Load  
Fall 1995-Fall 2001

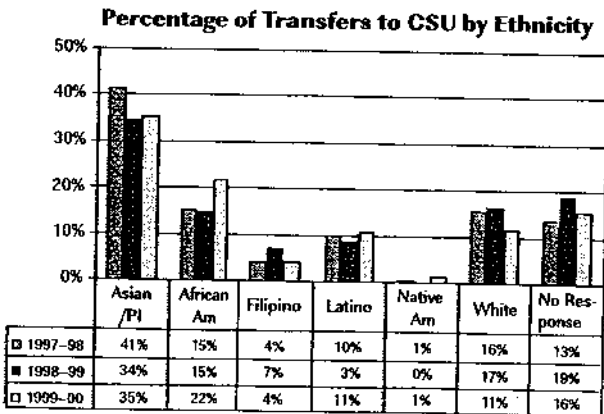
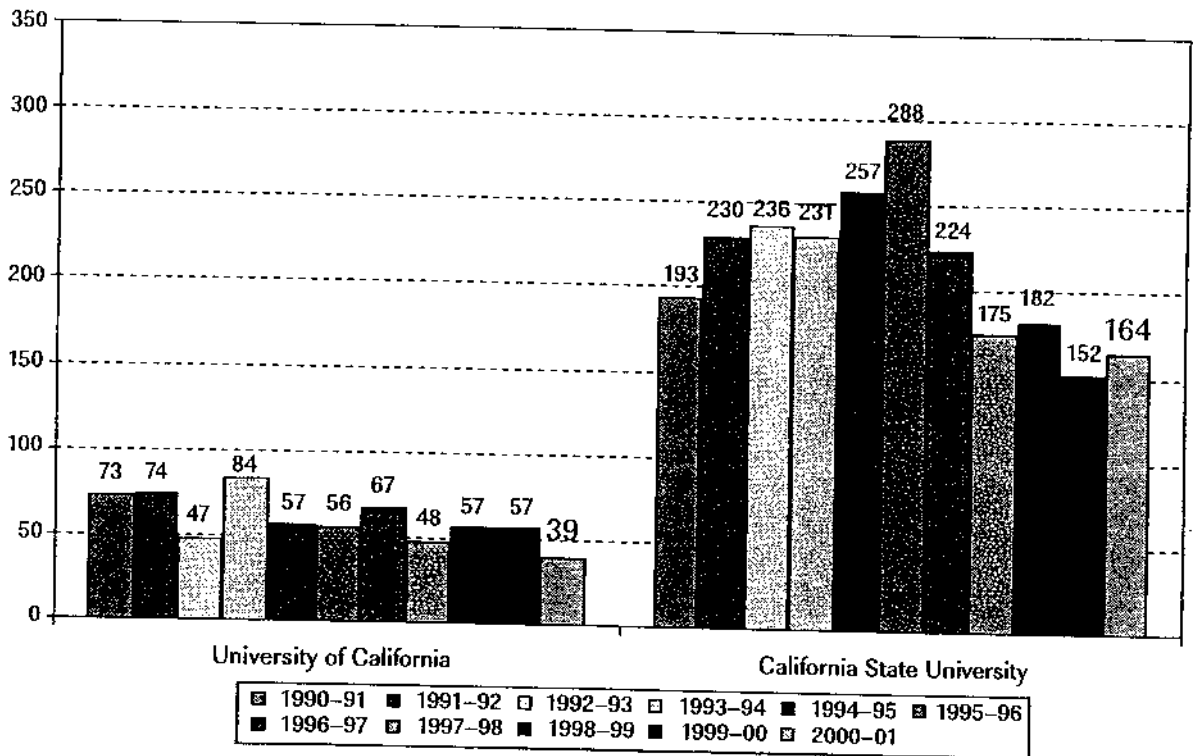


STUDENT LOAD	1995	1996	1997	1998	1999	2000	2001
Full-Time	1,146	1,121	1,044	940	1,100	1,057	1,109
Part-Time	3,760	3,982	3,647	4,316	4,460	4,418	5,258
Total	4,906	5,103	4,691	5,256	5,560	5,475	6,367

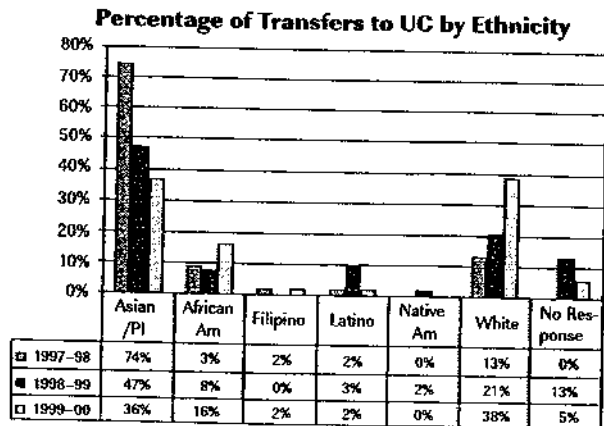
## Enrollment by Highest Level of Education Fall 1995–Fall 2001

Many of College of Alameda students transfer to University of California and California State University.

### College of Alameda Transfers to Four-Year Institutions 1990–91—2000–01 Updated Transfers to University of California (UC) and California State University (CSU)



Non-residents not shown



Non-residents not shown

Number of Transfers to UC by Ethnicity

	1997-98	1998-99	1999-00
White	35	25	20
Hispanic/Latino	4	4	9
Black	1		1
Asian	1	5	1
Native Hawaiian/Other Pacific Islander		1	
Other	6	11	21
Unknown	0	7	3
Hispanic/Latino (Subtotal)	0		
Black (Subtotal)	1	4	2
Total	48	57	57

Number of Transfers to CSU by Ethnicity

	1997-98	1998-99	1999-00
White	71	60	52
Hispanic/Latino	26	26	32
Black	7	12	6
Asian	17	15	16
Native Hawaiian/Other Pacific Islander	1		2
Other	27	29	17
Unknown	23	33	23
Hispanic/Latino (Subtotal)	3	7	4
Black (Subtotal)			
Total	175	182	152

Source: California Postsecondary Education Commission (CPEC), Student Profiles, 2000

College of Alameda's full-time staff reflects the ethnic distribution of the PCCD service area and the gender breakdown of COA students.

**College of Alameda  
Demographics of Faculty, Staff and Administration**

	Administration #	Administration %	Classified #	Classified %	Faculty #	Faculty %
Female	5	71%	51	70%	100	44%
Male	2	29%	22	30%	126	56%
<b>Total</b>	<b>7</b>	<b>100%</b>	<b>73</b>	<b>100%</b>	<b>226</b>	<b>100%</b>

	Administration #	Administration %	Classified #	Classified %	Faculty #	Faculty %
Asian/PI	0	0%	10	14%	22	10%
African-Am.	4	57%	27	37%	52	23%
Filipino	0	0%	6	8%	4	2%
Hispanic	1	14%	10	14%	18	8%
White	2	29%	17	23%	128	57%
Unknown	0	0%	3	4%	2	1%
<b>Total</b>	<b>7</b>	<b>100%</b>	<b>73</b>	<b>100%</b>	<b>226</b>	<b>100%</b>

	Administration #	Administration %	Classified #	Classified %	Faculty #	Faculty %
<30	0	0%	2	3%	5	2%
30-39	1	14%	10	14%	28	12%
40-49	1	14%	29	40%	58	26%
50-59	4	57%	25	34%	81	36%
60-65	0	0%	5	7%	36	16%
>65	1	14%	2	3%	16	7%
Unknown	0	0%	0	0%	2	1%
<b>Total</b>	<b>7</b>	<b>100%</b>	<b>73</b>	<b>100%</b>	<b>226</b>	<b>100%</b>

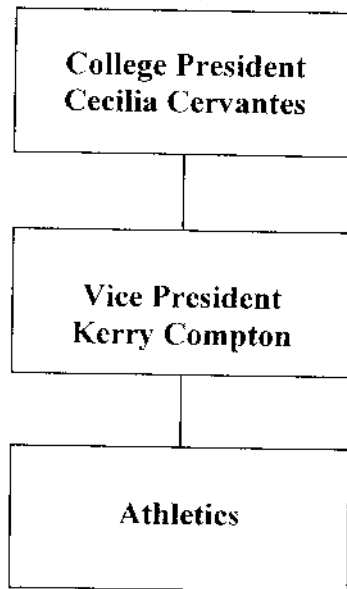
Based on Headcount

Source: COA Profile, Fall 2002



# COLLEGE OF ALAMEDA

## Administrative Structure Related to Athletics



Athletic Director.....	Myron Jordan
Part Time Trainer.....	Robert Collier
Athletic Counselor.....	Alze Roberts
Eligibility Clerk.....	Janice Bledsoe
Athletic Secretary.....	Gloria Edgar
Head Coaches	
Men's Basketball.....	Myron Jordan
Women's Volleyball.....	Linda Thompson
Assistance Coaches	
Men's Basketball.....	Kieron Slaughter Chris Curtis Derek Jones
Women's Volleyball.....	Linda B. Young Ken Kho

# **STANDARD ONE**

**Adherence to the COA Constitution and Bylaws  
and Other Rules of the State and Conference**

***In what manner is the Form R-1 and R-2 procedure completed on your campus?***

The Athletic Director conducts a staff meeting in August and September to review updated State COA rules on eligibility and recruitment. Follow up meetings are conducted with coaching staff personnel to ensure compliance with COA rules on eligibility and recruitment.

After the meeting, each staff member signs Form R-2, Statement of In-services Training, to document that the representative has received in-service training on the State COA constitution with special emphasis on its recruitment rule. (Attachment A)

A signed copy of Form R-1, Statement of Compliance, is forwarded to the Vice President of Student Services and college President, verifying that the college shall adhere to Constitution rules and regulations with special emphasis on rules regarding recruitment. The original Form R-1 is sent to the State Commissioners office. (Attachment B)

***Do all staff members have a current copy of the COA constitution and bylaws?***

The Athletic Director, Vice President, Student Services, and the head coaches have copies of the current COA constitution and bylaws. However, the Athletic Director provided copies of eligibility and recruitment information during the training.

***If your college violates the COA constitution and bylaws, what process is followed? Please outline the process.***

College Process as Follows:

1. The Athletic Director reports the violation to Bay Valley Conference Commissioner, Vice President of Student Services, College President and coaches involved.
2. The college adheres to whatever penalties and/or sanctions are placed upon the institution by the conference commissioner due to rule violations.
3. A written policy statement on the violation activities is presented at the first scheduled conference meeting following the penalty ruling.
4. The college provides the Conference Commissioner with a monthly written report summarizing the college activities in the area of; the rules for which the penalty was invoked.
5. A copy of the letter sent to the Bay Valley Conference Commissioner is given to the College President, Vice President of Student Services and the coaches involved.

6. The Athletic Director and head coach schedules a meeting to discuss all aspects of the violation. The meeting includes ways to prevent a repeat occurrence.



# STATEMENT OF IN-SERVICE TRAINING

FORM R-2  
SIDE 1

*This statement of in-service training shall be kept on FILE AT YOUR CAMPUS, documenting that our athletic staff, employees, and representatives have received in-service training on the Constitution with special emphasis on its recruitment rules.*

ALAMEDA  
College \_\_\_\_\_  
Athletic Director (M) \_\_\_\_\_  
Athletic Director (W) \_\_\_\_\_  
Date 9-22-04  
Date 8-18-04  
Date \_\_\_\_\_

The following coaches' signatures verify that they have received in-service training on the contents, interpretations, and implications of the Constitution with special emphasis on its rules governing recruitment. We affirm that our representatives shall adhere to the rules and regulations of the Constitution, and they understand that violations of the Constitution may subject our college to penalties:

Baseball	Date	Swim, M	Date
Basketball, M	Date	Swim, W	Date
Basketball, W	Date	Tennis, M	Date
Cross Country, M	Date	Tennis, W	Date
Cross Country, W	Date	Track & Field, M	Date
Football	Date	Track & Field, W	Date
Golf, M	Date	Volleyball, M	Date
Golf, W	Date	Volleyball, W	Date 8-18-04
Soccer M	Date	Water Polo, M	Date
Soccer, W	Date	Water Polo, W	Date
Softball	Date	Wrestling	Date

PLEASE KEEP ON FILE AT YOUR CAMPUS.



Attachment B  
**STATEMENT OF COMPLIANCE**

FORM R-1

*This statement of compliance is to verify that our college shall adhere to the Constitution rules and regulations, with special emphasis on rules regarding the recruitment of athletes.*

The athletic administrators of our college have reviewed the contents, interpretations, and implications of the Constitution with our staff, employees, representatives, and each person who works with the athletics program. We affirm that our representatives shall adhere to its rules and regulations. We understand that violations of the Constitution may subject our college to penalties:

*[Signature]*  
Administrative Representative

9/3/04  
Date

*[Signature]*  
Athletic Director (M)

9/3/04  
Date

*[Signature]*  
Athletic Director (W)

9/3/04  
Date

This statement shall be completed and forwarded to the State Commissioner's office by the second Friday in September of each year. Failure to file this form by the second Friday in September will result in the forfeiture of all completed contests.

In addition, FORM R-2, Statement of In-service Training, is *on file on our campus*, documenting that our athletic staff, employees, and representatives have received in-service training on the Constitution with special emphasis on its recruitment rules.

*[Signature]*  
President

9/3/04  
Date

ALAMEDA COLLEGE  
College

Please forward to:

COA/R-1  
2017 "O" STREET  
SACRAMENTO CA 95814-5285

## **STANDARD TWO**

**Adherence to the Bay Valley Conference  
Constitution, Bylaws, Rules and Regulations**

***Do the appropriate members of your college have up to date copies of the conference constitution and bylaws?***

The VP of Student Services, head coaches and Athletic Director have up to date copies of the conference constitution and bylaws.

***Do they receive agendas and minutes distributed of conference meetings?***

The Athletic Director and head coach attend every Bay Valley Conference meeting. Information pertinent to administration, support staff or coaches is discussed and distributed immediately.

The committee members who include the Athletic Counselor and the VP of Student Services receive copies of the agenda and minutes of the Bay Valley Conference meetings.



# **STANDARD THREE**

**Adherence to the Bay Valley Conference  
Philosophy Statement, and Proof of Activities that  
support and strengthens its tenants.**

## *College of Alameda athletic philosophy statement*

In keeping with the college mission, the institution subscribes to the philosophy that the athletic program and personnel play an integral role in the total educational process of student athletes. The purpose of the athletic program is to provide intercollegiate athletic participation to enable students to realize their potential within an extended educational context.

Academic success remains the main priority of the athletic program. The matriculation components of admissions, assessment and orientation, academic advising and counseling and follow-up are key to enrolling and retaining students in appropriate classes or programs. This will enable each student to achieve the highest possible academic and athletic success while at the College of Alameda. Appropriate student support services such as financial aid, tutoring, childcare, and special education programs provide further assistance to student athletes. Retention, program/course/degree and certificate of completion and/or transfer, and other successful student outcomes are more likely to be achieved when all instructional and support services are brought to bear on the educational, physical and emotional well being of student athletes. Equally important, the institution adheres to the belief that athletics promotes the growth and development of values in leadership, character, sportsmanship, teamwork and respect for others.

Athletic recruitment of any individual residing outside the Peralta services area and the surrounding contiguous college district is prohibited. Likewise, any student of another California Community College, regardless of residence shall not be athletically recruited.

The College President, in concert with the appropriate athletic administrator and/or director, is responsible for ensuring that the college is in compliance with the rules and regulations pertaining to athletic recruitment.

If an out-of-district student prospect from another California Community College District makes an unsolicited inquiry (first contact) with College of Alameda regarding athletic participation, Form C (Out of District Student Contact Record) is to be completed on the first person-to-person visit within district boundaries and kept on file in the Athletic Director's office. At no time will a COA coach conduct athletic recruiting with a non-district prospect out of the Peralta service area.

Subsidization (providing any manner of financial assistance in return for a prospect's athletic services) is not permitted. A sanctioned job wherein work value is received is not considered subsidization.

Inducements (acts that are designed to entice a prospect such as meal, class, schedule, home visit, invitation to an on-campus activity, etc.) may only be provided to prospects who reside in the Peralta service area.

The giving of special privileges or consideration to athletes to the exclusion of all other students is prohibited. Athletic ability cannot be used as a criterion, whether stated or not, to receive services of financial awards, loans or grants, free or reduced rates of housing, meals, books, supplies, transportation, or student body cards for which all other students are also eligible.

The college has recently petitioned to move into a conference comprised primarily of smaller colleges. This move was done for many reasons but mostly for more parity and equity in the women's sports.

Enclosed is the letter written by President Cecilia Cervantes on behalf of the athletic program and the new conference. (Attachment C)

***Do the members of your college administration and athletic department have a working knowledge of the conference and college philosophy?***

The coaching staff has a solid understanding of the college and conference philosophy. Due to the limited number of sports offered at the institution coaches are readily accessible to discuss questions pertaining to conference or college philosophies. The coaching staff has remained somewhat stable while clerical personnel assigned to athletics have been working with the Athletic Director for over ten (10) years. The college administration does have a working knowledge of the college philosophy. The Athletic Director meets monthly with the VP of Student Services and the support staff to address any questions pertinent to college or conference philosophies. The VP of Student Services is a member of The Bay Valley Conference appeals hearing board. The administration is very cooperative and highly involved in the athletic program at all home games.

***Is the philosophy statement different than it was five years ago?***

The college philosophy statement does not significantly change from the last self-study review in 1992-1993.



# College of Alameda

555 Atlantic Avenue • Alameda, California 94501 • (510) 522-7221 • FAX (510) 769-6019

Cecilia Y. M. Cervantes, Ph.D.  
President

March 5, 2004

Commission on Athletics  
Presidents, Bay Valley Conference  
Dr. Al Mathews, Commissioner, Bay Valley Conference  
Dr. Joanne Fortunato, State Commissioner

College of Alameda is appealing to the Commission on Athletics to form a separate athletic conference. We join with the following community colleges in making this appeal: Contra Costa, Laney, Los Medanos, Marin, Mendocino, Merritt, Napa, Solano, and Yuba.

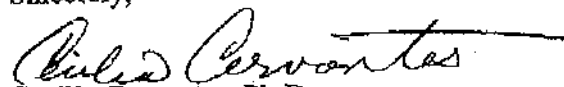
The rationale for making this appeal are delineated below:

- Each of the colleges listed is of comparable size and has similar resources, which includes playing surfaces and number of part-time/full-time coaches. Therefore, competition among these colleges will be more equitable. This will particularly be apparent in women's sports.
- The philosophy of the proposed conference will include playing primarily with local community college student athletes. Out-of-state players will not be actively recruited.
- The financial commitment from each college will remain unchanged. There will be no additional financial impact.
- Geographic proximity of the proposed conference's colleges will remain unchanged, however, in some cases distances between competing colleges will be shorter than they currently are. Therefore, no travel hardships will be imposed with the new conference.
- The colleges in this new conference offer sufficient sport options for both the men as well as the women athletes.

With the Commission's approval, it is my hope that the conference would be operational and the ten colleges would begin to play in this new conference at the beginning of the 2005-2006 academic year.

Thank you for your consideration of this appeal, which is intended to provide our student athletes with a more successful experience.

Sincerely,

  
Cecilia Cervantes, Ph.D.  
President

Peralta Community College District

# **STANDARD FOUR**

## **Activities Related To Processing Athletic Eligibility**

*List the procedures used to complete Forms 1, 2, 3, and C.*

- A. Student fills out Form 1 at Orientation meeting along with Head Coach. Information is explained to each athlete and questions answered. The Athletic Director will schedule a follow-up meeting with student/athlete.
- If the student has attended another college he/she also completes a Form 2 to be faxed by the Athletic Director to the other institution (s).
  - If a student graduated from an out-of-district high school, he/she also completes Form C. It is important to note that Form C's must be filled out upon first contact with institution.
  - If school transcripts are needed, the student obtains official transcripts to be sent to Athletic Director. The transcripts are hand carried to the Academic Advisor and Admissions Office for interpretation. An unofficial copy can be requested and utilized for preliminary use in calculating eligibility by the Athletic Director.
  - All forms turned in are checked by the Athletic Director and Coach to make sure all forms are completed and have been signed by the student.
- B. The Athletic Director receives academic records from Admissions and Records and begins the process of compiling all the information needed. Form 1's are checked for accuracy and then forwarded to the Academic Advisor.
- C. The Academic Advisor checks off that student's Educational Plan is on file and that the student is enrolled in 9 of the minimum 12 units towards the Educational Plan. The advisor pulls all academic records from Admissions and Records.
- D. Together the Athletics Director and Academic Advisor verify year of completion, enrollment in 12 units, transcript, 24 units with 2.0 GPA from first participation (for 2<sup>nd</sup> year student athletes), checks 2.0 of first year athletes that have participated in another sport and verifies that the transfer rule (12 units in residence) are being met. The Academic Advisor signs off after discussing any eligibility or academic concerns.
- E. The Athletic Director then re-checks all Form 1's, (2's and C's if necessary). Next the Athletic Director types each team roster (those eligible student athletes) on a Form 3 in alphabetical order. The Form 3 is forwarded to Academic Advisor for checking on accuracy and completeness and returned to the Athletic Director.
- F. The Athletic Director forwards completed Form 1 and Form 3 to District Admissions and Records Office who check to see if students are enrolled in at least 12 units. Upon approval forms are returned to the Vice President of Student Services at the college.

- G. Upon approval by the Vice President, forms are returned to the Athletic Director. The Athletic Director then makes copies for each conference school. The original Form 1's and Form 3's are mailed (postmarked) before the first competition to the Conference Commissioner.
- H. The Athletic Director maintains all incomplete Form 1's, Form 2's and Form C's in the office and a meeting will be scheduled with the Academic Advisor when all necessary forms have been completed.
- I. The Athletic Director shall submit a final Form 3 to the Conference Commissioner within 10 working days after the close of the competitive season indicating which students completed a full-season of competition.

***Who checks each form for completeness?***

The Athletic Director is the person responsible for checking each form for completeness. The Athletic Advisor and Eligibility Clerk will also identify forms done improperly.

***Who is the person on campus ultimately responsible for student athletic eligibility?***

The Athletic Director is the individual at the institution ultimately responsible for student athletic eligibility.

***Where Form 1's and 3's are kept? How long are they kept? Are they secure?***

Form 1's and 3's are kept in the Athletic Director's locked office. Forms kept currently are over 7 years.

## **STANDARD FIVE**

**Activity showing the Athletic Staff, Counselors,  
and Other Related Personnel have a working  
knowledge of Student-Athlete Recruiting  
Regulations**



***Are recruiting rules explained to members of the college community?***

The college “atmosphere” is not one that generates much interest in the area of athletic recruiting. The college staff is well trained to refer any potential student athlete to contact the Athletic Director in person or by phone immediately.

The Athletic Director is responsible for explaining and interpreting all rules and regulations that pertain to recruiting. This is accomplished by regular meeting with all coaches to ensure they not only understand but follow the recruitment rules.

The Athletic Director is able to meet with assistant coaches due to the limited number of sports at the institution.

***How are the recruiting rules explained to student athletes?***

During the process of filling out Form 1 and Form C’s (if necessary), the head coach and athletic director will discuss in detail recruiting boundaries and the student-athlete’s first contact rule. In most cases, the Athletic Director is involved in the initial process of athletic recruitment, and the student is fully aware of what can or cannot be done in terms of recruiting.

***Do the feeder high schools understand the recruiting rules?***

The feeder high schools do not have a solid understanding of what is legal and what is not in terms of the recruiting process. College of Alameda coaches continue to communicate with high school coaches, to ensure a better understanding of recruiting rules.

***Are coaches and students athletes aware of the penalties for recruiting violations?***

The coaches are fully aware of the penalties for illegally recruiting. The Athletic Director has discussed prior coaches and institutions that have been placed on probation and forfeited contests with hopes this will not occur on this campus. The student athlete is not aware of penalties for recruiting violations. They would only become aware if this institution or another institution was placed on probation or forfeited contests.

# **STANDARD SIX**

## **Participation in Non-Competitive Activities Related To Athletic Competition**

*List individuals at your college who have participated in the following types of activities: Bay Valley conference meetings, COA meetings, workshops, conference committees, sport representatives, etc...*

*During the past five years or so, the following athletic personnel have participated in the activities listed below.*

- Myron Jordan
- Member of competition committee Bay Valley conference
  - Attendance at COA meetings
  - Member of Men's Basketball Coaches Association
  - Attends state basketball association meetings
  - Presented workshop in conjunction with Open House for local feeder high schools
- Dr. Kerry Compton
- Member of the appeals hearing board
  - Representative to the Bay Valley conference
- Alze Roberts
- Representative to the Bay Valley conference

The Athletic Director has recently been hired on a full-time basis, so this will enhance the opportunity to participate on future conference committees and attend more meetings on a regular basis.

# **STANDARD 7**

**Activities Directed Toward Student Athlete  
Academic Support and Matriculation**

***List your college's activities toward student athlete support and matriculation.***

The assigned athletics advisor/counselor:

- a. Provides pre-registration advisement;
- b. Provides recommendations for remedial placement;
- c. Advises student athletes with respect to NCAA regulations;
- d. Develops educational plans and monitors those plans to make certain that student athletes are enrolled in courses leading to A.A degree completion and/or transfer. Ensures that all student athletes are enrolled in 15 or more units, 9 units of which are in courses leading toward remediation, certification, degree completion and/or transfer;
- e. Utilizes progress reports received from athletic director as a way of checking current grades during fall and spring semesters;
- f. Assists with completion of financial aid application;
- g. Assists student athletes in completing applications for awards and scholarships, including providing necessary documents and letters of recommendation;
- h. Completes and evaluates petitions for graduation;
- i. Works with second season athletes to complete applications for transfer to four-year institutions and verify eligibility for Division I, Division II, NAIA colleges and universities; (Attachment D)
- j. Ascertain eligibility status for prospective second season athletes;
- k. Provides counseling and advising to assist students in identifying and clarifying educational/vocational goals;
- l. Provides career counseling and when appropriate, makes referrals to Transfer Center, Career Center, etc.;
- m. Provides personal counseling and when necessary, make referrals to other on-campus or community resources.

***Describe services and/or interaction that the athletic department has with the counseling department.***

The Athletic Director meets on a regular basis with the athletic counselor to discuss problems and needs of the student athlete. In addition, individual meetings are scheduled on a month to month basis with the student athlete.

When the athletic counselor is unable to keep a scheduled appointment other counselors fill in to ensure that the needs of the student athlete are being met.

***Does your college provide a counselor assigned to counsel student athlete? Is the assignment full time?***

The athletic program has a designated full time counselor (.5 assigned to athletics) that interfaces with all athletes. However, referrals are often made to counselors in other areas, such as EOPS and DSPS when specialized services are needed, such as book vouchers, or testing for learning disabilities.

***Are priority registration, tutoring, or study tables available to your students?***

Priority registration is not available to the student athlete. The athlete is treated the same as a non student athlete. Students in the DSPS or EOPS Program are eligible for priority registration. After that, students may register for classes and services on a first come basis.

The Athletic Director works closely with the tutorial center to identify exceptional student athletes who qualify as tutors. To qualify as a tutor, the student athlete must meet the same criteria as the non-student athlete. The Athletic Director oversees the tutoring/study hall sessions which meet four (4) days weekly for two (2) hours daily.

In addition, the assistant coach working under the same tutorial structure conducts daily classroom checks of the student athlete and has on going communication with instructors, regarding class attendance and grades.

Volunteer coaches are also utilized in study hall programs on a daily basis for student athletes.

Student athletes who enroll in classes at other Peralta District Colleges are monitored by a women's head coach. The athletic director meets regularly with coaches in study hall and or tutorial programs.

***Do you have a counseling and guidance class for student athletes? Is the class mandatory?***

Currently the institution does not offer a counseling and guidance class for student athletes. However, ongoing meetings between the athletic department and counseling staff will generate a class scheduled in fall 2005.

The student athletes attend college orientation and various other workshops provided by financial aid, assessment, tutorial, student services, counseling, Cal Works, DSPS, EOPS, and athletics.

***Do all student athletes have an individual education plan on file?***

All student athletes have educational plans on file. The Athletic Advisor/Counselor and the Athletic Director meet with athletes in groups for pre-registration orientation. This orientation provides new or prospective students with information concerning college procedures, regulations, programs, and other pertinent information related to the athletic program and the college. Students are then referred to the Assessment Center for matriculation assessment if appropriate. After testing results are obtained, the Athletic Academic Advisor schedules an individual appointment with each student athlete for program planning. This may involve interpreting out-of-district assessment results and transcripts in order to assist students with selection of appropriate classes.

This process also includes evaluation of high school coursework, academic abilities, disabilities, strengths and weaknesses. After a thorough assessment of each individual and utilizing multiple measures, an initial Student Educational Plan is developed. The educational plan is reviewed each term and is revised and updated as necessary to ensure that it continues to reflect the needs and goals of the student.

Student Educational Plans are stored in a locked filed cabinet, located in the counseling reception area. (Attachment E)

***Does your department have a policy addressing a student athlete's need to miss a practice or contest in order to study or take a test?***

The institution does not have a formal policy written up because all coaches realize the importance of academics in the life of the student athlete. Special provisions are made to accommodate the student in missing practice and/or games to complete an academic assignment.

It should be noted that instructors at the college work with the athletic department to ensure that the student misses minimal practice or game time.

***Is there a college policy related to missing classes by student athletes when traveling or participating in scheduled contests?***

The institution offers a smaller numbers of class sections for second year students who need to complete courses in a timely manner to graduate.

The Athletic Director contacts instructors and ensures they have a copy of the game schedules for the student athlete ahead of time. This allows the student to work with the instructor in case arrangements need to be made to miss a class/test or practice/game.

As noted earlier, the Athletic Director is meeting with the counseling department to address new NCAA qualifications that have raised the academic requirement for the student athlete.

***Are student athletes able to add and drop classes without approval?***

The student athlete is told not to drop any courses without first checking with the Athletic Director or head coach. However, the student athlete is under no obligation to comply with the above request. The student athlete may drop courses if they choose to do so.

***Does the athletic department monitor full time enrollment status during the term? If so, how often? How is the monitoring accomplished?***

The Athletic Director contacts the eligibility clerk on a daily basis to check the status of each student athlete. On game days, the Athletic Director receives transcripts printouts on each student athlete and the team roster eligibility Form. (Attachment F, G)

***Do student athletes who have completed their athletic eligibility have access to the student athlete counseling program?***

The institution provides the same support for the student athlete as long as he/she is enrolled in courses. The Athletic Director, counseling personnel or coaching staff encourage the student to maintain contact with the institution to ensure support will be there if needed.



# PORTLAND STATE UNIVERSITY

August 8, 2002

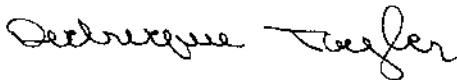
Coach Jordan;

Greetings from the Portland State Basketball family. Hopefully this letter finds you relaxed and recuperated from the hectic schedule of summer hoops. I wanted to take a moment to let you know how much we enjoyed watching your team. It was a great opportunity for us to evaluate your team's individual talent as well as get a feel for how each player fits in to a team setting.

We are anxious to recruit your players but more importantly we are excited about the opportunity to recruit your program. As we strive to build Portland State into a conference contender we understand the importance of attracting good players who come from quality programs. It is our hope that as we begin to get our feet wet here at Portland State, we can involve ourselves with your players and eventually develop a relationship that will allow everyone involved to be successful.

If there is ever anything we can do to help you or your program in any capacity please let us know and consider it done. Best of luck to you this up coming season and we will be in touch soon!

Yours in Hoops,



Dedrique Taylor  
Assistant Men's Basketball Coach

ATHLETIC DEPARTMENT





**CLASS ELIGIBILITY  
FORM COA**



SPORT: \_\_\_\_\_

SEASON: \_\_\_\_\_

	1/07	1/10	1/14	1/17	1/21	1/24	1/28	1/31	2/04	2/07	2/11	2/14	2/18	2/21	2/28- 3/01	3/01	3/04	3/07
Art Alexander																		
Daniel Anderson																		
Johnson Bui																		
Avin Curry																		
Ryan Fabio																		
Darryl Feilbach																		
Jason Goodwin																		
Leon Gradney																		
Myron Jordan																		
Dennario Kwox																		
William Moore																		
Kenny O'Keith																		
Steven Sherman																		
Russell Stewart																		
Matthew Wilson																		

Athletic Director \_\_\_\_\_

Date \_\_\_\_\_

Senior Clerk \_\_\_\_\_

Coach \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

This form verifies each student enrolled in 12 or more units on game days.

MJ: jmb

# **STANDARD EIGHT**

**Programs Designed to Foster Good Citizenship**

***Does your college have a substance abuse program?***

The institution does not have a substance abuse program.

Student Services provide workshops on various issues including substance abuse, transmitted diseases and sexual harassment. The college also provides workshops on anger management and individual tolerance.

In addition, instructors, including coaches, are provided with training on sexual harassment, substance abuse and anger management.

However, neither the athlete nor the instructor is required to attend.

***If you have a decorum policy, how are your student athletes made aware of this policy?***

The Athletic Director established a decorum policy during January semester of 2005. Each part of the policy was explained to the student athlete. Feedback was solicited from student athletes. The athlete signed the form and received a copy while the original was kept in the Athletic Director's office. (Attachment H)

***Does your college provide safe and well maintained athletic facilities?***

The athletic facilities that College of Alameda has are the gymnasium, soccer field, tennis courts, baseball field and track.

The gymnasium floor is in relatively good shape. However, general maintenance before athletic events has been inconsistent at best. The gymnasium floor has not been fully stripped, rewaxed, and sealed for many years. Everyone (PE faculty and coaches) strive to keep the facility looking good and all are careful to lock it up when not in use. The college received two new scoreboards and shot clocks for the gymnasium during the spring of 2005.

The baseball field cannot be utilized by the College of Alameda student population due to an agreement by City of Alameda and the college administrators. However, since Laney College has a men's baseball team they sometimes use the field for intercollegiate games.

The college has a new all weather track and turf soccer field. The entire student population utilizes the track during physical education classes. Periodically, outside community groups rent the track facility. The institution is scheduled to start a men's soccer team in the fall of 2005, and games will be played on new soccer field.

The following is a list of maintenance items needed for outside facilities:  
Resurface tennis courts that are marred with cracks and deterioration; replace the fence which is sagging due to dry rotted support members; install new lights on six courts; adjust light fixtures on remaining courts; this will keep matches from being postponed or terminated due to darkness.

As the business office and the athletic department continue to keep open lines of communication many problems and complaints are now being addressed.

College of Alameda  
Inter-collegiate Athletics  
Athlete's Decorum Contract

Any athlete violating any of the decorum violations stated below while on campus or during the inter-collegiate activity he/she is engaged in, shall suffer the penalties as so stated.

Decorum Violation	Penalty
Alcohol or substance abuse including smokeless tobacco	First Offense: 25% suspension from remaining contests. Verification of counseling contact before returning to participate. Second Offense: Expulsion from team.
Driving under the influence	40% suspension of remaining contests, possible expulsion from team.
Falsification of Athletic forms	Expulsion from team.
Misconduct/Harassment	First Offense: Loss of 2 contests. Verification of counseling contact before returning to participate. Second Offense: Loss of an additional 3 contests. Verification of second counseling contact before returning to participate. Meeting with athletic director and head coach. Third Offense: Expulsion from team.
Fighting	Fight Offense: Loss of 2 contests. Verification of counseling contact before returning to participate. Second Offense: Expulsion from team.
Stealing	First Offense: Loss of 2 contests. Meeting with head coach and athletic director. Second Offense: Expulsion from team.
I have read and understood the above violations and penalties attached to each one. I have been given the opportunity to ask questions and have clarification. I understand the penalty consequences if I violate the decorum contract.	
Signature	Date
Print Name	



# **STANDARD NINE**

**Activities that Demonstrate a Level of  
Commitment to Balance Men's and Women's  
Programs and Opportunities**

***What is your college's level of commitment to balance athletic opportunities for men and women?***

Currently, College of Alameda offers the following two (2) sports:

<u>Men's Basketball</u> Myron Jordan      head coach male Kieron Slaughter    assistant coach male	<u>Trainer</u> Robert Collier      Men's Basketball
<u>Women's Volleyball</u> Linda Thompson    head coach female Lisa B. Young        assistant coach female	<u>Trainer</u> Kevin McClintock   Women's Volleyball

In the future the institution will add men's soccer and women's tennis intercollegiate teams.

The institution strives to provide for the needs of women's programs to the same degree that it provides for the needs of the men's programs. Budget disparity can be shown to be based not on intent but rather as matter of number of athletes served, length of season, and number of contests scheduled. District and institutional policies and procedures govern equity in athletic equity component areas as the following:

- a. Equitable funding for uniforms, equipment and supplies selected by the individual coaches;
- b. Identical meals allowances for all athletes and support staff;
- c. Identical modes of team transport;
- d. Equitable choice of housing accommodation during tournaments;
- e. Practice and competitive schedules which accommodates athletes, coaches and staff members of the respective teams;
- f. Equal access to practice/competitive facilities, locker rooms, weight and conditioning facility determined by which sport is in season at the time.
- g. There are only two head coaches one of whom is full time. The one full time male coach also doubles as Athletic Director and coaches the one men's team. The part time coach is a female coaching the only women's team.
- h. The athletic trainer only works part time during athletic contests. During the 1999 – 2003 season the trainer was female and from 2003 – 2005 the trainer was male. There is no training room usage except on game days.
- i. The college receives monthly Title IX Compliance Bulletins for college athletics. (Attachment I, J)

Student athletes in need of trainer assistance must commute to neighboring Peralta Colleges, either Laney or Merritt. This procedure is not always readily available for the student athlete. Many times injuries do not always receive the proper treatment in a timely manner.

***What is your College's philosophy for adding and dropping sports? What criteria are used when adding and dropping sports?***

The philosophy and criteria for adding and dropping sports may be similar.

The following information would be evaluated:

1. Any additional sports would be for females due to Title 9 issues.
2. The amount of funds the district will allocate to individual institutions and the College President's decision to fund a certain number of sports.
3. The number of participants in the sport. The men's and women's tennis team was cancelled due to budget cutbacks and low enrollment. However, the women's tennis team will be revived in the Spring of 2006.

***If you are in a multi-college district, what is the district philosophy about athletic teams for both genders at all colleges in the district?***

The district philosophy regarding athletics in general is to provide each College President the opportunity to decide which intercollegiate athletic sports to fund. Currently, all three College Presidents are supporters of intercollegiate athletics.

However, the two smaller colleges (Merritt and Alameda) would probably like to offer a full complement of sports, but cannot afford to do so.

The three Athletic Directors attend various administrative meetings to address budget issues and concerns within the district. The information discussed can help develop a strategy that lends itself to do what is best for everyone concerned.

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# IX Compliance Bulletin for College Athletics

## Succeeding in Gender Equity with Students and Staff

Volume 4, Issue 8

August 2002

### In This Issue

#### LEADERS & INNOVATORS

Percy Bates expects his background as a faculty representative will serve the Commission on Opportunity in Athletics well. Find out his goals are for the future.

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#### PROGRAM PROFILE

Oklahoma City University has only five women's programs. Each one finished in the NAIA's Top 10, despite some hurdles.

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#### NEW SPORTS

The University of North Dakota is preparing for its first season of women's ice hockey. Are the residents of Grand Forks ready?

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#### PLANNING

Starting a bowling program isn't as easy as rolling a ball down the lane. Discover what you need to know to ensure your program's long-term success.

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#### ADMINISTRATOR'S CORNER

Battling discrimination suits can be costly and time-consuming. Be prepared to explain differences with documentation.

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#### COMPLIANCE

Knowing how to defend yourself in a Title IX lawsuit can mean the difference between winning and losing. What should you know?

PAGE 10

## Creativity's key when raising new funds for women's programs

### Maryland volleyball uses men's hoops to fund trip to China

**T**rips to China never come cheap. Unless, of course, you're already in China. That's not the situation for the **University of Maryland** women's volleyball team.

Thousands of miles from an offseason volleyball trip to the Far East and several thousand dollars short of covering expenses, head volleyball coach **Janice Kruger** came up with an interesting fund-raising idea.

Use the success of the school's men's basketball program to her program's benefit.

Kruger donated her two tickets for all of the men's basketball team's **Atlantic Coast Conference** home games in 2002 to a raffle. Kruger said everyone associated with the volleyball program was asked to sell 1,000 raffle tickets.

"Nearly everyone did, even the trainers," she said.

(See **RAFFLE** on page 6)

## New video illustrates struggle for quality media coverage

**S**ince the passage of Title IX more than 30 years ago, women's athletics have made tremendous strides in colleges and sports in general.

More teams, more scholarships, better coaching and better travel accommodations are just a few characteristics associated with the boom of women's athletics.

One area, though, that has lagged behind has been media coverage.

Although you'll certainly find more newspaper articles about female athletes than your parents did a generation ago, the amount doesn't come close to what is dedicated to male sports.

The quality of the coverage topics also leaves some audiences asking more questions since often coverage of women's athletics doesn't portray the same message of heroism, courage and strength as with men's coverage.

Those are the basic contentions of a new 30-minute video called *Playing Unfair* from the **Media Education Foundation**.

(See **VIDEO** on page 8)

# Legal Issues In

Route To: \_\_\_\_\_

# COLLEGIATE ATHLETICS

A Report of Court Decisions, Legislation and Regulations Affecting Collegiate Athletics

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*Highlight Case*

**School Cannot Erect Booster Signs In Locations Visible From State Highway**

Page 3

## Elsa Cole, NCAA's General Counsel, Unplugged

*Insightful, funny and confident, NCAA general counsel Elsa Cole stepped to the podium at the association's annual convention in Anaheim, Calif., last month and gave her take on the legal status of college sports. What follows is an excerpt expressing Cole's views on an assortment of the topics she addressed in her remarks.*

### Antitrust and Law v. NCAA

*(Editor's Note: In Law v. NCAA, 134 F.3d 1025 (10th Cir. 1998), the federal court system concluded that capping the salaries of assistant coaches violated federal antitrust laws.)*

We wanted to limit how much we would pay assistant coaches. Many of them were graduate students. This was a way to keep down the escalating costs of intercollegiate athletics. It made sense to the NCAA.

The court focused on the fact that this was the only place we were

trying to cut costs. We could turn around and give the money we saved in not paying the assistant coaches and give the money to a head coach. Despite our pure motives, the court found we had violated antitrust laws.

Many attorneys believed there would be a lot of challenges after *Law*, that we were vulnerable now. This case was a roadmap for how to sue the NCAA and win.

Antitrust is a very challenging issue for the association. We don't think of ourselves as a business. It's hard to fit ourselves into these boxes. Are we promoting our product, and is it helping competition? That's what the court wants to know.

I'll offer this primer on antitrust law. There are two parts. Is there an agreement to restrain trade and, second, is there an attempt to monopolize markets? Antitrust laws

See ELSA COLE on page 11

## 'Severe' Problems in Multiple Programs Lead To Probation, Administrative Requirements

Citing a "severe lack of institutional control," the NCAA recently placed Oklahoma Panhandle State University on five years' probation for violations that occurred in its football, baseball, men's and women's basketball, and women's golf programs. The university was also directed to ensure certain administrative changes

were made to its systems for maintaining compliance with NCAA rules governing student-athletes.

The case involved a series of violations that occurred within different athletic teams, and included violations of NCAA bylaws governing certification of eligibility, extra

See PROBATION on page 12

# **STANDARD TEN**

**Evaluation of the Proportionate Numbers of out  
of District and out of State Athletes**

*What was the number of participants on each team that your institution sponsors during the last academic year?*

*What was the number of out of recruiting area student-athletes on each team that your institution sponsors during the last academic year?*

*What was the number of out of state student-athletes on each team that your institution sponsors during the last academic year?*

Refer to the chart below:

TEAM	NUMBER OF PARTICIPANTS	OUT OF DISTRICT	OUT OF STATE
Men's Basketball	14	5	2
Women's Volleyball	8	2	1

*Compare the percentage of out of recruiting area and out of state student-athletes to the percentage of out of district and out of state students in the general student body?*

2003 – 2004

Total head count	6,027		
Total Athletics	22		
Out-of-district Athletes	1,731	or	29%
Out-of-state Athletes	7	or	31%
	37	or	1%
	3	or	7%

*What impact, positive or negative, have out of recruiting area and out of state student-athletes had on your program?*

The out-of-district, but in state athletes appeared to make a difference on our athletic teams. However, the percentage of out-of-district students does not differ from the percentage of students in the general student body. The out-of-state athletes appeared to make no difference on our athletic teams.

It is the feeling of the Athletic Director, those out-of-district athletes, who made first contact, were highly considered by the coaches of both men's and women's teams so their programs could stay competitive in the Bay Valley Conference, where the larger colleges may have advantages that smaller ones may not.

Currently, there are nine (9) out-of-district athletes in the athletic program.

# **STANDARD ELEVEN**

## **Institutional Fundraising Controls, Policies and Procedures**



***What institutional controls are in place to insure proper accounting and distribution of funds raised from foundations, trust accounts, booster clubs and donations?***

The College of Alameda cashier holds all funds raised from fund raising activities in a trust fund. The internal auditor audits these funds.

***Does the Athletic Director have institutional control of all revenues and expenses generated from foundations, trust accounts, booster club and donations? If not, who does?***

The Athletic Director does not control the funds. The Cashier controls all funds and dispenses funds in accordance with the procedure dictated by the attached form.

***Are these accounting procedures in writing and if so, in what document do they appear? Attach documentation to the self-study.***

There are no written procedures for the use of the trust funds. Attached to the program review is a form that is used to request funds. (Attachment K)

***Describe how revenue from foundations, trust accounts, booster clubs and donations are distributed to men's and women's athletics?***

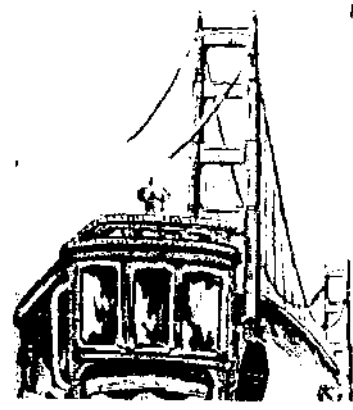
The Athletic Director or coach prepares the attached form; the request is approved by the Vice President of Student Services and the Business Office, and then routed the Cashier to prepare a check for the amount requested. Tracking the funds is done by the Cashier's Office.

The Athletic Director is responsible for ensuring that the donations are distributed equally to Men's and Women's athletic programs.

Due to the limited number of athletic teams, it is very easy to share revenue equally with both men and women programs.



Document 4.1 - Map of Competitive Area



*College of Alameda*

*Athletics*

**ATHLETIC PROGRAM REVIEW**

**APRIL 2005**

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# **Program Profile**

## **A Narrative Statement On The Profile Of The Institution**

## **DESCRIPTIVE BACKGROUND AND DEMOGRAPHICS**

The descriptive background and demographics provided were taken from the Spring 2003 Institutional self-study for Reaffirmation of Accreditation for College of Alameda.

### **HISTORY**

Residents of Alameda, Albany, Berkeley, Emeryville, Oakland, and Piedmont voted to establish a single community college district in 1963. The new district became Peralta Community College District on July 1, 1964. The name was selected to reflect the fact that the six cities of the district are located on the 44,800 acres which were granted to Sgt. Luis Maria Peralta in August 1820.

From the outset, it was determined that the existing campuses, as well as future campuses, would become comprehensive colleges, offering vocational, occupational, and liberal arts courses.

The District's voters passed a \$47 million bond issue for new Peralta campuses in October 1965, and construction began on new campuses for Laney, Merritt and for the new College of Alameda.

The College of Alameda campus was opened in June 1970. It occupies a 62-acre site in the northwest sector of the City of Alameda. Four original buildings were constructed in 1969-70: Building A, which houses administrative offices, classrooms, computer laboratories and laboratories for Dental Assisting Program; Building B, which houses Automotive Technology Program and the Auto Body and Paint Program; Buildings C and D, which are connected and house classrooms, science and computer labs and Instructional Division Offices; and Building F, which houses the Student Center, cafeteria, bookstore, and Associated Students offices.

Over the years, additional buildings were constructed: Building G, Gymnasium (1976); Building L, Library/Learning Resources Center (1976-77); Child Care Center (1977); and Building E, Diesel Mechanics (1989). The Air Facility houses the Aviation Maintenance Technology Program and is located adjacent to the North Field of Oakland International Airport in the city of Oakland. Outdoor facilities include tennis courts and an all weather track and multipurpose field.

College of Alameda offers day, evening, and weekend credit classes that support academic degree programs for transfer; occupational degree and certificate programs; and general and remedial education. The number of instructional computer laboratories has grown to 14. This growth in instructional labs mirrors the increase in use of multimedia and information technology in instructional classrooms. The implementation of technological changes affecting delivery of instruction and services will be an ongoing challenge to College of Alameda.

The Peralta Community College District serves area, located in Alameda County, includes the cities of Alameda, Albany, Berkeley, Emeryville, Oakland, and Piedmont. College of Alameda, as well as the other three colleges in the District, draws students from this service area which includes schools residing inside the contiguous boundaries.

The following four-year institutions are in proximity to the College of Alameda:

- a. California State University East Bay
- b. University of California, Berkeley
- c. Patten College
- d. Holy Names College
- e. Mills College

The challenge to College of Alameda's athletic programs continues to be recruitment of in-district student athletes by larger more prestigious colleges (Chabot, Diablo Valley, San Jose City, San Francisco City, and Santa Rosa) colleges.

## **ATHLETICS**

College of Alameda, located in the northwest sector of the City of Alameda on the island of Alameda, is the third largest member of the multi-college Peralta Community College District (PCCD) which includes Laney College and Merritt College in Oakland and Vista College in Berkeley. All four colleges are situated within a 10-mile radius of each other, the closest being College of Alameda and Laney College at a distance of 1.1 miles. With the exception of Vista College, the remaining three sister colleges offer separate athletic programs. However, of note is the distribution of men's and women's sports among the three Colleges' programs which take into account sport-specific District teams located at individual colleges. The formation of District teams was a result of a financial crisis in 1988 necessitating a state loan for the District to remain solvent. Layoffs and the streamlining, re-locating and/or elimination of instructional programs which include athletics, was a painful effort at recovery that took four years.

Formation of District teams also took account the close proximity of the colleges and the realization that, to offer all sports at all colleges, would compete for the same athletes. Moreover, Laney College's size, location and subsequent larger student enrollment was seen to be too formidable against which COA could compete given its smaller campus and enrollment. However, given the interest in volleyball, an available facility and the need to provide participation opportunity for women after a 3-year hiatus, the women's volleyball team at COA in 1994 was re-instated in competition with an established team at Laney College. Both teams fluctuate in the number of female athletes participating from year to year. There are also two men's basketball teams, one at Merritt College and the other at COA, the rationalization being that there is abundant interest and numbers to accommodate more than one District team.



## DEMOGRAPHICS

The Peralta Community College District service area, located in Alameda County, includes the cities of Alameda, Albany, Berkeley, Emeryville, Oakland, and Piedmont. College of Alameda, as well as the other three colleges in the District, draws students from this service area.\*

### PERALTA CCD SERVICE AREA POPULATION

#### Alameda

County	2001
Alameda	74,300
Albany	16,700
Berkeley	104,300
Emeryville	7,300
Oakland	409,300
Piedmont	11,100
<b>Total</b>	<b>623,000</b>

Source: California Statistical Abstracts

The population of Alameda County is ethnically diverse.

### ALAMEDA COUNTY ETHNICITY

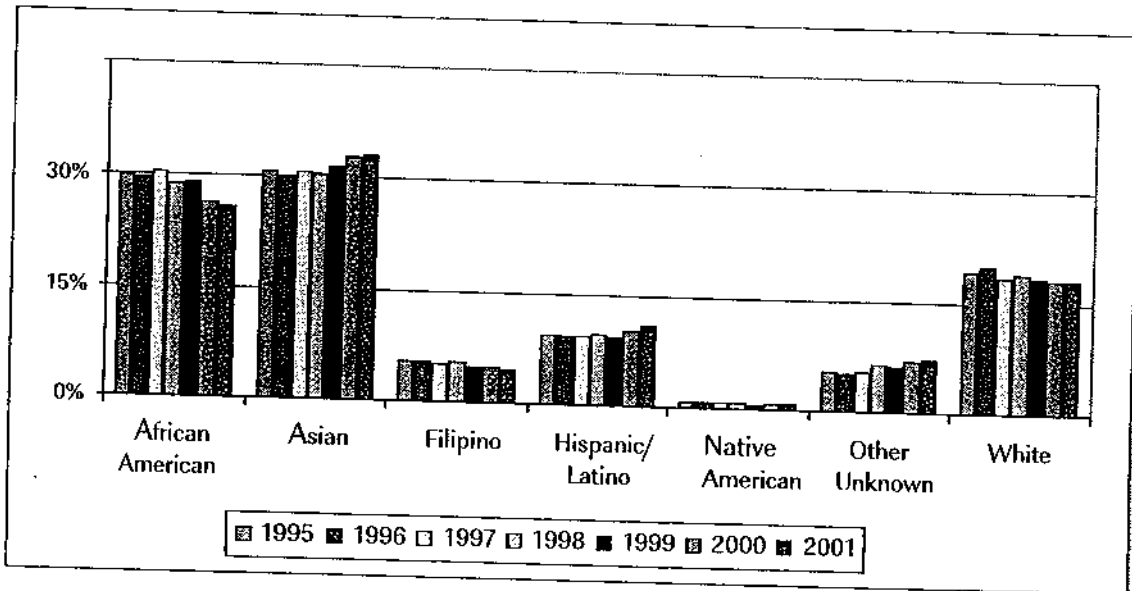
	Asian	Af. Am.	Filipino	Hispanic	Nat. Am.	Other	White	TOTAL
Count	292,673	211,124	8,458	273,910	5,306	61,175	591,095	1,443,741
Percent	20.3	14.6	.6	19.0	.4	4.2	40.9	

Source: U.S. Census 2000

\* Unless otherwise noted, Peralta Facts 2000 serves as source of demographic data.

Ethnicity of the Peralta Community College District service area is reflected in the ethnicity of College of Alameda students.

**College of Alameda  
Enrollment by Ethnicity  
Fall 1995–Fall 2001**



ETHNICITY	1995	1996	1997	1998	1999	2000	2001
African American	1,606	1,647	1,590	1,660	1,749	1,594	1,636
	30%	30%	30%	29%	29%	26%	26%
Asian	1,655	1,680	1,605	1,754	1,894	1,970	2,094
	31%	30%	31%	30%	30%	33%	33%
Filipino	286	293	264	298	293	293	294
	5%	5%	5%	5%	5%	5%	5%
Hispanic/Latino	499	525	487	556	565	608	688
	9%	9%	9%	10%	9%	10%	11%
Native American	36	37	37	41	37	48	53
	1%	1%	1%	1%	1%	1%	1%
Other/Unknown	286	283	282	361	367	423	454
	5%	5%	5%	6%	6%	7%	7%
White	1,032	1,108	970	1,095	1,099	1,093	1,148
	19%	20%	19%	19%	18%	18%	18%
Total	5,400	5,573	5,235	5,765	6,004	6,029	6,367

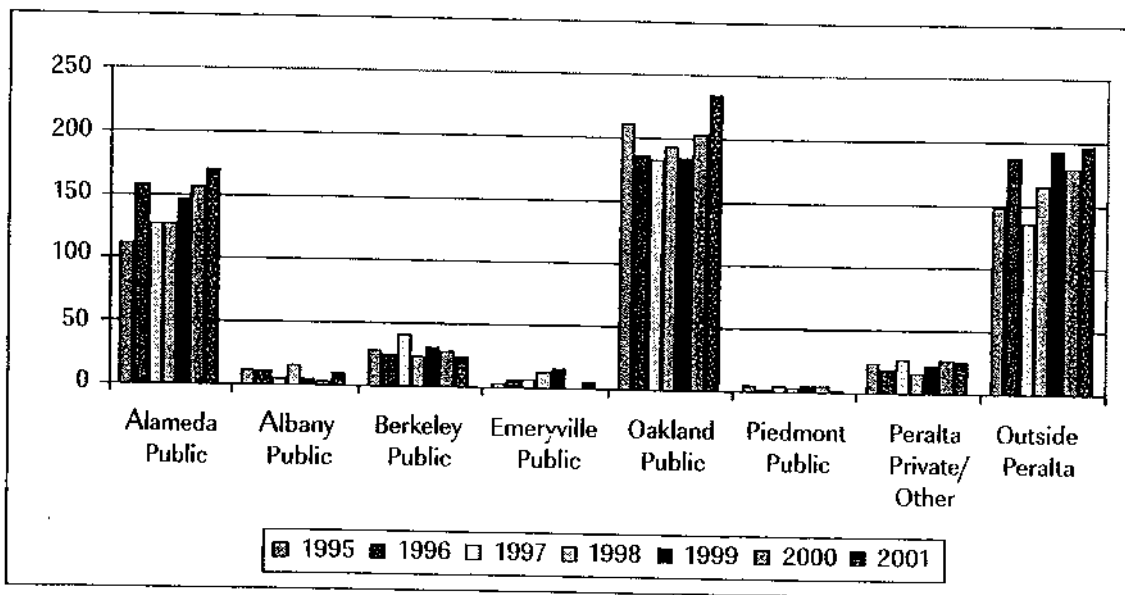
Enrollment at College of Alameda has grown consistently over the years.

**College of Alameda  
Unduplicated Fall Semester  
Enrollment**

<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>
5,235	5,765	6,004	6,029	6,367

College of Alameda's service area includes public high schools and private/independent high schools.

**College of Alameda  
Enrollment by High School District Attended  
New Students who Were Recent High School Leavers  
Fall 1995–Fall 2001**

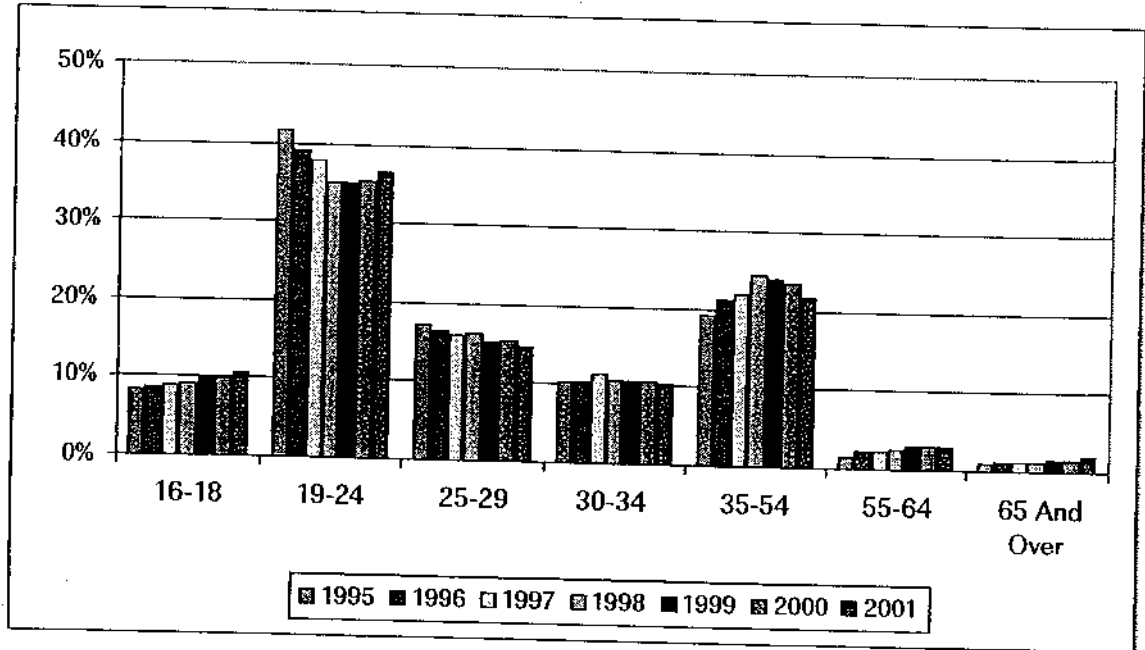


HS DISTRICT	1995	1996	1997	1998	1999	2000	2001
Alameda Public	111	158	127	127	147	156	170
<i>Pop.</i>	21%	27%	24%	23%	24%	26%	26%
Albany Public	11	11	5	15	4	3	9
<i>Pop.</i>	2%	2%	1%	3%	1%	1%	1%
Berkeley Public	28	25	40	24	32	28	24
<i>Pop.</i>	5%	4%	8%	4%	5%	5%	4%
Emeryville Public	3	6	7	12	15	0	4
<i>Pop.</i>	1%	1%	1%	2%	3%	0%	1%
Oakland Public	211	186	183	193	184	203	235
<i>Pop.</i>	39%	31%	35%	35%	31%	34%	35%
Piedmont Public	4	2	5	3	5	4	2
<i>Pop.</i>	1%	0%	1%	1%	1%	1%	0%
Peralta Private/Other	24	19	27	16	22	27	25
<i>Pop.</i>	4%	3%	5%	3%	4%	5%	4%
Outside Peralta	148	187	136	166	193	180	197
<i>Pop.</i>	27%	32%	26%	30%	32%	30%	30%
<b>TOTAL</b>	<b>540</b>	<b>594</b>	<b>530</b>	<b>556</b>	<b>603</b>	<b>604</b>	<b>666</b>

The population for this chart consists of new Peralta students who left high school within three years of the term. Example: in Fall 2000 the last year in high school would be 1998, 1999 or 2000. The last year in high school is self-declared on the application form.

The majority of College of Alameda students are in the 19 years–24 years age range.

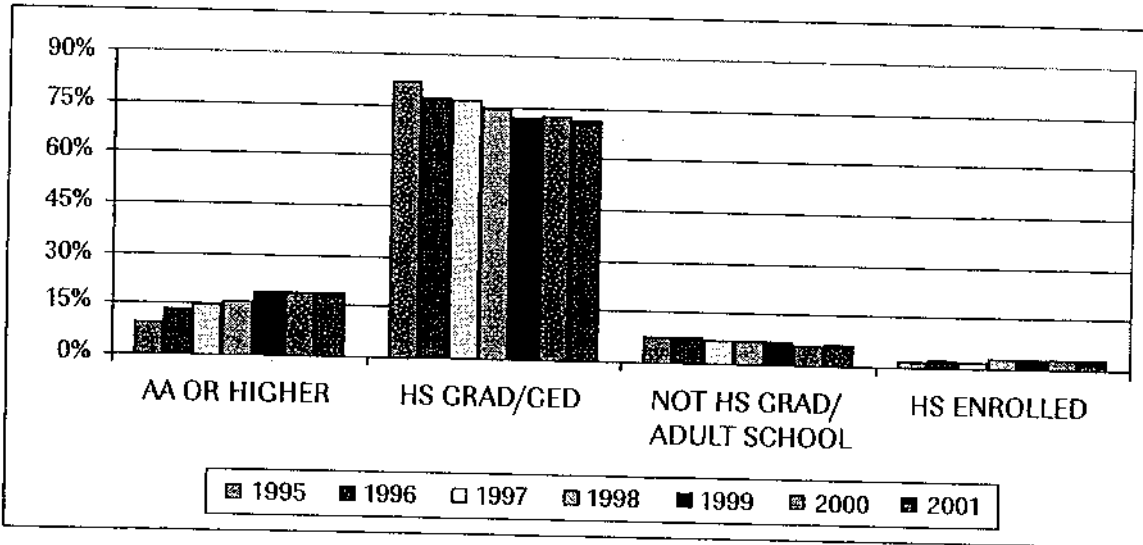
College of Alameda  
Enrollment by Age  
Fall 1995–Fall 2001



AGE GROUP	1995	1996	1997	1998	1999	2000	2001
Under 16	15	38	30	54	53	46	43
16-8	451	478	464	521	609	592	680
19-24	2,248	2,182	1,986	2,017	2,103	2,136	2,333
25-29	929	915	827	929	909	924	938
30-34	564	574	590	608	628	643	657
35-54	1,037	1,178	1,149	1,413	1,433	1,413	1,384
55-64	76	123	118	149	180	185	199
65 And Over	62	72	66	71	83	88	129
Unknown Or Under 10	18	13	5	3	6	2	4
Total	5,400	5,573	5,235	5,765	6,004	6,029	6,367

More than half of College of Alameda students have high school diplomas.

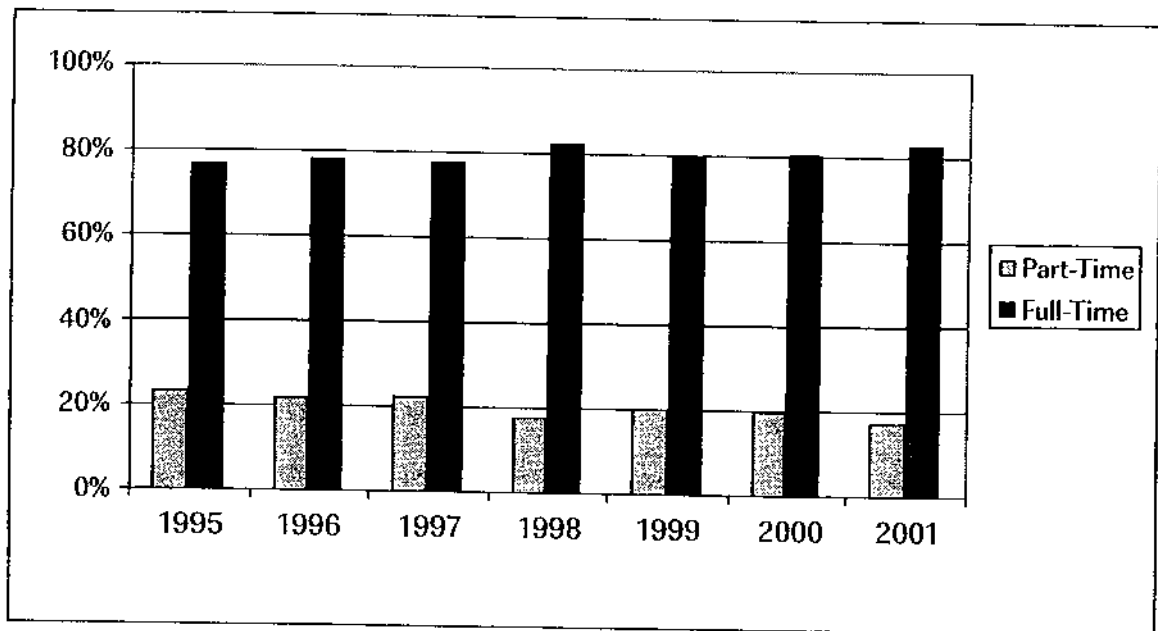
College of Alameda  
Enrollment by Highest Level of Education  
Fall 1995–Fall 2001



ED LEVEL	1995	1996	1997	1998	1999	2000	2001
Not HS Graduate	347	338	311	340	334	292	343
HS Enrolled	82	128	89	156	176	169	199
Adult School	59	74	62	64	73	66	66
HS Diploma	3,545	3,451	3,192	3,369	3,311	3,336	3,506
GED	234	281	263	286	308	304	265
HS Proficiency	55	50	36	53	60	80	79
Foreign HS	569	514	531	564	632	647	701
AA Degree	229	253	249	290	325	303	346
Higher Degree	276	480	501	632	784	831	860
Unknown	4	4	1	11	1	1	2
Total	5,400	5,573	5,235	5,765	6,004	6,029	6,367

The student body includes more part-time than full-time enrollees.

**College of Alameda  
Student Load  
Fall 1995–Fall 2001**



STUDENT LOAD	1995	1996	1997	1998	1999	2000	2001
Full-Time	1,146	1,121	1,044	940	1,100	1,057	1,109
Part-Time	3,760	3,982	3,647	4,316	4,460	4,418	5,258
Total	4,906	5,103	4,691	5,256	5,560	5,475	6,367

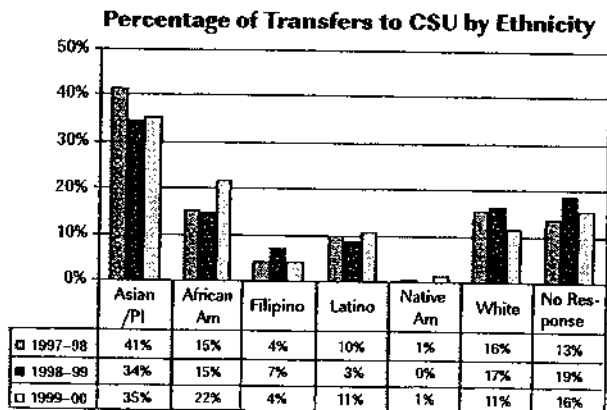
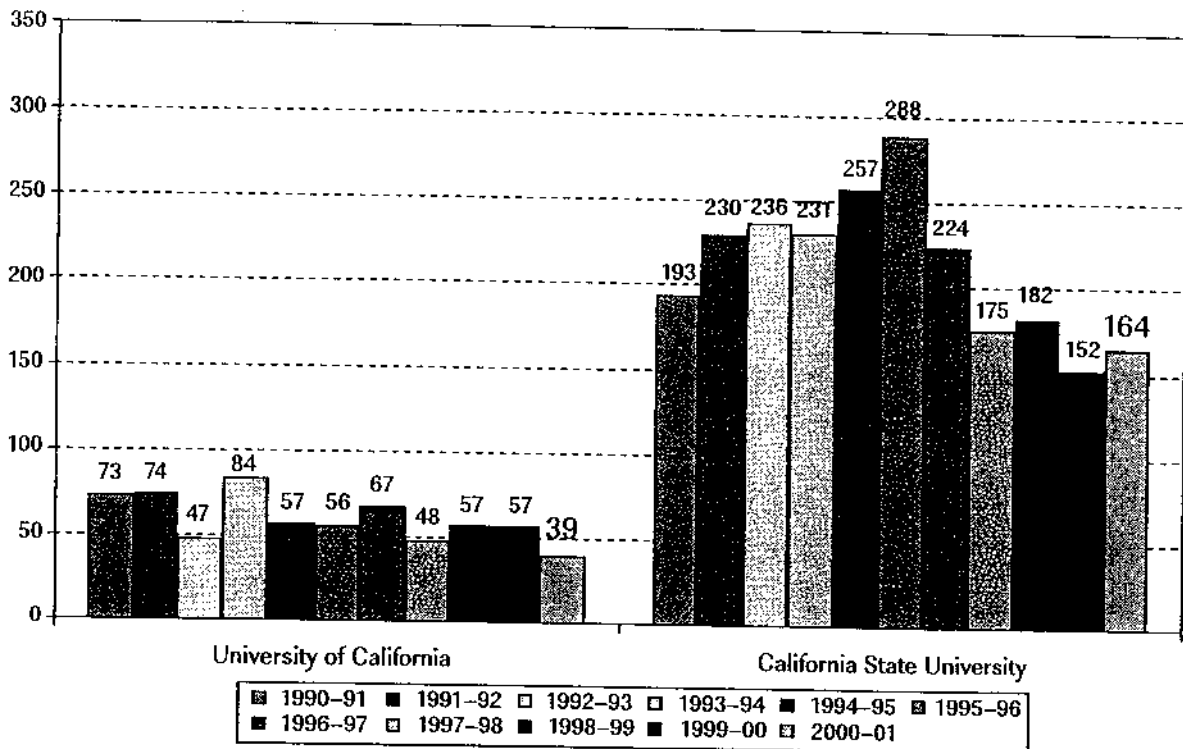
## Enrollment by Highest Level of Education Fall 1995–Fall 2001

Many of College of Alameda students transfer to University of California and California State University.

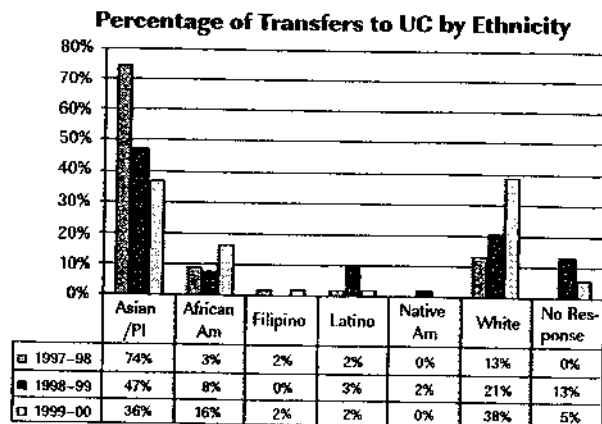
### College of Alameda Transfers to Four-Year Institutions

1990–91—2000–01 Updated

Transfers to University of California (UC) and California State University (CSU)



Non-residents not shown



Non-residents not shown



Number of Transfers to UC by Ethnicity

	1997-98	1998-99	1999-00
Asian/Pac	35	25	20
Hispanic	4	4	9
Black	1		1
White	1	5	1
Native Am		1	
Other	6	11	21
No Response	0	7	3
Unknown	0		
Total	1	4	2
Total	48	57	57

Number of Transfers to CSU by Ethnicity

	1997-98	1998-99	1999-00
Asian/Pac	71	60	52
Hispanic	26	26	32
Black	7	12	6
White	17	15	16
Native Am	1		2
Other	27	29	17
No Response	23	33	23
Unknown	3	7	4
Total			
Total	175	182	152

Source: California Postsecondary Education Commission (CPEC), Student Profiles, 2000

College of Alameda's full-time staff reflects the ethnic distribution of the PCCD service area and the gender breakdown of COA students.

**College of Alameda  
Demographics of Faculty, Staff and Administration**

	Administration #	Administration %	Classified #	Classified %	Faculty #	Faculty %
Female	5	71%	51	70%	100	44%
Male	2	29%	22	30%	126	56%
Total	7	100%	73	100%	226	100%

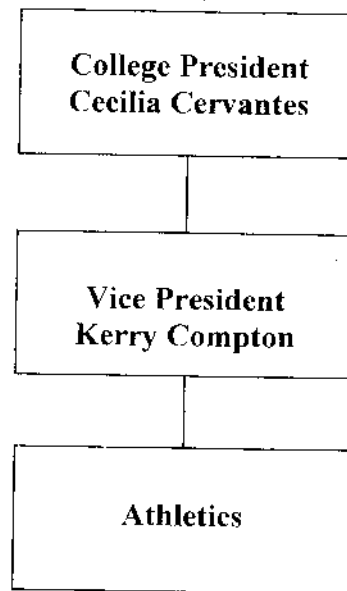
	Administration #	Administration %	Classified #	Classified %	Faculty #	Faculty %
Asian/Pf	0	0%	10	14%	22	10%
African-Am.	4	57%	27	37%	52	23%
Filipino	0	0%	6	8%	4	2%
Hispanic	1	14%	10	14%	18	8%
White	2	29%	17	23%	128	57%
Unknown	0	0%	3	4%	2	1%
Total	7	100%	73	100%	226	100%

	Administration #	Administration %	Classified #	Classified %	Faculty #	Faculty %
<30	0	0%	2	3%	5	2%
30-39	1	14%	10	14%	28	12%
40-49	1	14%	29	40%	58	26%
50-59	4	57%	25	34%	81	36%
60-65	0	0%	5	7%	36	16%
>65	1	14%	2	3%	16	7%
Unknown	0	0%	0	0%	2	1%
Total	7	100%	73	100%	226	100%

Based on Headcount  
Source: COA Profile, Fall 2002

# COLLEGE OF ALAMEDA

## Administrative Structure Related to Athletics



Athletic Director.....	Myron Jordan
Part Time Trainer.....	Robert Collier
Athletic Counselor.....	Alze Roberts
Eligibility Clerk.....	Janice Bledsoe
Athletic Secretary.....	Gloria Edgar
Head Coaches	
Men's Basketball.....	Myron Jordan
Women's Volleyball.....	Linda Thompson
Assistance Coaches	
Men's Basketball.....	Kieron Slaughter Chris Curtis Derek Jones
Women's Volleyball.....	Linda B. Young Ken Kho

# **STANDARD ONE**

**Adherence to the COA Constitution and Bylaws  
and Other Rules of the State and Conference**

***In what manner is the Form R-1 and R-2 procedure completed on your campus?***

The Athletic Director conducts a staff meeting in August and September to review updated State COA rules on eligibility and recruitment. Follow up meetings are conducted with coaching staff personnel to ensure compliance with COA rules on eligibility and recruitment.

After the meeting, each staff member signs Form R-2, Statement of In-services Training, to document that the representative has received in-service training on the State COA constitution with special emphasis on its recruitment rule. (Attachment A)

A signed copy of Form R-1, Statement of Compliance, is forwarded to the Vice President of Student Services and college President, verifying that the college shall adhere to Constitution rules and regulations with special emphasis on rules regarding recruitment. The original Form R-1 is sent to the State Commissioners office. (Attachment B)

***Do all staff members have a current copy of the COA constitution and bylaws?***

The Athletic Director, Vice President, Student Services, and the head coaches have copies of the current COA constitution and bylaws. However, the Athletic Director provided copies of eligibility and recruitment information during the training.

***If your college violates the COA constitution and bylaws, what process is followed? Please outline the process.***

College Process as Follows:

1. The Athletic Director reports the violation to Bay Valley Conference Commissioner, Vice President of Student Services, College President and coaches involved.
2. The college adheres to whatever penalties and/or sanctions are placed upon the institution by the conference commissioner due to rule violations.
3. A written policy statement on the violation activities is presented at the first scheduled conference meeting following the penalty ruling.
4. The college provides the Conference Commissioner with a monthly written report summarizing the college activities in the area of; the rules for which the penalty was invoked.
5. A copy of the letter sent to the Bay Valley Conference Commissioner is given to the College President, Vice President of Student Services and the coaches involved.

6. The Athletic Director and head coach schedules a meeting to discuss all aspects of the violation. The meeting includes ways to prevent a repeat occurrence.



# STATEMENT OF IN-SERVICE TRAINING

**FORM R-2**  
SIDE 1

*This statement of in-service training shall be kept on **FILE AT YOUR CAMPUS**, documenting that our athletic staff, employees, and representatives have received in-service training on the Constitution with special emphasis on its recruitment rules.*

ALAMEDA

College \_\_\_\_\_  
 Athletic Director (M) \_\_\_\_\_ Date 9-22-04  
 Athletic Director (W) \_\_\_\_\_ Date 8-18-04

The following coaches' signatures verify that they have received in-service training on the contents, interpretations, and implications of the Constitution with special emphasis on its rules governing recruitment. We affirm that our representatives shall adhere to the rules and regulations of the Constitution, and they understand that violations of the Constitution may subject our college to penalties:

Baseball	Date	Swim, M	Date
Basketball, M	Date	Swim, W	Date
Basketball, W	Date	Tennis, M	Date
Cross Country, M	Date	Tennis, W	Date
Cross Country, W	Date	Track & Field, M	Date
Football	Date	Track & Field, W	Date
Golf, M	Date	Volleyball, M	Date
Golf, W	Date	 Volleyball, W	<u>8-18-04</u> Date
Soccer M	Date	Water Polo, M	Date
Soccer, W	Date	Water Polo, W	Date
Softball	Date	Wrestling	Date

**PLEASE KEEP ON FILE AT YOUR CAMPUS.**

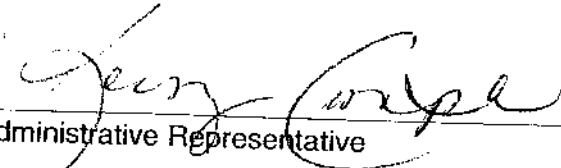


Attachment B  
**STATEMENT OF COMPLIANCE**

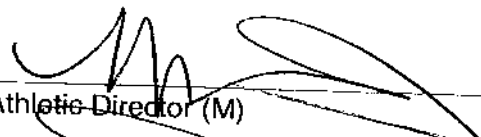
FORM R-1

*This statement of compliance is to verify that our college shall adhere to the Constitution rules and regulations, with special emphasis on rules regarding the recruitment of athletes.*

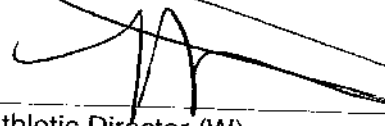
The athletic administrators of our college have reviewed the contents, interpretations, and implications of the Constitution with our staff, employees, representatives, and each person who works with the athletics program. We affirm that our representatives shall adhere to its rules and regulations. We understand that violations of the Constitution may subject our college to penalties:

  
Administrative Representative

9/3/04  
Date

  
Athletic Director (M)

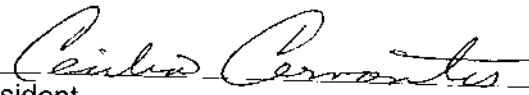
9/3/04  
Date

  
Athletic Director (W)

9/3/04  
Date

This statement shall be completed and forwarded to the State Commissioner's office by the second Friday in September of each year. Failure to file this form by the second Friday in September will result in the forfeiture of all completed contests.

In addition, FORM R-2, Statement of In-service Training, is *on file on our campus*, documenting that our athletic staff, employees, and representatives have received in-service training on the Constitution with special emphasis on its recruitment rules.

  
President

9/3/04  
Date

ALAMEDA COLLEGE  
College

Please forward to:

COA/R-1  
2017 "O" STREET  
SACRAMENTO CA 95814-5285



# **STANDARD TWO**

**Adherence to the Bay Valley Conference  
Constitution, Bylaws, Rules and Regulations**

***Do the appropriate members of your college have up to date copies of the conference constitution and bylaws?***

The VP of Student Services, head coaches and Athletic Director have up to date copies of the conference constitution and bylaws.

***Do they receive agendas and minutes distributed of conference meetings?***

The Athletic Director and head coach attend every Bay Valley Conference meeting. Information pertinent to administration, support staff or coaches is discussed and distributed immediately.

The committee members who include the Athletic Counselor and the VP of Student Services receive copies of the agenda and minutes of the Bay Valley Conference meetings.

## **STANDARD THREE**

**Adherence to the Bay Valley Conference  
Philosophy Statement, and Proof of Activities that  
support and strengthens its tenants.**

## ***College of Alameda athletic philosophy statement***

In keeping with the college mission, the institution subscribes to the philosophy that the athletic program and personnel play an integral role in the total educational process of student athletes. The purpose of the athletic program is to provide intercollegiate athletic participation to enable students to realize their potential within an extended educational context.

Academic success remains the main priority of the athletic program. The matriculation components of admissions, assessment and orientation, academic advising and counseling and follow-up are key to enrolling and retaining students in appropriate classes or programs. This will enable each student to achieve the highest possible academic and athletic success while at the College of Alameda. Appropriate student support services such as financial aid, tutoring, childcare, and special education programs provide further assistance to student athletes. Retention, program/course/degree and certificate of completion and/or transfer, and other successful student outcomes are more likely to be achieved when all instructional and support services are brought to bear on the educational, physical and emotional well being of student athletes. Equally important, the institution adheres to the belief that athletics promotes the growth and development of values in leadership, character, sportsmanship, teamwork and respect for others.

Athletic recruitment of any individual residing outside the Peralta services area and the surrounding contiguous college district is prohibited. Likewise, any student of another California Community College, regardless of residence shall not be athletically recruited.

The College President, in concert with the appropriate athletic administrator and/or director, is responsible for ensuring that the college is in compliance with the rules and regulations pertaining to athletic recruitment.

If an out-of-district student prospect from another California Community College District makes an unsolicited inquiry (first contact) with College of Alameda regarding athletic participation, Form C (Out of District Student Contact Record) is to be completed on the first person-to-person visit within district boundaries and kept on file in the Athletic Director's office. At no time will a COA coach conduct athletic recruiting with a non-district prospect out of the Peralta service area.

Subsidization (providing any manner of financial assistance in return for a prospect's athletic services) is not permitted. A sanctioned job wherein work value is received is not considered subsidization.

Inducements (acts that are designed to entice a prospect such as meal, class, schedule, home visit, invitation to an on-campus activity, etc.) may only be provided to prospects who reside in the Peralta service area.

The giving of special privileges or consideration to athletes to the exclusion of all other students is prohibited. Athletic ability cannot be used as a criterion, whether stated or not, to receive services of financial awards, loans or grants, free or reduced rates of housing, meals, books, supplies, transportation, or student body cards for which all other students are also eligible.

The college has recently petitioned to move into a conference comprised primarily of smaller colleges. This move was done for many reasons but mostly for more parity and equity in the women's sports.

Enclosed is the letter written by President Cecilia Cervantes on behalf of the athletic program and the new conference. (Attachment C)

***Do the members of your college administration and athletic department have a working knowledge of the conference and college philosophy?***

The coaching staff has a solid understanding of the college and conference philosophy. Due to the limited number of sports offered at the institution coaches are readily accessible to discuss questions pertaining to conference or college philosophies. The coaching staff has remained somewhat stable while clerical personnel assigned to athletics have been working with the Athletic Director for over ten (10) years.

The college administration does have a working knowledge of the college philosophy.

The Athletic Director meets monthly with the VP of Student Services and the support staff to address any questions pertinent to college or conference philosophies.

The VP of Student Services is a member of The Bay Valley Conference appeals hearing board. The administration is very cooperative and highly involved in the athletic program at all home games.

***Is the philosophy statement different than it was five years ago?***

The college philosophy statement does not significantly change from the last self-study review in 1992-1993.

# **STANDARD FOUR**

## **Activities Related To Processing Athletic Eligibility**

*List the procedures used to complete Forms 1, 2, 3, and C.*

- A. Student fills out Form 1 at Orientation meeting along with Head Coach. Information is explained to each athlete and questions answered. The Athletic Director will schedule a follow-up meeting with student/athlete.
- If the student has attended another college he/she also completes a Form 2 to be faxed by the Athletic Director to the other institution (s).
  - If a student graduated from an out-of-district high school, he/she also completes Form C. It is important to note that Form C's must be filled out upon first contact with institution.
  - If school transcripts are needed, the student obtains official transcripts to be sent to Athletic Director. The transcripts are hand carried to the Academic Advisor and Admissions Office for interpretation. An unofficial copy can be requested and utilized for preliminary use in calculating eligibility by the Athletic Director.
  - All forms turned in are checked by the Athletic Director and Coach to make sure all forms are completed and have been signed by the student.
- B. The Athletic Director receives academic records from Admissions and Records and begins the process of compiling all the information needed. Form 1's are checked for accuracy and then forwarded to the Academic Advisor.
- C. The Academic Advisor checks off that student's Educational Plan is on file and that the student is enrolled in 9 of the minimum 12 units towards the Educational Plan. The advisor pulls all academic records from Admissions and Records.
- D. Together the Athletics Director and Academic Advisor verify year of completion, enrollment in 12 units, transcript, 24 units with 2.0 GPA from first participation (for 2<sup>nd</sup> year student athletes), checks 2.0 of first year athletes that have participated in another sport and verifies that the transfer rule (12 units in residence) are being met. The Academic Advisor signs off after discussing any eligibility or academic concerns.
- E. The Athletic Director then re-checks all Form 1's, (2's and C's if necessary). Next the Athletic Director types each team roster (those eligible student athletes) on a Form 3 in alphabetical order. The Form 3 is forwarded to Academic Advisor for checking on accuracy and completeness and returned to the Athletic Director.
- F. The Athletic Director forwards completed Form 1 and Form 3 to District Admissions and Records Office who check to see if students are enrolled in at least 12 units. Upon approval forms are returned to the Vice President of Student Services at the college.

- G. Upon approval by the Vice President, forms are returned to the Athletic Director. The Athletic Director then makes copies for each conference school. The original Form 1's and Form 3's are mailed (postmarked) before the first competition to the Conference Commissioner.
- II. The Athletic Director maintains all incomplete Form 1's, Form 2's and Form C's in the office and a meeting will be scheduled with the Academic Advisor when all necessary forms have been completed.
- I. The Athletic Director shall submit a final Form 3 to the Conference Commissioner within 10 working days after the close of the competitive season indicating which students completed a full-season of competition.

***Who checks each form for completeness?***

The Athletic Director is the person responsible for checking each form for completeness. The Athletic Advisor and Eligibility Clerk will also identify forms done improperly.

***Who is the person on campus ultimately responsible for student athletic eligibility?***

The Athletic Director is the individual at the institution ultimately responsible for student athletic eligibility.

***Where Form 1's and 3's are kept? How long are they kept? Are they secure?***

Form 1's and 3's are kept in the Athletic Director's locked office. Forms kept currently are over 7 years.



## **STANDARD FIVE**

**Activity showing the Athletic Staff, Counselors,  
and Other Related Personnel have a working  
knowledge of Student-Athlete Recruiting  
Regulations**

***Are recruiting rules explained to members of the college community?***

The college “atmosphere” is not one that generates much interest in the area of athletic recruiting. The college staff is well trained to refer any potential student athlete to contact the Athletic Director in person or by phone immediately.

The Athletic Director is responsible for explaining and interpreting all rules and regulations that pertain to recruiting. This is accomplished by regular meeting with all coaches to ensure they not only understand but follow the recruitment rules.

The Athletic Director is able to meet with assistant coaches due to the limited number of sports at the institution.

***How are the recruiting rules explained to student athletes?***

During the process of filling out Form 1 and Form C’s (if necessary), the head coach and athletic director will discuss in detail recruiting boundaries and the student-athlete’s first contact rule. In most cases, the Athletic Director is involved in the initial process of athletic recruitment, and the student is fully aware of what can or cannot be done in terms of recruiting.

***Do the feeder high schools understand the recruiting rules?***

The feeder high schools do not have a solid understanding of what is legal and what is not in terms of the recruiting process. College of Alameda coaches continue to communicate with high school coaches, to ensure a better understanding of recruiting rules.

***Are coaches and students athletes aware of the penalties for recruiting violations?***

The coaches are fully aware of the penalties for illegally recruiting. The Athletic Director has discussed prior coaches and institutions that have been placed on probation and forfeited contests with hopes this will not occur on this campus. The student athlete is not aware of penalties for recruiting violations. They would only become aware if this institution or another institution was placed on probation or forfeited contests.

# **STANDARD SIX**

## **Participation in Non-Competitive Activities Related To Athletic Competition**

***List individuals at your college who have participated in the following types of activities: Bay Valley conference meetings, COA meetings, workshops, conference committees, sport representatives, etc...***

***During the past five years or so, the following athletic personnel have participated in the activities listed below.***

- Myron Jordan
- Member of competition committee Bay Valley conference
  - Attendance at COA meetings
  - Member of Men's Basketball Coaches Association
  - Attends state basketball association meetings
  - Presented workshop in conjunction with Open House for local feeder high schools

- Dr. Kerry Compton
- Member of the appeals hearing board
  - Representative to the Bay Valley conference

- Alze Roberts
- Representative to the Bay Valley conference

The Athletic Director has recently been hired on a full-time basis, so this will enhance the opportunity to participate on future conference committees and attend more meetings on a regular basis.

# **STANDARD 7**

**Activities Directed Toward Student Athlete  
Academic Support and Matriculation**

***List your college's activities toward student athlete support and matriculation.***

The assigned athletics advisor/counselor:

- a. Provides pre-registration advisement;
- b. Provides recommendations for remedial placement;
- c. Advises student athletes with respect to NCAA regulations;
- d. Develops educational plans and monitors those plans to make certain that student athletes are enrolled in courses leading to A.A degree completion and/or transfer. Ensures that all student athletes are enrolled in 15 or more units, 9 units of which are in courses leading toward remediation, certification, degree completion and/or transfer;
- e. Utilizes progress reports received from athletic director as a way of checking current grades during fall and spring semesters;
- f. Assists with completion of financial aid application;
- g. Assists student athletes in completing applications for awards and scholarships, including providing necessary documents and letters of recommendation;
- h. Completes and evaluates petitions for graduation;
- i. Works with second season athletes to complete applications for transfer to four-year institutions and verify eligibility for Division I, Division II, NAIA colleges and universities; (Attachment D)
- j. Ascertain eligibility status for prospective second season athletes;
- k. Provides counseling and advising to assist students in identifying and clarifying educational/vocational goals;
- l. Provides career counseling and when appropriate, makes referrals to Transfer Center, Career Center, etc.;
- m. Provides personal counseling and when necessary, make referrals to other on-campus or community resources.

***Describe services and/or interaction that the athletic department has with the counseling department.***

The Athletic Director meets on a regular basis with the athletic counselor to discuss problems and needs of the student athlete. In addition, individual meetings are scheduled on a month to month basis with the student athlete.

When the athletic counselor is unable to keep a scheduled appointment other counselors fill in to ensure that the needs of the student athlete are being met.

***Does your college provide a counselor assigned to counsel student athlete? Is the assignment full time?***

The athletic program has a designated full time counselor (.5 assigned to athletics) that interfaces with all athletes. However, referrals are often made to counselors in other areas, such as EOPS and DSPS when specialized services are needed, such as book vouchers, or testing for learning disabilities.

***Are priority registration, tutoring, or study tables available to your students?***

Priority registration is not available to the student athlete. The athlete is treated the same as a non student athlete. Students in the DSPP or EOPS Program are eligible for priority registration. After that, students may register for classes and services on a first come basis.

The Athletic Director works closely with the tutorial center to identify exceptional student athletes who qualify as tutors. To qualify as a tutor, the student athlete must meet the same criteria as the non-student athlete. The Athletic Director oversees the tutoring/study hall sessions which meet four (4) days weekly for two (2) hours daily.

In addition, the assistant coach working under the same tutorial structure conducts daily classroom checks of the student athlete and has on going communication with instructors, regarding class attendance and grades.

Volunteer coaches are also utilized in study hall programs on a daily basis for student athletes.

Student athletes who enroll in classes at other Peralta District Colleges are monitored by a women's head coach. The athletic director meets regularly with coaches in study hall and or tutorial programs.

***Do you have a counseling and guidance class for student athletes? Is the class mandatory?***

Currently the institution does not offer a counseling and guidance class for student athletes. However, ongoing meetings between the athletic department and counseling staff will generate a class scheduled in fall 2005.

The student athletes attend college orientation and various other workshops provided by financial aid, assessment, tutorial, student services, counseling, Cal Works, DSPP, EOPS, and athletics.

***Do all student athletes have an individual education plan on file?***

All student athletes have educational plans on file. The Athletic Advisor/Counselor and the Athletic Director meet with athletes in groups for pre-registration orientation. This orientation provides new or prospective students with information concerning college procedures, regulations, programs, and other pertinent information related to the athletic program and the college. Students are then referred to the Assessment Center for matriculation assessment if appropriate. After testing results are obtained, the Athletic Academic Advisor schedules an individual appointment with each student athlete for program planning. This may involve interpreting out-of-district assessment results and transcripts in order to assist students with selection of appropriate classes.

This process also includes evaluation of high school coursework, academic abilities, disabilities, strengths and weaknesses. After a thorough assessment of each individual and utilizing multiple measures, an initial Student Educational Plan is developed. The educational plan is reviewed each term and is revised and updated as necessary to ensure that it continues to reflect the needs and goals of the student.

Student Educational Plans are stored in a locked filed cabinet, located in the counseling reception area. (Attachment E)

***Does your department have a policy addressing a student athlete's need to miss a practice or contest in order to study or take a test?***

The institution does not have a formal policy written up because all coaches realize the importance of academics in the life of the student athlete. Special provisions are made to accommodate the student in missing practice and/or games to complete an academic assignment.

It should be noted that instructors at the college work with the athletic department to ensure that the student misses minimal practice or game time.

***Is there a college policy related to missing classes by student athletes when traveling or participating in scheduled contests?***

The institution offers a smaller numbers of class sections for second year students who need to complete courses in a timely manner to graduate.

The Athletic Director contacts instructors and ensures they have a copy of the game schedules for the student athlete ahead of time. This allows the student to work with the instructor in case arrangements need to be made to miss a class/test or practice/game.

As noted earlier, the Athletic Director is meeting with the counseling department to address new NCAA qualifications that have raised the academic requirement for the student athlete.

***Are student athletes able to add and drop classes without approval?***

The student athlete is told not to drop any courses without first checking with the Athletic Director or head coach. However, the student athlete is under no obligation to comply with the above request. The student athlete may drop courses if they choose to do so.



***Does the athletic department monitor full time enrollment status during the term? If so, how often? How is the monitoring accomplished?***

The Athletic Director contacts the eligibility clerk on a daily basis to check the status of each student athlete. On game days, the Athletic Director receives transcripts printouts on each student athlete and the team roster eligibility Form. (Attachment F, G)

***Do student athletes who have completed their athletic eligibility have access to the student athlete counseling program?***

The institution provides the same support for the student athlete as long as he/she is enrolled in courses. The Athletic Director, counseling personnel or coaching staff encourage the student to maintain contact with the institution to ensure support will be there if needed.

# PORTLAND STATE UNIVERSITY

August 8, 2002

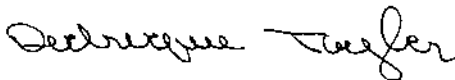
Coach Jordan;

Greetings from the Portland State Basketball family. Hopefully this letter finds you relaxed and recuperated from the hectic schedule of summer hoops. I wanted to take a moment to let you know how much we enjoyed watching your team. It was a great opportunity for us to evaluate your team's individual talent as well as get a feel for how each player fits in to a team setting.

We are anxious to recruit your players but more importantly we are excited about the opportunity to recruit your program. As we strive to build Portland State into a conference contender we understand the importance of attracting good players who come from quality programs. It is our hope that as we begin to get our feet wet here at Portland State, we can involve ourselves with your players and eventually develop a relationship that will allow everyone involved to be successful.

If there is ever anything we can do to help you or your program in any capacity please let us know and consider it done. Best of luck to you this up coming season and we will be in touch soon!

Yours in Hoops,



Dedrique Taylor  
Assistant Men's Basketball Coach

# Peralta Community College District — Student Education Plan (SEP)

Name: \_\_\_\_\_

Social Security No.: \_\_\_\_\_

Vocational Certificate: \_\_\_\_\_ Catalogue Year: \_\_\_\_\_

A.A./A.S. Degree: \_\_\_\_\_

Transfer College: \_\_\_\_\_ Major: \_\_\_\_\_

Other Goal: \_\_\_\_\_

Other College(s) Attended: \_\_\_\_\_ Units: \_\_\_\_\_

\_\_\_\_\_ Units: \_\_\_\_\_

\_\_\_\_\_ Units: \_\_\_\_\_

Term:	Units
<b>Total Units</b>	

Term:	Units
<b>Total Units</b>	

Term:	Units
<b>Total Units</b>	

Term:	Units
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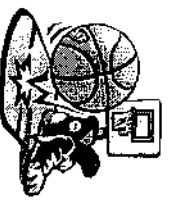
Term:	Units
<b>Total Units</b>	

We have discussed this educational plan. The student understands that any changes should be reviewed with a counselor.

NEXT APPOINTMENT: \_\_\_\_\_

Counselor Signature: \_\_\_\_\_ No: \_\_\_\_\_ Student Signature: \_\_\_\_\_





**CLASS ELIGIBILITY  
FORM COA**

SPORT: \_\_\_\_\_

SEASON: \_\_\_\_\_

	1/07	1/10	1/14	1/17	1/21	1/24	1/28	1/31	2/04	2/07	2/11	2/14	2/18	2/21	2/28- 3/01	3/01	3/04	3/07
Art Alexander																		
Daniel Anderson																		
Johnson Bui																		
Avin Curry																		
Ryan Fabio																		
Darryl Feilbach																		
Jason Goodwin																		
Leon Gradney																		
Myron Jordan																		
Demario K wox																		
William Moore																		
Kenny O'Keith																		
Steven Sherman																		
Russell Stewart																		
Matthew Wilson																		

Athletic Director \_\_\_\_\_

Date \_\_\_\_\_

Senior Clerk \_\_\_\_\_

Coach \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

This form verifies each student enrolled in 12 or more units on game days.

MJ: jmb

# **STANDARD EIGHT**

**Programs Designed to Foster Good Citizenship**

***Does your college have a substance abuse program?***

The institution does not have a substance abuse program.

Student Services provide workshops on various issues including substance abuse, transmitted diseases and sexual harassment. The college also provides workshops on anger management and individual tolerance.

In addition, instructors, including coaches, are provided with training on sexual harassment, substance abuse and anger management.

However, neither the athlete nor the instructor is required to attend.

***If you have a decorum policy, how are your student athletes made aware of this policy?***

The Athletic Director established a decorum policy during January semester of 2005. Each part of the policy was explained to the student athlete. Feedback was solicited from student athletes. The athlete signed the form and received a copy while the original was kept in the Athletic Director's office. (Attachment 11)

***Does your college provide safe and well maintained athletic facilities?***

The athletic facilities that College of Alameda has are the gymnasium, soccer field, tennis courts, baseball field and track.

The gymnasium floor is in relatively good shape. However, general maintenance before athletic events has been inconsistent at best. The gymnasium floor has not been fully stripped, rewaxed, and sealed for many years. Everyone (PE faculty and coaches) strive to keep the facility looking good and all are careful to lock it up when not in use. The college received two new scoreboards and shot clocks for the gymnasium during the spring of 2005.

The baseball field cannot be utilized by the College of Alameda student population due to an agreement by City of Alameda and the college administrators. However, since Laney College has a men's baseball team they sometimes use the field for intercollegiate games.

The college has a new all weather track and turf soccer field. The entire student population utilizes the track during physical education classes. Periodically, outside community groups rent the track facility. The institution is scheduled to start a men's soccer team in the fall of 2005, and games will be played on new soccer field.

The following is a list of maintenance items needed for outside facilities:  
Resurface tennis courts that are marred with cracks and deterioration; replace the fence which is sagging due to dry rotted support members; install new lights on six courts; adjust light fixtures on remaining courts; this will keep matches from being postponed or terminated due to darkness.

As the business office and the athletic department continue to keep open lines of communication many problems and complaints are now being addressed.



College of Alameda  
Inter-collegiate Athletics  
Athlete's Decorum Contract

Any athlete violating any of the decorum violations stated below while on campus or during the inter-collegiate activity he/she is engaged in, shall suffer the penalties as so stated.

Decorum Violation	Penalty
Alcohol or substance abuse including smokeless tobacco	First Offense: 25% suspension from remaining contests. Verification of counseling contact before returning to participate. Second Offense: Expulsion from team.
Driving under the influence	40% suspension of remaining contests, possible expulsion from team.
Falsification of Athletic forms	Expulsion from team.
Misconduct/Harassment	First Offense: Loss of 2 contests. Verification of counseling contact before returning to participate. Second Offense: Loss of an additional 3 contests. Verification of second counseling contact before returning to participate. Meeting with athletic director and head coach. Third Offense: Expulsion from team.
Fighting	Fight Offense: Loss of 2 contests. Verification of counseling contact before returning to participate. Second Offense: Expulsion from team.
Stealing	First Offense: Lost of 2 contests. Meeting with head coach and athletic director. Second Offense: Expulsion from team.
I have read and understood the above violations and penalties attached to each one. I have been given the opportunity to ask questions and have clarification. I understand the penalty consequences if I violate the decorum contract.	
Signature	Date
Print Name	

## **STANDARD NINE**

**Activities that Demonstrate a Level of  
Commitment to Balance Men's and Women's  
Programs and Opportunities**

***What is your college's level of commitment to balance athletic opportunities for men and women?***

Currently, College of Alameda offers the following two (2) sports:

<p><u>Men's Basketball</u>          Myron Jordan      head coach                                           male          Kieron Slaughter    assistant coach                                           male</p>	<p><u>Trainer</u>          Robert Collier      Men's Basketball</p>
<p><u>Women's Volleyball</u>          Linda Thompson    head coach                                           female          Lisa B. Young      assistant coach                                           female</p>	<p><u>Trainer</u>          Kevin McClintock   Women's Volleyball</p>

In the future the institution will add men's soccer and women's tennis intercollegiate teams.

The institution strives to provide for the needs of women's programs to the same degree that it provides for the needs of the men's programs. Budget disparity can be shown to be based not on intent but rather as matter of number of athletes served, length of season, and number of contests scheduled. District and institutional policies and procedures govern equity in athletic equity component areas as the following:

- a. Equitable funding for uniforms, equipment and supplies selected by the individual coaches;
- b. Identical meals allowances for all athletes and support staff;
- c. Identical modes of team transport;
- d. Equitable choice of housing accommodation during tournaments;
- e. Practice and competitive schedules which accommodates athletes, coaches and staff members of the respective teams;
- f. Equal access to practice/competitive facilities, locker rooms, weight and conditioning facility determined by which sport is in season at the time.
- g. There are only two head coaches one of whom is full time. The one full time male coach also doubles as Athletic Director and coaches the one men's team. The part time coach is a female coaching the only women's team.
- h. The athletic trainer only works part time during athletic contests. During the 1999 – 2003 season the trainer was female and from 2003 – 2005 the trainer was male. There is no training room usage except on game days.
- i. The college receives monthly Title IX Compliance Bulletins for college athletics. (Attachment I, J)

Student athletes in need of trainer assistance must commute to neighboring Peralta Colleges, either Laney or Merritt. This procedure is not always readily available for the student athlete. Many times injuries do not always receive the proper treatment in a timely manner.

***What is your College's philosophy for adding and dropping sports? What criteria are used when adding and dropping sports?***

The philosophy and criteria for adding and dropping sports may be similar.

The following information would be evaluated:

1. Any additional sports would be for females due to Title 9 issues.
2. The amount of funds the district will allocate to individual institutions and the College President's decision to fund a certain number of sports.
3. The number of participants in the sport. The men's and women's tennis team was cancelled due to budget cutbacks and low enrollment. However, the women's tennis team will be revived in the Spring of 2006.

***If you are in a multi-college district, what is the district philosophy about athletic teams for both genders at all colleges in the district?***

The district philosophy regarding athletics in general is to provide each College President the opportunity to decide which intercollegiate athletic sports to fund. Currently, all three College Presidents are supporters of intercollegiate athletics.

However, the two smaller colleges (Merritt and Alameda) would probably like to offer a full complement of sports, but cannot afford to do so.

The three Athletic Directors attend various administrative meetings to address budget issues and concerns within the district. The information discussed can help develop a strategy that lends itself to do what is best for everyone concerned.

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# IX Compliance Bulletin for College Athletics

## Succeeding in Gender Equity with Students and Staff

Volume 4, Issue 8

August 2002

### In This Issue

#### LEADERS & INNOVATORS

Percy Bates expects his background as a faculty representative will serve the Commission on Opportunity in Athletics well. Find out his goals are for the future.

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#### PROGRAM PROFILE

Oklahoma City University has only five women's programs. Each one finished in the NAIA's Top 10, despite some hurdles.

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#### NEW SPORTS

The University of North Dakota is preparing for its first season of women's ice hockey. Are the residents of Grand Forks ready?

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#### PLANNING

Starting a bowling program isn't as easy as rolling a ball down the lane. Discover what you need to know to ensure your program's long-term success.

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#### ADMINISTRATOR'S CORNER

Battling discrimination suits can be costly and time-consuming. Be prepared to explain differences with documentation.

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#### COMPLIANCE

Knowing how to defend yourself in a Title IX lawsuit can mean the difference between winning and losing. What should you know?

PAGE 10

## Creativity's key when raising new funds for women's programs

Maryland volleyball uses men's hoops to fund trip to China

**T**rips to China never come cheap. Unless, of course, you're already in China. That's not the situation for the **University of Maryland** women's volleyball team.

Thousands of miles from an offseason volleyball trip to the Far East and several thousand dollars short of covering expenses, head volleyball coach **Janice Kruger** came up with an interesting fund-raising idea.

Use the success of the school's men's basketball program to her program's benefit.

Kruger donated her two tickets for all of the men's basketball team's **Atlantic Coast Conference** home games in 2002 to a raffle. Kruger said everyone associated with the volleyball program was asked to sell 1,000 raffle tickets.

"Nearly everyone did, even the trainers," she said.

(See **RAFFLE** on page 6)

## New video illustrates struggle for quality media coverage

**S**ince the passage of Title IX more than 30 years ago, women's athletics have made tremendous strides in colleges and sports in general.

More teams, more scholarships, better coaching and better travel accommodations are just a few characteristics associated with the boom of women's athletics.

One area, though, that has lagged behind has been media coverage.

Although you'll certainly find more newspaper articles about female athletes than your parents did a generation ago, the amount doesn't come close to what is dedicated to male sports.

The quality of the coverage topics also leaves some audiences asking more questions since often coverage of women's athletics doesn't portray the same message of heroism, courage and strength as with men's coverage.

Those are the basic contentions of a new 30-minute video called *Playing Unfair* from the **Media Education Foundation**.

(See **VIDEO** on page 8)

# Legal Issues In

Route To: \_\_\_\_\_

# COLLEGIATE ATHLETICS

A Report of Court Decisions, Legislation and Regulations Affecting Collegiate Athletics

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*Highlight Case*

**School Cannot Erect Booster Signs In Locations Visible From State Highway**

**Page 3**

## Elsa Cole, NCAA's General Counsel, Unplugged

*Insightful, funny and confident, NCAA general counsel Elsa Cole stepped to the podium at the association's annual convention in Anaheim, Calif., last month and gave her take on the legal status of college sports. What follows is an excerpt expressing Cole's views on an assortment of the topics she addressed in her remarks.*

### Antitrust and Law v. NCAA

*(Editor's Note: In Law v. NCAA, 134 F.3d 1025 (10th Cir. 1998), the federal court system concluded that capping the salaries of assistant coaches violated federal antitrust laws.)*

We wanted to limit how much we would pay assistant coaches. Many of them were graduate students. This was a way to keep down the escalating costs of intercollegiate athletics. It made sense to the NCAA.

The court focused on the fact that this was the only place we were

trying to cut costs. We could turn around and give the money we saved in not paying the assistant coaches and give the money to a head coach. Despite our pure motives, the court found we had violated antitrust laws.

Many attorneys believed there would be a lot of challenges after *Law*, that we were vulnerable now. This case was a roadmap for how to sue the NCAA and win.

Antitrust is a very challenging issue for the association. We don't think of ourselves as a business. It's hard to fit ourselves into these boxes. Are we promoting our product, and is it helping competition? That's what the court wants to know.

I'll offer this primer on antitrust law. There are two parts. Is there an agreement to restrain trade and, second, is there an attempt to monopolize markets? Antitrust laws

See ELSA COLE on page 11

## 'Severe' Problems in Multiple Programs Lead To Probation, Administrative Requirements

Citing a "severe lack of institutional control," the NCAA recently placed Oklahoma Panhandle State University on five years' probation for violations that occurred in its football, baseball, men's and women's basketball, and women's golf programs. The university was also directed to ensure certain administrative changes

were made to its systems for maintaining compliance with NCAA rules governing student-athletes.

The case involved a series of violations that occurred within different athletic teams, and included violations of NCAA bylaws governing certification of eligibility, extra

See PROBATION on page 12

# **STANDARD TEN**

**Evaluation of the Proportionate Numbers of out  
of District and out of State Athletes**

*What was the number of participants on each team that your institution sponsors during the last academic year?*

*What was the number of out of recruiting area student-athletes on each team that your institution sponsors during the last academic year?*

*What was the number of out of state student-athletes on each team that your institution sponsors during the last academic year?*

Refer to the chart below:

TEAM	NUMBER OF PARTICIPANTS	OUT OF DISTRICT	OUT OF STATE
Men's Basketball	14	5	2
Women's Volleyball	8	2	1

*Compare the percentage of out of recruiting area and out of state student-athletes to the percentage of out of district and out of state students in the general student body?*

#### 2003 – 2004

Total head count	6,027		
Total Athletics	22		
Out-of-district	1,731	or	29%
Athletes	7	or	31%
Out-of-state	37	or	1%
Athletes	3	or	7%

*What impact, positive or negative, have out of recruiting area and out of state student-athletes had on your program?*

The out-of-district, but in state athletes appeared to make a difference on our athletic teams. However, the percentage of out-of-district students does not differ from the percentage of students in the general student body. The out-of-state athletes appeared to make no difference on our athletic teams.

It is the feeling of the Athletic Director, those out-of-district athletes, who made first contact, were highly considered by the coaches of both men's and women's teams so their programs could stay competitive in the Bay Valley Conference, where the larger colleges may have advantages that smaller ones may not.

Currently, there are nine (9) out-of-district athletes in the athletic program.



# **STANDARD ELEVEN**

## **Institutional Fundraising Controls, Policies and Procedures**

***What institutional controls are in place to insure proper accounting and distribution of funds raised from foundations, trust accounts, booster clubs and donations?***

The College of Alameda cashier holds all funds raised from fund raising activities in a trust fund. The internal auditor audits these funds.

***Does the Athletic Director have institutional control of all revenues and expenses generated from foundations, trust accounts, booster club and donations? If not, who does?***

The Athletic Director does not control the funds. The Cashier controls all funds and dispenses funds in accordance with the procedure dictated by the attached form.

***Are these accounting procedures in writing and if so, in what document do they appear? Attach documentation to the self-study.***

There are no written procedures for the use of the trust funds. Attached to the program review is a form that is used to request funds. (Attachment K)

***Describe how revenue from foundations, trust accounts, booster clubs and donations are distributed to men's and women's athletics?***

The Athletic Director or coach prepares the attached form; the request is approved by the Vice President of Student Services and the Business Office, and then routed the Cashier to prepare a check for the amount requested. Tracking the funds is done by the Cashier's Office.

The Athletic Director is responsible for ensuring that the donations are distributed equally to Men's and Women's athletic programs.

Due to the limited number of athletic teams, it is very easy to share revenue equally with both men and women programs.

