

[NOTE: FINDING AND PENALTIES UPHELD ON APPEAL BY DIVISION I STTERING COMMITTEE OF NCAA COUNCIL.]

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CONTACT: S. David Berst, NCAA Assistant Executive Director

UNIVERSITY OF MARYLAND, COLLEGE PARK INFRACTIONS REPORT

by the NCAA Committee on Infractions

OVERLAND PARK, KANSAS__This report is organized as follows:

I. Introduction.

II. Violations of NCAA legislation, as determined by committee.

III. Committee on Infractions penalties.

I. Introduction.

Early in 1989, as a result of a newspaper article about the relationship between a prospective student_athlete at a junior college and members of the university's men's basketball coaching staff, the University of Maryland, College Park, began an investigation into its men's basketball program. The university requested that a member of the NCAA enforcement staff be present during a university interview with the prospective student_athlete who had been the subject of the newspaper story. As a result of that interview, the university expanded its investigation, and the NCAA enforcement staff began its own investigation into the conduct and administration of the University of Maryland men's basketball program. Throughout the investigatory process, the enforcement staff and the institution shared information and conducted several joint interviews.

An official inquiry was sent to the University of Maryland in October 1989, and the university filed its response in December 1989. On February 2, 1990, a hearing was held before the NCAA Committee on Infractions, which was attended by university representatives and former members of the men's basketball coaching staff. At the conclusion of the hearing, the Committee on Infractions deliberated in private, determined findings and penalties, and prepared this report.

The Committee on Infractions found that this case involved major violations of NCAA legislation, and these findings are set forth in detail in Part II of this report. Student-athletes in the University of Maryland men's basketball program sold their Atlantic Coast Conference men's [Page 2] basketball tournament complimentary tickets; they were aided in this endeavor by former university coaching staff members. In addition, during at least one basketball season, members of the basketball team provided complimentary admissions to regular_season away games for members of the university's athletics booster club. However, it was not established

that the student_athletes who provided complimentary admissions to "boosters" received compensation for these complimentary admissions. Rather, the student_athletes reported that they provided their admissions to the boosters as a personal favor when the boosters contacted them. The former men's head basketball coach, former members of the men's basketball staff and a car dealer who was a representative of the institution's athletics interests provided a variety of improper benefits to a young man who had been a member of the university's basketball team but who had left the university and enrolled in a junior college. The committee also found that the former men's head basketball coach, a former part_time assistant coach, a former graduate assistant coach and a former administrative assistant (whose primary responsibilities related to men's basketball) violated the principles of ethical conduct by knowingly engaging in activities that constituted violations of NCAA legislation.

As important as the findings regarding the provision of improper benefits to prospective and enrolled student_athletes or the unethical conduct of members of the staff were, the committee found that the university had failed to meet the principles of institutional control and rules compliance, which are among the fundamental principles of the Association and its member schools [reference: NCAA Constitution 2.01, 2.1, 2.5 and 3.2.4.1]. Although even the best_administered athletics program might have rules violations, the principles of rules compliance and institutional control require each member institution in the NCAA to make significant efforts to avoid violations of NCAA legislation. The university's failure to ensure institutional control and rules compliance was demonstrated by the rules violations previously referred to and by other violations of NCAA legislation that are set forth in Part II of this report.

The Committee on Infractions determined that this case involved major violations of NCAA legislation that occurred after September 1, 1985. Because of the findings, the committee normally would be required to impose at least the following penalties, which are among the minimum penalties for a major rules violation: a two-year probationary period; elimination of expense_paid recruiting visits related to the sport for at least one year; elimination of off_campus recruiting for the sport for at least one year; loss of postseason competition and television appearances for at least one year, and possible termination of the employment of staff members involved in the violations. Under the terms of NCAA legislation that establishes the minimum penalties, however, the Committee on Infractions may impose lesser penalties if it determines that the case is "unique."

Ordinarily, unique circumstances that would justify relief from the Association's mandatory penalties would include such factors as: prompt detection of violations; thorough investigation and reporting of violations to the NCAA; cooperating in the processing of the case, and the [Page 3] institution's initiation of strong disciplinary and corrective actions (including the establishment of administrative procedures designed to ensure that the institution will comply with the principles of institutional control and rules compliance in the future). Other circumstances, although not as significant as the previously mentioned institutional measures, also may warrant the committee finding that a case is unique for some purposes.

Two factors led the committee to find that this case was unique and to impose penalties that differed from the list of minimum penalties set forth in NCAA legislation. First, the university conducted a thorough investigation of its men's basketball program, fully cooperated with the

NCAA investigation and recommended substantial penalties at the committee hearing. Secondly, the members of the athletics department staff who were found to have violated the principles of ethical conduct are no longer employed by the university.

Although the committee found that this case was unique in some respects, the serious nature of the violations, particularly the failure of the institution to exercise institutional control over its men's basketball program, required that significant penalties be imposed upon the university's men's basketball program. These penalties are described in detail in Part III of this report.

The committee placed the university's men's basketball program on probation for a three-year period. During this probationary period, the institution will be required to file comprehensive reports documenting the steps taken to establish institutional control over the university's intercollegiate athletics program in general and the men's basketball program in particular. Additionally, the men's basketball program is prohibited from engaging in postseason competition for two years (the 1990-91 and 1991_92 academic years) and from appearing on a live television broadcast for one year (the 1990_91 academic year).

Because the committee found that the university was represented in the 1988 National Collegiate Division I Men's Basketball Championship by some student-athletes who should have been declared ineligible due to their involvement in rules violations, an NCAA bylaw requires that the record of the university's participation in that tournament be vacated. Normally, the institution would also be required by the NCAA Executive Committee to return up to 90 percent of the proceeds that it received from that NCAA tournament. However, because of the institution's cooperation in the investigation, the Committee on Infractions will recommend that the university be required to repay the share of the 1988 basketball tournament revenues that it received after distribution to the Atlantic Coast Conference. This reduction in the normally required monetary penalty will result in savings of approximately \$70,000.

If there were no mitigating factors in this case, the committee would have imposed a significant reduction in the number of grants_in_aid that could have been provided to University of Maryland men's basketball student_athletes. However, due to the previously mentioned mitigating factors, the committee accepted a self_imposed penalty by the university [Page 4] that would reduce the number of athletics grants_in_aid for members of the men's basketball team from 15 to 13 for each of the next two years (the 1990_91 and 1991_92 academic years).

Two additional prescribed minimum penalties were imposed by the committee and immediately suspended. The committee suspended the minimum penalty requiring a prohibition of expense_paid official visits for prospective student_athletes to the university in the sport of men's basketball, and the committee suspended a penalty prohibiting off_campus recruiting activities by the men's basketball coaching staff.

If the members of the athletics department staff who engaged in violations of the principles of ethical conduct still had been employed by the university, the committee would have ordered the university to "show cause" why it should not be subject to additional penalties if it had failed to discipline those staff members; however, the resignations of those staff members made this penalty inappropriate. Each former staff member who was found by the committee to have

violated the principles of ethical conduct will be informed that in the event he seeks employment as an athletics department staff member at an NCAA member institution during the next five years, the individual and the institution that wishes to hire him will be requested to appear before the Committee on Infractions to discuss actions that may limit the individual's athletically related duties for a prescribed period.

II. Violations of NCAA legislation, as determined by committee.

A. [NCAA Constitution 2.01, 2.1, 2.5 and 3.2.4.1]

The university did not meet its obligations to ensure institutional control of and NCAA rules compliance in its men's basketball program as evidenced by the following circumstances:

1. There were numerous violations of NCAA rules concerning complimentary admissions for student_athletes in men's basketball, as described in Part II-B, which involved: (a) arrangements by student_athletes for the sale of their Atlantic Coast Conference men's basketball tournament complimentary admissions for substantial sums of money for the 1987 and 1988 tournaments; (b) participation in arranging the sale of Atlantic Coast Conference men's basketball tournament complimentary admissions by persons who were close to the men's basketball program, including a student_athlete, a graduate assistant coach, and others, some of whom the university's investigation was not able to identify, and (c) violations in the designation of complimentary admissions for regular_season away games in the 1985_86 season by members of the men's basketball team, which involved student_athletes providing such admissions as personal favors to representatives of the university's athletics interests who directly contacted the student_athletes. These violations demonstrated a pattern of [Page 5] noncompliance with NCAA rules governing the administration of student-athletes' complimentary admissions and extra benefits, which reflects a lack of effective monitoring and control by those responsible for the oversight and administration of the men's basketball program, including the then men's basketball coaching staff and the university's athletics administration.

2. The university failed to have an effective program for overseeing and monitoring the extent to which its men's basketball program operated in compliance with NCAA rules. These deficiencies were apparent in the following areas:

a. There was a lack of administrative control and oversight of the conduct of basic recruiting activities such as official visits of prospective student_athletes. As a result, recruits on official visits were able to obtain souvenirs and apparel at little or no cost to them from a representative of the university's athletics interests under circumstances where the men's basketball staff should have been aware these violations were occurring.

b. There were extensive violations of NCAA rules governing recruiting contacts with and transportation of a prospective student_athlete, as described in Part II_D of this report. Various persons connected with the men's basketball program, including assistant coaches, provided improper transportation, and the circumstances were such that the then head coach knew or should have known that the men's basketball staff was providing such transportation, and the

university's athletics administration should have been alerted to the problem if a more effective compliance program had been in place.

c. The university failed to oversee and account for the distribution of equipment and apparel to men's basketball student-athletes by its then head basketball coach and to require the student_athletes to return the items issued to them, although the then head coach obtained the apparel and equipment for the university's men's basketball program under a personal contract with an equipment manufacturer that the university had approved.

d. The men's head basketball coach directed the sending of money to a prospective student_athlete at the request of the recruit as described in the finding set forth in Part II_C of this report.

e. The university permitted an athletics department petty cash account to be managed in a manner that enabled at least one administrative assistant in the men's basketball program to withdraw large amounts of cash for stated athletically related expenses without having to provide a timely reconciliation of the advances with appropriate evidence justifying [Page 6] that the withdrawals were used for proper athletically related expenses.

f. The university failed to make a timely report to the NCAA of the violations described in Part II_F of this report concerning an improper promise and subsequent provision of videotapes of men's basketball games to the mother of a prospective student_athlete, when the university's director of athletics should have been aware that a violation had been committed.

3. The university failed to have an effective program for educating members of the men's basketball coaching staff and student-athletes on their responsibilities under NCAA rules. The seriousness of this deficiency was aggravated by the university's failure to recognize that heightened rules education efforts would be needed as a result of its appointment of a head coach for its men's basketball program who had no prior coaching experience at an NCAA member institution.

B. [NCAA Bylaws 16.2.1.2 and 16.12.2.2.1]

In 1987 and 1988, men's basketball student_athletes arranged to sell their complimentary admissions to the 1987 and 1988 Men's Atlantic Coast Conference Basketball Tournaments. Specifically, for the 1988 tournament, numerous members of the men's basketball team arranged to sell their complimentary admissions for amounts of \$200 to \$250 for each of their four complimentary admissions. According to the information reported by the university, at least 10 men's basketball student_athletes made such arrangements to sell their complimentary admissions; further, members of the men's basketball team arranged to sell their 1987 Atlantic Coast Conference Tournament complimentary admissions, and finally, the student_athletes arranged for the sale of their complimentary admissions through various persons, including a then graduate assistant coach, a former men's basketball student-athlete and others close to the men's basketball program.

Further, during the 1985_86 regular basketball season, some student-athletes on the university's men's basketball team designated persons to receive complimentary admissions to regular_season away games who were not eligible to be designated by the student_athletes; further, the persons designated included persons who directly contacted the student_athletes to obtain the complimentary admissions and obtained them as a personal favor from the student_athletes.

C. [NCAA Bylaws 13.2.2_(e) and 16.12.2]

Prior to the enrollment of a former student_athlete, the then men's head basketball coach provided a loan to the young man that was prohibited by NCAA legislation. Specifically, during the young man's recruitment in the spring of 1987, the then head coach gave \$40 cash [Page 7] to the institution's then men's basketball team manager and instructed him to wire the money to the prospect at his community college; further, the team manager drove the head coach's car to a Western Union office where he used a portion of the money to pay the costs to wire funds and sent the remainder to the prospect, and finally, the prospect reimbursed the then head coach several months later.

D. [NCAA Bylaws 13.1.2.1, 13.2.2 and 13.5.1]

On at least 15 occasions, during the period September 1988 through February 1, 1989, a then administrative assistant, a then men's part_time assistant basketball coach and a then men's graduate assistant basketball coach provided automobile transportation to a prospective student_athlete; further, on some occasions, the then men's head basketball coach had knowledge of and arranged for this transportation. Also, as a result of this transportation, the then administrative assistant, the then men's part_time assistant basketball coach and the then men's graduate assistant basketball coach made in_person, off_campus recruiting contacts with the prospect, which were not permissible under NCAA rules.

Specifically, the then men's graduate assistant basketball coach, the then part-time men's assistant basketball coach and the then administrative assistant transported the prospect between the young man's home, the university's campus and two local community colleges, a round_trip distance of approximately 70 miles, where the prospect was attending classes while suspended from the university; further, on at least two occasions, the then head coach instructed the then graduate assistant basketball coach to transport the young man.

E. [NCAA Bylaw 16.12.2]

During the fall semester of the 1987_88 academic year, a representative of the university's athletics interests and owner of an automobile dealership provided the use of an automobile from his dealership for a then student_athlete for at least two weekends each month at no cost to the young man.

F. [NCAA Bylaws 13.2.1 and 16.12.2]

During the 1986_87 academic year, during an in_person recruiting contact with a prospective student_athlete and his mother in the young man's home, the then men's head basketball coach promised to provide a videotape to the young man's mother of each game in which the young man participated during his attendance at the university; further, a minimum of four videotapes were mailed to the prospect's mother during the 1987_88 academic year. [Page 8]

G. [NCAA Bylaws 13.1.2.1, 13.2.1, 13.2.2_(b) and 13.2.2_(f)]

In 1987, during the official paid visits to the university's campus of two prospective student_athletes and a friend of one of the prospects, members of the men's basketball coaching staff accompanied the young men to a sporting goods store located near the campus and owned by a representative of the university's athletics interests; further, the representative met the young men and allowed them to obtain several articles of clothing at little or no cost to them. Specifically:

1. In February 1987, one of the prospects and his friend were taken to the sporting goods store by a member of the basketball coaching staff and introduced to the representative, who permitted each young man to purchase several articles of clothing for a total cost of \$5; further, the prospect selected two sweaters and one sweat shirt valued at approximately \$100, and his friend selected a hat, shorts and several T-shirts.

2. In October 1987, a basketball coaching staff member accompanied the second prospect to the sporting goods store where the representative permitted the young man to obtain several items of clothing at no cost to him; further, the prospect received sweat shirts for his mother and father, a shirt for his sister, and a sweat shirt and two T_shirts for himself.

3. On November 30, 1989, the representative provided free hats for a

prospective student_athlete and his student host.

H. [NCAA Bylaw 16.12.2.6]

During the 1986_87, 1987_88 and 1988_89 basketball seasons, the then men's head basketball coach provided items of clothing and accessories to members of the men's basketball team at no cost to the young men; further, the then head coach received these items directly from a basketball shoe company at no cost to him.

Specifically, on several occasions during the 1986_87 basketball season, the then head coach provided T_shirts to the members of the men's basketball team who participated in a "take the charge" drill during practice; further, in December 1987, the then head coach gave a garment bag, sweater, sweat suit and T_shirt to each team member without requiring that the items be returned; further, in December 1988, the then head coach gave a garment bag and three sweat suits to each student_athlete without requiring that the items be returned.

I. [NCAA Bylaw 16.12.2]

During the second semester of the 1988_89 academic year, several members of the men's basketball team accumulated mileage on their individual frequent-flyer accounts; further, this mileage was accumulated [Page 9] by the team members at the university's expense as a result of their travel to men's basketball games.

J. [NCAA Bylaws 10.01.1, 10.1_(c) and 10.1_(d)]

The former men's head basketball coach acted contrary to the principles of ethical conduct inasmuch as he did not, on all occasions, deport himself in accordance with the generally recognized high standards of honesty normally associated with the conduct and administration of intercollegiate athletics due to his involvement in findings of violations in this report and his provision of false and misleading information to the NCAA enforcement staff and the institution. Specifically:

1. The former head coach demonstrated a knowing and willful effort on his part to operate the institution's intercollegiate basketball program contrary to the provisions of NCAA legislation as shown by his involvement in the findings of violations in this report in which he is named.
2. The former head coach provided false and misleading information concerning his involvement in and knowledge of the matters addressed in Parts II_C and II_D of this report during an interview involving NCAA enforcement staff members and the university's legal counsel.
3. The former head coach participated in a meeting on February 20, 1989, with other members of the men's basketball coaching staff for the purpose of providing false and misleading information regarding the transportation of a prospective student_athlete.

K. [NCAA Bylaws 10.01.1 and 10.1_(d)]

A former administrative assistant, whose duties related primarily to men's basketball, acted contrary to the principles of ethical conduct inasmuch as he did not, on all occasions, deport himself in accordance with generally recognized high standards of honesty normally associated with the conduct and administration of intercollegiate athletics due to his provision of false and misleading information to the NCAA enforcement staff and the institution. Specifically, this former administrative assistant provided false and misleading information concerning his involvement in and knowledge of matters addressed in Part II_D of this report during an interview involving NCAA enforcement staff members and the university's legal counsel.

L. [NCAA Bylaws 10.01.1, 10.1_(a) and 10.1_(d)]

A former men's part_time assistant basketball coach acted contrary to the principles of ethical conduct inasmuch as he did not, on all occasions, deport himself in accordance with the generally recognized [Page 10] high standards of honesty normally associated with the conduct and administration of intercollegiate athletics in that during an interview involving NCAA enforcement staff members and the university's legal counsel, the former coach provided false and misleading information concerning his involvement in and knowledge of matters addressed in Part II_D of this report.

M. [NCAA Bylaws 10.01.1 and 10.1_(c)]

A former men's graduate assistant basketball coach acted contrary to the principles of ethical conduct inasmuch as he did not, on all occasions, deport himself in accordance with the generally recognized high standards normally associated with the conduct and administration of intercollegiate athletics. Specifically, this former graduate assistant coach demonstrated a knowing and willful effort on his part to operate the institution's intercollegiate men's basketball program contrary to the provisions of NCAA legislation as shown by his involvement in the violation cited in Part II_B of this report.

III. Committee on Infractions penalties.

For the reasons set forth in Part I of this report, the Committee on Infractions found that this case involved major violations of NCAA legislation that are set forth in Part II of this report. Because this case involves major violations of NCAA legislation that occurred after September 1, 1985, NCAA Bylaw 19.4.2.2, as adopted by the Convention of the Association, requires, "subject to exceptions authorized by the Committee on Infractions in unique cases on the basis of specifically stated reasons," minimum penalties that shall include: (a) a two_year probationary period (including a periodic in_person monitoring system and written institutional reports); (b) the elimination of all expense_paid recruiting visits to the institution in the involved sport for one recruiting year; (c) a requirement that all coaching staff members in the sport be prohibited from engaging in any off_campus recruiting activities for one recruiting year; (d) a requirement that all institutional staff members determined by the Committee on Infractions knowingly to have engaged in or condoned a major violation be subject either to termination of employment, suspension without pay for at least one year, or reassignment of duties within the institution to a position that does not include contact with prospective or enrolled student_athletes or representatives of the institution's athletics interests for at least one year; (e) one year of sanctions precluding postseason competition in the sport; (f) one year of sanctions precluding television appearances in the sport, and (g) institutional recertification that the current athletics policies and practices conform to all requirements of NCAA regulations.

The Committee on Infractions determined that this case was a "unique" case in which the institution should receive penalties that differ from the full set of minimum penalties otherwise required by NCAA legislation. [Page 11]

The committee has determined that certain mitigating factors support the finding that this case is unique. These mitigating factors include the following:

a. At the direction of the university's president, the institution undertook an extensive internal investigation of the men's basketball program, fully cooperated with the NCAA's investigation and recommended substantial penalties at the committee hearing.

b. The former men's basketball coaching staff members who were involved in the violations set forth in Part II of this report resigned.

Accordingly, the penalties imposed in this case by the Committee on Infraction are as follows:

A. The university shall be publicly reprimanded and censured, and placed on probation for a period of three years from the date these penalties are imposed, which shall be the date the 15_day appeal period expires or the date the institution notifies the executive director that it will not appeal, whichever is earlier, or the date established by NCAA Council subcommittee action in the event of an appeal, it being understood that 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. Further, the University of Maryland, College Park, shall be subject to the provisions of NCAA Bylaw 19.4.2.3 concerning repeat violators for a period beginning on the effective date of the penalties in this case.

B. The university's men's basketball team shall end its 1990_91 and 1991_92 seasons with the playing of its last regularly scheduled in-season contest and shall not be eligible to participate in postseason competition following those seasons. In addition, the men's basketball team may not participate in a foreign tour in the summer of 1990 or following the 1990_91 and 1991_92 seasons; further, the men's basketball team may not play any of its regular_season contests outside the continental United States during the 1990_91 and 1991_92 seasons. Moreover, the men's basketball team may not take advantage of any exceptions to the limitation in the number of basketball contests that are provided in Bylaws 17.3.3.1 and 17.3.5.4 regarding preseason contests (or contests outside of the continental United States) during the 1990_91 and 1991_92 seasons. [Page 12]

C. The men's basketball team shall be prohibited from appearing on any "live" telecast (as defined by Bylaw 19.4.2.5.2) during the 1990_91 academic year.

D. The committee has found that, at least in part due to the university's failure to exercise institutional control over its men's basketball program, student_athletes who were ineligible to represent the university (and student_athletes who the institution's coaching staff knew or should have known were ineligible) represented the university in the 1988 National Collegiate Division I Men's Basketball Championship [reference: Parts II_B and II_C of this report]. Therefore, under the terms of Bylaw 31.2.2.4, the records of the individual's and the team's performances in that championship shall be deleted, and the team's place finish in the final standings shall be vacated. Additionally, under the terms of Bylaws 19.4.2.1_(k) and 31.2.2.5, the Committee on Infractions and the NCAA Executive Committee shall consider whether the institution should be required to return up to 90 percent of the net receipts earned by the university in that event. Due to the mitigating factors set forth above, the Committee on Infractions will recommend to the Executive Committee that the institution return the university's share of receipts after distributions to the Atlantic Coast Conference office and other institutions in that conference. This net share totals \$407,378.

E. During the period of probation, the university shall report (prior to July 1, 1990; prior to July 1, 1991; prior to July 1, 1992, and prior to the end of the probationary period) to the NCAA enforcement staff and the Committee on Infractions the actions it has taken to: (1) place its intercollegiate athletics program in general and the men's basketball program in particular under institutional control, and (2) monitor the men's basketball program in a manner that will include, but not be limited to: (a) reviewing the use of complimentary admissions for all basketball games in which its men's basketball team is involved (including home and away games, regular_season

and tournament games), (b) an economic audit of student_athletes' financial resources and financial expenditures, (c) monitoring on_ and off_campus recruiting activities (including monitoring of the activities of prospective student_athletes and persons with whom they came in contact during visits to the university's campus) and (d) monitoring of university resources (including items such as courtesy cars and videotape equipment, as well as cash) that might be used to provide benefits to prospective or enrolled student_athletes.

F. The university shall be prohibited from providing any expense_paid visits to the institution for a prospective student_athlete in men's basketball during the 1990_91 academic year. [NOTE: This penalty is immediately and completely suspended based on the mitigating factors set forth above.]

G. All members of the university's men's basketball coaching staff shall be prohibited from engaging in any off_campus recruiting or evaluation activities during the 1990_91 academic year. [NOTE: This penalty is immediately and completely suspended based on the mitigating factors set forth above.] [Page 13]

H. The university, as a self_imposed disciplinary measure, has limited to 13 the number of grants_in_aid that may be awarded to members of its men's basketball team in the 1990_91 and 1991_92 academic years. The committee initially determined that it should eliminate new institutional financial aid awards in men's basketball for several years. Such a penalty would have significantly reduced the number of basketball players at the university. However, due to the mitigating factors listed above, the committee will impose no reduction in the number of grants_in_aid beyond the university's self-imposed limitations, which are hereby adopted as a penalty imposed by the committee.

I. The university shall be required to show cause why it should not be subject to additional penalties if it does not disassociate (in accordance with Bylaw 19.4.2.6) the two representatives of its athletics interests who were involved in violations found in this case [reference: Parts II_E and II_G of this report].

J. If any person who was found in this case to have violated the principles of ethical conduct had still been a member of the men's basketball coaching staff when the committee deliberated in this case, the university would have been required to show cause why it should not have been subject to further penalties if it had failed to take disciplinary action against that member of its staff. However, this minimum penalty is not applicable to this case due to the resignations of those former staff members.

K. The university shall recertify that its current athletics policies and practices conform to all requirements of NCAA legislation.

L. Due to his involvement in certain violations of NCAA legislation found in this case [reference: Parts II_C, II_D, II_F, II_H and II_J of this report], the former men's head basketball coach will be informed in writing by the NCAA that in the event he seeks employment as an athletics department staff member at an NCAA member institution during a five_year period (March 5, 1990, to March 5, 1995), he and the involved institution shall be required to appear

before the Committee on Infractions in order for the committee to consider whether that member institution should be subject to the show_cause procedures of Bylaw 19.4.2.1_(1), which could limit the former coach's athletically related duties at the new institution for a designated period.

M. Due to his involvement in certain violations of NCAA legislation found in this case [reference: Parts II_D and II_K of this report], the former administrative assistant will be informed in writing by the NCAA that in the event he seeks employment as an athletics department staff member at an NCAA member institution during a [Page 14] five_year period (March 5, 1990, to March 5, 1995), he and the involved institution shall be required to appear before the Committee on Infractions in order for the committee to consider whether that member institution should be subject to the show_cause procedures of Bylaw 19.4.2.1_(1), which could limit the former administrative assistant's athletically related duties at the new institution for a designated period.

N. Due to his involvement in certain violations of NCAA legislation found in this case [reference: Parts II_B and II_M of this report], the former graduate assistant basketball coach will be informed in writing by the NCAA that in the event he seeks employment as an athletics department staff member at an NCAA member institution during a five_year period (March 5, 1990, to March 5, 1995), he and the involved institution shall be required to appear before the Committee on Infractions in order for the committee to consider whether that member institution should be subject to the show_cause procedures of Bylaw 19.4.2.1_(1), which could limit the former coach's athletically related duties at the new institution for a designated period.

O. Due to his involvement in certain violations of NCAA legislation found in this case [reference: Parts II_D and II_L of this report], the former men's part_time assistant basketball coach will be informed in writing by the NCAA that in the event he seeks employment as an athletics department staff member at an NCAA member institution during a five_year period (March 5, 1990, to March 5, 1995), he and the involved institution shall be required to appear before the Committee on Infractions in order for the committee to consider whether that member institution should be subject to the show_cause procedures of Bylaw 19.4.2.1_(1), which could limit the former coach's athletically related duties at the new institution for a designated period.

[NOTE: Should the University of Maryland, College Park, appeal either the findings of violations or proposed penalties in this case to the NCAA Council subcommittee of Division I members, the Committee on Infractions will submit an expanded infractions report to the members of the Council who will consider the appeal. This expanded report will include additional information in accordance with Bylaw 32.8.5. A copy of the committee's report would be provided to the institution prior to the institution's appearance before the Council subcommittee and, as required by Bylaw 32.8.6, would be released to the public.

Also, the Committee on Infractions wishes to advise the institution that when the penalties in this case become effective, the institution should take every precaution to ensure that their terms are observed; further, the committee intends to monitor the penalties during their effective periods, and any action contrary to the terms of any of the penalties shall be considered grounds for extending the institution's probationary period, as well as to consider imposing more severe sanctions in this [Page 15] case, and finally, should any actions by NCAA Conventions 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

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Milton R. Schroeder (acting chair)

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