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UNIVERSITY OF FLORIDA INFRACTIONS REPORT

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.

In the fall of 1984, the NCAA Committee on Infractions imposed major penalties on the University of Florida due to serious violations in its football program. In 1987, NCAA enforcement staff members conducted interviews with a former student-athlete in the University of Florida men's basketball program that yielded information justifying a further investigation of the university's intercollegiate athletics program. It was not until three years later, in May 1990, that the university received a letter of official inquiry raising allegations of rule violations in the university's men's basketball and football programs. The length of the investigation was prolonged due to the fact that the Federal Drug Enforcement Agency and a United States attorney were investigating drug trafficking and sports agents in the Gainesville, Florida, area. That Federal investigation raised questions concerning the source of funds used by student-athletes at the University of Florida for a variety of purposes. In order to protect information being used in the criminal investigation, a Federal judge issued court orders that restricted the types of information and documents that could be disclosed outside the grand jury.

The NCAA investigation was aided by the University of Florida, which agreed in 1989 to conduct joint interviews concerning its athletics program with the NCAA. University and athletics department administrators and the outside attorneys hired by the university helped to develop information concerning the university's men's basketball and football programs in a manner that went beyond merely cooperating with the NCAA enforcement staff's investigation. During this joint investigation, the university severed its relationship with the head football coach and the [Pag 2] men's head basketball coach when university administrators learned of violations in the football and men's basketball programs.

The joint investigation concluded in the spring of 1990, and the university received a letter of official inquiry from the NCAA in May 1990. The institution submitted its written response to the letter of official inquiry in July 1990. The NCAA staff conducted prehearing conferences with the institution's representatives and the attorneys for the two former head coaches, and the Committee on Infractions conducted a hearing on August 11, 1990. The former head football coach, the former men's head basketball coach and representatives of the university were in

attendance. Following the hearing, the committee deliberated in private and made the findings of violations and imposed the penalties that are set forth in Parts II and III of this report.

Several major violations of NCAA legislation in two revenue-producing sports are of particular importance. The Committee on Infractions found that the former men's head basketball coach arranged a payment from his university expense account for a student-athlete's air transportation to a summer job in violation of NCAA legislation and university policies. The committee found that the former head football coach was involved in arrangements to provide a student-athlete with the resources to extinguish a delinquent child support debt. The committee also found that the former men's head basketball coach and the former head football coach violated NCAA ethical conduct legislation by their knowing and willful involvement in major violations of NCAA legislation. Additionally, the former head football coach arranged to provide salary supplements for two assistant football coaches from funds that were not controlled by the institution, which violated both NCAA legislation and specific provisions of the coach's contract with the university. The committee also found that a former assistant football coach was involved in an arrangement for a student-athlete to receive a loan of cash from a representative of the institution's athletics interests in order for the young man to travel to his home during a vacation period.

In the letter of official inquiry, the NCAA staff initially alleged that the university failed to comply with the principles of institutional control. However, after reviewing the university's attempts to monitor its intercollegiate athletics programs in a way that would avoid violations of NCAA legislation, the enforcement staff withdrew the institutional control charge. The Committee on Infractions determined that the university had attempted to control its men's basketball and football programs from 1985 through the present time in a manner that complied with the principles of rules compliance and institutional control that are among the requirements for membership in the Association.

The committee was presented evidence in this case that a former student-athlete in the sport of men's basketball had intentionally received money from, and entered contractual arrangements with, sports agents in violation of NCAA legislation. This student-athlete knew or should have known that such activities made him ineligible to participate in the 1987 and 1988 NCAA Division I Men's Basketball Championships. Nevertheless, he competed in those two championships. These violations of NCAA [Page 3] legislation could not be attributed to the coaching staff or the administration of the university. The university's administration and its basketball staff took significant steps to determine whether the student-athlete had become ineligible due to the receipt of money from a sports agent. Indeed, during the young man's attendance at the university, the university employed outside legal counsel to investigate whether the student-athlete had violated NCAA rules. If there had been facts demonstrating that university personnel knew or should have known of this student-athlete's violation of NCAA rules, the university would have received severe penalties for allowing the young man to compete for its men's basketball team. Because there was no reason the university should have known of these violations, and because of the extraordinary efforts made by the university to discover the facts regarding this student-athlete's activities and eligibility, the Committee on Infractions did not penalize the university for this young man's rule violations. Nevertheless, NCAA legislation requires that the records of the student-athlete and the university in these

tournaments be deleted. Additionally, NCAA regulations authorize the NCAA Executive Committee to require the university to return money received from participation in the NCAA tournament if the institution was represented by a student-athlete who knew or should have known that he was ineligible to compete in the tournament. The Committee on Infractions will refer the question of whether the university should return the money it received from the 1987 Division I men's basketball tournament to the NCAA Executive Committee. The Committee on Infractions, in this case, will require the university to repay most of its receipts from the 1988 NCAA Division I Men's Basketball Championship due to a violation committed by the former men's head basketball coach.

The foregoing information regarding the length of the investigation and the violations found in this case provides necessary background for understanding a rule interpretation question that had to be addressed by the Committee on Infractions prior to determining the penalties in this case. As previously noted, the committee ruled in 1984 that the University of Florida football program had operated in a manner that violated NCAA legislation. The violations and penalties in the 1984 case would be considered "major" in terms of the description of violations adopted by the Association in 1985. In the 1990 case, the committee found that several major, though isolated, violations of rules occurred in the university's men's basketball and football programs between 1985 and 1987. Those violations occurred within five years of the effective date of the major penalties for the 1984 case. The Committee on Infractions hearing and findings in the current case occurred more than five years after the completion of the last case. Thus, the committee had to determine whether the current case involved the minimum penalties for repeat major violators that are set forth in Bylaw 19.4.2.3.

At the NCAA special Convention in June 1985, the members of the Association adopted legislation, which is now codified in Bylaw 19.4.2.2, that established a "minimum penalty" for any major violations of NCAA legislation that occurred after September 1985. In a case in which a post-September 1985 major violation occurs, the committee normally would be required to impose at least the following penalties, which are among the [Page 4] minimum penalties for a first major rule 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. However, NCAA legislation allows the Committee on Infractions to impose lesser penalties if it determines that the case is "unique."

It should be emphasized that although the minimum-penalty legislation sets the framework for the committee's analysis of the types of penalties that should be imposed in a particular case, the committee is authorized to impose any or all of the penalties listed in Bylaw 19.4.2 in the initial major case.

At the June 1985 special Convention, the member institutions adopted legislation by a vote of 427 to 6 that required the Committee on Infractions to impose additional penalties (beyond the minimum penalties for a first major violation) in a case that involves a repeat major violator. That legislation, which is now codified as Bylaw 19.4.2.3, states: "An institution shall be considered a 'repeat violator' if any major violation is found within the five-year period

following the starting date of a major penalty [for that institution]." If this case was a repeat major violator case, the committee normally would be required to impose the following additional penalties: (a) limitation of some or all outside competition in the sport or sports involved in the current case for one or two seasons; (b) prohibition of coaching staff members (in that sport or sports) from engaging in any coaching activities at the university for one or two seasons; (c) elimination of all grants-in-aid and all recruiting activities in that sport or sports during that period; (d) exclusion of all institutional members from NCAA committees, the Council and the Presidents Commission, and (e) relinquishment of the institution's voting privileges in the NCAA for four years. The actions adopted at the 1985 Convention allowed the committee to refrain from imposing these penalties in a repeat major violator case if the committee found that the case was "unique" and that it should be among "exceptions [to the penalties] authorized by the Committee on Infractions" for reasons specifically stated in the committee's report.

There are two possible interpretations when a "major violation is found within the five-year period" after the effective date of a major penalty imposed on a member institution for a previous violation. One interpretation would require the Committee on Infractions to complete the processing of the case with the "new" violation within five years of the effective date of the penalties in the original case. Such an interpretation might allow an institution or its representatives to avoid the repeat major violator legislation by impeding the processing of an NCAA investigation or a Committee on Infractions hearing. A second interpretation would subject the institution to the repeat major violator legislation if the committee merely found that a major violation occurred within five years of the effective date of the penalties in the committee's first decision regarding the institution, regardless of the date of the second Committee on Infractions hearing. The second interpretation would [Page 5] not disadvantage a member institution, because the "statute of limitations" contained in Bylaw 32.5.2 protects all NCAA members from unreasonable delay in the processing of NCAA investigations.

In the view of the Committee on Infractions, actions of the NCAA Council near the time of the 1985 special Convention and statements made in the debates at the Convention do not settle the question of which of the two interpretations the Committee on Infractions should adopt when the university's "first" and "repeat" major violations both occur within a five-year time period after September 1, 1985. In the absence of clarifying legislation, the committee, in an appropriate case, might hold that an institution is a repeat major violator if its second post-September 1985 major violation occurs within five years after the institution's first post-September 1985 case, regardless of whether the second Committee on Infractions makes its findings and imposes penalties more than five years after the effective date of a major penalty imposed in the first infractions case. However, that rules interpretation question need not be finally resolved in this case.

The Committee on Infractions believes that statements made in the 1985 Convention debates require the committee to exempt an institution from the repeat major violator legislation, even if two major violations are found to have occurred within a five-year period, if four criteria are met: (a) The first major case involved only violations that were committed prior to September 1, 1985; (b) the first Committee on Infractions hearing occurred before September 1, 1985; (c) the Committee on Infractions hearing regarding the second major case occurred more than five years

after the effective date of the major penalty imposed in the first case, and (d) the committee found that neither the member institution, its current or former staff members and student-athletes, nor representatives of its athletics interests were responsible for delaying the second Committee on Infractions hearing.

Because the current University of Florida case meets all four of the previously mentioned criteria, the committee determined that this was not a repeat major violator case. Accordingly, the committee examined this case as a first major violation case. As previously noted, this case involved major, although isolated, violations of NCAA legislation, and, therefore, the institution would be subject to at least the minimum penalties for a first major case unless the committee found the case to be unique.

Ordinarily, unique circumstances that would justify relief from the Association's mandatory penalties would include such factors as: prompt detection of violations and the reporting of violations to the NCAA; a thorough investigation by the institution of its athletics program that goes beyond merely cooperating in the processing of the case, and the 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).

Every member institution is required by NCAA legislation to take steps to ensure institutional control over, and rules compliance in, its [Page 6] intercollegiate athletics program. Additionally, Bylaw 32.5.8 requires each institution to investigate all charges against it with the view of providing full and complete information to the NCAA enforcement staff and the Committee on Infractions. The committee considers whether an institution has gone significantly beyond fulfilling its obligations to cooperate in the enforcement process and has taken steps to establish institutional control over its athletics program when the committee determines whether a case is "unique" in a manner that justifies creating an exception to the minimum penalties.

The University of Florida case presents an example of a case that should be one of the "exceptions [to the minimum penalties] authorized by the Committee on Infractions in unique cases on the basis of specifically stated reasons" [Bylaw 19.4.2.2]. The university took significant steps to establish full institutional control over its athletics program in 1985 after its last infractions case but well before the current investigation began. Throughout the past five years, the university has continually improved its rules compliance and monitoring programs; it has not merely taken the minimum steps necessary to avoid violating the principles of rules compliance and institutional control. The university fully investigated the operation of its men's basketball and football programs. The university severed its relationship with its head football coach and its men's head basketball coach, but the university did not limit its investigation to an examination of the activities of these former staff members.

For the foregoing reasons, the committee found that all of the minimum prescribed penalties should not be imposed in this case. After consideration of both the nature of the violations and the mitigating factors found in this case, the committee imposed the penalties that are set forth in Part III of the report. In brief, those penalties include: a two-year probationary period; a prohibition of postseason competition in the sport of football during the 1990-91 academic year;

a reduction of two athletics scholarships in the sport of men's basketball during the 1991-92 academic year; a reduction of one athletics scholarship in the sport of men's basketball during the 1992-93 academic year; a requirement that the institution return most of its receipts from the 1988 Division I men's basketball tournament, and a requirement that each of the two former head coaches who were involved in the case appear before the Committee on Infractions if he wishes to be employed as an athletics department staff member of an NCAA member institution during the next five years.

The penalties in this case would have been much more severe if it were not for the unique mitigating circumstances presented in the case. The committee refrained from imposing broader postseason penalties, a television sanction and significant restrictions in recruiting activities because of those mitigating factors. Because the university had been represented in NCAA postseason competition in men's basketball by an ineligible student-athlete, the committee believed it was appropriate to limit the athletics scholarships that could be granted in that sport, despite the mitigating factors in the case. The committee eliminated 1990-91 postseason competition for the university's football team but not its [Page 7] men's basketball team because the 1984 infractions case involved violations in the football program. Indeed, the current case involves violations in the football program that occurred during the period when the football program was on probation. In this regard, the committee is permitted by Bylaw 19.01.4 to consider an institution's infractions history even in a case that is not a repeat major violator case.

## II. Findings of violations, as determined by committee.

### A. [NCAA Bylaws 16.12.2.1, 31.2.2.4 and 31.2.2.5]

In June 1987, the then men's head basketball coach arranged for a then student-athlete to receive a round-trip airline ticket to travel between Gainesville and Boston at no cost to the young man in order for the young man to be employed as a counselor in a basketball camp during the period August 1-5, 1987, and finally, in September 1987, as a result of the then head coach's instructions, the University Athletics Association paid the cost of this airline ticket (\$241.49); further, this student-athlete represented the university in the 1988 NCAA Division I Men's Basketball Championship, even though the then men's head basketball coach should have known that the young man's receipt of the ticket was an extra benefit that made this student-athlete ineligible to compete in the 1988 tournament.

### B. [NCAA Bylaws 13.5.2.8, 13.5.4, 13.6.2 and 13.6.2.1]

In July 1985, a then member of the men's basketball coaching staff allowed the mother of a prospective student-athlete, who accompanied the young man on his official paid visit to the university's campus, to use the return portion of the prospect's airline ticket after the young man stayed at the university to enroll in summer school; further, because the prospect remained on campus, this action resulted in the university paying the cost of the young man's transportation expenses to enroll at the university.

### C. [NCAA Bylaws 16.10.2.7 and 16.12.2.1]

On January 8, 1987, during a meeting in the office of the then head football coach, the then head coach provided an envelope to a then graduate assistant football coach and instructed the graduate assistant coach to drive a then student-athlete to the county sheriff's department in the young man's hometown where the student-athlete used the contents of the envelope (the contents of which had been provided by the then head coach) to satisfy the young man's delinquent child support debt.

Specifically, after the then head coach's instructions, the then graduate assistant coach drove the student-athlete to the young man's home [Page 8] where the student-athlete obtained some personal money, which the young man believed he might need in addition to the contents of the envelope to satisfy his debt, and finally, the then graduate assistant coach and the student-athlete then traveled to the sheriff's department where the young man discharged the \$360.40 debt with the contents of the envelope; further, the student-athlete did not use any of his personal money to discharge that debt.

D. [NCAA Bylaws 16.12.2.2 and 16.12.2.3-(a)]

During the fall of 1986, a then assistant football coach provided a loan of between \$70 and \$100 to a then student-athlete to pay for the balance of an airline ticket that the young man utilized to travel home for Christmas; further, a representative of the institution's athletics interests provided this cash to the then assistant coach, and, finally, after the student-athlete returned from the Christmas vacation, he repaid the money to the then assistant coach who subsequently returned the money to the representative.

E. [NCAA Bylaw 11.3.2.2]

On one occasion each during the 1985-86 and 1987-88 academic years, and on three occasions during the 1988-89 academic year, the then head football coach provided salary supplements to two then assistant football coaches at the institution.

F. [NCAA Bylaws 10.1-(c) and 19.01.1]

A 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 standards normally associated with the conduct and administration of intercollegiate athletics in that his involvement in a major violation, as set forth in this report [reference: Part II-A of this report], demonstrates a knowing and willful effort on his part to operate the institution's intercollegiate men's basketball program contrary to NCAA legislation.

G. [NCAA Bylaws 10.1-(c) and 19.01.1]

A former head football 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 standards normally associated with the conduct and administration of intercollegiate athletics in that his involvement in a major violation, as set forth in this report [reference: Part II-C of this report],

demonstrates a knowing and willful effort on his part to operate the institution's intercollegiate football program contrary to NCAA legislation. [Page 9]

H. [NCAA Bylaws 30.3.3 and 30.3.5]

The institution's Certification of Compliance form for the 1987-88 academic year was erroneous based upon the findings of violations in this inquiry, which indicate that the institution's men's basketball and football programs were not in compliance with NCAA legislation in that the then men's head basketball coach, the then head football coach and a then assistant football coach attested on statements filed with the chief executive officer of the institution that they had reported to the chief executive officer their knowledge of and involvement in any violations of NCAA legislation involving the institution when, in fact, they had not done so.

Further, based upon information provided by these then coaches, and without intent to do so, the then president erroneously certified on August 31, 1987, the university's compliance with NCAA legislation.

III. Committee on Infractions penalties.

For 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 has considered both the nature of the violations, as well as the mitigating factors that make this case unique. For the reasons set forth in Part I of this report, 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. Accordingly, the penalties imposed in this case by the Committee on Infractions are as follows: [Page 10]



A. The university shall be publicly reprimanded and censured, and placed on probation for a period of two 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 Florida shall be subject to the provisions of NCAA Bylaw 19.4.2.3 concerning repeat major violators for a five-year period beginning on the effective date of the penalties in this case.

B. During the period of probation, the university shall report in writing (prior to July 1, 1991, 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) improve, as needed, its rules compliance and monitoring programs for all of its intercollegiate athletics teams, and (2) monitor the men's basketball and football programs in a manner that will include, but not be limited to: (a) an economic audit of student-athletes' financial resources and financial expenditures, (b) monitoring on- and off-campus recruiting activities and (c) monitoring university and athletics association resources that might be used to provide benefits to prospective or enrolled student-athletes.

C. The university's football team shall end its 1990 season with the playing of its last regularly scheduled, in-season contest and shall not be eligible to participate in any postseason competition following that season; further, the university may not take advantage of any of the exemptions (with the exception of the spring game) provided in Bylaw 17.7.5.2.

D. The men's basketball team shall end its 1990-91 season with the playing of its last regularly scheduled, in-season contest and shall not be eligible to participate in postseason competition following that season. In addition, the men's basketball team may not participate in a foreign tour in the summer of 1991; further, the men's basketball team may not play any of its regular-season contests outside the continental United States during the 1990-91 season. 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 season. [NOTE: This penalty is immediately and completely suspended due to the mitigating factors referred to in Part I of this report.]

E. The committee found that a student-athlete who was ineligible (and who should have known he was ineligible) represented the university in the [Page 11] 1987 NCAA Division I Men's Basketball Championship. Although the Committee on Infractions found no institutional responsibility for this student-athlete's violation of NCAA legislation [reference: Part I of this report], under the provisions of Bylaw 31.2.2.4, the records of the individual's and 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 provisions of Bylaw 31.2.2.5, the NCAA Executive Committee will consider whether the university should be required to return a portion of its receipts from the 1987 championship as a result of the student-athlete's violation.

F. The committee found that a student-athlete who was ineligible to represent the university (and whom the institution's coaching staff knew or should have known was ineligible) represented the university in the 1988 NCAA Division I Men's Basketball Championship [reference: Part II-A of this report]. Therefore, under the provisions 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 provisions of Bylaws 19.4.2.1-(k) and 31.2.2.5, either the Committee on Infractions or the NCAA Executive Committee can require the institution to return up to 90 percent of the net receipts earned by the university in that event. The Committee on Infractions hereby requires that the university return at least the university's share of receipts after distributions to the Southeastern Conference office and other institutions in that conference. This amount is approximately \$287,561 and is subject to review by the Executive Committee before the actual amount to be returned is established.

G. The university's football and men's basketball teams shall be prohibited from appearing on any "live" telecast (as defined by Bylaw 19.4.2.5.2) during the 1990-91 academic year. [NOTE: This penalty is immediately and completely suspended due to the mitigating factors referred to in Part I of this report.]

H. The university shall be prohibited from providing any expense-paid recruiting visit to a prospective student-athlete in the sports of football and men's basketball during the 1990-91 academic year. [NOTE: This penalty is immediately and completely suspended due to the mitigating factors referred to in Part I of this report.]

I. All members of the university's coaching staffs in the sports of football and men's basketball are prohibited from engaging in any off-campus recruiting activities during the 1990-91 academic year. [NOTE: This penalty is immediately and completely suspended due to the mitigating factors referred to in Part I of this report.]

J. During the 1991-92 academic year, the university may award institutional financial aid to a total of 13 recruited student-athletes in [Page 12] the sport of men's basketball. Student-athletes who are identified in the 1990-91 squad list form with remaining eligibility for the 1991-92 academic year may not be replaced in this total if they leave the team. [NOTE: Relevant squad lists, a list of recruited student-athletes who received institutional financial aid for the 1990-91 academic year and other financial aid information shall be submitted by the university to the NCAA enforcement staff and the Committee on Infractions by October 15, 1990.]

K. During the 1992-93 academic year, the university may award institutional financial aid to a total of 14 recruited student-athletes in the sport of men's basketball. Student-athletes who are identified in the 1990-91 and 1991-92 squad list forms with remaining eligibility for the 1992-93 academic year may not be replaced in this total if they leave the team. [NOTE: Relevant squad lists, a list of recruited student-athletes who received institutional financial aid for the 1991-92 academic year and other financial aid information shall be submitted by the university to the NCAA enforcement staff and the Committee on Infractions by October 15, 1991.]

L. If any coaching staff member who was found in this case to have violated the principles of ethical conduct had still been a member of the university's 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 these members of its staff. However, this minimum-required penalty is not applicable to this case.

M. Due to his involvement in violations of NCAA legislation found in this case [reference: Parts II-A and II-F of this report], the former men's head basketball coach who was involved in this case 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 (September 20, 1990, to September 20, 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 provisions of Bylaw 19.4.2.1-(I), which could limit the former coach's athletically related duties at the new institution for a designated period.

N. Due to his involvement in violations of NCAA legislation found in this case [reference: Parts II-C and II-G of this report], the former head football coach who was involved in this case and the NCAA member institution at which he is now employed are 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-(I), which could limit the former coach's athletically related duties at the current institution. However, it [Page 13] is the present view of the committee that this coach and the member institution that currently employs this former head football coach as a graduate assistant coach need not appear before the committee if the current institution limits this person's duties in the following ways.

1. This individual shall hold only the position of a graduate assistant coach.
2. This individual shall not perform duties other than those which may be assigned to a graduate assistant coach.
3. This individual shall not take part in any on- or off-campus recruiting activities or have any contact with prospective student-athletes, even though some limited forms of such activity could otherwise be undertaken by a graduate assistant coach.
4. The institution shall ensure that this individual participates in rules-education and rules-compliance programs, and the institution shall report each year (by June 1) while this individual retains his current position with the institution on the extent to which this individual has taken part in such programs.

Additionally, if, during a five-year period (September 20, 1990, to September 20, 1995), this former head football coach is employed by any other NCAA member institution (whether as a graduate assistant coach or in any other athletically related capacity), or if his duties at the member institution that currently employs him as a graduate assistant coach are to be altered, he and the involved institution must appear before the Committee on Infractions in order for the committee to consider whether the member institution should be subject to the show-cause procedures previously referred to in this paragraph.

O. The University of Florida is required to recertify that its current athletics policies and practices conform to all requirements of NCAA regulations.

[NOTE: Should the University of Florida 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 [Page14] shall be considered grounds for extending the institution's probationary period, as well as to consider imposing more severe sanctions in this case, **and finally, should any action by NCAA Convention 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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