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UNIVERSITY OF ALABAMA, TUSCALOOSA
PUBLIC INFRACTIONS REPORT

OVERLAND PARK, KANSAS---This report is organized as follows:

- I. Introduction.
- II. Findings of violations of NCAA legislation.
- III. Committee on Infractions penalties.

I. INTRODUCTION.

This case involved the football program at the University of Alabama and primarily concerned major violations of NCAA bylaws governing amateurism, institutional control and ethical conduct.

The University of Alabama is a Division I-A institution and a member of the Southeastern Conference. The university has an enrollment of approximately 19,400 students and sponsors nine men's and 10 women's intercollegiate sports.

This case demonstrates the consequences of a distressing failure of institutional control. In one instance, the institution's director of compliance failed to obtain information required by NCAA legislation that would have disclosed impermissible loans to a football student-athlete. In another matter, the head football coach, director of athletics, director of compliance and faculty athletics representative all failed at various points to exercise sufficient responsibility in either investigating or reporting potential NCAA violations involving a second football student-athlete. Each of these key individuals played a role in more than nine months of collecting, reviewing and reporting information regarding the eligibility of the second football student-athlete for the 1993 season. The head coach and director of athletics failed in early 1993 to seek corroboration of the student-athlete's denial that he had signed with an agent. They also failed to declare

him ineligible when they learned that he had signed a document declaring his intention to enter the 1993 National Football League (NFL) draft and that this document was being forwarded to the NFL. In the fall of 1993, the coach, the director of athletics, the director of compliance and the faculty athletics representative did not pursue aggressively further indications that the student-athlete had signed with an agent. Later during the football season, after receiving a letter from the agent, the institution declared the student-athlete ineligible; but, in petitioning for restoration of eligibility, the faculty athletics representative submitted inaccurate and incomplete information. Repeatedly, the institutional staff members most responsible for compliance accepted statements by a student-athlete without any investigation or inquiry into conflicting information, resulting in the institution gaining the competitive advantage of a premier student-athlete's participation in 11 games of a highly successful season. Had the institution acted proactively, the violations might have been resolved in a timely manner. Instead, this case evolved into a major infractions case before the NCAA Committee on Infractions.

Although the Committee on Infractions recognizes that the institution has had in place educational and monitoring programs to assist compliance efforts, it is apparent that these programs were ineffective when not adequately implemented by appropriate internal communication.

The committee credits the institution's president for his response to the violations once he learned about them. The university cooperated with the NCAA enforcement staff in investigating the alleged violations and in submitting a promptly developed summary-disposition report to the Committee on Infractions. The president admitted that the actions or omissions of the four key individuals were serious breakdowns that created a lack of institutional control, and he approved a number of self-imposed sanctions.

In rejecting the findings in the summary-disposition report and directing that this case be considered at a hearing, the Committee on Infractions did not call in question the cooperative efforts of the summary-disposition process, but found that the complexity of this case could only be understood more fully through in-person dialogue with the involved individuals. It was important for the committee to raise direct questions regarding state of mind and individual responsibility. As this report demonstrates, while some issues may remain unanswered, the hearing enabled the committee to more clearly understand the violations that occurred.

A. CASE CHRONOLOGY.

On November 12, 1992, a newspaper article contained a former football student-athlete's statements that NCAA rules violations had occurred during his recruitment by and after his subsequent enrollment at the University of Alabama. In late 1992 and early 1993, the NCAA enforcement staff conducted several interviews with the former football student-athlete and other individuals who

reported potential rules violations. On September 22, 1993, the enforcement staff sent a letter of preliminary inquiry to the university's president formally advising the institution that the enforcement staff had initiated an inquiry into the operation of the university's football program.

During the enforcement staff's investigation, information was developed concerning the university's process for investigating and reporting potential NCAA rules violations and for certifying the eligibility of a second football student-athlete involved in this case. On November 24, 1993, the university declared this second football student-athlete ineligible and submitted a report to the Southeastern Conference and the NCAA eligibility appeals staff requesting immediate restoration of his eligibility. On December 3, the eligibility appeals staff advised the university that, based upon the information developed to that point, it could not restore his eligibility for the Southeastern Conference championship game and a postseason bowl, the only games remaining in his intercollegiate football career.

In early December, the enforcement staff conducted several interviews concerning the issues contained in the university's eligibility report. This review culminated in an additional allegation regarding the process the university used to investigate potential rules violations and apply amateurism legislation.

On March 21, 1994, pursuant to NCAA Bylaw 32.2.2.4.1, the enforcement staff notified the university's president in writing that it was continuing its review of the matter. Highly visible litigation involving some of the principals identified in the initial newspaper articles slowed the progress of the investigation.

On September 21, 1994, the enforcement staff sent a letter of official inquiry to the university containing two allegations involving the two football student-athletes. The letter also advised the institution that the staff had determined much of the information involving the first student-athlete was either outside the NCAA's statute of limitations, under Bylaw 32.5.2, or not reliable under the standards specified in Bylaw 32.7.6.2.

On September 26, 1994, the university's president notified the enforcement staff that the university had received the letter of official inquiry and that an internal investigation was being initiated with the assistance of a law firm. Consistent with Bylaws 32.5.1.3, 32.5.3 and 32.5.4, the enforcement staff and independent legal counsel met on numerous occasions to allow access to information developed by the enforcement staff and to review the identities of individuals on whom the enforcement staff intended to rely in presenting the case. Independent legal counsel interviewed the main witnesses referenced in the official inquiry, sometimes in conjunction with the enforcement staff.

In early 1995, the university's independent legal counsel concluded that rules violations had occurred. Accordingly, under the provisions of Bylaw 32.6, the university and the enforcement staff elected to submit the case through the summary-disposition process. On January 17, 1995, the university and the enforcement staff jointly submitted to the Committee on Infractions a summary-disposition report.

The summary-disposition report contained a description of the violations that the enforcement staff and university agreed had occurred, the corrective actions taken by the university, and the penalties self-imposed and proposed by the institution. Some of the purported violations involving one of the student-athletes were not contained in the summary-disposition report because of the enforcement staff's determination that the information was outside the statute of limitations or was not reliable.

The Committee on Infractions considered the summary-disposition report during its February 5, 1995, meeting. On February 20, the committee notified the university and enforcement staff that it was unable to accept the findings in the summary-disposition report. The committee directed the institution and the enforcement staff to reconsider the information provided to the committee to determine the nature of individual responsibility as a factor in the institution's failure to properly investigate and report significant violations of NCAA legislation. The university, enforcement staff and involved individuals had the option of submitting amendments to the summary-disposition report or appearing at a hearing before the committee.

On March 20, 1995, the university and enforcement staff submitted an amended summary-disposition report identifying the individual responsibilities of the head football coach, the director of athletics, the director of compliance and the faculty athletics representative for the athletics certification failures. These four individuals signed and submitted summary-disposition agreement forms indicating their agreement with the violations.

During its meeting on April 21, 1995, the Committee on Infractions carefully reviewed the amended summary-disposition report and determined that significant questions remained that could only be answered through in-person questioning of the four involved individuals. On April 24, the committee notified the university, the four individuals and the enforcement staff that it had rejected the findings in the summary-disposition report and had determined that the case should be submitted under the official inquiry and hearing procedures of Bylaws 32.5 and 32.7.

Accordingly, on April 28, 1995, the enforcement staff sent a revised official inquiry to the institution, the head football coach, the director of athletics, the

director of compliance and the faculty athletics representative. The allegations essentially were the findings acknowledged by the university and involved individuals in the amended summary-disposition report submitted on March 20, 1995.

On May 15, 1995, the university submitted its response to the amended official inquiry. During the week of May 22, the enforcement staff conducted a prehearing telephone conference with university officials and the university's independent legal counsel.

On June 3, 1995, representatives of the enforcement staff and the institution appeared at a hearing before the Committee on Infractions. The head football coach, the director of athletics, the director of compliance and the faculty athletics representative were included among the institution's representatives.

B. SUMMARY OF THE FINDINGS OF VIOLATIONS.

The violations found by the committee were as follows:

- A football student-athlete obtained six impermissible deferred-payment loans, totaling \$24,400, that were based primarily on his future earnings as a professional athlete. These loans were facilitated by representatives of the institution's athletics interests. The institution failed to obtain the required documentation for the student-athlete's purchase of disability insurance. These records would have revealed the existence of at least one impermissible loan.
- The university lacked institutional control in the review, investigation and communication of information concerning the amateur status of a second football student-athlete. By failing to obtain essential information, corroborate it and share it with one another, the head football coach, director of athletics, director of compliance and faculty athletics representative permitted the student-athlete to participate in 11 regular-season football games when he was ineligible.
- The institution's faculty athletics representative violated NCAA standards of ethical conduct by providing false and misleading information to the NCAA eligibility appeals staff.

C. SUMMARY OF THE PENALTIES.

In imposing the following penalties, the Committee on Infractions considered the corrective actions taken by the university, as detailed in Part III-A of this report.

1. The committee adopted as its own the following penalty self-imposed by the institution:
 - Disassociation of two representatives of the institution's athletics interests.
2. The committee imposed the following additional penalties:
 - Public reprimand and censure.
 - Three years of probation.
 - Prohibition from participating in postseason competition in football during the 1995-96 academic year.
 - Reduction by four in the number of permissible financial aid awards in football during each of the 1995-96 and 1996-97 academic years. The university self-imposed this reduction for the 1995-96 academic year.
 - Reduction in the number of initial financial aid awards in football by 13 during the 1996-97 academic year and by 9 during the 1997-98 academic year.
 - Forfeiture of the 11 regular-season football games in which an ineligible student-athlete participated during the 1993-94 academic year.
 - Requirement that the institution continue to develop a comprehensive athletics compliance education program, with annual reports to the committee during the period of probation.
 - Requirement that the university send four individuals to an NCAA rules seminar each year of the probation.
 - Recertification of current athletics policies and practices.

II. FINDINGS OF VIOLATIONS OF NCAA LEGISLATION.

A. IMPERMISSIBLE LOANS PROVIDED TO A STUDENT-ATHLETE AND FAILURE TO OBTAIN REQUIRED RECORDS. [NCAA

CONSTITUTION 2.7 AND 3.2.4.3, AND NCAA BYLAWS 12.1.2-(d), 12.1.2-(m), 12.1.2.1, 16.12.1.4 AND 16.12.2.4]

From August 1989 through May 1990, a football student-athlete obtained six impermissible loans, totaling \$24,400, on a deferred-payment basis and based primarily on his future earnings as a professional athlete. One of the bank loans ostensibly was for disability insurance, but the loan amount was significantly greater than the insurance policy premium. In addition, the football student-athlete did not provide and the institution did not obtain appropriate records required by NCAA legislation that would have revealed the excessive amount of the loan and the impermissible basis of the loan. Specifically:

1. On August 4, 1989, the football student-athlete obtained from a bank a \$13,000 unsecured loan that had a one-year deferred-payment provision. The student-athlete used \$4,275 from these funds to purchase a \$500,000 disability insurance policy for the 1989-90 academic year from an insurance company. The student-athlete never repaid the loan.

A businessman in the area facilitated the loan process on the student-athlete's behalf. The businessman contacted an insurance agent licensed to sell disability policies for the insurance company through an agency based in Houston, Texas. The insurance agent and the businessman discussed the variety of coverages available to the student-athlete. The businessman and the football student-athlete then contacted an officer of the bank, who also was a representative of the university's athletics interests, to obtain a loan to purchase the disability insurance. This assistance by third parties is prohibited under Bylaws 12.1.2.1 and 16.12.1.4.

The institution became aware of the student-athlete's disability policy in September 1989 and the director of compliance requested that the football student-athlete provide records related to the policy. The student-athlete told the director of compliance that his mother had paid the premium for the policy, which she had not. NCAA bylaws require institutions to obtain a copy of any disability insurance policy and copies of any associated loan documents. The director of compliance misinterpreted the application of these bylaws because he assumed that the institution was required to document insurance policy purchases only if loans were involved. Although the language in the bylaws is somewhat confusing, the director of compliance had the responsibility of clarifying any questions with the faculty athletics representative, conference office or the NCAA legislative service staff but failed to do so.

The student-athlete provided the university with a letter from the insurance agent to the student-athlete indicating that he had purchased \$500,000

worth of disability coverage; that the policy was in effect from August 16, 1988, to July 21, 1989; that the cost of the policy was \$4,800; and that the premium for the policy was paid in full. As a result, the institution allowed the student-athlete to participate in intercollegiate competition even though the letter did not include a copy of the policy or any information pertaining to the source and method of payment. In addition, this letter concerned a 1988-89 insurance policy, not the 1989-90 policy at issue. The director of compliance did not realize this discrepancy when he reviewed the letter although the letter clearly identified its subject as the earlier policy.

In fact, the student-athlete had purchased two separate policies from the insurance company. The first policy provided \$500,000 of coverage from August 16, 1988, to July 21, 1989, at a cost of \$4,800. The second policy also provided \$500,000 of coverage and was in effect from August 1, 1989, to July 21, 1990, at a cost of \$4,275. The university did not obtain information relating to the second policy. The director of compliance's failure to review carefully the documentation presented by the student-athlete resulted in the institution's long delay in learning about the two insurance policies and the money involved.

2. From January to April 1990, the football student-athlete received four loans totaling \$11,000 from another bank. A sports agent who was also a representative of the university's athletics interests arranged and guaranteed these loans. This individual ultimately represented the student-athlete in negotiations with professional football teams. The sports agent also provided a \$400 personal loan to the student-athlete. These four bank loans and one personal loan, totaling \$11,400, were for the student-athlete's personal use with the expectation that upon signing a professional sports contract, he would repay the loans. The student-athlete never repaid the loans.

B. LACK OF INSTITUTIONAL CONTROL IN THE INVESTIGATION INTO AND REPORT OF INFORMATION REGARDING THE AMATEUR STATUS OF A STUDENT-ATHLETE. [NCAA CONSTITUTION 2.1.1, 2.1.2, 2.7, 3.2.4.3 AND 6.01.1, AND NCAA BYLAWS 12.1.1-(a), 12.1.1-(c), 12.1.1-(f), 12.2.4.2-(a), 12.2.5.1, 12.3.1, 12.3.1.2 AND 14.01.1]

In early January 1993 and again from mid-September to late November 1993, the university failed to exercise institutional control in the review, investigation and communication of information concerning the eligibility of a football student-athlete. This lack of institutional control included failure to monitor sufficiently the eligibility of its student-athletes, to investigate adequately and self-report

NCAA rules violations, to seek legislative interpretations, and to communicate information among key personnel responsible for institutional control and commitment to compliance. The head football coach, the director of athletics, the director of compliance and the faculty athletics representative each played a role in the collection, review and reporting of information concerning the student-athlete's amateur status. The failure of these individuals to discover rules violations when they had reason to question information represents a cumulative breakdown in several key areas necessary for institutional control. As a result, the institution permitted an ineligible student-athlete to participate in athletics competition during the entire 1993 regular season when it should have known he was ineligible.

In January 1993, the football student-athlete telephoned the head football coach and reported that he had met with an individual and had signed papers forgoing his senior year of eligibility and requesting inclusion on the NFL draft list. The student-athlete told the coach that he had made a mistake and wanted to return to the University of Alabama for his senior year. The head coach asked if an agent was involved. When the student-athlete said no agent was involved, the head coach did not further investigate the matter and did not review governing NCAA legislation. The head coach called the NFL offices to notify the staff that the student-athlete had changed his mind. The student-athlete's name did not appear on the NFL draft list that year. Although the head coach appropriately reported the matter to the director of athletics in a timely manner, he should have inquired more about the identity of the man involved and the content and location of the papers.

The director of athletics, relying solely on the information reported by the head football coach, assumed the situation to have been resolved. He did not investigate further, review governing NCAA legislation, or communicate the information to the director of compliance or the faculty athletics representative. The director of athletics ignored Bylaw 12.2.4.2, which specifies that a student-athlete who asks to be placed on a draft list loses eligibility even if he attempts to withdraw from the list prior to the draft. The director of athletics assumed that when the student-athlete's name did not appear on the draft list, his eligibility had not been affected. Regardless of this misunderstanding, as the director of athletics, he had an obligation to investigate the matter when he learned of potential problems with the eligibility of a student-athlete. The obligation placed on a director of athletics is greater than that placed on a football coach, particularly in light of the coach's failure to investigate the information the student-athlete reported. The director of athletics also failed in his responsibility to inform the faculty athletics representative or the director of compliance and to request clarification of the application of NCAA bylaws.

As a result of these failures by the head coach and director of athletics, the institution did not pursue this matter until eight months later when the information resurfaced. On September 18, 1993, at a home football game, the student-athlete's guardian contacted the institution's director of compliance and reported that an individual, who later was identified as a sports agent, had alleged that in January 1993 the student-athlete had signed documents declaring his intent to enter the NFL draft. This individual threatened to make trouble for the student-athlete and the university if the student-athlete did not cooperate.

The next day, the director of compliance reviewed NCAA legislative interpretations and discovered a 1974 interpretation he believed applicable because it seemed to permit a student-athlete to retain eligibility after obtaining an application for the professional draft. The director of compliance failed to consider Bylaw 12.2.4.2 and more recent interpretations, which contradict his understanding of the 1974 interpretation. On September 20, the director of compliance reported the information about the student-athlete to the faculty athletics representative. On September 23, the university received from the student-athlete's guardian a copy of a memorandum sent to the family by the sports agent. This memorandum, which indicated the student-athlete had intended to turn professional and sign with an agent in January 1993, should have raised immediate questions regarding the student-athlete's amateur status and eligibility. On September 24, the director of compliance met with the student-athlete and asked him four questions prepared by the faculty athletics representative. When the student-athlete denied that the individual making the threats was his agent, the director of compliance accepted the student-athlete's statements and did not conduct any further significant investigation, even though he continued to receive reports from the student-athlete's guardian about the agent's claims of a signed agreement with the student-athlete.

From September 19 through November 24, 1993, the faculty athletics representative, who in accordance with university policy was responsible for the oversight of university investigations and for reports of potential NCAA rules violations and eligibility matters, failed to carry out effectively his duties. Upon receipt of the information from the director of compliance, he did not promptly or emphatically request the director of compliance to interview potential witnesses, to locate the individual making the threats or to seek other reasonably accessible information.

The director of athletics' failure to report this matter to the faculty athletics representative in January 1993 raises serious questions about the relationship between the athletics department and the faculty athletics representative. Nevertheless, even when the faculty athletics representative learned of the possibility of potential violations in September 1993, he failed to take significant action, either suspending or declaring the student-athlete ineligible while

undertaking a thorough investigation, until additional evidence came to his attention two months later. This failure raises questions about the oversight and supervisory capabilities of the faculty athletics representative regarding compliance matters at the university.

On November 22, 1993, after a November 1 written request, the university received from the sports agent a copy of a January 2, 1993, contract for professional representation of the student-athlete. The contract contained the football student-athlete's signature. Immediately upon receipt of the contract, the institution declared the student-athlete ineligible for the two games remaining in the season, the Southeastern Conference championship game and a postseason bowl game.

On November 23, 1993, the faculty athletics representative submitted to the NCAA a written self-report of the violation and an appeal for restoration of the student-athlete's eligibility. The report, however, was based on an incomplete investigation and contained inadequate and inaccurate information. On December 3, the eligibility appeals staff, on behalf of the NCAA Eligibility Committee, determined that the student-athlete's eligibility should not be restored. The university did not appeal the decision because his eligibility would expire after the season.

It is inexplicable that the university did not act on the information it possessed until it received a copy of the signed agreement on November 22. Even without this agreement the university had sufficient information to declare the student-athlete ineligible or, at a minimum, initiate a thorough investigation. The enforcement staff's and institution's legal counsel's interviews with the sports agent contained credible information that conflicted with what the institution had first learned from the student-athlete. The sports agent's accounts of his dealings with the student-athlete were consistent and credibly substantiated by copies of correspondence and a formal agreement he had with the student-athlete. Had the head football coach, director of athletics, director of compliance and faculty athletics representative communicated more fully among themselves, sought or verified interpretations of rules, and adequately investigated the matter, they presumably would have discovered in a timely manner the facts underlying this violation. Specifically, they would have learned that at approximately 10 a.m. on the morning of January 2, 1993, the football student-athlete had met in his hotel room with a sports agent and had executed an NFL draft petition and a representation agreement with the sports agent, from whom he had previously received \$400. As a result of those failures, the university gained a significant competitive advantage from the football student-athlete's participation in athletics competition at the university during all 11 regular-season games of the 1993 football season when the student-athlete was ineligible.

C. UNETHICAL CONDUCT BY THE INSTITUTION'S FACULTY ATHLETICS REPRESENTATIVE. [NCAA BYLAW 10.1-(d)]

The faculty athletics representative involved in this case failed to deport himself in accordance with the generally recognized high standards of honesty normally associated with the conduct and administration of intercollegiate athletics. He violated the principles of ethical conduct by providing incomplete and otherwise false and misleading information in a November 23, 1993, written report to the NCAA eligibility appeals staff. The report declared ineligible the student-athlete involved in Finding No. II-B and requested his immediate restoration.

This report, which purported to highlight the relevant and pertinent information concerning the student-athlete's status, was replete with inaccurate and incomplete information. Evidence and documents presented at the hearing and in the summary-disposition report provided various examples of misleading or inaccurate information that resulted in part from a lack of communication but also from placing facts in the most positive light for the university to restore the student-athlete's eligibility, even though documents in the possession of and information known by the university contradicted the information.

For example, the faculty athletics representative, without questioning the accuracy of the statements, reported and emphasized as fact the student-athlete's contentions that:

1. He "did not know" the sports agent when, "shortly after Thanksgiving, 1992," he received from his uncle a \$400 check signed by the sports agent, but assumed that the sports agent was a friend of his uncle and "probably that his Uncle would repay his friend."
2. He "still did not know personally" the sports agent on January 2, 1993, when, after some discussion about "coming out early" for the NFL draft, he signed a document "as a favor to his uncle," which he had not read.
3. He "never made any statements or other indication of any intent to come out early for the NFL draft."

In fact, by this time in November 1993 the faculty athletics representative possessed the document signed by the student-athlete on January 2, 1993, in which he agreed to pay the sports agent as "Contract Advisor" a stated percentage of his compensation for representation in "negotiations with professional sports clubs and other entities requesting his services as an athlete or for endorsements." The faculty athletics representative also had seen a memorandum dated January 6, 1992 [sic 1993], from the agent to the student-athlete, outlining responses for the

student-athlete to make to anticipated questions about his decision to turn professional in January 1993.

In addition, without ever discussing the matter with the head football coach, the faculty athletics representative reported to the eligibility appeals staff that "rumors" in the spring of 1993 that the student-athlete "would submit himself" for the draft were dispelled when the coach called the student-athlete into his office and asked him directly if he had any intention of coming out for the draft, and the student-athlete "strongly denied" any such intention.

The head football coach, however, has consistently maintained, from the outset of the investigation to the hearing before this committee, that he received a telephone call from the student-athlete in early January 1993 in which the young man told him he had signed papers requesting inclusion on the 1993 NFL draft list, but that he had made a mistake and wanted to return for his senior year. The coach said he then called the NFL office to notify the staff that the student-athlete had changed his mind, and the young man's name did not appear on the 1993 draft list.

Although the faculty athletics representative acknowledged receipt on November 22, 1993, of the document signed by the student-athlete and sports agent on January 2, 1993, he stated that "it is a virtual certainty that the document is unenforceable as a contract" based on the facts in his report. Regardless of its validity, the document, together with the memorandum and other facts known or readily available to the faculty athletics representative, should have made clear to him that his report contained statements that were or might well have been false.

III. COMMITTEE ON INFRACTIONS PENALTIES.

For the reasons set forth in Parts I and II of this report, the Committee on Infractions found that this case involved several major violations of NCAA legislation.

A. CORRECTIVE ACTIONS TAKEN BY THE UNIVERSITY.

In determining the appropriate penalties to impose, the committee considered the institution's self-imposed corrective actions. Specifically, the university:

1. Has conducted for many years a comprehensive compliance program to educate the various constituencies involved in intercollegiate athletics, including coaches, alumni, faculty and the public at large. The executive assistant to the president has been designated as the monitor for the compliance process.

2. Developed a system of institutional checks and balances. The registrar's office is responsible for the certification of academic eligibility for student-athletes and the financial aid office, the compliance office and the faculty athletics representative have the responsibility for monitoring individual and team financial aid limits.
3. Established a compliance committee to further enhance communication between the director of athletics, the faculty athletics representative, the compliance office and other university offices regarding compliance issues. The purpose of the committee is to review and resolve questions or problems that may arise in the certification of the eligibility of student-athletes for competition.
4. Implemented compliance and monitoring systems within the athletics department for areas such as recruiting, complimentary admissions, student-athlete employment and automobiles, playing and practice seasons, and the activities of athletics support groups.
5. Required documentation from student-athletes who borrow against future earnings to purchase disability insurance, and implemented a specific form to monitor information on the purchase of disability insurance, including written statements by both the parents and the student-athletes.
6. Issued a letter to the local businessman involved in Finding No. I-A reiterating the university's concerns about the amateurism issues raised in this case and requesting his cooperation not to jeopardize the eligibility of other student-athletes.
7. Made an effort to communicate generally with local lending institutions who might be in a position to lend money to student-athletes based on future potential earnings.
8. Required, since 1987, student-athletes to complete an affidavit regarding agents and loans twice a year. In addition, a letter is sent to the parents of student-athletes alerting them to the dangers of interaction with agents.
9. Is in the process of implementing a more comprehensive, campus-based program to register agents with the university's professional sports counseling panel.
10. Implemented a written policy that specifically charges coaches, staff and student-athletes not only with reporting to the compliance coordinator

known rules violations, but also with forwarding information regarding rumors or potential violations for appropriate follow-up.

11. Issued a written letter of admonishment from the president to the head football coach.
12. Issued written letters of reprimand from the president to the director of athletics and the faculty athletics representative.

B. PENALTY SELF-IMPOSED BY THE UNIVERSITY.

The Committee on Infractions adopted as its own the following penalty self-imposed by the institution:

- The university disassociated two representatives of the university's athletics interests. The committee accepts these disassociations with the understanding that they shall be for at least the institution's probationary period and shall include:
 1. Refraining from accepting any assistance from the individuals that would aid in the recruitment of prospective student-athletes or the support of enrolled student-athletes;
 2. Refusing financial assistance or contributions to the institution's athletics programs from the individuals;
 3. Ensuring that no athletics benefit or privilege is provided to the individuals, either directly or indirectly, that is not available to the public at large; and
 4. Implementing other actions that the institution determines to be within its authority to eliminate the involvement of the individuals in the institution's athletics program.

C. ADDITIONAL PENALTIES IMPOSED BY THE COMMITTEE ON INFRACTIONS.

Although the Committee on Infractions agreed with and approved of the actions taken by the institution listed above, the committee determined that additional penalties were warranted because of the following factors: (1) the seriousness of the rules violations; (2) the individuals involved were charged with the responsibility for compliance with NCAA legislation by the institution or were

individuals who held major supervisory positions in athletics; (3) the most significant violation involved a clear and understandable rule; and (4) the violations permitted the university to gain a very significant competitive advantage.

The additional penalties the Committee on Infractions imposed are as follows:

1. Public reprimand and censure.
2. Three years of probation from June 3, 1995, the date of the hearing.
3. The institution's football team shall end its 1995-96 season with the playing of its last regularly scheduled, in-season contest and shall not be eligible to participate in any postseason competition or take advantage of any of the exemptions provided in Bylaw 17.7.5.2.
4. During each of the 1995-96 and 1996-97 academic years, there shall be a reduction of four total athletically related financial aid awards in football, which allows a maximum of 81 scholarships each year under current rules. The university self-imposed this reduction for the first year.
5. There shall be a reduction in the number of permissible initial athletically related financial aid awards in football as follows:
 - a. 1996-97 -- a reduction of 13 awards, which allows a maximum of 12 initial scholarships under current rules.
 - b. 1997-98 -- a reduction of 9 awards, which allows a maximum of 16 initial scholarships under current rules.
6. The institution shall forfeit all regular-season football contests in which an ineligible student-athlete participated during the 1993-94 academic year.
7. During the period of probation, the institution shall:
 - a. Continue to develop and implement a comprehensive educational program on NCAA legislation, including seminars and testing, to instruct the coaches, the faculty athletics representative, all athletics department personnel and all university staff members with responsibility for the certification of student-athletes for admission, retention, financial aid or competition;

- b. Submit a preliminary report to the administrator for the Committee on Infractions by September 15, 1995, setting forth a schedule for establishing this compliance and educational program; and
 - c. File with the committee's administrator annual compliance reports indicating the progress made with this program by May 1 of each year during the probationary period. Particular emphasis should be placed on amateurism, extra benefits and the university's system for monitoring compliance with NCAA legislation. The reports must also include documentation of the university's compliance with the penalties imposed by the committee.
8. The institution shall send the head football coach, director of athletics, compliance officer and faculty athletics

representative to an NCAA regional compliance seminar during each year of the institution's probation.

9. The institution's president shall recertify that all of the university's current athletics policies and practices conform to all requirements of NCAA regulations.

As required by NCAA legislation for any institution involved in a major infractions case, the University of Alabama shall be subject to the provisions of NCAA Bylaw 19.6.2.3, concerning repeat violators, for a five-year period beginning on the effective date of the penalties in this case, June 3, 1995.

Should the University of Alabama or the faculty athletics representative appeal either the findings of violations or penalties in this case to the NCAA Infractions Appeals Committee, the Committee on Infractions will submit a response to the members of the appeals committee, with a copy to any party who may appeal. This response may include additional information in accordance with Bylaw 32.10.5.

The Committee on Infractions wishes to advise the institution that it should take every precaution to ensure that the terms of the penalties are observed. The committee will monitor the penalties during their effective periods, and any action contrary to the terms of any of the penalties or any additional violations shall be considered grounds for extending the institution's probationary period, as well as imposing more severe sanctions in this case.

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. 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

Richard J. Dunn
Jack H. Friedenthal
Frederick B. Lacey
James L. Richmond
Yvonne (Bonnie) L. Slatton
David Swank (chair)

RJD:rjg:skt

