

University of Southwestern Louisiana, Lafayette, Louisiana

I. Origin of case.

During the spring 1971, the Committee on Infractions received information alleging possible violations of NCAA legislation on the part of the University of Southwestern Louisiana and representatives of its athletic interests in the recruitment of several prospective student-athletes. During its inquiry into these matters, the Committee on Infractions developed other information alleging numerous additional violations of the Association's legislation.

During the course of the Committee on Infractions' investigation of these matters (late summer and early fall, 1972), the University on its own merit initiated an investigation of its athletic department with particular emphasis on the recruitment and retention of student-athletes in the basketball program. The investigation was conducted on and in the immediate vicinity of the University's campus and was independent of, but not entirely unrelated to, the investigation of the athletic program being conducted by the Committee on Infractions.

Under date of October 9, 1972, Clyde L. Rougeou, president, University of Southwestern Louisiana, notified the secretary to the Committee on Infractions of the general results of the University's investigation and resultant disciplinary and corrective actions.

Under date of November 2, 1972, the Committee on Infractions submitted an official inquiry to the chief executive officer of the University of Southwestern Louisiana. Upon the request of the University, the Committee granted a delay in responding to this official inquiry, but requested the University to be represented before the Committee on December 19, 1972, to report in detail the University's findings of violations and resultant disciplinary and corrective actions taken against members of its intercollegiate basketball coaching staff as well as its director of athletics.

Accordingly, this report represents the Committee on Infractions' findings of violations of NCAA legislation based upon specific information reported by the University (for which this Committee also has developed supportive evidence), and such findings relate only to those irregularities already found to be violations by the University in October 1972.

II. Violations of 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-(f)-(6)].

1. On numerous occasions during the 1970-71 and 1971-72 academic years, the head basketball coach and a representative of the University's athletic interests, made their privately-owned automobiles available without charge to several student-athletes for their personal use in the Lafayette, Louisiana, area.

The University has reported that this violation did occur. The Committee also developed information to support this finding.

2. On numerous occasions during the 1970-71 and 1971-72 academic years the head basketball coach and a assistant basketball coach allowed student-athletes on the University's intercollegiate basketball team to charge the cost of gasoline for their privately-owned automobiles to University credit cards issued to the head coach and the assistant coach.

The University has reported that these violations did occur. The Committee also developed information to support this finding.

B. Violations of the principles governing financial aid to student-athletes [NCAA Constitution 3-1-(f)-(6) and 3-4-(a)].

1. For the past several academic years, the head basketball coach provided financial assistance, reportedly in small amounts in the form of personal loans, to several members of the University's intercollegiate basketball team; further, no interest was paid on these loans and there was no record that any of these loans was repaid by the student-athletes.

The University has reported that these violations did occur. The Committee also developed information to support this finding.

C. Violations of the principles governing financial aid to student-athletes and the provisions governing recruiting [NCAA Constitution 3-1-(f)-(6) and Bylaw 1-1-(a)].

1. During the fall 1970, several prospective and enrolled student-athletes were transported by the assistant basketball coach and another member of the University's basketball coaching staff from Ohio to the University's campus for the purpose of enrolling for the fall semester,

1970-71 academic year. This automobile transportation was provided at no expense to the young men.

The University has reported that this violation did occur. The Committee also developed information to support this finding.

D. Violations of the provisions governing recruiting [NCAA Bylaw 1-1-(a)].

1. During the summer 1970, a then prospective student-athlete was provided transportation by members of the University's basketball coaching staff between Lafayette and Cameron, Louisiana, the site of the prospect's summer job with the Ocean Protein Company. Specifically, the head basketball coach transported the prospect from Lafayette to Cameron, and another member of the basketball coaching staff transported the prospect from Cameron to Lafayette.

The University has reported that this violation did occur. The Committee also developed information to support this finding.

E. Violations of the provisions governing recruiting [NCAA Bylaws 1-1-(a) and 1-5-(e)],

1. During the past several academic years, prospective student-athletes visiting the University's campus were provided cash in amounts ranging from \$15 to \$20 for entertainment purposes by the head basketball coach.

The University has reported that these violations did occur. The Committee also developed information to support this finding.

F. Violations of the provisions governing recruiting [NCAA Bylaws 1-1-(a) and 1-6-(a)].

1. During the fall 1971, arrangements were made by members of the University's basketball coaching staff to pay for costs incurred by two prospective student-athletes to travel by commercial airline transportation from their homes to Lafayette to enroll at the University for the fall semester, 1971-72 academic year. The cost of this transportation was charged to the University and initially

paid by it although credits were later issued to the University to cover these costs.

The University has reported that this violation did occur. Information is available to the Committee which supports this finding.

G. Violations of the provisions governing institutional eligibility for NCAA championship events [NCAA Bylaw 4-6-(b)-(1)].

1. Two student-athletes one enrolled as a freshman, fall semester, 1970-71 academic year and the second enrolled as a freshman, fall semester, 1971-72 academic year) were erroneously certified eligible under the prediction requirements of the Association's 1.600 rule on the basis of incorrect high school grade point averages reported to the University's regular eligibility certifying agent by members of the University's basketball coaching staff. The grade point averages reported to the University's certifying agent were higher than the actual grade point averages listed on the high school transcripts of the two student-athletes, neither of whom predicted at the University with his actual high school record. The incorrect records were submitted on a special form used by the University's department of athletics rather than on an official document from the high school.

The University has reported that these violations did occur. The Committee also developed information to support this finding.

2. During the fall semester, 1970-71 academic year, a student-athlete was erroneously certified eligible under the prediction requirements of the Association's 1.600 rule on the basis of an altered high school transcript to which the forged signature of a principal Fairborn-Baker High School, Fairborn, Ohio, was affixed by the assistant basketball coach. The alterations on this transcript improved his high school grade point average to the level necessary for his minimum prediction at the University.

The University has reported that this violation did occur. The Committee also developed information to support this finding.

3. During the fall semester, 1971-72 academic year, two student-athletes were awarded athletically-related financial aid by the University even though neither young man was certified eligible under the prediction requirements of the 1.600 rule; further, when the prediction status of these student-athletes was finally reviewed by the University during the fall semester, 1972-73 academic year, neither young man predicted on the basis of his high school record.

The University has reported that this violation did occur, The Committee also developed information to support this finding.

III. Related factors appropriate for consideration in judgment of case.

A. The findings of violations set forth in Part II of this report represent and correspond only to those findings of violations made by the University of Southwestern Louisiana as a result of its own investigation. They do not represent the Committee on Infractions' findings as a result of the University's total response to the Committee's November 8, 1973, official inquiry. The Committee wishes to advise the Council that there are numerous other allegations contained in the official inquiry which will be considered during the Committee's March 1973 meeting and subsequently reported to the Council if found to be substantial.

B. In view of the serious nature of the violations set forth in this report, which have been substantiated both by the University and information developed by the Committee on Infractions, and in light of the need for prompt action on the part of the NCAA in cases of serious violations, the Committee believes it necessary for the Council to consider the information contained herein at this time for possible action with the understanding that additional findings may be reported by the Committee at a later date.

The Committee believes it significant to note that although the University of Southwestern Louisiana's administration was aware of an investigation by the NCAA into its athletic policies and practices, it did initiate its own investigation separately, made findings of violations based upon the information it developed and subsequently took disciplinary action against

those individuals involved these actions on the part of the University being taken prior to the conclusion of the Committee on Infractions' investigation. The Committee views the University's actions in this regard as indication of its desire for prompt action in cases involving violations of governing legislation.

C. In reporting this case to the NCAA Council at this time, the Committee on Infractions is guided by a governing principle of the NCAA enforcement program, as set forth in Section 5 of the official statement on Procedure, which reads as follows:

"In cases of serious violations, the institution, conference and the NCAA all should take corrective or punitive action and the NCAA should not leave the investigation and discipline in such cases exclusively to an institution or conference. "

D. In the Committee on Infractions' view, the involvement of members of the University's basketball coaching staff in the erroneous eligibility certification of student-athletes, as set forth in Parts II-G-I, 2 and 3 of this report, constitutes one of the most serious violations of NCAA rules and regulations in that it attacks the fundamental principle governing eligibility to participate in intercollegiate athletics -- the academic qualifications of a student-athlete.

E. The Committee on Infractions believes it important to note that under date of January 6, 1968, the NCAA Council placed the University of Southwestern Louisiana on probation for a period of two years with sanctions in the sport of basketball for irregularities in the conduct of its intercollegiate basketball program. In light of this action, the Committee on Infractions is concerned at the recurrence of violations of NCAA legislation involving individuals who were a part of the original case -- these individuals being the head basketball coach; the assistant basketball coach, and the director of athletics. The Committee wishes to call the Council's attention to Section 5 of the official statement on Procedure which provides in part that "Previous violations of NCAA legislation shall be a contributing factor in determining the degree of penalty". Several of the violations set forth in this report occurred shortly after the University of Southwestern Louisiana was restored to full rights and privileges of membership, January 1970.

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

A. The University of Southwestern Louisiana took the following disciplinary action under date of October 9, 1972.

1. The director of athletics, was placed on indefinite probation with the qualification that any subsequent violation of the policy for which he is directly responsible will be sufficient cause for immediate dismissal.

2. The head basketball coach and the assistant basketball coach, were placed on indefinite probation and restricted from engaging in the recruiting of athletes on or off the University's campus for a period of two years with the qualification that any subsequent violation of University, Southland Conference or NCAA policies by the head basketball coach or the assistant basketball coach will result in their immediate dismissal.

B. Under date of October 9, 1972, the University of Southwestern Louisiana acted to reduce the number of basketball scholarships by two for the next two years.

C. Under date of October 9, 1972, the University took the following corrective actions to insure against a recurrence of violations of NCAA legislation,

1. New procedures were established for reviewing applications and granting approval of scholarships, and for monitoring the academic performance and qualifications of scholarship holders.

2. All financial arrangements relating to the basketball program are to be handled by the business manager for athletics and the University's business office.

3. New procedures have been developed for establishing the eligibility of student-athletes under the prediction requirements of the NCAA 1.600 rule with the understanding that these provisions are to be continuously reviewed and monitored by the director of admissions, director of guidance and testing, registrar and chairman of the scholarship committee.

4. The University will continuously revise, review and monitor its policies regulating travel arrangements for members of its athletic coaching staff, student-athletes and prospective student-athletes.

5. The Athletic Committee was reorganized, its membership reexamined and its functions and duties redefined in order for the committee to assume greater control over the athletic program of the University.

D. To date, the Southland Conference has not taken any disciplinary or corrective action in this case. The Conference will consider the matter at a later meeting.