



**MISSISSIPPI VALLEY STATE UNIVERSITY**  
**PUBLIC INFRACTIONS DECISION**  
**MARCH 24, 2017**

## **I. INTRODUCTION**

The NCAA Division I Committee on Infractions (COI) is an independent administrative body of the NCAA comprised of individuals from the Division I membership and the public. The committee is charged with deciding infractions cases involving member institutions and their staffs.<sup>1</sup> This case involved improper eligibility certifications at Mississippi Valley State University.<sup>2</sup> It also involved a former head cross country coach directing student-athletes to compete under assumed names. A panel of the committee considered this case through the cooperative summary disposition process in which all parties agreed to the primary facts and violations, as fully set forth in the summary disposition report (SDR).<sup>3</sup> The panel proposed further penalties to the institution and the former head coach. Because the parties agreed to the proposed penalties, there is no opportunity to appeal.

The certification violations began in the 2011-12 academic year and continued through 2014-15. During that time, the institution improperly certified 28 student-athletes as eligible in seven sports programs. The student-athletes failed to meet various NCAA Bylaw 14 requirements. The institution impermissibly allowed those student-athletes to practice, compete, receive athletically related financial aid and/or actual and necessary expenses. The institution also failed to monitor its certification process over the same period. The panel concludes the violations are Level II.

Further, on August 30, 2014, the former head coach directed three student-athletes to compete under assumed names. At the time, the institution had not completed certifying their eligibility. With their eligibility pending, they impermissibly competed and received actual and necessary expenses. The former head coach's conduct failed to meet the membership's ethical conduct and head coach responsibility standards. The panel concludes the violations are Level II.

The panel accepts the parties' factual agreements and that Level II violations occurred. Based on the timing of the violations, the panel used the current penalty guidelines to prescribe appropriate penalties. After considering the aggravating and mitigating factors, the panel classifies the case and the former head coach's violations as Level II-Standard. Utilizing the penalty guidelines and bylaws authorizing additional penalties, the panel prescribes the following penalties: two-years of probation, a financial penalty, a vacation of records, a one-year show-cause order for the former head coach and administrative reporting requirements.

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<sup>1</sup> Infractions cases are decided by hearing panels comprised of NCAA Division I COI members. Decisions issued by hearing panels are made on behalf of the COI.

<sup>2</sup> A member of the Southwestern Athletic Conference, the institution's total enrollment is approximately 2,500. The institution sponsors seven men's and eight women's sports. This is the institution's second major, Level I or Level II infractions case. Previously, the institution had a major infractions case in 2001.

<sup>3</sup> Pursuant to COI Internal Operating Procedure (IOP) 4-15-4, hearing panels may view violations established through the summary disposition process as less instructive than a decision reached after a contested process.

## II. CASE HISTORY

In fall 2014, the institution self-reported to the NCAA enforcement staff that its head cross country coach permitted three student-athletes, who had not been certified by the institution, to compete in an August 30, 2014, cross country meet. In early 2015, the institution's Academic Performance Program (APP) review revealed that it had improperly certified several student-athletes over multiple years. As a result, the enforcement staff issued a written notice of inquiry on April 14, 2015, and began exploring the matter. Approximately 18 months later, the enforcement staff provided the institution and former head coach with a draft notice of allegations. During the first week of November 2016, all parties agreed to use the summary disposition process.

On February 17, 2017, the parties submitted the SDR to the committee. A panel of the committee considered the case on March 13, 2017. The next day, the panel amended and clarified some of the institution's proposed penalties in a formal additional penalty letter. The panel also proposed a one-year show-cause order with increased rules education for the former head coach.<sup>4</sup> The parties accepted the proposed additional penalties.

## III. PARTIES' AGREEMENTS

The parties jointly submitted an SDR that identifies an agreed-upon factual basis, violation of NCAA legislation and violation level. The SDR identifies:

### A. PARTIES' AGREED-UPON FACTUAL BASIS, VIOLATIONS AND VIOLATION LEVELS OF NCAA LEGISLATION<sup>5</sup>

1. [NCAA Division I Manual Bylaws 12.1.1.1.3 (2011-12); 14.10.1 (2011-12); 14.5.4.2 and 16.8.1.2 (2011-12 and 2012-13); 14.01.1 and 15.01.5 (2011-12, 2012-13 and 2014-15); 14.4.3.1 and 14.4.3.2 (2011-12 through 2014-15); 14.11.1 (2012-13); 14.4.3.1.2, 14.5.4.1 and 16.8.1 (2013-14 and 2014-15); 14.9.1 (2013-14); and 12.10.1, 14.3.2.1.1 and 14.5.5.1 (2014-15)]

The institution and enforcement staff agreed that between the 2011-12 and 2014-15 academic years, the institution improperly certified as eligible 28 student-athletes in seven sports. As a result, the student-athletes practiced, competed, received athletically related financial aid and/or received actual and necessary expenses while ineligible. Specifically:

- a. Between the 2011-12 and 2014-15 academic years, 16 student-athletes competed and/or received actual and necessary expenses while ineligible due to not successfully meeting percentage-of-degree requirements. Additionally, the institution failed to withhold one of

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<sup>4</sup> After receiving a clarification request from the former head coach, the panel submitted a revised additional penalty letter on March 15, 2017. The revised letter corrected a typographical error.

<sup>5</sup> The agreed-upon violations were originally presented to the COI with the August 30, 2014, cross country meet violations, followed by the improper certification violations and then the failure to monitor. Pursuant to Bylaw 19.6.4.3, the panel reorders the violations to begin with the earliest violation. The substance of the violations has not been altered.

the student-athletes from competition before his eligibility was reinstated. [Bylaws 14.4.3.2 (2011-12 through 2014-15); 14.11.1 (2012-13); 16.8.1 (2013-14); and 16.8.1.2 (2011-12 and 2012-13)]

- b. Between the 2011-12 and 2012-13 academic years, six two-year college transfer student-athletes who were not qualifiers practiced, competed, received athletically related financial aid and/or received actual and necessary expenses while ineligible due to not successfully meeting applicable transfer eligibility requirements. Additionally, the institution failed to withhold one of the student-athletes from competition before his eligibility was reinstated. [Bylaws 14.5.4.2, 15.01.5 and 16.8.1.2 (2011-12 and 2012-13) and 14.11.1 (2012-13)]
- c. Between the 2011-12 and 2014-15 academic years, six student-athletes competed and/or received actual and necessary expenses prior to having their amateurism and/or academic eligibility certified. [Bylaws 12.1.1.1.3, 14.10.1 and 16.8.1.2 (2011-12); 12.10.1 (2014-15); 14.01.1 (2011-12, 2013-14 and 2014-15); 14.9.1 (2013-14); and 16.8.1 (2013-14 and 2014-15)]
- d. Between the 2011-12 and 2014-15 academic years, four continuing student-athletes competed and/or received actual and necessary expenses while ineligible due to not successfully meeting applicable credit-hour requirements. [Bylaws 14.4.3.1 (2011-12 through 2014-15); 16.8.1.2 (2011-12 and 2012-13); and 16.8.1 (2013-14 and 2014-15)]
- e. During the 2014-15 academic year, three first-year student-athletes practiced and received athletically related financial aid as nonqualifiers. [Bylaws 14.3.2.1.1 and 15.01.5 (2014-15)]
- f. Between the 2013-14 and 2014-15 academic years, two two-year college transfer student-athletes who were qualifiers competed and received actual and necessary expenses while ineligible due to not successfully meeting credit-hour and other applicable transfer eligibility requirements. [Bylaws 14.4.3.1.2, 14.5.4.1 and 16.8.1 (2013-14 and 2014-15)]
- g. During the 2014-15 academic year, one international four-year college transfer student-athlete competed and received actual and necessary expenses in her first year in residence at the institution, without having satisfied the one-time transfer exception. [Bylaws 14.5.5.1 and 16.8.1 (2014-15)]

## **2. [NCAA Division I Manual Constitution 2.8.1 (2011-12 through 2014-15)]**

The institution and enforcement staff agreed that between the 2011-12 and 2014-15 academic years, the scope and nature of the violations detailed in Violation No. 1 demonstrate that the institution violated the principle of rules compliance when it failed to monitor the certification of student-athletes' eligibility to ensure compliance with NCAA legislation. Specifically, the institution (1) misapplied progress-toward-degree legislation; (2) failed to certify the academic credentials of entering, continuing and transfer student-athletes; and (3) did not verify student-athletes' amateurism certification for sports in which they competed.

**3. [NCAA Division I Manual Bylaws 10.01.1, 10.1, 10.1-(i), 11.1.1.1, 12.01.1, 14.01.1, 14.4.3.2, 14.4.3.3 and 16.8.1 (2014-15)]**

The institution, then head men's and women's track and field and cross country coach (former head coach) and enforcement staff agreed that on August 30, 2014, the former head coach permitted three then men's cross country student-athletes to compete and receive actual and necessary expenses in conjunction with a cross country meet knowing the institution had not determined whether they were eligible. Additionally, the former head coach violated the NCAA principles of ethical conduct when she permitted the three student-athletes to compete under assumed names or with intent to otherwise deceive. The former head coach's actions also violated NCAA head coach responsibility legislation as she is presumed responsible for the violations and did not rebut that presumption.

**B. PARTIES' AGREED-UPON AGGRAVATING AND MITIGATING FACTORS**

Pursuant to NCAA Bylaw 19.6.2-(g), the parties agreed to the following aggravating and mitigating factors:

1. Agreed-upon aggravating and mitigating factors. [Bylaws 19.9.3 and 19.9.4]
  - a. Aggravating factors.
    - (1) Institution.
      - (a) A history of major violations by the institution [Bylaw 19.9.3-(b)]<sup>6</sup>
      - (b) Multiple Level II violations by the institution or involved individuals. [Bylaw 19.9.3-(g)]
      - (c) Person of authority condoned, participated in or negligently disregarded the violation or related wrongful conduct. [Bylaw 19.9.3-(h)]
    - (2) The former head coach.
      - (a) Unethical conduct. [Bylaw 19.9.3-(e)]
      - (b) Person of authority condoned, participated in or negligently disregarded the violation or related wrongful conduct. [Bylaw 19.9.3-(h)]
      - (c) Intentional, willful or blatant disregard for the NCAA Constitution or bylaws. [Bylaw 19.9.3-(m)]
  - b. Mitigating factors.

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<sup>6</sup> Previously, the institution had a major infractions case in 2001. The panel accepts the parties' proposed aggravating factor. When weighing past cases as an aggravating factor, panels generally assess, among other considerations, the overall number of cases, the length of time that has passed between cases and the similarity of the involved violations. Here, over a decade has passed between cases, and the two cases involved different violations, with the first case involving entrance exam academic fraud.

- (1) Institution.
  - (a) Prompt acknowledgment of the violation, acceptance of responsibility and the imposition of meaningful corrective measures and/or penalties. [Bylaw 19.9.4-(b)]
- (2) The former head coach.
  - (a) Prompt acknowledgment of the violation and acceptance of responsibility. [Bylaw 19.9.4-(b)]

#### **IV. REVIEW OF CASE**

The SDR fully detailed the parties' positions in the infractions case and included the agreed-upon primary facts, violations, violation levels and aggravating and mitigating factors. After reviewing the parties' principal factual agreements and the respective explanations surrounding those agreements, the panel accepts the parties' SDR and concludes that the facts constitute Level II violations of NCAA legislation. This case involved breakdowns in the institution's certification processes and its failure to monitor those processes. It also involved violations stemming from the former head coach's conduct at an August 2014 cross country competition.

The certification failures occurred over a four-year period. During that time the institution improperly certified a total of 28 student-athletes as eligible. Because of those improper certifications, the institution permitted the student-athletes to practice, compete, receive athletically related aid and/or actual and necessary expenses while ineligible. These failures violated Bylaws 12, 14, 15, and 16.<sup>7</sup>

Bylaw 12 requires that all student-athletes receive amateurism certification prior to engaging in practice or competition. Bylaws 12.1.1.1.3 and 12.10.1 place the specific responsibility of certifying student-athletes on institutions. Regarding academic eligibility certification, Bylaw 14 and its subparts outline requirements for incoming, continuing and transferring student-athletes in order to be eligible to practice, compete and/or receive athletically related financial aid. As a general principle, Bylaws 14.01.1 and 14.3.2.1.1 prohibit institutions from permitting student-athletes who have not met eligibility requirements from competing and deem student-athletes who are not qualifiers ineligible for practice, competition and athletically related aid. Specific to the eligibility requirements at issue in this case, Bylaws 14.4.3.1, 14.4.3.1.2 and 14.4.3.2 set credit-hour and percentage-of-degree requirements for continuing and transfer student-athletes. Similarly, Bylaws 14.5.4.1 and 14.5.4.2 set eligibility requirements for two-year transfers who are qualifiers and not qualifiers, respectfully. Bylaw 14.5.5.1 generally requires student-athletes transferring from one four-year institution to another fulfill a year in residency. In 2011-12, Bylaw 14.11.1 required institutions to withhold

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<sup>7</sup> Because this case involved improper certifications that occurred over numerous years, which violated multiple bylaws across multiple Division I Manuals, the panel cites the amateurism, certification, financial aid and benefits violations in accordance with the 2014-15 Division I Manual, the last year in which the majority of the conduct occurred. This approach allows the panel to clearly and concisely address the violations in this case. The panel makes one exception to its approach as it relates to Bylaw 14.11.1, which moved from Article 14 to Article 12 in 2014-15. The full list of the specific bylaws and applicable manuals agreed-upon by the parties are identified in the decision at Section III.A.1.

ineligible student-athletes until they were reinstated.<sup>8</sup> As it relates to providing permissible financial aid, Bylaw 15.01.5, among other things, requires student-athletes first meet applicable Bylaw 14 eligibility requirements. Finally, Bylaw 16.8.1 permits institutions to provide actual and necessary expenses associated with practice and competition for eligible student-athletes.

The institution agreed that it did not meet those requirements when certifying student-athletes and provided them with financial aid and/or actual and necessary expenses. In total, the institution improperly certified 28 student-athletes over a four-year period.<sup>9</sup> The miscertifications resulted in amateurism, eligibility, financial aid and benefits violations. The institution violated Bylaws 12.1.1.1.3 and 12.10.1 when it failed to certify student-athletes' amateurism and/or academic eligibility. As it relates to eligibility, the institution violated numerous provisions of Bylaw 14 when it certified student-athletes as eligible and permitted them to practice, compete and/or receive athletically related aid when they failed to meet percentage-of-degree, credit-hour, first-year nonqualifier and both two-year and four-year transfer requirements. The institution also violated Bylaw 15.01.5 when it allowed first-year and transfer student-athletes who were not qualifiers to receive athletically related aid. Finally, when the institution provided improperly certified student-athletes with actual and necessary expenses, it violated Bylaw 16.8.1. Pursuant to Bylaw 19.1.2, the panel concludes the violations are Level II. The ineligible participation provided the institution with more than a minimal but less than a substantial competitive advantage. The violations also were systemic violations that did not rise to a lack of institutional control.

These violations demonstrated that the institution failed to monitor its certification process. The institution's insufficient monitoring violated Constitution Article 2. Generally, Constitution 2.8.1 requires institutions to monitor their athletics programs, assure compliance, and identify and report noncompliance.

Over four academic years, the institution misapplied eligibility legislation, failed to certify student-athletes and did not verify student-athletes' amateurism certification. These failures largely resulted from staff turnover and the inability to replace individuals in compliance, academic services and the registrar's office. Inadequate education and training on the certification process compounded these failures. Eligibility certification is a fundamental function with touchpoints throughout the institution. It is also a basic requirement for intercollegiate competition. The institution failed to ensure that appropriate individuals had the necessary education and training to carry out this vital function. Certification violations occurred because the institution failed to fulfill its Constitution 2.8.1 obligations. Pursuant to Bylaw 19.1.2, the panel concludes the violation is Level II because the underlying certification violations are Level II.

Previously, the COI has concluded that a similar number of improper certifications constituted Level II violations and those violations supported Level II failure to monitor violations. *See Alcorn State University* (2016) (concluding that the institution committed Level II violations when the institution improperly certified 28 student-athletes over four academic years and failed to monitor); *Campbell University* (2016) (concluding that the institution committed Level II violations when the institution improperly certified 34 student-athletes over five academic years and failed to monitor); and *Samford University* (2016) (concluding that the institution committed Level II violations when it improperly certified 33 student-athletes over approximately four academic years and failed to monitor).

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<sup>8</sup> In the 2014-15 Division I Manual, the bylaw moved to 12.11.1. Although no substantive changes were made to the bylaw, for purposes of its analysis, the panel groups this violation with the other Bylaw 14 violations and cites to the 2011-12 Division I Manual.

<sup>9</sup> The institution improperly certified a total of 28 student-athletes. Many of these student-athletes were improperly certified on multiple occasions. The specific instances are identified in the Parties' Agreements. See Section III.A.1.

This case also involved the former head coach directing three student-athletes to compete before the institution completed its certification process for the student-athletes. She permitted them to compete under assumed names. The former head coach's conduct violated Bylaws 10 and 11. Although stemming from the former head coach's actions, the student-athletes' participation and related benefits violated Bylaws 12, 14 and 16.

Generally, Bylaws 10.01.1 and 10.1 require institutional employees to act with honesty and sportsmanship, honor and dignity of fair play and hold institutional employees to ethical conduct standards. Bylaw 10.1-(i) specifically identifies engaging in athletics competition under an assumed name or with the intent to otherwise deceive as unethical conduct. Finally, Bylaw 11.1.1.1 sets the standard of conduct for head coaches, requiring head coaches to promote an atmosphere of compliance and monitor their staff.

On August 30, 2014, the institution had yet to certify the eligibility of three men's cross country student-athletes. The former head coach knew the institution had not completed the student-athletes' certification. Regardless, the former head coach permitted them to travel with the cross country team and, once there, directed them to participate under the names of three eligible teammates. The student-athletes also received actual and necessary expenses. The student-athletes were not eligible. At the time of the competition, the institution was gathering the information it needed to make the eligibility determinations. Later, the institution ultimately determined that two of the student-athletes failed to meet certain Bylaw 14 eligibility requirements.<sup>10</sup> Because they had not been certified by the institution and were not withheld from competition, their participation violated provisions of Bylaw 12 and 14. Further, although they were ineligible, they received expenses associated with the competition for the institution, violating Bylaw 16.8.1.

The former head coach agreed that her conduct also violated ethical conduct and head coaching standards. She knew the student-athletes were ineligible but permitted them to compete because she believed the institution would ultimately certify them for competition. But it was not her responsibility to certify eligibility. That responsibility rests with the institution. Rather, her responsibility was to uphold the honesty, sportsmanship, integrity and ethical standards of fair play and competition. When she instructed the student-athletes to compete under assumed names she failed to uphold those standards and violated Bylaws 10.01.1, 10.1 and 10.1-(i). Likewise, her involvement in the violations failed to promote an atmosphere of compliance in her program and violated Bylaw 11.1.1.1. Pursuant to Bylaw 19.1.2, the panel concludes the eligibility, benefits, ethical conduct and head coach responsibility violations are Level II because they resulted in more than a minimal competitive advantage. Similarly, the former head coach's Bylaw 11.1.1.1 violations resulted from underlying Level II conduct.

Previously, the COI has concluded that head coaches violate ethical conduct and head coach responsibility legislation when they permit ineligible student-athletes to participate under the name of eligible student-athletes. *See Jackson State University (2016)* (concluding, among other violations, the institution's former head tennis coach committed Level II violations when he permitted an ineligible student-athlete to compete under an eligible student-athlete's name and that activity failed to promote an atmosphere of compliance within his program).

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<sup>10</sup> Ultimately, the institution determined that two of the student-athletes failed to meet certain grade-point average and credit-hour requirements. The third student-athlete withdrew from the institution following the incident.

## V. PENALTIES

For the reasons set forth in Sections III and IV of this decision, the panel accepts the parties' agreed-upon factual basis and violations and also concludes that this case involved Level II violations of NCAA legislation. The panel then determined the applicable penalty classification based on aggravating and mitigating factors. Level II violations are significant breaches of conduct that provide or are intended to provide more than a minimal but less than a substantial advantage or benefit, or reflect conduct that may compromise the integrity of the NCAA Collegiate Model.

In addition to the agreed-upon mitigating factors, the institution proposed an additional mitigating factor for the panel's consideration: Bylaw 19.9.4-(i)—Other factors warranting a lower penalty range. Among other factors, the institution identified several initiatives undertaken over the last three years by its new institutional and athletics leadership. Those improvements included, but were not limited to, enhanced certification procedures, undertaking a review from an outside consultant and hiring a full-time compliance officer. The panel does not accept the additional mitigating factor. The panel acknowledges the enhancements undertaken by the institution. Those actions, however, are expected improvements for institutions who have recently discovered process deficiencies.

This case involved violations that predominantly occurred after the adoption of the current version of Bylaw 19. Pursuant to Bylaw 19.9.1, the current penalty structure applies. The panel classifies the case and the former head coach's violations as Level II-Standard.

Because the parties agreed to the facts, violations and proposed penalties, there is no opportunity to appeal. All penalties prescribed in this case are independent and supplemental to any action that has been or may be taken by the Committee on Academics through its assessment of postseason ineligibility, historical penalties or other penalties. The institution's corrective actions are contained in the Appendix. After considering all information relevant to the case, the panel prescribes the following penalties. Those penalties that were self-imposed by the institution are so noted:

### **Core Penalties for Level II-Standard Violations (Bylaw 19.9.5)**

1. Probation: Two years of probation from March 24, 2017, to March 23, 2019.<sup>11</sup>
2. Financial penalty: The institution shall pay \$5,000 to the Association.<sup>12</sup>
3. Show-cause order: This case involved the former head coach knowingly permitting three-ineligible student-athletes to travel, compete and receive actual and necessary expenses when she knew the institution had not determined whether they were eligible. Further, she directed the student-athletes to compete under the names of eligible teammates. Although limited to one cross country meet, her conduct fell short of the expectations and standards of conduct for institutional employees outlined in

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<sup>11</sup> The institution proposed a two-year probationary period. Institutions may propose probationary periods, but the authority to prescribe NCAA probation rests solely with the committee. Periods of probation always commence with the release of the infractions decision.

<sup>12</sup> The institution proposed a \$5,000 fine to be retained by the institution for compliance education efforts. Previously, the committee has prescribed the retention of fine monies for compliance initiatives. *See Alcorn State University (2016)* and *Florida A&M University (2015)*. Recently, however, the full committee discussed the retention of fines at its bi-annual agenda session and determined that standard practice would be to require fine monies be paid to the NCAA.

the bylaws—particularly for head coaches. In directing the three student-athletes to compete under assumed names, the former head coach failed to promote an atmosphere of compliance in her program.

Therefore, the former head coach and her current employing member institution will be informed in writing by the NCAA that, during a one-year period, from March 24, 2017, to March 23, 2018, the institution shall provide the former head coach with monthly one-on-one rules education. Likewise, the institution should continue to conduct its current compliance initiatives with the former head coach and her program. Finally, the former head coach will attend one of the 2017 Regional Rules Seminars. This show cause also applies to any other member institution(s) that may employ the former head coach during the one-year period of the show-cause order. This show-cause order begins the date the decision in this case is released and concludes one year thereafter.

#### **Additional Penalties for Level II-Standard Violations (Bylaw 19.9.7)**

4. Public reprimand and censure.
5. The institution acknowledged that ineligible participation occurred in agreed-upon Violation Nos. 1 and 2. Therefore, pursuant to Bylaws 19.9.7-(g) and 31.2.2.3, the institution shall vacate all regular season and conference tournament records and participation in which the ineligible student-athletes detailed in Violation Nos. 1 and 2 participated.<sup>13</sup> This order of vacation includes all regular season competition and conference tournaments.<sup>14</sup> Further, if any of the ineligible student-athletes participated in NCAA postseason competition at any time they were ineligible, the institution's participation in the postseason shall be vacated. The individual records of the ineligible student-athletes will also be vacated. However, the individual finishes and any awards for all eligible student-athletes will be retained. Further, the institution's records regarding its athletics programs, as well as the records of head coaches, will reflect the vacated records and will be recorded in all publications in which such records are reported, including, but not limited to, institutional media guides, recruiting material, electronic and digital media plus institutional, conference and NCAA archives. Any institution that may subsequently hire the affected head coach shall similarly reflect the vacated wins in their career records documented in media guides and other publications cited above. Head coaches with vacated wins on their records may not count the vacated wins toward specific honors or victory "milestones" such as 100<sup>th</sup>, 200<sup>th</sup> or 500<sup>th</sup> career victories. Any public reference to the vacated contests shall be removed from the athletics department stationary, banners displayed in public areas and any other forum in which they may appear. Any trophies awarded by the NCAA in these sports shall be returned to the Association.

Finally, to ensure that all institutional and student-athlete vacations, statistics and records are accurately reflected in official NCAA publications and archives, the sports information director (or other designee as assigned by the director of athletics) must contact the NCAA Media Coordination and Statistics office and appropriate conference officials to identify the specific student-athletes and contests

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<sup>13</sup> The institution self-imposed a vacation of wins and records for all ineligible student-athletes that participated in all regular season and conference tournament contests. The panel accepts the institution's self-imposed vacation of records, but applies the standard penalty language for the vacation of both team and individual records associated with the ineligible competition.

<sup>14</sup> Among other examples, the committee has indicated that a vacation penalty is particularly appropriate when cases involve ineligible competition and a failure to monitor violation. See *Division I Internal Operating Procedure 4-16-4*. Further, the committee has consistently applied a vacation of records in cases that involved student-athletes competing when they failed to meet amateurism and eligibility requirements. See *Alcorn State University* (2016), *Campbell University* (2016), *Samford University* (2016) and *University of North Carolina, Greensboro* (2015).

impacted by the penalties. In addition, the institution must provide the NCAA Media Coordination and Statistics office with a written report, detailing those discussions. This document will be maintained in the permanent files of the NCAA media Coordination and Statistics office. This written report must be delivered to the office no later than 45 days following the release of this decision. The sports information director (or designee) must also inform the Office of the Committees on Infractions of this submission to the NCAA Media Coordination and statistics office.

6. During this period of probation, the institution shall:
    - a. Continue to develop and implement a comprehensive educational program on NCAA legislation to instruct coaches, the faculty athletics representative, all athletics department personnel and all institutional staff members with responsibility for certification of student-athletes' eligibility for admission, financial aid, practice or competition;
    - b. Submit a preliminary report to the Office of the Committees on Infractions by May 15, 2017, setting forth a schedule for establishing this compliance and educational program;
    - c. File with the Office of the Committees on Infractions annual compliance reports indicating the progress made with this program by February 15 during each year of probation. Particular emphasis should be placed on the institution's continued enhancements to the institution's eligibility certification policies and procedures and monitoring of the eligibility certification process;
    - d. Inform prospective student-athletes in the affected sport programs in writing that the institution is on probation for two years and detail the violations committed. If a prospective student-athlete takes an official paid visit, the information regarding violations, penalties and terms of probation must be provided in advance of the visit. Otherwise, the information must be provided before a prospective student-athlete signs a National Letter of Intent; and
    - e. Publicize specific and understandable information concerning the nature of the infractions by providing, at a minimum, a statement to include the types of violations and the affected sport programs and a direct, conspicuous link to the public infractions decision located on the athletic department's main webpage "landing page" and in the media guides for the involved sports. The institution's statement must: (i) clearly describe the infractions; (ii) include the length of the probationary period associated with the major infractions case; and (iii) give members of the general public a clear indication of what happened in the major infractions case to allow the public (particularly prospective student-athletes and their families) to make informed, knowledgeable decisions. A statement that refers only to the probationary period with nothing more is not sufficient.
  7. Following the receipt of the final compliance report and prior to the conclusion of probation, the institution's president shall provide a letter to the committee affirming that the institution's current athletics policies and practices conform to all requirements of NCAA regulations.
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The committee advises the institution that it should take every precaution to ensure that the terms of the penalties are observed. The committee will monitor the penalties during their effective periods. Any action by the institution contrary to the terms of any of the penalties or any additional violations may be considered grounds for extending the institution's probationary period, prescribing more severe penalties or may result in additional allegations and violations.

NCAA COMMITTEE ON INFRACTIONS PANEL

Britton B. Banowsky, Chief Hearing Officer

Melissa Conboy

Vince Nicastro

**APPENDIX**

**CORRECTIVE ACTIONS AS IDENTIFIED IN THE INSTITUTION'S FEBRUARY 17, 2017,  
SUMMARY DISPOSITION REPORT (SDR)**

1. The institution will prohibit any member of the coaching staff from having access to distribute textbooks, book vouchers, and/or supplies from the Athletics Department's bookroom. The Office of Compliance will have direct oversight of the institution's athletic bookroom.
2. During the probationary period the institution will develop written comprehensive step by step NCAA certification procedures for initial, transfer, and continuing eligibility as well as textbook distribution for required books and supplies.

**Cross Country/Track & Field Violation**

3. The institution allowed the head coach and assistant coach to resign their positions.
4. All student-athletes involved in the cross country infraction were removed from the roster until reinstatement cases were finalized.
5. The institution sent an athletic administrator on all remaining cross country/track and field trips for the 2014-15 academic year to verify official travel list and student-athlete participation.
6. The institution continues to verify each student-athlete that departs from campus on the bus and periodically sends an administrator. The institution highlights each participant in the meet results and cross references the travel roster list for compliance.
7. The institution hired an assistant to the compliance officer and the duties include managing the Athletics Department bookroom.

**NCAA Data Review, Student-Athlete Eligibility and Certification Process**

8. During the NCAA Data Review, the institution hired an outside consultant to assist with the implementation of the certification process (July 2013). The process was approved by the NCAA and is continuously being reviewed for improvements and accuracy.
9. In August 2014, the institution applied and was awarded the Acceleration Academic Success Program (AASP) Grant to enhance the academic support for student-athletes. The NCAA AASP Grant Committee requested that the institution include its Data Review probation requirements as it relates to student-athlete certification deadlines.

10. In September 2014, the new director of athletics hired an additional consultant. In November 2014, the president of the university hired the additional consultant to lead the Office of Compliance.
11. In August 2015, the NCAA removed the institution from data review probation after satisfactorily demonstrating improvements in the certification process.
12. The senior compliance officer has been included on the University Faculty/Staff Workshop trainings twice a year for rules education and updates to university stakeholders.
13. The Office of Compliance created a transfer evaluation document that must be completed prior to any transfer student-athlete being offered athletics aid.
14. The Athletics Department's transfer policy has limited the number of institution attended prior to enrollment to be considered for athletics aid.
15. The institution has worked collaboratively to enhance the forms and procedures utilized in the certification process. This includes the creation of the Progress-Towards-Degree (PTD) Committee and training with the academic units to review student-athlete records during certification.
16. The institution has purchased compliance software to assist coaches with compliance forms and updates on rules education.
17. The institution purchased additional software to assist in tracking academic progress of its student-athletes.
18. The Office of Compliance and University Admissions has worked closely to develop a system to track and monitor prospective student-athletes through the admissions process.
19. The "NCAA Institutional Control Meeting" is held annually with the president giving the charge to the institution.
20. If budget funds permit, hire a transfer coordinator/athletic admissions specialist. This position would be responsible for assisting with the integrated student enrollment function to include admissions and associated advisement functions such as registration, record management, initial and continuing eligibility certification and related compliance matters, for all student-athletes recruited into the institution's various NCAA Division I Intercollegiate Athletic programs. The position would also be responsible for specific student processes within the Office of the Registrar, interpret records and registration policy and procedures to students, faculty, and staff as well as handle special projects. The position would report to the registrar and the athletics director.