



CHADRON STATE COLLEGE
PUBLIC INFRACTIONS REPORT
November 6, 2013

I. INTRODUCTION

On Friday, August 9, 2013, officials from Chadron State College¹ appeared before the NCAA Division II Committee on Infractions ("committee") to address allegations of major infractions in the institution's athletics program. The committee is an independent administrative body of the NCAA comprised of individuals from the NCAA Division II membership and public charged with adjudicating infractions cases involving member institutions and their staff. At issue were allegations of lack of institutional control due to athletics funds being held in outside bank accounts and the institution failing to have in place a rules education program, a system for monitoring student-athlete eligibility and methods for ensuring compliance with countable athletically related activity and squad list legislation.

The case also involved allegations of rules violations against the former head football coach ("head coach"), including the provision of extra benefits to student-athletes, maintenance of outside bank accounts and unethical conduct by providing false or misleading information during interviews.² The head coach filed a response to the notice of allegations and attended the hearing with his counsel. The now-former director of athletics at the institution ("director of athletics") attended the hearing as a member of the institution's party.³

The institution was in substantial agreement with the facts of the allegations and that violations occurred. The head coach agreed with parts of the allegations and that certain violations occurred, but he did not agree to other facts set forth in the allegations. Following the hearing, the committee notified the director of athletics that it considered him to be individually at risk for failing to monitor the athletics program and asked him to respond. He filed a timely response in which he agreed, with one exception, that he failed to monitor the department of athletics.

The committee concludes that the institution lacked control over the department of athletics and that the institution and director of athletics failed to monitor the department.

¹ A member of the Rocky Mountain Athletic Conference, the institution has an enrollment of approximately 3,000 students. The institution sponsors six men's and seven women's intercollegiate sports. This was the institution's first major infractions case.

² For purposes of this report, the former head football coach will be referred to as "head coach" because he was in that position when the violations occurred.

³ For purposes of this report, the former director of athletics will be referred to as "director of athletics" because he was in that position when the violations occurred.

The committee further concludes that the head coach engaged in unethical conduct by knowingly providing impermissible benefits to student-athletes and providing false or misleading information to the institution.

In light of these major infractions, the committee prescribes the following principal penalties: three years of probation, vacation of certain contests, an outside audit of the athletics policies and procedures, show-cause provisions for the head coach and director of athletics, as well as other appropriate penalties as detailed in the penalty section of this report.

II. CASE HISTORY

When the institution's former president ("president") returned from a vacation in August 2011, she became concerned that the football program was possibly conducting a fundraising campaign outside of the official channels of the institution's foundation.⁴ Believing there may have been an outside bank account established to collect funds to be used to purchase a field turf artificial playing surface for the institution's football stadium, the president held two meetings in September with the head coach and director of athletics in an attempt to trace funds that had possibly been raised through golf tournaments sponsored by the football program.

Within a month, the institution contacted the NCAA enforcement staff regarding possible violations in the fundraising efforts of the football program. The institution and enforcement staff conducted a cooperative inquiry, and the enforcement staff issued a verbal notice of inquiry to the institution on February 3, 2012. The institution filed a self-report of violations in July 2012, and the enforcement staff issued a notice of allegations to the institution and head coach on December 21, 2012. The enforcement staff conducted prehearing conferences with the parties in late January 2013.

On February 13, 2013, the head coach filed a supplemental response alleging further rules violations. The enforcement staff re-opened the investigation shortly thereafter. On April 23, the institution submitted a second self-report, and the enforcement staff issued an amended notice of allegations on June 21. In July 2013, the institution submitted its response to the amended notice of allegations and participated in a prehearing conference with the enforcement staff.

On August 20, following the August 9 infractions hearing, the committee served written notice to the director of athletics of its determination that allegations against him individually were warranted. The director of athletics filed a written response on September 1, 2013.

⁴ For purposes of this report, the former president will be referred to as "president" because she was in that position when the violations occurred.

III. FINDINGS OF FACT

Bank accounts outside the control of the institution and statements of the head coach

Upon her return to campus from a vacation in August 2011, the president took note of a July 15, 2011, local newspaper article which reported that the institution's football program had raised approximately \$30,000 through golf tournaments held over the previous four summers. At the same time, the institution was involved in a capital campaign, and the president became concerned when one potential donor told her that he had already made a contribution to the football program. When the president heard the head coach make a remark about the need for an artificial turf field during a booster event on Monday, September 12, 2011, she became further concerned that the football program might have embarked on a separate fund-raising initiative toward that goal.

The president met with the head coach and director of athletics on Monday, September 19, 2011. When she asked the head coach if he maintained any outside bank accounts, he stated that he did not. The president specifically questioned the head coach regarding the existence of an account for artificial turf and he assured her that none existed. The president then showed him the press release about the football team raising money through the golf tournaments and asked him where those funds were located. The head coach stated that he did not know, at which time the meeting ended. As the head coach and director of athletics left the meeting, the president angrily told the director of athletics to "find that money."

The director of athletics also recalled that the president asked the head coach about the golf tournament funds and whether he kept any outside bank accounts. The head coach's recollection was that the president only asked him if he had a "turf account," although he acknowledged that she asked him whether proceeds from the golf tournament were being deposited into a field turf account. He did not mention to her that he maintained the golf tournament funds in a separate account. However, within minutes of leaving the meeting with the president, the head coach told the director of athletics that he maintained an outside bank account that he referred to as the Special Account. Neither the head coach nor the director of athletics was aware, at that time, if the existence of the account could pose potential NCAA rules issues.

Both the president and director of athletics recalled that the president asked the head coach on September 19 about the possible existence of any and all outside bank accounts. The head coach acknowledged in his response to the notice of allegations that "he should have made a full and complete disclosure of all accounts when initially questioned." The committee finds that he was asked about all outside bank accounts.

The head coach opened the Special Account in 2009 with the funds from the inaugural 2008 golf tournament, known as Last Chance For Glory, and continued to deposit funds into the account from the three subsequent tournaments. He was the signatory on the account and directed the bank to mail the statements to his home. At the hearing, he stated that he used the funds to supplement the football program because the program was underfunded. Among other purposes, the head coach used funds from the account to pay for out-of-town recruiting trips. He also used the account for personal expenses, writing many checks to "cash." The investigation did not uncover the purpose for many of those checks. Other checks were written to family members, to restaurants and, in one instance, to pay for a traffic ticket.⁵ The head coach also consistently claimed that he was unable to locate some records pertaining to the account.

On Thursday, September 22, the director of athletics presented a typed statement to the head coach. It referenced the Special Account and read in part:

The account at 1st National North Platte Bank in the name of [head coach] is the only bank account operating outside the Chadron State Foundation that has been established for the benefit of CSC athletics programs or athletes. Effective immediately, I agree that I will not make any further deposits to or withdrawals from that account without the express written permission of [the president]. I am not aware of any cash, checks, bonds, stocks, financial instruments, or other financial/monetary holding accounts for CSC athletics programs or athletes that exist outside the Chadron State Foundation, including, but not limited to, funds kept in a personal or College safe or drawers.

The head coach signed the document. The director of athletics also signed it as a witness. The head coach claimed in his response and at the hearing that, at the time the director of athletics handed him the statement to sign, he was in a hurry to get to a scrimmage and did not take the time to read the document before signing. Conversely, the director of athletics said that the head coach was sitting at his desk and appeared to read the document before signing.

The following day, Friday, September 23, the president again summoned the head coach to a meeting in her office. At the meeting, she presented him with a letter informing him that the Special Account would be audited by an outside entity. The letter also contained the following statement: "When I asked you about the 2011 [Last Chance For Glory] golf tournament, you said that you did not know where money from that fund-raising activity was located." The head coach did not, either at the meeting or subsequently, attempt to correct any misstatement of fact that may have been in the letter.

⁵ As will be set forth below, the head coach also wrote two checks to football student-athletes.

The president also commented to the head coach about her "helping [him] through the process" and him still being "marketable," leaving the head coach upset and fearing that he was about to be terminated from his employment. When the president asked the head coach to "be honest" and confirm that the Special Account was the only outside account he had, the head coach responded that it was the only account.

The head coach did not divulge that, just that morning prior to the meeting, he had closed a second account he maintained at a local bank, the Concession Account. The head coach, who was in charge of hiring concession workers for institutional athletics events, collecting concession proceeds and paying concession-related bills, opened the account in 2010 with funds from concession sales. He deposited concession receipts into the account and used the funds to pay concession workers and bills for supplies. He stated that he could not recall whether any donor funds were deposited into the Concession Account.

The Special Account and Concession Account were only two of three outside bank accounts used for athletics purposes at the institution. In the 1970s, well before the institution joined the NCAA in 1992, a former director of athletics established what was called the C-Club Account. The account was not under the control of the institution. The original purpose of the account was to hold funds to be used for the purchase of letter jackets. In approximately 1989, the director of athletics assumed control of the account. He was head football coach as well as director of athletics at the time, and he began using the account to reconcile concession bills and purchase coaching gear. The director of athletics retired as head football coach in December 2004 but remained the director of athletics. The head coach succeeded him as head football coach.⁶ In 2007, the director of athletics turned over the C-Club Account checkbook to the head coach.

The head coach used the account in much the same way the director of athletics had, paying concession workers, purchasing concession supplies and making purchases for the athletics program. The C-Club Account remained in the director of athletics' name. The monthly statements came to the athletics offices, where the administrative assistant usually placed the statements into the head coach's mailbox. Because the director of athletics remained the account holder, the head coach had to get his signature on most checks written on the C-Club Account.⁷ At times the head coach found it difficult to locate the director of athletics for his signature, so he eventually set up the Concession Account. He did not inform the director of athletics or anyone else in the institution's administration that he was opening the account. The bank sent the statements to his home address and he was the signatory of the account. The head coach used the

⁶ The head coach initially arrived at the institution in 1987. He served as a graduate assistant for two years, then as a position coach for one season. In 1990, he left to work at another NCAA institution before returning to Chadron State in January 1994. From that point, he remained at the institution until his employment was terminated following the 2011 football season.

⁷ There were some businesses that accepted the checks signed by the head coach, particularly when he was only purchasing supplies and not getting any cash back.

Concession Account in the same way that he used the C-Club Account. He also, at times, used funds from the C-Club Account and Concession Account to cover expenses related to recruitment of prospective student-athletes. When he used funds from these accounts, he was able to write checks directly and bypass institutional policies that required him to receive prior approval for expenditures from the department of athletics and business office. Further, he did not have to wait for the foundation to issue him a check. The head coach told the director of athletics about the Concession Account on the morning of September 24, 2011, the day after he closed it.

Neither the head coach nor the director of athletics was aware that the existence of outside accounts might have NCAA rules ramifications. No member of the institution's administration, athletics or otherwise, ever researched the propriety of maintaining bank accounts outside of the control of the institution. However, at some point in time prior to 2005, a former president of the institution ("former president") suggested to the director of athletics that all outside accounts should be closed and all funds routed through the institution's foundation. The former president did not express any concern about possible NCAA issues when he made the suggestion but was instead worried about abiding by institutional protocols. Following her ascension to the presidency in 2005, the president had similar conversations with the director of athletics, telling him that all funds needed to be housed in the foundation office. In 2007 or 2008, the director of athletics mentioned to the head coach that the C-Club Account should be closed and all money routed through the foundation, but the director of athletics did not take the necessary steps to close the account. Because the C-Club Account was in the name of the director of athletics only, he was the only person who could have closed it. He did not do so until September 22, 2011, three days after the president began to ask questions about the funds from the Last Chance For Glory golf tournaments. The head coach continued to use the account up to that time.

The institution's monitoring of golf tournament proceeds

The institution's administration was aware of the Last Chance For Glory tournaments. The tournament organizer ("tournament organizer") talked to the president and foundation personnel before the 2008 inaugural event and told them that the main purpose of the event was to raise money for the football program. The institution foundation provided the names of former football student-athletes to the tournament organizers. Flyers announcing the events, which were sent from the department of athletics, emphasized the fund-raising aspect of the tournaments. At times, the institution provided transportation and hotel rooms for participants. The sports information department prepared DVDs of past football highlights for the events, and it published an article announcing the success of the tournaments and the donations to the program.

The director of athletics attended all four events and thanked participants for their support of the program. After the second event, in 2009, he asked the business manager

of the foundation ("business manager") if the proceeds from the tournaments were being held at the foundation. The business manager replied that they were not, and recalled that the director of athletics was "shocked" by the revelation. Following that conversation, the director of athletics did not ask the head coach, the tournament organizer or anyone else about the whereabouts of the tournament proceeds. He only learned that they were kept in the Special Account on September 19, 2011, when the head coach told him about the account following their initial meeting with the president.

The institution's rules education program

Upon his arrival at the institution in 1987, the director of athletics served as head football coach, director of athletics, athletics business manager, home contest manager, compliance officer and athletics fundraiser. He was responsible for the supervision of all the sports programs and all coaches reported to him. He retired from coaching in 2005 but retained all other duties. The institution hired a compliance coordinator ("compliance coordinator") in the fall of 2011 and an accountant to oversee athletics in 2012.

During the director of athletics' tenure, the institution did not have a rules education program. The director of athletics' own NCAA rules education consisted of attendance at NCAA Regional Rules Seminars and discussions with conference personnel as questions arose. He made himself available if institutional athletics personnel had questions pertaining to rules issues, and he contacted the conference office if the answers to the questions were unclear.

The director of athletics conducted monthly staff meetings. However, the only personnel invited to the meetings were head coaches, the athletics trainer, the sports information director and the senior woman administrator. The meetings were not mandatory and attendance was not taken. Athletics personnel periodically discussed new NCAA legislation at the meetings, but the focus was mainly budgets, facilities and staffing. An actual rules compliance meeting was not held until February 15, 2012.⁸ The propriety of maintaining outside bank accounts was never a topic of discussion at any staff meeting. The committee makes a factual finding that the absence of a rules education program contributed to the violations that occurred in this case.

The institution's tracking of football funds

The director of athletics and the institution did not adequately track the funds used to administer the football program. The director of athletics did not close the C-Club

⁸ The institution included staff meeting agendas from December 2010 through November 2012 in its response. On two occasions during that time frame, March 16, 2011, and November 30, 2011, there are entries regarding "NCAA legislation." Besides the head coach and director of athletics, the faculty athletics representative and four present or former coaches at the institution confirmed that no rules education meetings were held prior to 2012.

Account, instead relinquishing its control to the head coach. He knew the account was used by the head coach for expenses related to concessions and other needs of the athletics program. Because the director of athletics did not reconcile the concession expenses and proceeds, he was not aware of when the head coach opened the Concession Account and began using it instead of, and in addition to, the C-Club Account. The director of athletics knew that the golf tournaments were raising funds to benefit the football program. In 2009 he learned that those funds were not being deposited into an institutional foundation account, but he did no follow-up regarding the amounts being raised or where the money was deposited. The director of athletics was also aware every time the head coach or a member of his staff left campus to engage in recruiting activities or other activities related to his position as head football coach. The director of athletics and institutional business office were responsible for approving the travel activities undertaken by the coaches. The foundation then approved and disbursed the money for the trips. The coaches were required to submit receipts upon their return.

Had the institution and director of athletics properly tracked football funds and the money raised through the golf tournaments, the outside bank accounts would likely have been discovered sooner than they were. The committee makes a factual finding that, in part because the institution and director of athletics failed to track the funds, the violations in this case continued undiscovered from the time the head coach opened his accounts until September 2011.

The institution's eligibility certification system

In 2007, the compliance coordinator began her employment in the department of athletics as an administrative assistant, a position she held until becoming compliance coordinator in September 2011. Upon her initial hiring, she traveled to another conference member institution, where athletics personnel trained her to use NCAA compliance software. From that point until 2011, she and the coaches were involved in the eligibility certification duties at the institution. The offices of admissions and the registrar were not involved in the process.

The actual certification process involved the compliance coordinator or the team coaches checking student-athlete academic records, which were available to the department of athletics. Once the coach or compliance coordinator determined that all eligibility requirements had been met, the compliance coordinator placed the student-athlete's name on the squad list for the appropriate sport.⁹ The institution did not often "catch" student-athletes who became ineligible; as the compliance coordinator stated at the hearing, most ineligible student-athletes were "removed from the team basically because they quit or the coach didn't want [them] around anymore..."

⁹ The compliance coordinator had the final responsibility for determining academic progress and continuing eligibility.

Following the conclusion of the spring 2011 semester, the compliance coordinator noted that a football student-athlete ("student-athlete 1") had only passed 21 hours in the 2010-11 academic year. She recognized that student-athlete 1 needed to complete three hours to be eligible for the 2011 football season. The compliance coordinator claimed that she mentioned student-athlete 1's ineligibility to the head coach. He did not recall speaking with her, and the investigation did not uncover documentation of any conversation between the two of them regarding this subject. The compliance coordinator did not communicate the information regarding student-athlete 1 to the director of athletics, student-athlete 1 or his academic advisor, and she did not follow up during the summer to determine if student-athlete 1 earned the credits that he needed to participate in the fall. Student-athlete 1 practiced, competed and traveled with the football team throughout the fall of 2011.¹⁰

Recording countable athletically related activities and signing squad lists

From approximately 2007 into 2013, the department of athletics did not require that its sports teams record countable hours on a daily basis. Although the director of athletics provided the rules regarding daily and weekly limits on countable athletically related activities to coaches, he did not provide education regarding the requirements for maintaining countable hours records. Consequently, the coaches of the women's basketball, volleyball, softball and women's golf programs did not record their countable hours on a daily basis. Through the same time frame, the director of athletics and head coaches of the institution's teams did not sign squad lists prior to the first day of competition for the team. The institution converted from hard-copy squad lists to electronic versions in approximately 2007. The director of athletics and coaches provided the necessary information to produce a squad list at the end of every semester. Once the lists were produced, the department of athletics retained the records in electronic form and provided them to the conference office at the end of each academic year, but some of the institution's coaches did not sign the lists prior to the start of each season.

The head coach's provision of benefits to student-athletes

The head coach wrote two checks on the Special Account to football student-athletes. On December 13, 2010, he wrote a check for \$150 to a student-athlete ("student-athlete 2") so that student-athlete 2 could pay an institutional bill that had to be settled before he could register for second semester classes. The head coach was aware of the reason student-athlete 2 needed the money. On March 23, 2011, the head coach wrote a check in the amount of \$100 to another student-athlete ("student-athlete 3"). The head coach initially claimed that the money was for student-athlete 3's "food or travel," but student-

¹⁰ Student-athlete 1 completed 24 hours of academic credit in the 2011-12 academic year and participated as a member of the football squad in the fall of 2012. He did not go through the eligibility reinstatement process until the summer of 2013.

athlete 3 confirmed that the head coach provided it to him knowing that he needed to purchase the health insurance required for him to practice. In his response to the notice of allegations, the head coach stated that he "[could not] make a complete admission as he does not recall what the expenditures were for."

The institution had implemented a requirement in 2010 that no student-athlete could participate without being insured, and the director of athletics and head athletics trainer ("trainer") both made the head coach aware of the policy at approximately the same time it was put into place. The trainer also told the head coach that it would be an NCAA rules violation for the institution to pay for a student-athlete's insurance. Student-athlete 3 offered to repay the money, but the head coach told him it was unnecessary. In his second interview conducted during the investigation, the head coach acknowledged that he knew it was impermissible for him to provide money to a student-athlete for the purpose of purchasing health insurance.

The head coach was a long-time NCAA coach. The prohibition against providing money to student-athletes is a basic tenet of amateurism and a well-known rule. The committee finds that the head coach knew he was prohibited from providing money to student-athlete 2. Further, the trainer and director of athletics both specifically informed the head coach that he could not pay the insurance premiums for a student-athlete. Student-athlete 3 told the head coach that he needed the money to pay his insurance premium and offered to repay the head coach. The committee makes a factual finding that the head coach knew, when he provided \$100 to student-athlete 3, that the money was to be used to purchase insurance so that student-athlete 3 could practice. The committee also makes the factual finding that, at the time he gave the money to student-athlete 3, the head coach knew his conduct was prohibited.

IV. ANALYSIS

The enforcement staff, institution, head coach and director of athletics were in substantial agreement with the majority of the facts. The head coach did not agree that he provided false or misleading information during the September 19, 2011, meeting with the president. The director of athletics did not agree that he should be held responsible for the existence of the Concession Account and Special Account. Given the findings of fact, the committee concludes that: (A) the institutional lacked control of, and the institution and director of athletics failed to monitor, the department of athletics; and (B) the head coach engaged in unethical conduct.

A. THE INSTITUTION LACKED CONTROL OVER THE DEPARTMENT OF ATHLETICS, AND THE INSTITUTION AND DIRECTOR OF ATHLETICS FAILED TO MONITOR THE ATHLETICS PROGRAM. [NCAA Constitution 2.1.1, 2.1.2, 2.8.1, 6.01.1 and 6.2.1; NCAA Bylaws 13.14.1, 14.01.1, 14.01.2, 14.4.3.1-(b), 14.10.2, 14.11.1, 15.5.5.2.1-(e), 16.8.1.2 and 17.1.6.3.4].

The institution lacked control over the department of athletics, and the institution and director of athletics failed to monitor the athletics program. The institution did not control the three outside bank accounts maintained by the director of athletics and head coach, and the institution and director of athletics failed to establish a rules education program. Further, the institution and the director of athletics failed to sufficiently track the football program's expenditures, monitor the Last Chance For Glory golf tournaments, have in place a viable eligibility certification system and ensure compliance with legislation regarding countable athletically related activities and squad lists.

1. NCAA legislation regarding lack of institutional control and failure to monitor.

The applicable portions of the NCAA Constitution and bylaws can be found in Appendix Two.

2. The institution lacked control over the department of athletics, and the institution and director of athletics failed to monitor various and wide ranging aspects of the athletics program.

NCAA Constitution 2.1.1, 2.1.2, 2.8.1, 6.01.1 and 6.2.1 require each NCAA member institution to exercise control over the administration of the department of athletics, comply with all NCAA rules, monitor their athletics programs and set the standard for the athletics' budget. The institution lacked control over the department of athletics, and the institution and director of athletics failed to monitor the athletics program in a number of ways.

The institution, enforcement staff and director of athletics substantially agreed to the facts and that violations occurred. The director of athletics disputes that he should be held accountable in any way for the existence of the Special Account and Concession Account. The institution disputes that its failure to have a rules education program contributed to the violations involving the head coach (See (B) below). The committee concludes that the facts constitute violations of NCAA bylaws.

Outside bank accounts. The director of athletics and head coach maintained three bank accounts outside the control of the institution. They used the accounts for athletics purposes. The C-Club account was open for over 30 years and was not closed by the director of athletics despite recommendations that he do so by two institutional presidents. By 2010 the head coach had opened two outside accounts of his own without informing anyone in the athletics administration.

These actions were inconsistent with the principles of Institutional Control, as well as the institution's requirement to control the athletics department's budget and monitor the athletics department. When the institution allowed the C-Club Account to remain open and used for athletics purposes, it failed to control the athletics budget. Further, in part because the institution and director of athletics did not sufficiently monitor all football expenditures (see below), the head coach's two outside accounts remained undetected.

Last Chance For Glory funds. The purpose of the The Last Chance For Glory golf tournaments was to raise funds to assist the football program. The institution was aware of the events and actively involved in their planning. The director of athletics attended the events and was aware that proceeds were not being deposited into an institutional foundation account, but he took no action to determine where the funds were kept and how they were used. The head coach used the funds to supplement his annual football budget.

Because the institution failed to account for the Last Chance For Glory funds, it violated the institutional control provisions of the NCAA Constitution. Further, when the director of athletics did not take any action to determine where the funds were deposited and how they were used, he and the institution failed to monitor the tournaments and their proceeds.

Rules education. The institution did not have a rules education program. Rules education is a cornerstone of a viable compliance program. Had a comprehensive program been in place, the director of athletics and head coach likely would have become aware of the impermissibility of using bank accounts outside the control of the institution for athletics purposes. Further, the head coach would have known that he could not have athletics bank accounts outside the control of the institution. The failure of the institution to have an education program in place was another aspect of lack of control of the athletics program. Further, in part because the

director of athletics did not establish a rules education program, he and the institution failed to monitor the athletics program.

Tracking football funds. The institution and director of athletics did not adequately track the funds expended by the football program, specifically, by the head coach. The head coach used the three outside bank accounts to supplement the football program's budget. Every time he spent funds from those accounts, he operated outside the department of athletics or foundation approval process. Had the institution and director of athletics thoroughly tracked his expenditures, questions would necessarily have been raised regarding the source of at least some of the funds he was spending for recruiting or other football-related activities. Bylaw 13.14.1 states that member institutions are to be responsible for all funds used for recruiting purposes. When the head coach used funds from the outside accounts for recruiting purposes, he was using funds outside the control of the institution. The failure of the institution and director of athletics to track the use of the funds allowed the use of outside funds to go undetected and contributed to the lack of control and failure to monitor of the department of athletics.

Eligibility certification. The institution's system for certifying student-athlete eligibility was deficient, with the most glaring weakness being that it did not involve the registrar, admissions, or any other department outside of athletics. The compliance coordinator performed certification duties, but at times the coaches did their own records reviews. Further, a deficient communication system between coaches and administrators permitted an ineligible student-athlete to compete before his eligibility was confirmed. A viable system of eligibility certification is crucial to institutional control. Because the institution did not have such a system, it lacked control over the department of athletics.

Bylaws 14.01.1, 14.01.2 and 14.11.1 provide that member institutions shall not allow student-athletes to compete unless the student-athletes meet all eligibility requirements. Student-athletes who are not making satisfactory progress academically or are otherwise ineligible must be withheld from competition. According to Bylaw 14.4.3.1-(b), academic satisfactory progress includes a requirement that student-athletes complete 24 hours of degree-applicable credit from the beginning of one fall term to the next. Finally, Bylaw 16.8.1.2 only permits eligible student-athletes to receive competition related travel expenses.

Because of the deficient certification system at the institution, student-athlete 1 was allowed to compete in the 2011 season while academically

ineligible. He only completed 21 credit hours in 2010-11, yet the institution allowed him to practice, compete, travel and receive travel expenses throughout the 2011 season. By allowing student-athlete 1 to participate, the institution violated Bylaws 14.01.1, 14.01.2, 14.4.3.1-(b), 14.11.1 and 16.8.1.2. The failure of the institution and director of athletics to establish a viable eligibility certification system contributed to the institution's lack of control of the department of athletics and the institution's and director of athletics' failure to monitor the athletics program.

Recording countable athletically related activities and signing squad lists.

The institution's head coaches and the director of athletics did not sign squad lists prior to the first date of competition for each team. Bylaw 14.10.2 requires an institution to complete a squad list prior to the first day of competition. Bylaw 15.5.5.2.1-(e) requires that the squad list be signed by the head coach of the sport and the institution's director of athletics. Because the director of athletics and coaches did not sign their squad lists prior to the first date of competition, the institution violated these provisions. Further, Bylaw 17.1.6.3.4 requires coaches to record countable hours for each student-athlete on a daily basis. Because some coaches did not record their countable hours daily, the institution violated Bylaw 17.1.6.3.4. The failure of the institution and director of athletics to ensure that the institution and the institution's coaches adhered to all countable athletically related activity and squad list legislation contributed to the lack of control by the institution and failure to monitor by the institution and director of athletics.

The NCAA constitution sets the standards and responsibilities for an institution's control over its athletics department. Based on the findings above, this institution lacked control over its department of athletics. Further, the institution and director of athletics failed to assure that the department was operating in compliance with NCAA rules.

B. THE HEAD COACH VIOLATED THE PRINCIPLES OF ETHICAL CONDUCT WHEN HE PROVIDED FALSE OR MISLEADING INFORMATION AND IMPERMISSIBLE BENEFITS. [NCAA Bylaws 10.01.1, 10.1-(c), 10.1-(d) and 16.11.2.1]

On September 19, 22 and-23, 2011, the head coach violated the principles of ethical conduct when he provided false or misleading information to the

institution.¹¹ Further, he violated the principles of unethical conduct on December 13, 2010, and June 10, 2011, when he knowingly provided impermissible extra benefits to two student-athletes.

1. NCAA legislation regarding ethical conduct

The applicable portions of the bylaws can be found in Appendix Two.

2. The head coach violated the principles of ethical conduct when he provided false or misleading information regarding his bank accounts to the president and impermissible benefits of cash to two student-athletes.

The institution, enforcement staff and head coach agreed to the facts and that violations occurred. The head coach did not agree that he provided false or misleading information to the president on September 19 but agreed he should have disclosed the existence of all outside accounts. He agreed that he failed to disclose the existence of the accounts on September 22 and 23. He further acknowledged that he provided the extra benefits, although he claimed he could not recall their purpose. The committee concludes that the facts as found constitute violations of NCAA bylaws.

Bylaws 10.01.1 and 10.1-(d) of the principles of ethical conduct require employees of member institutions to act with honesty and sportsmanship at all times. They preclude institutional employees from providing false or misleading information to the institution regarding possible NCAA rules violations. The head coach provided false or misleading information to the institution on three occasions. On September 19, the president asked him about the existence of outside bank accounts and the whereabouts of money raised through the golf tournaments. He denied that there were outside accounts and stated that he did not know where the money from the tournaments was located. Because these statements were untrue, the head coach violated Bylaws 10.01.1 and 10.1-(d).

The head coach did not agree that he was asked about *any* outside accounts. He claimed that on September 19, the president only asked him if he was keeping proceeds from the golf tournament specifically in a "turf account." He accurately stated "no" but failed to inform her that he knew where the funds were located – in the Special Account he maintained outside of the athletics department. His denial that the funds were in a turf

¹¹ The enforcement staff alleged that the head coach provided false *and* misleading information. However, the bylaw is written in the alternative and it is only necessary to show that the information was either false *or* misleading for a violation to be established.

account, without further explanation, was misleading and would establish a violation even if the committee had not concluded that he was asked about any and all accounts held outside the athletics department. As the head coach acknowledged in his response to the notice of allegations, he should have made a full disclosure of the existence of his outside accounts when questioned on September 19. Because he did not do so, he violated Bylaws 10.01.1 and 10.1-(d).

On September 22, the head coach signed a document affirming that the Special Account was the only outside account he maintained. Further, on September 23, when the president asked him if the Special Account was the only outside account he maintained, he answered in the affirmative. On both occasions he failed to disclose the existence of the Concession Account, which he closed on September 23 before he met with the president. Because he affirmed on September 22 that he only had one account when in fact there were two, and because he failed on September 23 to disclose the existence of his second account, he violated Bylaws 10.01.1 and 10.1-(d).

Bylaws 10.01.1, 10.1-(c) and 16.11.2.1 preclude institutional staff members from providing impermissible extra benefits not expressly authorized by NCAA legislation to enrolled student-athletes. The director of athletics and trainer both told the head coach that he could not pay for student-athlete 3's health insurance, with the trainer telling him specifically that paying for the insurance would be a violation of NCAA rules. Further, the head coach knew it was impermissible to provide money to student-athlete 2. Because the head coach provided money to two enrolled student-athletes and knew he was precluded from doing so, he violated Bylaws 10.01.1 and 10.1-(c) of the principles of ethical conduct. Additionally, because providing money to student-athletes is not expressly authorized by NCAA legislation, the head coach's actions violated Bylaw 16.11.2.1.

Bylaw 10, principles of ethical conduct, required the head coach to act with honesty at all times and precluded him from providing false or misleading information to the institution and extra benefits to student-athletes. When he failed to be fully forthcoming with the president and gave cash to two student-athletes, he violated these principles.

V. PENALTIES

For the reasons set forth in Sections III and IV of this report, the Committee on Infractions finds that this case involved major violations of NCAA legislation. The

committee is the independent administrative body of the NCAA charged with adjudicating infractions cases involving member institutions and their employees. Part of that charge includes the prescription of appropriate penalties.

The committee considered the institution's cooperation in the processing of this case. Cooperation during the infractions process is addressed in NCAA Bylaw 19.01.3 - Responsibility to Cooperate and NCAA Bylaw 32.1.4 – Cooperative Principle. The committee finds that the cooperation exhibited by the institution was consistent with its obligation under the bylaws. The committee notes that, although the violations remained undetected for years, the institution eventually self-detected and self-reported the majority of the violations, acted quickly in investigating the violations it discovered, cooperated with NCAA investigators, and assisted with their investigation.

The committee prescribes the following penalties. Those self-imposed by the institution are so noted, and the institution's corrective actions are contained in Appendix One.

General Administrative Penalties

1. Public reprimand and censure.
2. Three years of probation from November 6, 2013, through November 5, 2016. (the institution proposed a two year term of probation beginning on December 21, 2012)
3. The institution shall pay a fine in the amount of \$5,000.
4. The institution reported that it has retained the services of an outside entity to perform an audit of its athletics program (see Appendix One, Corrective Actions). It shall implement and abide by all recommendations made by the reviewer. The institution shall provide a copy of the reviewer's report in its first annual compliance report. (See Penalty 11.c below)

Football Program Penalties

5. The football program will withhold one full-time coach from recruiting off-campus for the spring and fall 2013 recruiting periods. This is a reduction of 25 percent in the number of coaches who are normally allowed to recruit off-campus. (institution imposed)
6. Official paid visits will be reduced from the historical four-year average of 75 to 60 for the 2013-14 academic year. (institution imposed)
7. Pursuant to NCAA Bylaws 19.5.2-(g) and 31.2.2.4, the institution will vacate all wins in which student-athlete 1 competed while ineligible. The period of

ineligibility includes regular season and conference tournament competition and covers the time when he initially lost eligibility through the time his eligibility was reinstated by the NCAA Reinstatement Staff, which the committee understands includes the 2011 and 2012 football seasons. Further, if student-athlete 1 competed in any NCAA postseason events during the period of ineligibility, the institution's participation in those events shall also be vacated. The individual records of student-athlete 1 shall be vacated as well. Further, the institution's records regarding football, as well as the record of the head coach, will reflect the vacated records and will be recorded in all publications in which football records are reported, including, but not limited to institutional media guides, recruiting material, electronic and digital media plus institutional, conference and NCAA archives. The institution presently employing the head coach, and any institution which may subsequently hire the head coach, shall similarly reflect the vacated wins in his 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 to attain specific honors or victory "milestones" such as 100th, 200th or 500th career victories. Any public reference to these vacated contests shall be removed from athletics department stationery, banners displayed in public areas and any other forum in which they may appear.

Finally, to ensure that all institutional and student-athlete vacations, statistics and records are accurately reflected in official NCAA publication and archives, the sports information director (or other designee as assigned by the director of athletics) must contact the NCAA director of statistics and appropriate conference officials to identify the specific student-athlete and contests impacted by the penalties. In addition, the institution must provide the NCAA statistics department a written report detailing those discussions with the director of statistics. This document will be maintained in the permanent files of the statistics department. This written report must be delivered to the NCAA statistics department no later than 45 days following the initial Committee on Infractions release or, if the vacation penalty is appealed and upheld, the final adjudication of the appeals process.

Penalties Prescribed for the Conduct of the Head Coach

8. The head coach engaged in unethical conduct as set forth in Finding B. He provided false or misleading information to the institution on three occasions and provided impermissible extra benefits to two student-athletes. Therefore, pursuant to NCAA Bylaw 19.5.2.2, the head coach shall be penalized from November 6, 2013 through November 5, 2015 according to the restrictions placed upon him by his present employing institution has imposed upon him. The head coach's present employing institution has stated that the terms will be in place for the duration of the head coach's employment. They are:

- a. The head coach will have no control over or access to any funds for football camps;
- b. The head coach will have no control over or access to any funds related to fundraising for the football program. Any request for him to use foundation funds must be made by the head coach and approved by the chief financial officer for athletics and the director of athletics;
- c. The head coach shall have no involvement, directly or indirectly, with football camp registrations;
- d. The head coach was required to attend an orientation regarding the NCAA rules program at the institution;
- e. The head coach met with the institution's enforcement staff on April 10, 2013. The allegations against him were reviewed, with an emphasis on inducements and extra benefits;
- f. The head coach shall attend a 2014 NCAA Regional Rules Seminar at his own expense;
- g. The head coach shall attend one-on-one monthly meetings with the assistant athletics director for compliance to discuss any questions he has regarding rules and topics that were covered in the monthly coaches' compliance meeting.

The committee further directs that, within one month of the Regional Rules Seminar, the head coach and his present employing institution shall provide a list of the sessions he attended, together with his certificate of attendance, to the Managing Director – Office of the Committees on Infractions.

The head coach's present employing institution (and any other employing member institution during the term of the show-cause provision) shall file annual reports with the committee by August 1, 2014, and August 1, 2015, affirming that it is abiding by the terms of the show-cause provision.

Penalties Prescribed for the Tournament Organizer's Conduct

9. The institution has disassociated the tournament organizer. (institution imposed) This disassociation shall be for at least the institution's probationary period and shall include:
 - a. Refraining from accepting any assistance from the tournament organizer that would aid in the recruitment of prospective student-athletes or the support of enrolled student-athletes;
 - b. Refusing financial assistance or contributions to the institution's athletics program from the tournament organizer;
 - c. Ensuring that no athletics benefit or privilege is provided to the tournament organizer, either directly or indirectly, that is not available to the public at large; and
 - d. Implementing other actions that the institution determines to be within its authority to eliminate the involvement of the tournament organizer in the institution's athletics program.

Penalties Prescribed for the Director of Athletics' Conduct

10. The director of athletics failed to institute a rules education program and a viable system of eligibility certification. He failed to close the C-Club Account and failed to monitor the proceeds raised during the Last Chance For Glory golf tournaments. He further failed to monitor the expenditures of the football program, contributing to the failure of the institution to detect the existence of the Special Account and the Concession Account maintained by the head coach. Therefore, the director of athletics will be informed in writing by the NCAA that, due to his involvement in violations of NCAA bylaws found in this case, if he seeks employment or affiliation in an athletically related position at an NCAA member institution during a two-year period (November 6, 2013, through November 5, 2015), he and the involved institution shall contact the Office of the Committees on Infractions to schedule an appearance before the committee. The committee shall consider whether the member institution should be subject to the show-cause procedures of Bylaw 19.5.2.2, which could limit the director of athletics' athletically related duties at the institution for a designated period.

Other Administrative Penalties and Measures

11. During this period of probation, the institution shall:
 - a. Continue to develop and implement a comprehensive, campus-wide NCAA rules compliance and education program on NCAA to instruct the

coaches, the faculty athletics representative, all athletics department personnel and all institution staff members with responsibility for the 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 December 20, 2013, setting forth a schedule for establishing this compliance and educational program; and
 - c. File with the Office of the Committees on Infractions annual compliance reports indicating the progress made with this program by August 1 of each year during the probationary period. Particular emphasis should be placed on establishing a campus-wide system of rules education and compliance administered by trained and competent individuals. The reports must also include documentation of the institution's compliance with the penalties adopted and imposed by the committee.
12. During the period of probation, the institution shall:
- a. Inform prospective student-athletes in football that the institution is on probation for three years and explain 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 no later than when the NCAA Eligibility Center provides the prospective student-athlete with the institution's academic data.
 - b. 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 sports programs and a direct, conspicuous link to the public infractions report located on the athletic department's main webpage. The information must also be included in the football media guide. 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 explanation 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. The institution may meet its responsibility in a variety of ways and the OCOI's approval of the statement will not be unreasonably withheld.

13. At the conclusion of the probationary period, 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.

As required by NCAA legislation for any institution involved in a major infractions case, Chadron State College shall be subject to the provisions of NCAA Bylaw 19.5.2.3, concerning repeat violators, for a five-year period beginning on the effective date of the penalties in this case November 6, 2013.

Should Chadron State College or any involved individual appeal either the findings of violations or penalties in this case to the NCAA Division II Infractions Appeals Committee, the Committee on Infractions will submit a response to the appeals committee. As set forth in applicable NCAA Bylaws and procedures of the Infractions Appeals Committee, penalties which are appealed will be automatically stayed until the appeal is concluded, with all other penalties remaining in effect.

The Committee on Infractions 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 shall be considered grounds for extending the institution's probationary period or imposing more severe sanctions or may result in additional allegations and findings of violations. An institution that employs an individual while a show-cause order is in effect against that individual, and fails to adhere to the penalties imposed, subjects itself to allegations and possible findings of violations.

Should any portion of any of the penalties in this case be set aside for any reason other than by appropriate action of the Association, the penalties shall be reconsidered by the Committee on Infractions. Should any actions by NCAA legislative bodies directly or indirectly modify any provision of these penalties or the effect of the penalties, the committee reserves the right to review and reconsider the penalties.

NCAA COMMITTEE ON INFRACTIONS

Douglas D. Blais

Jean Paul Bradshaw II

Bridget E. Lyons

Julie A. Rochester, chair

Carey J. Snyder

Harry O. Stinson III

APPENDIX ONE
CORRECTIVE ACTIONS AS IDENTIFIED IN THE INSTITUTION'S DECEMBER 21, 2012, AND JULY 12, 2013, RESPONSES TO THE NOTICE OF ALLEGATIONS.

1. Hired the compliance coordinator as full-time compliance coordinator effective September 2011. Among other things, the compliance coordinator conducts monthly rules education meetings for all athletics department staff. Attendance for staff who are on campus at the time of the meeting is mandatory and attendance records are maintained together with all materials distributed during the meeting. The compliance coordinator has implemented several improvements to the college's compliance efforts including creating a compliance website, which may be viewed at http://chadroneagles.com/sports/2012/7/22/GEN_0722123053.aspx?tab=compliance2. The compliance coordinator has attended the 2012 NCAA Regional Rules Seminar and will attend each annual seminar going forward. She also has joined the National Association for Athletics Compliance (NAAC) and communicates regularly with conference and NCAA officials to ensure compliance in the college's athletics program.
2. Hired a full-time accountant for the department of athletics effective February 27, 2012. Among other things, the accountant reviews all department of athletics expenditures to confirm compliance with college policy and procedure, and with NCAA legislation. The accountant reports to the college's vice president for administration and finance, and she works closely with the compliance coordinator to ensure compliance in the department of athletics business practices. The accountant and compliance coordinator are currently updating the department's policy and procedures manual.
3. On October 17, 2011, after learning the preliminary findings of the BKD audit that the head coach's establishment and use of the outside accounts may constitute NCAA violations, the college placed the head coach on investigatory suspension with pay. On December 16, 2011, the president informed the head coach that she had decided not to renew his specific term appointment for 2012-13. The head coach resigned effective March 5, 2012.
4. Issued to the director of athletics a letter of reprimand for his failure to monitor the head coach's recruiting expenditures.
5. The college has retained a firm experienced in NCAA compliance matters to provide a 360 degree evaluation of the department of athletics, including all aspects of compliance. Based on the evaluation, the firm will work with the college to write, rewrite, and implement policies and procedures that support compliance through a Comprehensive Compliance Program Enhancement Agreement. The firm will work with the institution for a one-year period beyond the evaluation and Comprehensive Compliance Program Enhancement implementation to monitor and ensure compliance with all changes and enhancements. Results of all these efforts will be reported directly to the president.
6. The firm will provide the compliance coordinator with professional development training, and implement and document a comprehensive rules education program for coaching staff members and all other college personnel with compliance responsibilities.

7. The institution is in the process of implementing dual independent checks between the department of athletics and the registrar's office for student-athlete academic eligibility.
8. The present president personally addressed the head coaches and entire athletics staff about compliance responsibilities and in particular the responsibilities of the head coaches under Bylaw 11.1.2.1 (Responsibility of the Head Coach).
9. Effective July 1, the former commissioner of the RMAC ("new director of athletics"), replaced the director of athletics as director of athletics. The new director of athletics has had a long and distinguished career in NCAA DII athletics administration. He was the assistant director of athletics at Metropolitan State University (Denver, Colorado) from 1985-1996, and the director of athletics at Fort Lewis College (Durango, Colorado) for five years before he was commissioner of the RMAC for 12 years.

APPENDIX TWO

CONSTITUTION AND BYLAWS

2.1.1 Responsibility for Control. It is the responsibility of each member institution to control its intercollegiate athletics program in compliance with the rules and regulations of the Association. The institution's president or chancellor is responsible for the administration of all aspects of the athletics program, including approval of the budget and audit of all expenditures. (Revised: 10/3/05)

2.1.2 Scope of Responsibility. The institution's responsibility for the conduct of its intercollegiate athletics program includes responsibility for the actions of its staff members and for the actions of any other individual or organization engaged in activities promoting the athletics interests of the institution.

2.8.1 Responsibility of Institution. Each institution shall comply with all applicable rules and regulations of the Association in the conduct of its intercollegiate athletics programs. It shall monitor its programs to assure compliance and to identify and report to the Association instances in which compliance has not been achieved. In any such instance, the institution shall cooperate fully with the Association and shall take appropriate corrective actions. Members of an institution's staff, student-athletes, and other individuals and groups representing the institution's athletics interests, shall comply with the applicable Association rules, and the member institution shall be responsible for such compliance.

6.01.1 Institutional Control. The control and responsibility for the conduct of intercollegiate athletics shall be exercised by the institution itself and by the conference(s), if any, of which it is a member. Administrative control or faculty control, or a combination of the two, shall constitute institutional control.

6.2.1 Normal Budgeting Procedures. The control and responsibility for the conduct of intercollegiate athletics shall be exercised by the institution itself and by the conference(s), if any, of which it is a member. Administrative control or faculty control, or a combination of the two, shall constitute institutional control.

13.14.1 Institutional Control. A member institution shall be exclusively and entirely responsible for institutional and personal funds expended during the recruitment of prospective student-athletes. (Revised: 1/14/01 effective 8/1/02)

14.01.1 Institutional Responsibility. An institution shall not permit a student-athlete to represent it in intercollegiate athletics competition, unless the student-athlete meets all applicable eligibility requirements and the institution has certified the student-athlete's eligibility. A violation of this bylaw in which the institution fails to certify the student-athlete's eligibility prior

to allowing him or her to represent the institution in intercollegiate competition shall be considered an institutional violation per Constitution 2.8.1; however, such a violation shall not affect the student-athlete's eligibility, provided all necessary information to certify the student-athlete's eligibility was available to the institution and the student-athlete otherwise would have been eligible for competition. *(Revised 1/14/02, 10/23/07)*

14.01.2 Academic Status. To be eligible to represent an institution in intercollegiate athletics competition, a student-athlete shall be enrolled in at least a minimum full-time program of studies, be in good academic standing and maintain progress toward a baccalaureate or equivalent degree. *(Revised 5/12/09)*

14.4.3.1 Fulfillment of Credit-Hour Requirements. Eligibility for competition shall be based on the following requirements: *(Revised 1/10/92)*

- (b) For a midyear transfer student-athlete, for a student-athlete following the student-athlete's first academic year in residence or after the student-athlete has used one season of eligibility in any sport at the certifying institution, the certification shall be determined by the student-athlete's academic record in existence at the beginning of the fall term or at the beginning of any other regular term of that academic year, based on:
 - (1) Satisfactory completion before each fall term of a cumulative total of academic semester or quarter hours equivalent to an average of at least 12 semester or quarter hours during each of the previous academic terms in academic years in which the student-athlete has been enrolled in a term or terms; or
 - (2) Satisfactory completion of 24 semester or 36 quarter hours of academic credit since the beginning of the previous fall term or since the beginning of the certifying institution's preceding regular two semesters or three quarters.

14.10.2 Squad-List Form. The institution's athletics director shall compile on a form approved by the Management Council a list of the squad members in each sport on the first day of competition and shall indicate thereon the status of each member in the designated categories. A student-athlete's name must be on the official institutional form in order for the student to be eligible to represent the institution in intercollegiate competition. Violations of this bylaw do not affect a student-athletes' eligibility, if the violation occurred due to an institutional administrative error or oversight, and the student-athlete is subsequently add to the form; however, the violation shall be considered an institutional violation per Constitution 2.8.1. (See Bylaw 15.5.5 for details about the administration of the squad list.) *(Revised: 1/14/97)*

14.11.1 Obligation of Member Institution to Withhold Student-Athlete from Competition. If a student-athlete is ineligible under the provisions of the constitution, bylaws or other regulations of the Association, the institution shall be obligated to apply immediately the applicable rule and to withhold the student-athlete from all intercollegiate competition. The institution may appeal to the Committee on Student-Athlete Reinstatement for restoration of the

student-athlete's eligibility as provide din Bylaw 14.12, if it concludes that the circumstances warrant restoration.

15.5.5.2.1 Squad List. The member institution's athletics director shall compile a list, on a form approved by the Management Council, of the squad members in each sport on the first day of competition and shall indicate thereon the status of each member in the categories listed. *(Revised: 7/20/10)*

- (e) The athletics director and head coach in the sport in which the student-athletes participate shall sign the squad-list form for that particular sport. *(Adopted: 4/1/06)*

16.8.1.2 Competition While Representing Institution. An institution may provide actual and necessary travel expenses (e.g. transportation, lodging and meals) to a student-athlete for participation in athletics competition, provided the student-athlete is representing the institution (competes in the uniform of the institution)and is eligible for intercollegiate competition. Such competition includes:

- (a) Regularly scheduled intercollegiate athletic events;
- (b) NCAA championship events and national governing body championship events in an emerging sport; *(Revised: 1/14/97)*
- (c) A certified postseason football game (see Bylaw 18.7 for conditions required for certification);
- (d) Nonintercollegiate open, amateur competition; and *(Adopted: 1/10/92)*
- (e) Other institutional competition permissible under NCAA legislation, including postseason events.

17.1.6.3.4 Hour-Limitation Record. Countable hours must be recorded on a daily basis for each student-athlete regardless of whether the student-athlete is participating in an individual or team sport. Any countable individual or group athletically related activity must count against the time limitation for each student-athlete who participates in the activity but does not count against time limitations for other team members who do not participate in the activity. *(Adopted: 1/10/91 effective 8/1/91, Revised 1/10/92)*

10.01.1 Honesty and Sportsmanship. Individuals employed by (or associated with) a member institution to administer, conduct or coach intercollegiate athletics and all participating student-athletes shall act with honesty and sportsmanship at all times so that intercollegiate athletics as a whole, their institutions and they, as individuals, shall represent the honor and dignity of fair play and the generally recognized high standards associated with wholesome competitive sports.

10.1 Unethical Conduct. Unethical conduct by a prospective or enrolled student-athlete or a current or former institutional staff member (e.g., coach, professor, tutor, teaching assistant, student manager, student trainer) may include, but is not limited to, the following: *(Revised: 1/10/90, 1/9/96, 7/20/10)*

- (c) Knowing involvement in offering or providing a prospective or an enrolled student-athlete an improper inducement or extra benefit or improper financial aid; (*Revised: 1/9/96*)
- (d) Knowingly furnishing or knowingly influencing others to furnish the NCAA or the individual's institution false or misleading information concerning the individual's involvement in or knowledge of matters relevant to a possible violation of an NCAA regulation; (*Revised 1/13/10*)

16.11.2.1 General Rule. The student-athlete shall not receive any extra benefit. The term "extra benefit" refers to any special arrangement by an institutional employee or representative of the institution's athletics interests to provide the student-athlete or his or her relatives or friends with a benefit not expressly authorized by NCAA legislation.