

**Division:** I

**Proposal Number:** 2025-40

**Title:** IMPLEMENTATION OF HOUSE V. NCAA SETTLEMENT -- PENALTIES

**Status:** Adopted Final

**Intent:** To establish legislation governing the imposition of penalties for violations of legislation related to the implementation of the House v. NCAA settlement, as specified.

**Category:** Amendment

**Bylaws:** Amend 23.2, as follows:

23.2 Penalties.

[23.2.1 unchanged.]

**23.2.2 Determination of Penalty.** If the College Sports Commission (CSC) concludes that a violation has occurred, the CSC shall prescribe an appropriate penalty, if any, for the institution, involved individuals and student-athletes, and shall notify the penalized parties and their institution and conference office. Failure to fully implement or adhere to a prescribed penalty may be considered a separate rules violation and may subject the institution, involved individuals, and the institution employing an involved individual to further disciplinary action. Failure to fully cooperate may also be considered a separate rules violation and may subject a party to further disciplinary action. All disputes regarding any discipline to a student athlete imposed by the CSC related to the House settlement are subject to the neutral arbitration process set forth in Article 6 of the House settlement and Bylaw 23.3.

**23.2.3 Factors Affecting Penalties for Student-Athletes.** The CSC shall consider relevant factors to determine the appropriate penalty.

**23.2.4 Factors Affecting Penalties for Institutions and Involved Individuals.** The CSC shall consider relevant factors to determine the appropriate penalty.

**23.2.4.1 Higher Penalties.** Relevant factors that may result in higher penalties include, but are not limited to:

**(a) Premeditation or deliberate intent to violate rules;**

**(b) The nature and seriousness of the offense;**

**(c) Egregious, pervasive, or frequent misconduct;**

**(d) Severity of harm caused or advantage gained in competition or recruiting;**

**(e) A pattern of noncompliance within the involved sport program or institution;**

**(f) Knowledge of or involvement in the violations by high-level decisionmakers at the institution;**

**(g) The penalized party's history of rules violations;**

**(h) Intentional or blatant disregard for NCAA bylaws or CSC regulations, including the CSC's policy on cooperation with investigations;**

**(i) Concealment or failure to voluntarily report violations to the CSC;**

**(j) Failure to timely and appropriately remediate violations; and**

**(k) Failure to fully cooperate with an investigation, including failure to timely provide requested information or other attempts to delay the investigative or disciplinary process.**

**23.2.4.2 Lower Penalties.** Relevant factors that may result in lower penalties include, but are not limited to:

- (a) Prompt and voluntary self-disclosure of violations;
- (b) Full and prompt cooperation with investigations;
- (c) Timely and appropriate remediation of violations;
- (d) Acknowledgement and acceptance of responsibility for violations;
- (e) Institutional self-imposed meaningful corrective measures or penalties; and
- (f) The adequacy and effectiveness of the institution's compliance program.

#### 23.2.5 Potential/Available Penalties for Student-Athletes.

23.2.5.1 Eligibility Penalties. The CSC may declare a student-athlete ineligible for participation in athletically related activities, including practice or competition.

#### 23.2.6 Potential/Available Penalties for Institutions and Involved Individuals.

23.2.6.1 Competition Penalties. The CSC may impose competition limitations on specific institutional sport programs and/or, if applicable, attach a competition limitation to an involved individual. Such competition limitations may include, but are not limited to, ineligibility for postseason play for an institutional sports program, subject to the limitations in Bylaw 23.6.6.1.1, and ineligibility for postseason play and the loss of an entire season or seasons for an involved individual.

23.2.6.1.1 Limitations on Ineligibility for Postseason Competition for Institutional Programs. For specific institutional programs, competition limitations may include ineligibility for postseason competition, but the CSC may only impose such limitations if the CSC can establish:

- (a) That the institution failed to fully implement or adhere to a penalty issued by the CSC for a violation, provided the penalty either was affirmed by the assigned arbitrator of CSC enforcement actions or was not appealed to arbitration by the institution;
- (b) By clear and convincing evidence, that the institution refused to cooperate with a CSC investigation after having been provided at least one written notice by the CSC of such failure and an opportunity to cure;
- (c) By clear and convincing evidence, that the institution actively and intentionally obstructed a CSC investigation (e.g., instructing a witness to lie, destroying inculpatory evidence so the CSC cannot obtain it); or
- (d) By clear and convincing evidence, an institution engaged in egregious conduct in violation of CSC rules resulting in a competitive advantage during the playing season in which the penalty is to be imposed.

23.2.6.1.1.1 CSC Chief Executive Officer Review. If the CSC imposes a penalty of ineligibility for postseason competition and the institution is unable to legally avail itself of the arbitration process for challenging CSC determinations, the institution may request that the chief executive officer of the CSC reconsider the penalty, in which case the chief executive officer must notify and meaningfully consult with the conference commissioner and president/chancellor of the institution prior to ruling on the request.

23.2.6.2 Financial Penalties. The CSC may impose financial penalties that include, but are not limited to, a requirement that an institution or athletics personnel (including a coach or athletics director) pay a fine, partial or complete withholding of an institution's monetary distribution from its conference or from the NCAA or the loss of all revenue sharing in postseason competition (including the Division I Men's and Women's Basketball Championships) for up to the entire period of the postseason ban. Financial penalties assigned to an involved individual shall attach to the individual and not the institution (an unpaid financial penalty follows the individual to any institution that employs the involved individual in the future). The CSC has discretion to determine the appropriate amount of the financial penalty and may take into consideration factors as outlined in Bylaw 23.2.4.1, including consideration that repeat and/or intentional violations shall result in an increased financial penalty. An institution is prohibited from raising funds to pay for a financial penalty as imposed on an institution or involved individual, including a coach.

23.2.6.3 Benefits Cap Restrictions. The CSC may impose limitations on the number of student-athletes in a particular sport who may receive direct institutional payments under the benefits cap during a specified period or limitations on the amount of the benefits cap distributed to student-athletes in a particular sport, provided the overall benefits cap at the institution will not be reduced.

23.2.6.4 Roster Reductions. The CSC may impose limitations on the number of new student-athletes on a roster during a specified period.

23.2.6.5 Transfer Reductions. The CSC may impose limitations on the number of incoming transfer student-athletes on a roster or added to a roster during a specified period.

23.2.6.6 Scholarship Reductions. The CSC may impose limitations on the number of new financial scholarship awards that may be provided during a specified period.

23.2.6.7 Suspensions. The CSC may issue and/or approve a decision that the institution suspend an involved individual for a period of time. Unless otherwise specified by the CSC, the suspension shall apply to all athletically related duties during the specified period and begin as specified by the CSC. Suspensions assigned to an involved individual shall attach to the individual and not the institution (an unfulfilled suspension will follow the individual to any institution that employs the involved individual in the future).

23.2.6.8 Recruiting Restrictions. The CSC may impose recruiting restrictions, particularly when an institution or involved individual has gained a recruiting advantage, directly or indirectly, because of the violation. Recruiting restrictions may include, but are not limited to, limitations on official visits, unofficial visits, on-campus recruiting activities, recruiting communications and off-campus recruiting activities.

23.2.6.9 Public or Private Warning or Reprimand. The CSC may issue a public or private warning or reprimand to an involved institution or individual.

23.2.6.10 Other Reasonable Penalties. The CSC may also impose other penalties that are reasonable based on the circumstances.

23.2.7 Cooperation. Institutions, involved individuals, and student-athletes are required to cooperate fully with investigations in accordance with Bylaw 19.2.1, including by timely providing requested information. The CSC will determine whether a party has fully cooperated, including by referencing the CSC's policy on cooperation with investigations. In the event a party refuses to promptly provide requested nonprivileged information in its possession, the CSC may make an adverse inference that the information requested would be unfavorable to the party.

**Source:** NCAA Division I Board of Directors

**Effective Date:** Immediate

**Topical Area:** Designated Enforcement Entity and Neutral Arbitration Process

**Rationale:** This proposal establishes legislation governing the imposition of penalties for violations of legislation related to the implementation of the House v. NCAA settlement. Establishing the penalties for such violations is necessary to help encourage and ensure compliance with the elements of the settlement.

**Estimated Budget Impact:** None.

**Impact on Student-Athlete's Time (Academic and/or Athletics):** None.

**History:**

|              |                  |                                   |
|--------------|------------------|-----------------------------------|
| Nov 26, 2025 | In Progress      |                                   |
| Nov 26, 2025 | Adopted by Board | Adopted as emergency legislation. |
| Nov 26, 2025 | Adopted Final    |                                   |

## Legislative References

| Legislative Cite | Title   |
|------------------|---|
| 23.2             | Penalties.  |
| 23.2.2           | Determination of Penalty.   |
| 23.2.3           | Factors Affecting Penalties for Student-Athletes.                                   |
| 23.2.4           | Factors Affecting Penalties for Institutions and Involved Individuals.              |
| 23.2.4.1         | Higher Penalties.   |
| 23.2.4.2         | Lower Penalties.  |
| 23.2.5           | Potential/Available Penalties for Student-Athletes.                                 |
| 23.2.5.1         | Eligibility Penalties.  |
| 23.2.6           | Potential/Available Penalties for Institutions and Involved Individuals.            |
| 23.2.6.1         | Competition Penalties.  |
| 23.2.6.1.1       | Limitations on Ineligibility for Postseason Competition for Institutional Programs. |
| 23.2.6.1.1.1     | CSC Chief Executive Officer Review.   |
| 23.2.6.2         | Financial Penalties.  |
| 23.2.6.3         | Benefits Cap Restrictions.  |
| 23.2.6.4         | Roster Reductions.  |
| 23.2.6.5         | Transfer Reductions.  |
| 23.2.6.6         | Scholarship Reductions.   |
| 23.2.6.7         | Suspensions.  |
| 23.2.6.8         | Recruiting Restrictions.  |
| 23.2.6.9         | Public or Private Warning or Reprimand.   |
| 23.2.6.10        | Other Reasonable Penalties.   |
| 23.2.7           | Cooperation.  |

**Student-Athlete Success/Well-Being:**

**Enforceable and Merits Outweigh Monitoring Burdens:**

**Consequential or Nationally Significant:**

**Division I Commitment:**

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