

FOR RELEASE: November 4, 1992, 11 a.m. (Central Time)

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University of Virginia

OKLAHOMA STATE UNIVERSITY 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.

In late December 1989, the NCAA enforcement staff received information from a confidential source who indicated that there were possible violations of NCAA legislation involving the university's wrestling program. The enforcement staff conducted off-campus interviews with numerous individuals (including several former student-athletes) regarding membership in a local sports club, employment of part-time coaches, the operation of summer camps and expense payments for open wrestling tournaments. As a result of those interviews, a letter of preliminary inquiry was sent to the university's president on September 19, 1990.

The enforcement staff and outside legal counsel representing the university conducted numerous on- and off-campus interviews from November 1990 through July 1991. The enforcement staff also independently conducted several off-campus interviews. As a result of those interviews, an official letter of inquiry was issued to the university on November 1, 1991, and the university submitted its response on March 10, 1992. The enforcement staff received the response from the involved former head wrestling coach on March 30, 1992. Prehearing conferences were held with the head coach and his legal counsel on May 11, 1992, and with university representatives on May 13, 1992. The NCAA Committee on Infractions held a hearing with university representatives and the former head coach and his counsel during its meeting on June 27, 1992.

This case involved a number of major violations in wrestling, including: treating prospective student-athletes who had enrolled as part-time [Page 2] students as if they were regularly enrolled student-athletes; providing regularly enrolled student-athletes who were being redshirted with cash, transportation, entry fees and other benefits to compete in open wrestling meets (contrary to numerous NCAA rules and regulations); employing prospective student-athletes in summer camps and providing transportation, free enrollment and other benefits that are considered inducements under NCAA legislation to them; administering summer camps without proper accounting and auditing procedures, which allowed some student-athletes to

receive benefits to which they were not entitled, and employing and providing funds to coaching staff members that were not known to or under the control of the university.

This case clearly demonstrated a lack of institutional control and occurred at a time when the university was on probation for major violations in football and was under specific directions to develop a compliance and rules-education program to prevent such violations as herein occurred. While it is significant that no additional violations have been found in football since the previous hearing, it was obvious by the institution's own admission that no effective compliance program had been introduced for wrestling, a premier program that has been a consistent competitor for conference and national championships, nor was there an effective auditing and monitoring of the various summer camps and club sports operations associated with this sport. This series of violations was made more serious inasmuch as the then director of athletics who promised the committee full compliance at the previous hearing was himself a former head wrestling coach at the institution. The head wrestling coach under whose supervision, direction and, in some instances, guidance these violations took place was not familiar with basic NCAA rules and regulations, or ignored them, provided no rules-education for his staff and did not seek interpretations of rules from athletics department staff members charged with compliance.

The result was that by mixing part-time prospective student-athletes, redshirted student-athletes, club teams, open tournaments and coaching staff members who were themselves competing in national and international meets, the university gained substantial recruiting and competitive advantages over a period of several years.

Adding to this very serious lack of institutional control, the then head wrestling coach, when first confronted by university legal counsel and enforcement staff representatives, knowingly lied about his involvement, convinced an assistant coach to "work out a story" to confirm the head coach's explanation, both of which were contrary to the facts, and induced several student-athletes also knowingly to provide false and misleading information about events in which they were involved. Such actions are a clear breach of ethical and professional responsibilities. As a result, not only were the careers of several student-athletes impacted by his actions, but the falsehoods stretched out the investigation over a much longer time than should have been necessary.

This is the fourth time over the past two decades that the university has been subject to sanctions for the actions of its coaches, officials, representatives and student-athletes. In one manner or another, violations have occurred almost continuously since 1972, sometimes while the university was still on probation or just had come off probation. Despite the [Page 3] sincere and determined assertions of university presidents, members of the athletics staff have committed violations. On the past two occasions when confronted by possible violations, the administration moved with speed and determination to assist in getting to the source of the violations. The outside legal counsel's vigorous pursuit of information was a decisive factor in resolving inconsistencies and, in cooperation with the enforcement staff, resulted in a clear picture of most violations. Yet somehow this commitment to NCAA compliance and adherence to rules did not seem to reach into the ranks of the coaching and administrative staffs. It is essential to the survival of Oklahoma State University intercollegiate athletics that the coaching staffs understand what is at stake.

In setting penalties in this case, the committee determined that these were major violations subject to the requirements of NCAA Bylaw 19.4.2.2 and, because these violations occurred within the five-year period of the previous penalties, that the university was subject to the requirements of Bylaw 19.4.2.3 [Repeat Violators]. The committee acknowledges the cooperation of the university in this investigation and its actions in replacing the coaching staff members involved in the violations. Therefore, some penalties were not imposed through the show-cause procedures restricting actions of the coaches. The committee also noted that in its own actions during the 1991-92 season, the university canceled eight (one-half) of its intercollegiate matches. Therefore, although the committee did impose a prohibition against postseason competition following the 1992-93 season, as required by Bylaw 19.4.2.2, it did not cancel regular-season meets and matches for this year, as required by Bylaw 19.4.2.3-(a). It chose, instead, to restrict the team, members of the team and members of the coaching staff from competition, association and involvement in those areas that were the sources of the violations set forth in Part II of this report, particularly summer camps, nonintercollegiate meets and competitions, club teams, and associations with staff members in club and summer camp activities. The committee believed that this combination of sanctions met the requirements of NCAA legislation and acknowledged the university's cooperative actions, but stated unequivocally that these were serious violations requiring serious penalties.

In summary, the committee's penalties set forth in Part III of this report are:

- Three-year additional probationary period (to January 5, 1996).
- No postseason competition in wrestling during the 1992-93 season.
- No live television appearances in wrestling during the 1992-93 season.
- No members of the wrestling team who are receiving athletically related financial aid may compete in nonintercollegiate competition during the 1992-93 academic year.
- The university may not provide financial or other assistance during the 1992-93 and 1993-94 academic years to student-athletes to compete in any wrestling competition, other than regularly scheduled intercollegiate competition. [Page 4]
- No members of the wrestling coaching staff may be involved in any noncollegiate wrestling activities within a 30-mile radius of Stillwater, Oklahoma, prior to August 1, 1994.
- No additional initial athletically related financial aid may be awarded in wrestling prior to August 1, 1994.
- No expense-paid visits may be provided in wrestling prior to August 1, 1993.
- The former head coach involved in these violations shall be subject to the show-cause provisions of Bylaw 19.4.2.1-(1) for a period of five years.

- No student-athlete may participate in any summer camp during the summers of 1993 and 1994 at which any member of the Oklahoma State University wrestling coaching staff, or any former member of the university's wrestling staff who was found to have been involved in a major violation, has any affiliation.

- The institution's team standing in the 1992 NCAA Division I Wrestling Championship shall be stricken from the record.

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

A. [NCAA Bylaws 13.2.1, 13.2.2, 13.2.4.2, 13.12.1 and 13.13.1.2]

During June 1987, after a prospective student-athlete had signed a National Letter of Intent to attend the institution, the then head wrestling coach provided \$400 cash, lodging and meals to the prospect at no cost to the young man in conjunction with the prospect's employment and participation at two wrestling camps operated by the head coach. The head coach paid the cost of the young man's automobile transportation expenses between camps and to Stillwater, Oklahoma. While employed at the camps, the young man received instruction from members of the university's wrestling coaching staff and participated in workouts with members of the intercollegiate wrestling team and campers. Specifically:

1. On or about June 8-12, 1987, the prospect was employed at a camp operated by the head coach and received lodging, meals and instruction from members of the university's wrestling coaching staff (including the head coach) and participated in workouts with members of the intercollegiate wrestling team and campers. At the conclusion of the camp, the head coach gave the young man a \$400 check that represented \$200 payment for working at the camp and \$200 advance payment for work to be performed the following week at another camp operated by the head coach. The head coach directed the prospect to endorse the check, and he provided \$400 cash to the young man.

2. On or about June 13, 1987, a camp employee and former student-athlete transported the prospect and a student-athlete between the [Page 5] two camps (an approximate distance of 475 miles). The head coach paid the camp employee for all or part of the cost of these transportation expenses. While employed at the camp, the prospect received lodging, meals and instruction from the university's wrestling coaching staff and participated in workouts with members of the intercollegiate wrestling team and campers. Following the camp, another camp employee who also was a former student-athlete and the prospect drove between the two camps (an approximate distance of 1,300 miles) in a pickup truck owned by the head coach's father. The head coach paid the former student-athlete all or part of the cost of the transportation expenses related to the trip.

B. [NCAA Bylaws 16.02.3, 16.12.2.1 and 16.12.2.3]

On or about June 12, 1989, the then head wrestling coach provided a \$1,333.24 check to a student-athlete to pay the cost of repairs for the young man's pickup truck. Specifically, at the instruction of the head coach, an administrator of the wrestling camp operated by the head coach issued a check in the amount of \$1,333.24, deducting the funds for the check from the amount

the head coach was to receive for operating the camp. The head coach gave the check to the student-athlete who used the check to pay the repair bill, and finally, the young man repaid an amount that did not exceed \$500 to the head coach.

C. [NCAA Bylaws 13.2.1, 13.2.2, 13.2.4.2, 13.12.1 and 13.13.1.2]

During the summer of 1989, while a prospective student-athlete was living in Stillwater, Oklahoma, the then head wrestling coach provided approximately \$1,250 in checks, lodging and meals to the prospect at no cost to the young man in conjunction with the prospect's employment and participation at five wrestling camps owned or operated by the head coach. A student-athlete employed at the camps provided automobile transportation to the young man between camps and to Stillwater. While employed at the camps, the prospect received instruction from members of the university's wrestling coaching staff and participated in workouts with members of the intercollegiate wrestling team and campers. Specifically:

1. On or about June 5-9, 1989, the prospect was employed at a camp operated by the head coach and received lodging, meals and instruction from members of the university's wrestling coaching staff and participated in workouts with members of the intercollegiate wrestling team and campers. At the conclusion of the camp, the head coach gave three checks totaling \$550 to the young man.
2. On or about June 10, 1989, the camp employee who also was a student-athlete transported the prospect and his brother to a camp operated by the head coach (an approximate distance of 525 miles). Further, the prospect was employed at the second camp for five days.
3. On or about June 17, 1989, the camp employee transported the prospect and his brother to a third camp operated by the head [Page 6] coach (an approximate distance of 400 miles). While employed at that camp for two weeks, the prospect received lodging and meals.
4. On or about June 30, 1989, the camp employee also transported the prospect and his brother to a fourth camp operated by the head coach (an approximate distance of 1,050 miles). While the young man was employed at the camp for two weeks, he received instruction from members of the university's wrestling coaching staff and participated in workouts with members of the intercollegiate wrestling team and campers.
5. In early July 1989, the prospect received round-trip transportation to a fifth camp operated by the head coach (an approximate round-trip distance of 1,700 miles), and received lodging, meals and instructions from members of the university's wrestling coaching staff and participated in workouts with members of the intercollegiate wrestling team and campers. At the conclusion of the camps, the young man received a \$700 check.

D. [NCAA Bylaws 16.02.3 and 16.12.2.1]

On or about June 12, 1987, the then head wrestling coach provided wages to a student-athlete for employment that the young man had not yet performed. Specifically, the head coach provided a \$3,050 check to the student-athlete after the young man completed one week of employment at a

camp operated by the head coach. The check represented payment for work at the camp and an advance payment for employment at five or six other camps owned or operated by the head coach during the summer of 1987, and the young man was employed at these camps. The funds for the \$3,050 check were deducted from the amount the head coach was to receive for operating the first camp.

E. [NCAA Bylaws 16.02.3, 16.12.2.1, 16.12.2.2 and 16.12.2.3]

During the summers of 1987, 1988, 1989 and 1990, the then head wrestling coach provided cash advancements and reimbursements and the use of his personal credit card and his automobile to several student-athletes to pay the travel costs incurred by the young men in conjunction with their employment at wrestling camps owned or operated by the head coach. These cash advancements and reimbursements were contrary to NCAA legislation because they were not provided by the camp or camp administrator and were not distributed from camp funds.

F. [NCAA Bylaws 16.02.3 and 16.12.2.1]

On seven occasions from the 1987-88 through 1990-91 academic years, the then head wrestling coach provided \$50 to \$300 cash to three student-athletes for the young men to use to pay the automobile transportation, lodging, meals and entry fee expenses for them and other student-athletes who were being redshirted by the institution related to their participation in open wrestling tournaments. Specifically: [Page 7]

1. During the fall of 1987, the head coach provided approximately \$60 to one of the student-athletes as reimbursement for his meal (approximately \$20) and gasoline expenses (approximately \$40) related to the young man driving his personal automobile to participate in a tournament. The young man was accompanied by another student-athlete.
2. During the fall of 1987, the head coach provided \$50 to \$100 to the first student-athlete as reimbursement for his meal and gasoline expenses related to the young man driving his personal automobile to participate in a tournament. The young man was accompanied by the other student-athlete and a third student-athlete.
3. During the fall of 1989, the head coach provided \$250 to \$300 to another student-athlete, and the funds were used by the young man and two other student-athletes to pay gasoline expenses, lodging, meals and entry fees related to the young men participating in a tournament.
4. During the fall of 1990, the head coach provided \$50 to \$100 to a student-athlete, and the funds were used by the young man and another student-athlete to pay gasoline expenses, lodging, meals and entry fees related to the young men participating in a tournament.
5. During the fall of 1990, the head coach provided \$50 to \$100 to a student-athlete. These funds were used by the young man and another student-athlete to pay gasoline expenses, lodging, meals and entry fees related to the young men participating in a tournament.

6. During the fall of 1990, the head coach provided \$100 to \$150 to a student-athlete. These funds were used by the young man and two other student-athletes to pay gasoline expenses, lodging, meals and entry fees related to the young men participating in a tournament.

7. During the fall of 1990 or winter of 1991, the head coach provided \$250 to \$300 to a student-athlete, who used the funds for himself and three other student-athletes to pay gasoline expenses, lodging, meals and entry fees related to the young men participating in a tournament.

G. [NCAA Bylaws 16.02.3 and 16.12.2.1]

On several occasions during the 1988-89 and 1989-90 academic years, an assistant wrestling coach paid expenses for lodging, meals and entry fees for several student-athletes, and the assistant coach and another assistant wrestling coach provided automobile transportation to several student-athletes in conjunction with their participation in open wrestling tournaments while the young men were redshirted by the institution. [Page 8]

H. [NCAA Bylaws 13.2.1 and 13.2.2]

During the fall of 1988, two then prospective student-athletes received one night's lodging and payment of their entry fees (\$10 to \$15 each) related to the young men's participation in a tournament at a time during which the prospects were living in Stillwater, Oklahoma, and enrolled as part-time students at the institution. In addition, one of the young men ate with the intercollegiate wrestling team and did not pay for that meal.

On another occasion during the fall of 1988, an assistant wrestling coach provided round-trip automobile transportation to the young man (an approximate distance of 320 miles), and paid the young man's lodging for one night, at least two meals (\$6 to \$12 total) and entry fee (\$10 to \$15) related to his participation in an open wrestling tournament.

I. [NCAA Bylaw 11.3.2.2]

On numerous occasions from 1987 through 1991, the head wrestling coach and representatives of the university's athletics interests arranged for several institutional staff members to receive funds for performing coaching duties with the university's intercollegiate wrestling team during practice sessions and competition. During 1987 and 1988, the head coach utilized funds he received from the earnings of one staff member to provide salary supplements to two other staff members. None of these funds were administered by the institution. Specifically:

1. During 1987 and 1988, the head coach contacted a representative of the university's athletics interests and arranged for the first staff member to enroll in the Job Training Partnership Act (JTPA), a Federal job training program. Even though the staff member was participating in JTPA and sponsored by the company, he performed no work for the company to receive wages totaling \$8,881, but rather performed duties with the intercollegiate wrestling team, which included organizing and conducting practices, working out with members of the intercollegiate team, and coaching during practice sessions and competition. At the instruction of the head coach, the first staff member provided \$5,050 of the \$8,881 to the head coach by writing seven checks drawn on

the staff member's personal bank account. The head coach then utilized a portion of the \$5,050 to provide salary supplements to the two other staff members.

2. On numerous occasions from 1987 through 1991, nine staff members other than the first staff member were enrolled in JTPA and were sponsored by a company in another state owned by a representative of the university's athletics interests. These staff members performed coaching duties similar to those performed by the first staff member, and each received between \$8,000 to \$12,000. However, none of the individuals shared these funds with the head coach. [Page 9]

J. [NCAA Bylaws 15.5.1.2.3, 15.5.1.2.4 and 15.5.3.1]

During the 1985-86 through 1990-91 academic years, the institution exceeded the maximum amount of equivalency grants in wrestling by a total of approximately .6985 of one grant over the six academic years by not utilizing wages received by student-athletes for institutionally administered employment and Supplemental Educational Opportunities Grants awarded to a recruited student-athlete in the equivalency calculations. Specifically:

1. Concerning the wages from institutionally administered employment, during the 1985-86 and 1986-87 academic years, an assistant wrestling coach, who was a representative of the institution's athletics interests during the remaining years, provided cash and checks to numerous members of the university's intercollegiate wrestling team as compensation for renting stadium seat cushions at home football contests through a private entity managed and later owned by the assistant coach. Since this employment was located in an athletics facility and arranged by an institutional representative, these wages should have been considered athletics aid. As a result, the assistant coach provided a total of \$3,448.50 in financial aid to 15 former and 11 current student-athletes in the form of cash and checks, and these payments were not reported to the department of intercollegiate athletics. To the representative's credit, he attempted to determine how he could do this within the rules, but neither the then director of athletics, himself a former wrestling coach, nor the compliance coordinator recognized these activities as contrary to NCAA legislation.

2. Concerning the Supplemental Educational Opportunities Grants and work-study assistance, in addition to the wages one of the student-athletes received renting stadium seat cushions, the young man was awarded a \$500 Supplemental Educational Opportunities Grant during the 1986-87 academic year, and an \$800 Supplemental Educational Opportunities Grant during the 1987-88 academic year. These funds should have been included in the institutional sport limitation because the young man was a recruited student-athlete.

3. As a result of the wages and grants not being calculated into the institution's institutionally administered financial values, the institution exceeded the maximum value of grants-in-aid by approximately .0946 grant in 1985-86; .2053 grant in 1986-87 (\$375 stadium seat employment and \$500 SEOG); .1965 grant in 1987-88 (\$890 stadium seat employment and \$800 SEOG); .1132 grant in 1988-89; .0723 grant in 1989-90, and .0166 grant in 1990-91.

K. [NCAA Bylaws 13.2.1 and 15.3.3.1]

In the spring of 1989, during the recruitment of two then prospective student-athletes, the then head wrestling coach promised the young men that he would provide athletics grant-in-aid funds to one of the prospects during the 1988-89 and 1989-90 academic years if the other prospect enrolled as a part-time student at the institution during the 1988-89 academic year. [Page 10]

L. [NCAA Bylaw 13.12.1]

On numerous occasions during the 1988-89 academic year and summer of 1989, while two then prospective student-athletes were living in Stillwater, Oklahoma, and enrolled as part-time students at the institution, wrestling coaching staff members observed the young men work out with members of the university's intercollegiate wrestling team in the wrestling rooms at Gallagher Hall and the Colvin Center on the university's campus. On several occasions, university coaching staff members participated in workouts with the prospects and provided instruction to the young men.

M. [NCAA Constitution 2.3 and Bylaws 10.01.1 and 10.1-(d)]

A student-athlete 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 participation in intercollegiate athletics in that the young man knowingly provided false and misleading information to the university and the NCAA enforcement staff during interviews conducted on November 27, 1990, and February 21, 1991, concerning his involvement in and knowledge of events described in Part II-A of this report. The student-athlete subsequently admitted that he had knowingly provided false and misleading information concerning these events.

N. [NCAA Constitution 2.3 and Bylaws 10.01.1 and 10.1-(d)]

Another student-athlete 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 participation in intercollegiate athletics in that the young man knowingly provided false and misleading information to the university and the NCAA enforcement staff during interviews conducted on November 28, 1990; February 21, 1991; April 29, 1991, and May 22, 1991, concerning his involvement in and knowledge of events described in Parts II-G, II-H and II-L of this report. The student-athlete subsequently admitted that he had knowingly provided false and misleading information concerning these events.

O. [NCAA Constitution 2.3 and Bylaws 10.01.1 and 10.1-(d)]

Another student-athlete 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 participation in intercollegiate athletics in that the young man knowingly provided false and misleading information to the university and the NCAA enforcement staff during interviews conducted on November 27, 1990; February 21, 1991; April 29, 1991, and May 22, 1991, concerning his involvement in and knowledge of events described

in Parts II-G and II-L of this report. The student-athlete subsequently admitted that he had knowingly provided false and misleading information concerning these events. [Page 11]

P. [NCAA Constitution 2.3 and Bylaws 10.01.1 and 10.1-(d)]

Another student-athlete 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 participation in intercollegiate athletics in that the young man knowingly provided false and misleading information to the university and the NCAA enforcement staff during interviews conducted on November 26, 1990, and May 21, 1991, concerning his involvement in and knowledge of events described in Parts II-F and II-G of this report. The student-athlete subsequently admitted that he had knowingly provided false and misleading information concerning these events.

Q. [NCAA Constitution 2.3 and Bylaws 10.01.1 and 10.1-(d)]

An assistant wrestling coach failed to deport himself in accordance with the generally recognized high standards normally associated with the conduct and administration of intercollegiate athletics in that the assistant coach knowingly provided false and misleading information to the university and the NCAA enforcement staff during an interview conducted on February 7, 1991, concerning his involvement in and knowledge of events described in Part II-A of this report. The assistant coach subsequently admitted that he had knowingly provided false and misleading information concerning these events.

R. [NCAA Constitution 2.3 and Bylaws 10.01.1, 10.1-(c) and 10.1-(d)]

The former head wrestling coach involved in this case failed to deport himself in accordance with the generally recognized high standards normally associated with the conduct and administration of intercollegiate athletics in that the head coach's involvement in the findings of violations in this report, his provision of false and misleading information, and his attempts to encourage other principals in this case to report false and misleading information to the university and the NCAA enforcement staff are contrary to the principles of ethical conduct. Specifically:

1. The head coach demonstrated a knowing effort on his part to operate the university's intercollegiate wrestling program contrary to the requirements and provisions of NCAA legislation by his overall involvement in the findings in this report.
2. The head coach knowingly provided false and misleading information to the university and the NCAA enforcement staff during interviews conducted on November 28, 1990; December 17, 1990; April 29, 1991, and April 30, 1991, concerning his involvement in and knowledge of events described in Parts II-A and II-F of this report. The coach subsequently admitted that he had knowingly provided false and misleading information concerning these events.
3. Concerning his encouragement to several principals in this case to provide false and misleading information to the university and the NCAA enforcement staff: [Page 12]

- a. In regard to Part II-A of this report, the head coach encouraged a student-athlete, an assistant wrestling coach and a friend of the head coach to report to the university and the NCAA enforcement staff that the student-athlete did not work or work out at the camp, that the young man stayed with the head coach's friend and that this friend received the cash from the check made payable to the student-athlete when, in fact, the head coach knew that was false.
- b. In regard to Parts II-F and II-G of this report, the head coach encouraged five student-athletes to report to the university and the NCAA enforcement staff that they personally paid the cost of transportation, lodging, meals and entry fees related to their participation in the open wrestling tournaments when, in fact, the head coach knew that was false.
- c. In regard to Part II-H of this report, the head coach encouraged a student-athlete to report to the university and the NCAA enforcement staff that the young man paid the cost of lodging, meals and entry fees for his participation in the open wrestling tournament during the time the young man was living in Stillwater, Oklahoma, and enrolled as a part-time student at the institution when, in fact, the head coach knew that was false.
- d. In regard to Part II-L of this report, the head coach encouraged a student-athlete to report to the university and the NCAA enforcement staff that the young man only worked out with his brother while the young man was living in Stillwater and enrolled as a part-time student at the institution when, in fact, the head coach knew that was false.

S. [NCAA Constitution 2.1.1 and Bylaw 6.01.1]

The scope and nature of the findings in this report, and other matters included in this finding, demonstrate a lack of appropriate institutional control and monitoring in the conduct and administration of the institution's intercollegiate athletics programs. Specifically:

1. The institution failed to adequately monitor the intercollegiate wrestling program. This included the failure to monitor: (a) the summer wrestling camps owned or operated by the head wrestling coach; (b) the expenses provided by the head coach and a then assistant wrestling coach to student-athletes who were redshirted by the university in conjunction with the young men's participation in open wrestling tournaments; (c) the Job Training Partnership Act participants' involvement with the intercollegiate wrestling program, and (d) the workouts of, and open tournament expenses provided to, prospective student-athletes during the time the young men were living in Stillwater, Oklahoma, and enrolled as part-time students.
2. The institution failed to demonstrate appropriate control to ensure that during the 1988-89 academic year, several partial and [Page 13] nonscholarship student-athletes who resided in the athletics dormitory on campus were charged for their rooms. Specifically, there were no checks in place to ensure that the bursar's office billed the student-athletes for this expense after being directed to do so by the athletics department. Further, when the athletics department discovered that the young men had not been billed, the athletics department did not declare the student-athletes ineligible at the time it initiated efforts to collect money from these individuals.

3. Although the investigation revealed that the university has made an effort to develop and implement compliance monitoring systems and rules-education programs to address issues that arose in the prior infractions case, the fact is that a rules-education and compliance program was not instituted in the wrestling program, a highly visible and successful athletics program, nor did the former head wrestling coach seek out interpretations or provide rules-education and compliance instruction to his staff. This is made more serious in that the director of athletics at the time of the prior infractions case was himself a former head wrestling coach. Finally, the fact that these events occurred at a time when the university was subject to the "repeat major violator" sanctions only compounded the failures.

T. [NCAA Bylaws 30.3, 30.3.3 and 30.3.5]

Based upon the findings of violations in this report, the institution's certification of compliance forms for the 1987-88, 1988-89, 1989-90 and 1990-91 academic years were erroneous because the institution's wrestling program was not in compliance with NCAA legislation; further, on August 31, 1987; August 18, 1988; August 18, 1989, and September 5, 1990, the then head wrestling coach attested on statements filed with the chief executive officer of the institution that he had reported to the chief executive officer his knowledge of and involvement in any violations of NCAA legislation involving the institution when, in fact, he had not done so.

Further, based upon the information provided by the head coach and without intent to do so, the then president erroneously certified on September 4, 1987, the university's compliance with NCAA legislation, and finally, based upon the information provided by the head coach and without intent to do so, the current president erroneously certified on August 31, 1988; August 29, 1989, and September 11, 1990, the university's compliance with NCAA legislation.

U. The university reported the following additional violations:

1. [NCAA Bylaw 15.3.4]

Although two student-athletes were awarded the value of on-campus room and board (\$3,172) for the 1988-89 academic year, the institution only provided a total of \$2,000 (eight payments of \$250) to each young man for off-campus room and board costs. [Page 14]

2. [NCAA Bylaw 15.3.5.1.1]

During the 1987-88 through 1990-91 academic years, the university reduced the athletically related financial aid awarded for 11 wrestling student-athletes and failed to notify the young men of a right to a hearing.

3. [NCAA Bylaws 16.02.3 and 16.12.2.1]

During the 1988-89 academic year, three student-athletes received lodging, meals and transportation while the young men were redshirted by the institution in conjunction with their participation in open wrestling tournaments. Specifically, these student-athletes received lodging for one night. One of the student-athletes received one meal at that tournament and also received

round-trip transportation from an assistant wrestling coach related to his participation in another tournament.

III. Committee on Infractions penalties.

For reasons set forth in Part I of this report, the Committee on Infractions found that this case involved several major violations of NCAA legislation that occurred after September 1, 1985. NCAA Bylaw 19.4.2.2, as adopted by the Association's membership, requires prescribed minimum penalties, "subject to exceptions authorized by the Committee on Infractions in unique cases on the basis of specifically stated reasons," that 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.

Because this case involved a major violation of NCAA legislation that occurred within five years of the effective date of penalties for a prior major violation by the institution, NCAA Bylaw 19.4.2.3, 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," additional minimum penalties that shall include: (a) the prohibition of some or all outside competition in the involved sport for one or two seasons; (b) the prohibition of all members of the [Page 15] coaching staff from involvement in coaching activities at the institution during the period of prohibition of outside competition; (c) the elimination of all initial grants-in-aid and all recruiting activities in the sport for a period of two years; (d) ineligibility of all institutional representatives to serve on any NCAA committee for a period of four years and a requirement that all institutional staff members who are presently serving on the Presidents Commission, Council, Executive Committee or other NCAA committees resign their positions, and (e) the requirement that the institution surrender its voting privileges in the Association for a four-year period.

The committee considered both the nature of the violations, which are set forth in Part II of this report, as well as the extent to which there are mitigating factors, including actions already taken by the university, which should be taken into account. For reasons set forth in Part I of this report, the Committee on Infractions determined that this was not a unique case but also determined that it, nevertheless, was appropriate for the institution to receive penalties that differed from the complete set of minimum penalties otherwise required by NCAA legislation. Accordingly, the penalties imposed in this case by the Committee on Infractions are as follows:

Minimum Penalty for a Major Violation (Bylaw 19.4.2.2)

A. The university shall be publicly reprimanded and censured, and the university's period of probation that is scheduled to expire on January 5, 1993, shall be extended for three additional years to January 5, 1996, or the date established by the NCAA Division I Steering Committee in the event of an appeal by the university to the Council, 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, Oklahoma State University shall be subject to the provisions of NCAA Bylaw 19.4.2.3 concerning repeat violators for a five-year period beginning on the effective date of the penalties in this case.

B. During this period of probation, the institution shall: develop and implement a comprehensive educational program (e.g., seminars and testing) to instruct all coaching staff members and athletics department personnel regarding NCAA legislation; submit a preliminary report by December 1, 1992, setting forth a schedule for establishing this compliance and educational program, and file annual progress reports with the NCAA enforcement staff by July 1 of each year thereafter during the probationary period with an emphasis on experience with summer wrestling camps; limitations on the involvement of student-athletes on club teams in open meets and tournaments; the auditing of institutional and coaching staff members' summer camp funds, and the clear demarcation of coaching staff members' duties when involved in nonintercollegiate coaching and competitive activities. [Page 16]

C. The institution's wrestling team and its individual team members shall end the 1992-93 season with the institution's last regularly scheduled, in-season contest and shall not be eligible to participate in any postseason competition.

D. The institution's wrestling team shall not be eligible to appear on any telecast (as defined by Bylaw 19.4.2) during the 1992-93 season.

E. The university has replaced all members of the wrestling coaching staff who were involved in violations cited in this report. Because of this action, the committee has not imposed the following penalties that would otherwise be required under NCAA Bylaw 19.4.2.2-(d): (1) termination of all off-campus recruiting activities in wrestling during the 1992-93 academic year, and (2) termination, suspension or reassignment for at least one year of members of the wrestling coaching staff who engaged in or condoned a major violation.

F. During the 1992-93 and 1993-94 academic years, the university shall be prohibited from allowing or assisting any student-athletes who are recipients of athletically related aid as defined by NCAA Bylaw 15.02 from participating in any contest or match other than regularly scheduled intercollegiate contests. Also, the university shall not schedule more intercollegiate contests or matches than were scheduled during the 1991-92 season prior to the cancellation of some matches. In addition, the university may not avail itself of any of the exceptions to the maximum number of dates of competition set forth in Bylaw 17.21.5.2, with the exception of 17.21.5.2-(a) in which competition shall be determined by the Big Eight Conference.

G. During the 1992-93 and 1993-94 academic years, the university may not provide financial, administrative or other support for its student-athletes to participate in wrestling competitions other than regularly scheduled intercollegiate contests or matches. [NOTE: This prohibition does include competition covered by Bylaw 17.21.5.2-(j), with the exception of the 1994 NCAA Division I Wrestling Championships].

H. During the summers of 1993 and 1994, the university shall not permit any student-athlete to participate in any summer camp at which any current or former member of the Oklahoma State University wrestling coaching staff who was found to have been involved in a violation set forth in Part II of this report has any affiliation (including, but not limited to, economic affiliation with an institutional staff member or the organization that sponsors or otherwise provides funds or administration of the summer camp).

I. The institution shall recertify that all of its current athletics policies and practices conform to all requirements of NCAA regulations. [Page 17]

Minimum Penalty for a Repeat Major Violator (Bylaw 19.4.2.3)

J. The university's wrestling team shall not engage in any intercollegiate wrestling competition during the 1992-93 season. [NOTE: This penalty is immediately and completely suspended because of the university's cooperation in investigating this case, its replacement of the coaching staff and its cancellation of one-half (eight) of its regularly scheduled contests during the 1991-92 season.]

K. The committee accepted as part of its penalty the actions of the university in declining any team awards in the 1992 NCAA Division I Wrestling Championships, and the university shall have its team standings stricken from the record.

L. During the 1992-93 academic year, the institution shall not award any additional initial athletically related financial aid that would be countable under Bylaw 15.02.3 in wrestling to any student-athlete who was not a recipient of countable aid as of September 1, 1992.

M. During the 1993-94 academic year, the institution shall not award initial athletically related financial aid in wrestling that is countable under Bylaw 15.02.3.

N. The university shall not be permitted to provide any official visits to a prospect in wrestling prior to August 1, 1993.

O. Because of the cooperation of the institution in bringing this case to a conclusion, the committee has not prohibited institutional representatives from serving on NCAA committees for a period of four years and will not require the institution to forfeit its voting privileges in the Association for four years, both of which would otherwise be required under Bylaw 19.4.2.3-(c).

Show-Cause Requirement

P. Due to his involvement in certain violations of NCAA legislation found in this case, the former head wrestling coach involved in this case will be informed in writing by the NCAA that in the event he seeks employment or affiliation in an athletically related position at an NCAA member institution during a five-year period (October 28, 1992, to October 28, 1997), he and the involved institution shall be requested 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. [Page 18]

Q. The university shall show cause why additional penalties should not be imposed if it does not take action to prohibit members of its wrestling coaching staff from participating in any manner in noncollegiate wrestling activities within a 30-mile radius of Stillwater, Oklahoma, prior to August 1, 1994.

[NOTE: Should Oklahoma State University 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 university 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 university 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 case.

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

Roy F. Kramer

Beverly E. Ledbetter

Yvonne (Bonnie) L. Slatton

D. Alan Williams (chair)

DAW:cg/aj