



September 28, 2007

**Re: Student Housing and AFA Policy**

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In accordance with Section 90.40 – Conduct and Enforcement: Complaints, Investigation and Discipline Policy of the 2007 Canadian Interuniversity Sport (CIS) Policies and Procedures, I have received and considered the investigation report submitted by Tom Huisman, CIS Director of Operations, with respect to a complaint submitted by the University of Alberta alleging a breach of CIS regulations by the University of Saskatchewan. I have determined that there are no grounds for a formal charge to be prepared. Further, no costs of the investigation will be levied against the complainant.

In particular, the complaint alleged the breach of the following regulations:

- 50.10.3.1.1 CIS is opposed to the provision of any financial benefit or assistance to an athlete unless the benefit or assistance conforms with the CIS rules and the policy of the member institution.
- 50.10.3.1.5 Total Value of AFA Restrictions  
There is no restriction on the number of athletic financial awards that a student-athlete may receive in one academic year, except that they may not aggregate to more than the value of tuition and compulsory fees of the student-athlete.
- 50.10.3.1.6 Non-University Administered (3<sup>rd</sup> Party) Award Restrictions  
A student-athlete cannot be in receipt of an award or benefit that is provided independent of the university and which is conditional upon being listed on a member institution's Official Eligibility Certificate and designated exclusively for the member institution in question.

An investigation was deemed necessary in order to gather additional information surrounding the complaint and the alleged events that led to the complaint that was submitted. I appointed Tom Huisman, CIS Director of Operations, to investigate the complaint. The investigation was conducted in a timely manner and benefited from the full cooperation of all individuals who were asked to make submissions and respond to inquiries during the course of the investigation.

Effectively, the complaint alleged the offering and provision of free accommodations, above and beyond the value of full tuition and fees, to prospective student-athletes.

Through the course of the investigation, it was acknowledged by the responding school that there are opportunities for student-athletes to access accommodations that are well below what would be considered the average market rate for comparable accommodations. Specifically, there are instances where a student-athlete, and/or their family, own a house and provide one or more teammates with an opportunity to rent a room for an amount that is effectively limited to their respective share of the utilities.

With respect to the above, the student-athlete and/or their family do not receive any credit or benefit from the University or its hockey program or representatives thereof (such as tax receipts, season tickets, merchandise, etc) for its participation in housing one or more of the school's student-athletes.

Upon review of Policy 50.10 – Athletic Financial Awards, there are no regulations that prohibit this practice among members of the University of Saskatchewan men's hockey program, or any other member institution.

The above statements and determinations are made without prejudice and subject to change should subsequently discovered facts or evidence suggest otherwise.

### **STUDENT-ATHLETE ACCOMMODATION**

Student-athlete accommodation has been the subject of some debate amongst CIS members and, after consultation with Tom Huisman (CIS staff person responsible for AFA Policy) and Jennifer Brenning (Chair of the AFA Committee), it was felt that some general examples of both AFA permitted, and AFA prohibited, practices would be in order.

Ex. 1 - School alumni or other persons affiliated with a member institution, purchase a large home that is made available to student-athletes. Provided the following three conditions are met, (i) the student-athletes are each paying their fair share of the expenses associated with their tenancy (which may include but would not necessarily be restricted to, utilities, cable, phone, taxes, insurance, mortgage if any, etc), (ii) that the homeowner is not in receipt of any benefit or credit from the member institution for the availability of the home to the student-athletes, and (iii) the residents of the home are at the discretion of the homeowner, then such an arrangement is permitted under AFA policy.

Ex. 2 - A University provides housing to a student-athlete at a rate below that charged to the general student population. In this instance, the benefit must be

accounted as an AFA for that student-athlete and is subject to AFA Policy restrictions. If, for example, the average cost of residence is \$6000, and a student-athlete is paying \$4000, the difference of \$2000 is considered to be an AFA.

Ex. 3 - Similarly, if a University establishes a program for the provision of reduced-rate housing (to encourage out-of-province students for example) the number of student-athletes accessing the reduced-rate accommodations must be proportional (within reason), to the student-athlete population within the general student body. A disproportionate allocation of reduced-rate housing to student-athletes might well be subject to AFA policy as a program focused on student-athletes.

If, for example, a school has 500 out-of-province students, including 20 out-of-province student-athletes, student-athletes account for 4% of that population. If the school provides a \$2000 reduction on the cost of residency to a limited number of out-of-province students, the number of student-athletes accessing that accommodation must be no greater than approximately 4%, otherwise, the reduced rate program might be subject to AFA policy as it might be considered a program that is focused on student-athletes.

The above scenarios are certainly not exclusive, and represent only a few of the potential situations where reduced-rate housing is provided or arranged for student-athletes. While it was not felt that there was a breach of CIS regulations in this instance, it is not difficult to imagine circumstances where reduced-rate accommodation could be made available specifically as an incentive for student-athletes. As such, it is recommended that the AFA Committee immediately place this topic on its agenda, and lead a discussion on the subject that may or may not result in modifications to the current AFA policy.

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*Submitted by Aubrey Ferris, Designate of the President*