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January 6, 1989

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OKLAHOMA STATE UNIVERSITY INFRACTIONS REPORT

by the NCAA Committee on Infractions

MISSION, 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.

This infractions case began in February 1984 when anonymous and confidential sources telephoned the NCAA enforcement staff concerning the recruiting activities of one of the university's then assistant football coaches. In November 1984, an enrolled student-athlete contacted the enforcement staff concerning possible violations of NCAA legislation. Other sources included reports from a student-athlete enrolled at another institution; calls from three head football coaches from other NCAA member institutions about the university's recruiting practices and information reported during interviews conducted in the NCAA's Operation Intercept program.

The enforcement staff submitted a preliminary letter of inquiry to the university on June 16, 1986, and a letter of official inquiry on March 11, 1988, to which the university responded on October 4, 1988. The NCAA Committee on Infractions met with university representatives on November 12-13, 1988. Following this hearing, the Committee on Infractions deliberated in private,

made findings and imposed penalties as set forth in Parts II and III of this report.

The committee found over 40 violations of NCAA legislation. The university admitted or accepted responsibility for nearly all of these violations in an unusual investigation that was conducted in the cooperative spirit expected of Association members. The university working together with the NCAA enforcement staff presented to the committee not only a clear understanding of the nature of the violations, but also the

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circumstances in which the infractions took place. These violations were not only numerous, they were extensive in scope, variety and depth. The violations primarily involved former members of the university's assistant football coaching staff, a former athletics department academic counselor and at least 14 representatives of the university's athletics interests, one of whom most lamentably was a former member of the university's board of regents.

The rules violations found in this case include: promises of illegal inducements to prospective student-athletes involving large sums of money; the provision of large sums of money to a prospective student-athlete; use of automobiles at no cost to a prospective student-athlete, and illegal transportation for relatives of prospective student-athletes. In addition, there was widespread and admitted disregard for basic recruiting rules concerning the number of contacts allowed with prospective student-athletes; routine gifts of T-shirts, sweat suits, sweaters, hats, turf shoes and other items of apparel were provided to prospects during their recruiting visits; enrollment in the university's summer football camp was provided at no cost to the prospects; meals and local transportation were provided to prospects by a former coaching staff member while visiting in prospects' home towns, and coaching staff members contacted prospects before the permissible dates for such contacts. None of the coaches involved could recall being cautioned against committing recruiting violations, and all knew that they were violating NCAA rules and regulations.

The committee also found that the promises of illegal inducements made during the recruitment of prospective student-athletes then were fulfilled either upon signing a National Letter of Intent or after enrollment at the university. These benefits included: cash payments; purchase of an

automobile at no cost to a student-athlete; airline tickets at no cost to prospective student-athletes; regular monthly payments of cash to a student-athlete; an airline ticket for a student-athlete's girlfriend to visit him, and an airline ticket for a student-athlete to fly to another institution in order to enroll in a summer course with an instructor who was about to become a member of the university's own athletics staff. In addition, payments for a student-athlete's automobile repairs were provided and, on a number of occasions, members of the coaching staff provided cash in small amounts to team members. Finally, the university self-reported 11 other violations of NCAA legislation.

In the most serious finding, a former assistant football coach became involved in a "bidding war" with a very talented and highly visible prospective student-athlete. This coach "won the bidding war" (which also resulted in NCAA penalties for three other institutions), and during the young man's enrollment, the student-athlete contributed significantly to the football team's success. Among the benefits actually provided to the young man were: a payment of \$5,000 cash upon signing the National Letter of Intent; payments in cash averaging \$125 during the first year of enrollment and \$200 during the second year; the provision of an expensive and distinctive sports car at no cost to the young man with the title being placed in the name of the young man's brother, and payments for the car and insurance being made by three representatives of the university's athletics interests.

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This coach had been cited previously by the committee for unethical conduct for violations at another NCAA member institution that received severe sanctions. However, when the former head football coach employed this person, the head coach was less interested in the causes of the unethical conduct finding than in whether the coach had sanctions that prevented him from going to work immediately on his staff. There is no indication that the former head coach supervised this coach's recruiting activities, even when those activities brought startling and unexpected recruiting achievements. It is a particularly sad commentary that while another former assistant football coach justified his own violations because of the corrupt recruiting climate of the region, it was one of his own colleagues who was setting that climate through blatant disregard for the rules.

The committee found that the institution's football staffs and athletics representatives have been operating without regard for NCAA rules for most of the period since 1972. In 1978, the committee levied serious penalties upon the university for extensive violations of a type similar to the present violations. In 1979, public disclosure of a well-organized "slush fund" resulted in the university coming to the committee and seeking an extension of probation to give the institution time to establish compliance with NCAA legislation. The then president promised the committee that the university would succeed where it had been unable to do so in the past. For some months thereafter, no violations have been discovered; however, once the probationary period expired, incidents found in this case began. There is no evidence that the university engaged in meaningful compliance and educational programs, audited the football program, exerted routine and significant control over the then head football coach, or succeeded in convincing alumni and boosters that cash payments large or small must stop. In the present case, neither the institution nor the enforcement staff found an organized "slush fund" similar to the earlier case. Rather, what both found were numerous persons who were willing to give large gifts, pay for cars, provide airline tickets and other benefits upon being approached by assistant coaches. These persons did not seem to be hard to find nor did they hesitate when asked to contribute. It is an atmosphere which must be changed if there is to be a future for the university's athletics program.

Although this case does not fall under the "repeat" major violator provisions of NCAA Enforcement Procedure 7-(f), the committee finds that the seriousness of the violations, when viewed in conjunction with the history of noncompliance over the past decade and a half, warranted the elimination of three conference home football games and the limit of eight games in the 1989 season. However, in view of the thorough investigation and the cooperation extended by the present administration and coaching staff in bringing this case to a conclusion, the committee will withhold the application of this penalty.

In brief, the penalties include the following: a four-year probationary period; a prohibition regarding postseason competition in football following the 1989, 1990 and 1991 seasons; a prohibition regarding "live" telecasts in football during the 1989 and 1990 seasons; a restriction on the number of official paid visits in football in the 1989-90 and 1990-91

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academic years, and a reduction of the initial financial aid awards to 20 in the sport of football in the 1989-90, 1990-91 and 1991-92 academic years. The university also will be required to show cause why it should not be subject to additional penalties if it does not disassociate 14 representatives of the university's athletics interests from the university's athletics program. The committee also found two former assistant football coaches in violation of the principles of ethical conduct that are expected of all athletics department staff members. The committee has imposed severe, extensive and far-reaching penalties on the university's football program,

which achieved recruiting and competitive advantages and which has enjoyed great success and postseason bowl appearances in recent years.

It is the present view of this committee that if one former assistant football coach were presently on the staff of the university, the committee would have required his disassociation from all athletics department responsibilities for a designated period of time. In addition, the committee will notify the former assistant coach that if he wishes to seek employment in an NCAA athletics program within the next 12 years, he must first communicate this information to the committee, and he then will be required to appear before the Committee on Infractions concerning possible sanctions that could affect his employment duties for a designated period at the NCAA member institution.

Finally, the university, the enforcement staff and the committee all asked the questions: Is it too late? Can we get the message out to those outside the university? The committee's answer is positive and is expressed in its decision to withhold for the present time its penalty for a reduction in the 1989 schedule. However, this is notice from the committee that the full force of the so-called "death penalty" for repeat major violators as set forth in Enforcement Procedure 7-(f) faces the university and its supporters in the event of any serious violation in the foreseeable future.

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

A. [NCAA Bylaws 1-1-(b)-(1), 1-2-(b) and 1-9-(j)]

On November 10, 1984, a former assistant football coach arranged for a prospective student-athlete, to receive round-trip commercial airline transportation at no cost to the young man between the young man's home town, and Oklahoma City, Oklahoma, in order for the prospect to attend one of the university's home football games; further, the coach arranged for a representative of the university's athletics interests to meet the young man upon his arrival and to provide one-way automobile transportation to Stillwater, Oklahoma (a distance of approximately 65 miles).

B. [NCAA Bylaw 1-1-(b)]

In January 1985, a former assistant football coach offered to provide a prospective student-athlete: (1) a \$5,000 cash payment if the

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prospect would sign a National Letter of Intent to attend the university; (2) a Nissan 300ZX automobile upon enrollment, and (3) a \$200 monthly allowance during the young man's attendance.

C. [NCAA Bylaw 1-1-(b)-(1)]

On or about February 13, 1985, a former assistant football coach arranged for a prospective student-athlete to receive \$5,000 cash (which was provided after the young man signed a National Letter of Intent earlier that day). Specifically, a member of the young man's high school basketball coaching staff delivered an envelope containing 100 \$50 bills to the prospect's home.

D. [NCAA Constitution 3-1-(g)-(5)]

During a period from September 1985 to April 1987, a former assistant football coach and a representative of the university's athletics interests arranged for or provided a student-athlete a monthly cash allowance that ranged from \$50 to \$200.

E. [NCAA Bylaw 1-1-(b)-(1)]

On May 3, 1986, a former assistant football coach arranged for a student-athlete to receive an automobile that was provided at no cost by representatives of the university's athletics interests.

F. [NCAA Constitution 3-1-(g)-(5), and Bylaws 1-1-(b)-(1) and 1-2-(a)-(4)]

In July 1984, a former assistant football coach arranged for or provided a meal, lodging and attendance for two prospective student-athletes at a session of the university's three-day summer football camp at no cost to the young men; further, during the summer football camp, the prospects received a pair of football shoes at no cost, and finally, the coach gave \$20 cash to each of the young men during a visit to the coach's home during the summer football camp.

G. [NCAA Bylaw 1-1-(b)]

In May 1985, a former assistant football coach made a statement to a prospective student-athlete that reasonably led the young man

to believe that the coach would provide an automobile to him if the prospect would enroll at the university. Specifically, in May 1985, during a telephone conversation between the coach and the young man while the prospect was in Stillwater for a high school track meet, the coach asked the young man, "What would it take" to encourage his attendance at the university, and the prospect responded that he wanted an automobile; further, the coach then told the young man that he would attempt to arrange something and would recontact the young man.

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H. [NCAA Bylaws 1-1-(b), 1-1-(b)-(1), 1-2-(a)-(3) and 1-2-(b)]

During the period May 1985 through January 1986, a former assistant football coach arranged for a representative of the university's athletics interests to provide the use of two automobiles to a prospective student-athlete at no cost to him in order to encourage the young man to attend the university; further, the representative made in-person recruiting contacts with the prospect.

I. [NCAA Bylaws 1-1-(b)-(1), 1-1-(b)-(2), 1-2-(a)-(4) and 1-9-(j)]

In June 1985, following the junior year in high school of a prospective student-athlete, a former assistant football coach promised employment for the young man and arranged for him to receive cash payments in order to travel to the site of this employment; further, the coach arranged for a student-athlete to provide the prospect automobile transportation while seeking employment.

J. [NCAA Bylaws 1-1-(b)-(1), 1-2-(b) and 1-9-(j)]

During the summer of 1985, a former assistant football coach arranged for at least two representatives of the university's athletics interests to provide various amounts of cash for a prospective student-athlete for the young man's personal use because the prospect was unable to locate full-time employment. Specifically, one of the representatives of the university's athletics interests transported the prospect and entertained the young man for a meal before the representative withdrew cash from an automatic teller machine and gave the young man \$200 cash; further, another representative of the university's athletics interests transported and entertained the young man for a meal at a fast food restaurant.

K. [NCAA Bylaw 1-1-(b)-(1)]

During the summer of 1985, a former assistant football coach sent at least \$1,000 in the form of a money order to a prospective student-athlete; further, the coach utilized a false name to conceal his involvement in providing this money order.

L. [NCAA Bylaws 1-1-(b)-(1), 1-1-(b)-(2), 1-2-(a)-(4), 1-2-(b) and 1-9-(j)]

In August 1985, a former assistant football coach arranged for a representative of the university's athletics interests to provide a prepaid airline ticket for a prospective student-athlete; further, the representative arranged automobile transportation for the young man between an airport and the young man's home, and the coach arranged for the representative to employ the young man at the representative's automobile dealership prior to the completion of the young man's senior year in high school.

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M. [NCAA Constitution 3-2]

In December 1985, a former assistant football coach solicited and obtained \$1,000 cash from a representative of the university's athletics interests who had been a member of the university's board of regents by telling the representative that the money was needed to provide several members of the university's intercollegiate football team with extra benefits. Specifically, during a telephone conversation with the representative, the coach said that \$1,000 would be needed in order for 10 to 12 student-athletes to travel home for the Christmas holidays and to purchase gifts for their parents and girlfriends; further, the representative sent 10 \$100 bills to the coach, and finally, the coach refused the representative's request to identify the student-athletes who received the extra benefits, and it is unknown if any student-athlete actually received this cash.

N. [NCAA Bylaws 1-2-(b) and 1-9-(i)-(2)]

On two occasions during the period January 1984 to February 1985, a former assistant football coach arranged for the relatives of two prospective student-athletes to receive transportation in a university plane at no cost to them in order to accompany the prospects (one a very highly recruited player) on their official paid visits to the university's campus; further, a representative of the university's athletics interests had an in-person recruiting contact with one prospect and the young man's mother on the plane.

O. [NCAA Bylaws 1-1-(b)-(1), 1-9-(g) and 1-9-(j)]

In August 1984, through the arrangements of a former assistant football coach, a representative of the university's athletics interests provided one-way automobile transportation between Tulsa International Airport and Stillwater, Oklahoma (a distance of approximately 65 miles), to two prospective student-athletes in order for the young men to enroll in the university; further, the representative provided the young men three day's lodging at an apartment upon their arrival in Stillwater.

P. [NCAA Bylaws 1-1-(b)-(1) and 1-9-(j)]

During the spring of 1985, a former assistant football coach provided round-trip automobile transportation for a prospective student-athlete from Stillwater, Oklahoma, to his home (a distance of approximately 800 miles) in order to return home during spring vacation.

Q. [NCAA Constitution 3-3-(a)-(3) -- O.I. 8 and Bylaw 5-1-(j)-(6)-(ii)]

During the 1983 football season, a student-athlete competed in regular and postseason competition in the sport of football on behalf of the

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institution while ineligible because he had not met the requirements of the NCAA's satisfactory-progress legislation.

Specifically, the then administrative assistant for the university's football program and a representative of the university's athletics interests (who also was the director of physical education at a junior college) arranged for the young man to obtain academic credit in courses taken from the junior college that were not in compliance with requirements to meet the NCAA's satisfactory-progress requirements or to maintain his eligibility in order to compete for the university during the fall. The university's investigation also revealed that the young man did not pay the costs related to these courses.

R. [NCAA Constitution 3-1-(g)-(5)]

In May 1984, the former administrative assistant for the university's football program arranged for a graduate assistant football coach to provide round-trip automobile transportation for two student-athletes between Stillwater, Oklahoma, and another university; further, the young men received room, board, books and tuition at no cost to them during their attendance at a two-week intersession at the other institution.

The university's investigation revealed that a representative of the university's athletics interests provided the student-athletes one or more meals, two nights' lodging and automobile transportation on several occasions while the young men were in attendance at the intersession.

S. [NCAA Constitution 3-1-(g)-(5) and Bylaw 5-6-(d)-(3)-(iii)]

In August 1984, the university's head wrestling coach arranged for a football team member to receive a prepaid round-trip airline ticket from a travel agency for travel from Oklahoma City, Oklahoma, to another city in order for the young man to enroll in a course taught by the coach at another NCAA member institution with the intent to use this course to meet the NCAA's satisfactory-progress requirements; further, no official transcript of the credit earned for this course was on file when the young man competed in three football games in 1984, and finally, the young man subsequently repaid the coach for the cost of the airline ticket.

T. [NCAA Constitution 3-1-(g)-(5)]

During a weekend in February 1984, a former assistant football coach arranged for the girlfriend of a student-athlete to receive round-trip airline transportation at no cost to her between his home and Tulsa, Oklahoma.

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U. [NCAA Bylaws 1-1-(b)-(1), 1-2-(a)-(4) and 1-9-(j)]

On numerous occasions during the period January 1982 to January 1984, a former assistant football coach provided automobile transportation and meals for at least six prospective student-athletes at no cost to them.

V. [NCAA Bylaws 1-1-(b) and 1-9-(j)]

During a period from January 1982 through February 1984, a former assistant football coach offered an improper recruiting inducement and made statements to two prospective student-athletes that reasonably led the young men to believe that improper benefits (i.e., an automobile, financing for an automobile and a trip) would be provided at no cost to them if they would enroll at the university; further, in conjunction with one of these offers, the coach provided round-trip automobile transportation and entertained one of the young men for a meal and, on another occasion, the coach offered tickets to a postseason football bowl game to this prospect.

W. [NCAA Bylaw 1-1-(b)-(1)]

In July 1983, a former assistant football coach arranged for a prospective student-athlete to attend the university's summer football camp and provided the prospect a pair of turf shoes at no cost to the young man.

X. [NCAA Constitution 3-1-(g)-(5) and Bylaw 7-1-(e)]

In January 1983, a former assistant football coach arranged for a student-athlete who was a friend of a prospective student-athlete to provide round-trip automobile transportation for the prospect between the young man's home and Stillwater, Oklahoma (a distance of approximately 70 miles), in order to make an official paid visit to the university's campus; further, the coach gave the student-athlete approximately \$12 cash for his expenses in transporting the prospect.

Y. [NCAA Bylaw 1-1-(b)-(1)]

During the summer of 1984, after a prospective student-athlete had signed a National Letter of Intent to attend the university, a former assistant football coach arranged for the young man to reside with a student-athlete at an apartment complex in Stillwater, Oklahoma, for approximately a one-month period at no cost to the young man.

Z. [NCAA Constitution 3-1-(g)-(5)]

During a period from April 1982 to January 1984, a representative of the university's athletics interests provided extra benefits to

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several members of the university's intercollegiate football team. Specifically:

1. On April 19, 1982, the representative guaranteed a \$7,163.60 loan for a student-athlete from a financial institutional in order for the young man to purchase an automobile from the representative's car dealership; further, on several occasions during the period August 1982 to January 1984, the representative arranged for the repair and maintenance (e.g., transmission repair and engine tune-up) of this automobile (estimated cost of at least \$450) at no cost to the young man.

2. During the summer of 1983, the representative transported three student-athletes by private aircraft to a site where the representative provided food and lodging for the young men for three days and two nights during a fishing trip.

AA. [NCAA Constitution 3-1-(g)-(5)]

On several occasions during the period 1983 to 1985, an assistant football coach and two former assistant football coaches provided loans to several student-athletes ranging from \$20 to \$50 for the student-

athletes' personal use; further, on some of these occasions, the young men repaid these funds.

BB. [NCAA Constitution 3-1-(g)-(5)]

On several occasions during the 1982-83 and 1983-84 academic years, several staff members of the university's football program gave various amounts of cash to three student-athletes for their personal use.

CC. [NCAA Constitution 3-1-(g)-(5)]

During the period September 1982 to May 1984, several student-athletes were provided vehicles by some members of the football coaching staff for short periods of time to run personal errands.

DD. [NCAA Bylaws 1-2-(a)-(3), 1-2-(a)-(4) and 1-9-(j)]

On numerous occasions during the period from the 1981-82 academic year to February 1985, members of the university's football coaching staff contacted several prospective student-athletes off campus for recruiting purposes prior to the permissible in-person contact period; further, on one occasion, a former assistant football coach arranged for three unidentified young women who were students at the university to contact a prospective student-athlete in person, off campus for recruiting purposes and to provide automobile transportation for the young man.

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EE. [NCAA Bylaws 1-2-(a)-(1), 1-2-(a)-(1)-(i) and 1-2-(f)]

On numerous occasions during the period December 1982 to February 1985, some former and current members of the university's football coaching staff contacted several prospective student-athletes on more occasions than permitted under NCAA rules; further, one prospective student-athlete was contacted in person, off campus at his educational institution for recruiting purposes on the day of competition.

FF. [NCAA Bylaw 1-1-(b)-(1)]

During the period beginning with the 1981-82 academic year and continuing to December 1986, some members of the university's football coaching staff provided T-shirts, hats, sweaters or sweat shirts for numerous prospective student-athletes at no cost to them.

GG. [NCAA Bylaws 1-2-(b) and 1-9-(j)]

During the period from November 1984 to January 1985, a representative of the university's athletics interests contacted a prospective student-athlete in person, off campus for recruiting purposes, provided the prospect automobile transportation and entertained the young man at his home; further, the representative contacted numerous prospective student-athletes in person, off campus for recruiting purposes.

HH. [NCAA Constitution 3-4-(g)]

In 1984, the university failed to notify a student-athlete on or before July 1, 1984, that his athletically related financial aid would not be renewed by the university for the 1984-85 academic year.

II. [NCAA Bylaw 5-1-(j)-(9)]

For a two-week period in January 1986, a student-athlete was provided athletically related financial aid, even though the young man was a 2.000 nonqualifier who had attended, but had not graduated, from a junior college.

JJ. [NCAA Constitution 3-6-(a)-(1)-(iii)]

A former assistant football coach acted contrary to the principles of ethical conduct inasmuch as he did not, on all occasions, deport himself in accordance with the generally recognized high standards normally associated with the conduct and administration of intercollegiate athletics. Specifically, the coach demonstrated a knowing and willful effort on his part to operate the university's intercollegiate football program contrary to the requirements and provisions of NCAA

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legislation by his involvement in Parts II-A, B, C, D, E, F, G, H, I, J, K, L and M of this report.

KK. [NCAA Constitution 3-6-(a) and the Preamble to the Official Procedure Governing the NCAA Enforcement Program.]

An assistant football coach failed to deport himself in accordance with the generally recognized high standards of honesty normally associated with the conduct and administration of intercollegiate athletics in that he encouraged a prospective student-athlete to provide false and misleading information to the NCAA enforcement staff. Specifically, on January 6, 1986, and again on February 19, 1986, the coach telephoned a prospective student-athlete and encouraged the young man to provide false and misleading information during interviews with an NCAA special investigator concerning the young man's recruitment by the university as described in Parts II-G, H, I, J, K and L of this report, and finally, the young man did not follow the coach's advice.

LL. [NCAA Constitution 3-6-(a)-(1)-(iii) and 3-6-(a)-(1)-(iv)]

A former assistant football coach acted contrary to the principles of ethical conduct inasmuch as he did not, on all occasions, deport himself in accordance with the generally recognized high standards normally associated with the conduct and administration of intercollegiate athletics. Specifically, the coach demonstrated a knowing and willful effort on his part to operate the university's intercollegiate football program contrary to the provisions of NCAA legislation by his involvement in Parts II-V and W of this report; further, the coach provided false and misleading information during an April 1, 1987, interview with an NCAA enforcement representative concerning Part II-U of this report in that the coach denied that he ever entertained the young men for a meal or a movie. However, after April 1988, the former assistant coach subsequently provided truthful and accurate information primarily because of the intervention of his present institution, information the enforcement staff found helpful in bringing the investigation to a conclusion. Therefore, no further action will be taken against this coach by the committee.

MM. [NCAA Bylaws 4-6-(d)-(4) and 5-6-(d)-(3)]

The institution's certification of compliance forms during the 1982-83, 1983-84, 1984-85 and 1985-86 academic years were erroneous based upon the violations set forth in this report, which indicate that the institution's football program was not in compliance with NCAA legislation at the time of such certification.

Also, with full knowledge at the time that certain practices of the institution's intercollegiate football program were not in compliance with NCAA legislation, an assistant football coach, three former

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assistant coaches, the head wrestling coach, a former administrative assistant for the university's football program and a former graduate assistant coach attested on statements filed with the chief executive officer of the institution that they had reported to the chief executive officer their knowledge of and involvement in any violations of NCAA legislation involving the institution when, in fact, they had not done so.

Finally, based upon information provided by these individuals and without intent to do so, the institution's chief executive officer erroneously certified the institution's compliance with NCAA legislation on September 4, 1987, August 28, 1986; September 4, 1985; September 6, 1984, and September 8, 1983.

NN. [NCAA Constitution 3-2]

The scope and nature of the violations in this report demonstrate a lack of appropriate institutional control and monitoring in the administration of the institution's intercollegiate football program.

1. Numerous examples throughout the period after 1979, and especially in the period 1982 to 1986, demonstrate that the university failed to exercise control and responsibility for the conduct of its intercollegiate football team. There was no awareness among the football coaching staff that an NCAA probationary period from 1979 to 1980 was extended to 1982; no monitoring of the football program appears to have been taking place, and no regular educational and training programs in NCAA rules was

taking place. In general, the promises made by the institution at its appearance before this committee in December 1979 (when it asked to be given the opportunity to correct the errors and violations of an earlier era) were unfulfilled. Moreover, the willingness of representatives of the university's athletics interests to keep giving illegal and impermissible inducements to prospective and enrolled student-athletes continued unabated with new sources being found to replace the old. The result was that neither the president nor the director of athletics exercised effective control over the former head coach, while the former head coach who had ultimate responsibility for the program showed little concern for the day-to-day activities of the assistant coaches and should have been aware that at that time, assistant coaches were committing the violations that have been found by the committee.

2. The university failed to exercise control and responsibility for the administration of the academic advising program. The academic advising provided was of the most dubious type. While in only one instance (Part II-Q) was there an actual violation of NCAA legislation, the committee finds that the athletics academic counselor was exercising responsibilities that properly should have been within the province of institutional academic authorities. Only in the most technical sense did many of his practices meet the rules and regulations of the university, state governing boards

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and the Association concerning eligibility for satisfactory academic progress.

OO. [NCAA Constitution 3-1-(g)-(5) and Bylaws 1-1-(b)-(1), 1-9-(j) and 1-2-(a)-(3)]

The university, during the course of this investigation, self-reported a number of violations, including: athletics representatives providing improper transportation to prospective student-athletes to attend the university's football games; improper lodging in the university's football dormitory; the gifts of turf shoes to prospective student-athletes; meals to prospective student-athletes from representatives of the athletics interests; round-trip transportation to a student-athlete for purposes of enrolling in a course at a junior college, the provision of lodging in the home of an assistant coach for two prospective student-athletes prior to fall practice, transportation by the former university athletics academic counselor for eight to 10 student-athletes to another institution (a distance of 15 miles) for the young men to attend summer school.

III. Committee on Infractions penalties.

A. The university shall be publicly reprimanded and censured, and placed on probation for a period of four years from the date these penalties are imposed, which shall be the date the 15-day appeal period expires or the date the institution notifies the executive director that it will not appeal, whichever is earlier, or the date established by NCAA Council Subcommittee action as a result 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.

B. The university's intercollegiate football team shall end its 1989, 1990 and 1991 seasons with the last regularly scheduled, in-season game, and the institution shall not be eligible to participate in any postseason football competition following those seasons.

C. During the 1989 and 1990 football seasons, the university's intercollegiate football team shall not appear on any telecast involving "live" coverage. [Reference: Case No. 397, 1988-89 NCAA Manual regarding the definition of a "live" telecast.]

D. During the 1989-90 academic year, the university shall reduce the number of regularly scheduled, in-season football games to eight; further, the eliminated contests are to be "home" conference football

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games. [NOTE: Because of the thoroughness of the university's investigation, its cooperation with the NCAA in identifying

violations in its athletics program and its already demonstrated commitment to achieving compliance through extensive changes in its practices and procedures for institutional control of the athletics program, the committee hereby suspends the application of this portion of the penalty.]

E. During the 1989-90, 1990-91 and 1991-92 academic years, the university will be limited to 20 initial grants-in-aid in football each year.

F. During the 1989-90 and 1990-91 academic years, the number of official paid visits for prospective student-athletes shall be limited to 50 each year.

G. The university annually shall report actions that it has taken during the probationary period to bring its athletics program into compliance with NCAA legislation. This report shall be submitted to the NCAA enforcement staff by July 1 each year. Included in that report shall be:

1. A full audit of the summer jobs arranged for the university's student-athletes.

2. An audit of automobiles owned, leased or registered to members of the university's football team, including sources of payments.

3. An outlined compliance program for university alumni and representatives of the university's athletics interests.

4. A full audit of all sources of revenues and funds used for assistance to student-athletes in the sport of football.

H. The university shall "show cause" why it should not be penalized further if it fails to disassociate 14 representatives of the university's athletics interests from the university's athletics program based upon their involvement in violations of NCAA rules. In the committee's present view, such disassociation should be for the university's probationary period and should 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 for the institution's athletics program from the individuals; (3) ensuring that no athletics benefit or privilege is provided to the individuals that is not generally available to the public at large, and (4) taking such other actions against the individuals that the institution determines to be within its authority to eliminate the involvement of the individuals in the institution's athletics program.

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I. The university shall "show cause" why it should not be penalized further if it fails to carry out the administrative measures to ensure appropriate institutional control over its intercollegiate football program by May 1, 1989, in accordance with the plan set forth by President John Campbell during the institution's appearance before the committee in November 1988.

J. The former assistant football coach involved in Part II-A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, AA, JJ and KK of this report shall be informed in writing by the NCAA that in the event he attempts to become employed as an athletics department staff member at an NCAA member institution during the next 12-year period (January 1, 1989, to January 1, 2001), he shall be required to appear before the Committee on Infractions in order to assess whether NCAA penalties should be imposed that would limit his employment duties at such an institution for a period to be designated by the committee.

K. The university shall recertify its full compliance with NCAA legislation at the conclusion of the probationary period.

[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 Section 6 of the Official Procedure Governing the NCAA Enforcement Program. A copy of the committee's report will be provided to you prior to the university's appearance before the Council and, as required by NCAA procedures, will be released to the public.

Also, the Committee on Infractions wishes to advise the university that when the penalties in this case become effective, the institution should take every precaution to ensure that their terms are observed; further, the committee intends to monitor the penalties during their effective periods, and any action contrary to the terms of any of the penalties shall be considered grounds for extending the university's probationary period, as well as to consider imposing more severe sanctions in this case.]

NOTIFICATION AS REQUIRED BY NCAA ENFORCEMENT PROCEDURES

[NOTE: The following is notification of applicable NCAA legislation as required by Section 7-(h) of the Official Procedure Governing the NCAA Enforcement Program and IS NOT a penalty proposed by the NCAA Committee on Infractions upon the university.]

This is notice to the university that it will be considered a repeat violator under NCAA enforcement procedures if any major violation is found within a

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five-year period following the starting date of the penalties in this case. Accordingly, a finding of a major violation during this period would result in the application of the penalties set forth in Section 7-(f) of the enforcement procedures.

NCAA COMMITTEE ON INFRACTIONS

Thomas J. Niland Jr.

Patricia A. O'Hara

Milton R. Schroeder

D. Alan Williams (chair)

RRH:ajh/cg

