

## Marshall University, Huntington, West Virginia

### Origin of case.

Shortly after taking over the presidency of Marshall University in August, 1968, the chief executive officer of the institution, acting on allegations of possible malpractice within the University's athletic department, appointed a special investigative committee and charged it with the responsibility of conducting a detailed examination of the University's athletic program and procedures.

The investigation disclosed violations of institutional, conference and NCAA legislation on the part of certain members of the University's athletic staff, Accordingly, the president took immediate and drastic actions, reported the entire matter to the Mid-American Conference and the NCM and provided excellent assistance and cooperation to develop full facts of the case.

Under date of September 12, 1969, the Committee on Infractions submitted notice of official inquiry to the chief executive officer of Marshall University.

Violations NCAA requirements or questionable practices in light of NCAA requirements, as determined by Committee.

#### A. Violations of the principles governing financial aid to student-athletes [NCAA Constitution 3-1].

1. Under conditions which should have been apparent to the then head football coach and the assistant football coach cash payments were provided to several student-athletes in order that they could meet certain 1968-69 college year expenses.

2. One student-athlete, receiving benefits of a full institutional assistance, was paid \$100 per month by an unknown benefactor reportedly residing in Huntington, West Virginia. Allegedly, this money was to be used to defray expenses of the student-athlete's parents to attend Marshall University's football games.

3. During the 1968-69 college year, at least two student-athletes received "loans" from

Huntington, West Virginia, banks in amounts of \$200, the students considering these "loans" to be gifts; also, by means of an arrangement between the then director of athletics and then associate dean of students and financial aids officer, five student-athletes were provided loans of \$429 each with the interest rate set at 1%. The loans were from funds transferred from the Big Green Club account. The Big Green Club is a Marshall University athletic booster club and the then athletic director administered the account.

B. Violations of the principle governing institutional control and responsibility [NCAA Constitution 3-2].

1. The director of athletics, through a unique arrangement with the University's financial aids officer, utilized funds of an outside organization (the Big Green Club) to provide loans to five student-athletes. The loans have not been repaid.

C. Violations of the principles governing financial aid [NCAA Constitution 3--(a) and (b)].

1. Several student-athletes received cash payments from outside sources, this money being directed to the recipients by a member (or members) of the University's football coaching staff.

2. The action of the then director of athletics in arranging for funds of the Big Green Club to be used for loans to student-athletes actually placed him in the position of administering financial aid to student-athletes.

3. At least one student-athlete, receiving benefits of full institutional financial aid, received a cash payment of \$100 per month from an outside source.

D. Violations of the principles governing ethical conduct. [NCAA Constitution 3-6-(a)]

1. The actions of then director of athletics, then head football coach and then assistant football coach, in participating in willful violations of

institutional, conference and NCAA rules and regulations constituted circumventions of the high standards generally associated with the conduct of intercollegiate athletics.

E. Violations of the provisions governing recruiting. [NCAA Bylaw 6-1].

1. In June 1968, the then assistant football coach, paid from funds of unknown origin the educational expenses of five prospective student-athletes to attend the 1968 Beckley (West Virginia) Junior College summer sessions; also, the assistant football coach paid their room rents at a private home in Beckley. In addition, he made arrangements for the five young men to receive \$30 each per week from an unknown source in Huntington, West Virginia, this money being mailed each week from Huntington in plain, unmarked envelopes. Further, two assistant football coaches transported the five prospects (all ineligible for financial aid and athletic practice and participation at Marshall University) to Beckley, West Virginia, in Marshall University-owned vehicles for purposes of enrolling them in the junior college summer sessions; also, the football staff at Marshall provided the young men with football shoes in order to encourage them to practice football techniques.

F. Violations of the provisions governing recruiting [NCAA Bylaw 6-2-(a) and (b)].

1. The funds collected by the Big Green Club for the purposes of furthering the athletic interests of Marshall University were not deposited with the University as required by NCAA legislation; rather, they were deposited in a special account with the then university's director of athletics, serving as administrator.

2. Funds from outside sources were utilized to pay the educational expenses and room and board of five prospective student-athletes attending the 1968 summer sessions at Beckley (West Virginia) Junior College.

G. Violations of the provisions governing recruiting [NCAA Bylaw 6-3].

1. During the recruiting season prior to the 1968-69 college year, several prospects were recruited by the football coaching staff of Marshall University with the offers of institutional financial assistance if the young men made the football squad. Prospects interpreted this offer to be conditioned upon their making the freshman squad and enrolled at Marshall University under terms of this understanding.

H. Violations of the provisions governing recruiting [NCAA Bylaw 6-7].

1. Under conditions which should have been apparent to the head football coach, a then assistant football coach paid the educational expenses of five prospective student-athletes to attend the 1968 summer sessions at Beckley (West Virginia) Junior College. In addition, the two assistant football coaches transported the young men to Beckley in Marshall University owned vehicles.

Disciplinary or corrective actions taken by institution or conference, or any other agency involved in particular incident.

Once the University President received the report of the Blue Ribbon Investigating Committee and was convinced that violations of institutional, conference and NCAA legislation had occurred, he took actions as described below.

A. Recommended the dismissal of the head football coach. Following a review of the case, a Faculty Appeals Committee voted to recommend against complete dismissal. Accordingly, the head football coach was suspended from his coaching assignment by the president and transferred to a position removed from athletics and coaching. [NOTE: the president also recommended the dismissal of the head basketball coach, for a violation of an institutional and conference restriction. The head men's basketball coach was reassigned to the physical education faculty when the Faculty Appeals Committee voted to recommend against his complete dismissal.]

B. Dismissed the assistant football coach, effective September 30, 1969.

C. Accepted the resignation of the then director of athletics.

D. Accepted the resignation of the financial aids officer, effective June 30, 1969, and reorganized the Financial Aids Office.

E. Reprimanded and censured two additional assistant football coaches for participating in activities which resulted in violations of institutional, conference or NCAA legislation.

F. Appointed a faculty committee to review the eligibility status of the young men involved in the institutional, conference and NCAA violations. As of September 20, 1969, the committee had ruled seven student-athletes permanently ineligible at Marshall University, ruled three eligible and is presently considering the cases of seven others.

G. Ordered a complete revision of University recruiting procedures (subject to presidential approval) and directed that the University's athletic program be thoroughly evaluated biennially by a special committee appointed by the president.

H. Admonished alumni and friends of the University, especially those living in the Huntington area, that their efforts in support of the athletic program at Marshall University must, in every case, be channeled through proper University officials.

I. Charged the Faculty Athletic Committee with full responsibility for regular supervision of the actions of the athletic staff. Further, directed the athletic director to make periodic reports to both the athletic committee and to the president of the University.

J. Directed that the procedure for awarding financial assistance to prospective student-athletes shall be identical to those procedures for awarding financial assistance to other students.

K. Directed that all funds expended at Marshall University for athletics shall be received and disbursed by the University's director of finance.

L. Under date of July 23, 1969, the Council of Presidents of the Mid-American Conference, acting for the Conference,

suspended Marshall University from Conference membership for an indefinite period.

Related factors appropriate for consideration in judgment of case.

A. Mid-American Conference regulations provide that no conference member institution can have more than 125 grants-in-aid to student-athletes in effect during any one period.

The Committee was impressed by the fact that Marshall University, under the direction of President Nelson, initiated its own investigation of the alleged violations, found the allegations to have been substantial, took immediate and drastic actions, reported the entire case to the Mid-American Conference and the NCAA and provided complete assistance and cooperation to develop full facts of the matter. As previously noted, the violations were serious in nature and widespread.

Further, the Committee recognizes that the corrective actions taken by President Nelson give meaning to the cooperative principle and philosophy of the NCAA enforcement program; and considers the actions against the individuals involved as meaningful and effective.

September 29, 1968