



THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

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UNIVERSITY OF GEORGIA 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 Georgia and concerned violations of NCAA bylaws governing recruiting and extra benefits.

The University of Georgia is a Division I institution and a member of the Southeastern Conference. The university has an enrollment of approximately 30,000 students and sponsors eight men's and 10 women's intercollegiate sports.

Most of the violations involved one individual who may not have realized he became a representative of the institution's athletics interests when he assisted in providing information about prospective student-athletes to the university's football coaching staff, provided impermissible recruiting inducements to a number of prospective student-athletes and was improperly involved in their recruitment. The institution conceded that he became a representative as early as the summer of 1994. However, the committee determined he became one in November 1993 when he obtained high-school transcripts of prospective student-athletes and provided them to members of the institution's football



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coaching staff. He subsequently paid for and assisted several prospective student-athletes
with official visits to the institution and attendance at the institution's football camp.
There was no

evidence presented to the committee indicating the university's coaching staff had knowledge of the funds provided to the prospective student-athletes by the representative. Nevertheless, the institution received a recruiting advantage because of his public prominence in a prime recruiting area, his close relationship with several prospective student-athletes, and his favorable disposition towards the institution.

A. CASE CHRONOLOGY.

In May 1995, the NCAA enforcement staff received information about possible NCAA violations in the university's recruitment of prospective student-athletes in Florida. The enforcement staff interviewed several prospective student-athletes, some of whom also reported possible violations of NCAA rules.

On September 22, 1995, the enforcement staff issued a letter of preliminary inquiry to the university. The enforcement staff continued interviewing student-athletes and other individuals through June 1996 and issued a letter of official inquiry to the institution and a former assistant football coach on June 10, 1996. The institution submitted its response on December 23, 1996, and the assistant coach responded on December 30. On January 9, 1997, the enforcement staff conducted a prehearing conference with the institution and the assistant coach's attorney.

On January 31, 1997, representatives of the NCAA enforcement staff and the institution appeared at a hearing before the NCAA Committee on Infractions. The former assistant football coach named in the official inquiry also was present. There were no eligibility issues remaining at the time of the hearing.

B. SUMMARY OF THE FINDINGS OF VIOLATIONS.

The violations found by the committee may be summarized as follows:

- From November 1993 through the 1994-95 academic year, a representative of the institution's athletics interests had improper recruiting contact with prospective student-athletes and provided recruiting inducements when he:
 - Obtained high-school transcripts of five prospective student-athletes for the institution's football coaches.
 - Had telephone and in-person contacts with prospective student-athletes regarding their recruitment and the university.

- Provided cash to nine prospective student-athletes on numerous occasions.
 - Purchased meals for five prospective student-athletes.
 - Paid for or provided cash for five prospective student-athletes to attend the university's football camp, including airline tickets, ground transportation, spending money and camp fees.
 - Paid for or provided cash for three prospective student-athletes to visit the institution's campus, including airline transportation, lodging, meals and spending money. As a result of this visit, one of the prospective student-athletes later exceeded the permissible number of official visits.
- From August 1994 to January 1995, the representative provided extra benefits to a walk-on student-athlete when he paid at least \$7,000 for tuition, room, board and spending money.
 - In January 1994 three football student-athletes had an improper recruiting contact with a prospective student-athlete, at the direction of a coaching staff member.

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, and the penalties proposed by the university.

1. The committee adopted as its own the following penalties proposed by the institution:
 - Reduction by five in the number of permissible initial financial aid awards in football during the 1997-98 academic year.
 - Reduction by six in the number of total financial aid awards in football during the 1997-98 academic year and by three during the 1998-99 academic year.
 - Reduction by eight in the number of permissible official visits in football during the 1997-98 academic year and by four during the 1998-99 academic year.

- Reduction by one in the number of coaches who may recruit off campus for the 1997-98 academic year.
 - Disassociation of the involved representative of the institution's athletics interests.
 - Prohibition against recruiting in Palm Beach County, Florida, for two years.
2. The committee found the penalties imposed by the university meaningful and significant. In addition, the committee imposed the following additional penalties:
- Public reprimand and censure.
 - Two years of NCAA probation.
 - Requirement that the institution continue to develop a comprehensive athletics compliance education program, with annual reports to the committee during the period of probation.
 - Recertification of current athletics policies and practices.

II. FINDINGS OF VIOLATIONS OF NCAA LEGISLATION.

A. IMPROPER RECRUITING CONTACTS MADE BY AND INDUCEMENTS PROVIDED BY A REPRESENTATIVE OF THE INSTITUTION'S ATHLETICS INTERESTS. [NCAA BYLAWS 13.1.2.1, 13.1.2.5-(d), 13.1.2.5-(e), 13.2.1, 13.2.2-(e) AND 13.2.2-(f)]

From November 1993 until February 1994, in the case of five prospective student-athletes, a representative of the institution's athletics interests assisted the university's recruiting and provided recruiting inducements. He obtained copies of high-school transcripts for the university's coaches and had improper contacts with, provided cash to, purchased meals for and was involved in the official visits of the prospective student-athletes.

By accepting his help with recruiting in November 1993, the coaching staff made him a representative of the university's athletics interests. Because the individual became a representative of the institution's athletics interests at that time, all of the following constitute violations of NCAA recruiting legislation:

1. In November 1993, the representative telephoned the guidance counselor at a high school in his community, and requested transcripts of five

prospective student-athletes, which he intended to deliver to the institution's football coaches. After the guidance counselor explained that she would only provide the transcripts to the coaches, the representative informed her that they would be with him at the high school's football game on November 27, 1993. The guidance counselor took the transcripts to the game and provided them to the representative and a group of coaches, which included the institution's head football coach. The individual became a representative of the institution's athletics interests as a result of his assistance in obtaining transcripts for the coaching staff. [Bylaws 13.1.2.5-(d) and 13.1.2.5-(e)]

2. The representative of the institution's athletics interests had improper in-person or telephone contact with several prospective student-athletes regarding their recruitment and the institution. [Bylaw 13.1.2.1]
3. The representative of the institution's athletics interests provided cash to five prospective student-athletes as follows:

Student-Athlete Number	Number of Occasions	Total Amount
1	8 to 13	\$6,800
2	6 to 8	1,300
3	5 to 6	500
4	4 to 5	300
5	monthly	408/mo. (1993-94 academic year)

These payments usually occurred at the representative's home or a local restaurant. [Bylaws 13.2.1 and 13.2.2-(e)]

4. The representative purchased meals at a local restaurant for five prospective student-athletes on two occasions. [Bylaw 13.2.2-(f)]
5. During December 1993 and January 1994, the representative improperly contacted two prospective student-athletes regarding official visits to the university. (Immediately prior to the prospective student-athletes' visit during the weekend of January 14-16, 1994, the representative provided \$100 to \$300 cash to each prospective student-athlete for spending money, as included in Finding II-A-3.) [Bylaws 13.2.1 and 13.2.2-(e)]

B. IMPROPER RECRUITING INDUCEMENTS PROVIDED BY A REPRESENTATIVE OF THE INSTITUTION'S ATHLETICS INTERESTS. [NCAA BYLAWS 13.2.1 AND 13.2.2-(e)]

On three occasions between June 12 and July 23, 1994, in an effort to recruit prospective student-athletes to the university, a representative of the institution's athletics interests provided or paid for airline tickets, ground transportation, spending money and camp fees to enable several prospective student-athletes to attend the institution's summer football camp. Specifically:

1. The representative invited two prospective student-athletes to attend the institution's football camp held June 12-16, and two other prospective student-athletes to attend the football camp held June 19-23, 1994. He told them he would pay their transportation expenses and camp fees. The representative and a friend provided airline tickets and at least \$100 spending money to each prospective student-athlete at the local airport. Each prospective student-athlete used a portion of the money provided by the representative to purchase \$25 bus tickets between Atlanta and Athens. None of the prospective student-athletes paid any camp fees and their expenses totaled \$215 each.

Two of the prospective student-athletes and the representative's friend flew to Atlanta on June 12 to attend the June 12-16 camp. The friend assisted them with registration, walked with them to the practice and talked with an assistant football coach. The other two prospective student-athletes attended the June 19-23 camp. [Bylaws 13.2.1 and 13.2.2-(e)]

2. The representative telephoned the four prospective student-athletes named in Paragraph B-1 and one other prospective student-athlete and invited them to the institution's July 22-23 football camp, explaining that he would pay their expenses. On July 22, at the local airport, the representative provided airline tickets to the prospective student-athletes and at least \$100 each to two of them. The prospective student-athletes flew to Atlanta, purchased bus tickets to Athens for the camp and discovered that the representative already had paid their camp expenses. [Bylaws 13.2.1 and 13.2.2-(e)]

C. IMPROPER RECRUITING INDUCEMENTS PROVIDED BY AND RECRUITING CONTACTS MADE BY A REPRESENTATIVE OF THE INSTITUTION'S ATHLETICS INTERESTS AND EXCESSIVE NUMBER OF OFFICIAL VISITS. [NCAA BYLAWS 13.1.2.1, 13.2.1, 13.2.2-(e) AND 13.8.1]

During the weekend of October 15-16, 1994, a representative of the institution's athletics interests paid the expenses for three prospective student-athletes to visit the institution's campus, including round-trip airline transportation, lodging, meals and cash for spending money. The representative's contacts with the prospective

student-athletes regarding the official visits were improper under NCAA recruiting legislation.

Approximately two weeks prior to the institution's October 15, 1994, football game versus Vanderbilt University, the representative telephoned the three prospective student-athletes and asked them to accompany him to the game. On the morning of October 15, two of the prospective student-athletes met the representative at the local airport. The representative provided both prospective student-athletes airline tickets, one prospective student-athlete \$200 and the other prospective student-athlete \$100. The representative, the two prospective student-athletes, a friend of the representative and another friend of the representative flew to Atlanta, where the representative rented a van and drove the group to the institution's campus.

The third prospective student-athlete missed the flight and flew to Atlanta on a later flight with an airline ticket the representative had provided. He bought a bus ticket to Athens and obtained his complimentary pass to the football game, where he joined the other two prospective student-athletes. After the game, the representative purchased dinner for the three prospective student-athletes at an Athens restaurant and paid for their room at a local hotel that evening.

In January 1996, one of the prospective student-athletes made an official paid visit to the university's campus, which, because of the earlier visit, resulted in the prospective student-athlete receiving an impermissible second official visit.

D. IMPROPER RECRUITING INDUCEMENTS PROVIDED BY A REPRESENTATIVE OF THE INSTITUTION'S ATHLETICS INTERESTS. [NCAA BYLAWS 13.1.2.1, 13.2.1 AND 13.2.2-(e)]

During December 1993 and the 1994-95 academic year, in an attempt to recruit four prospective student-athletes to the university, a representative of the institution's athletics interests provided cash to the prospective student-athletes and made impermissible contacts as follows:

Student-Athlete Number	Number of Occasions	Total Amount
1	4	\$1,200
2	10	7,000 to 9,000
3	2	500
4	4	1,400

These payments usually occurred at the representative's home or a local restaurant. The cash payments stopped after the prospective student-athletes

selected institutions other than the university, except for one student-athlete who attended another institution of which the representative was also a representative of its athletics interests.

E. EXTRA BENEFITS PROVIDED BY A REPRESENTATIVE OF THE INSTITUTION'S ATHLETICS INTERESTS. [NCAA BYLAWS 16.1.3.1, 16.12.2.1 AND 16.12.2.3]

From August 1994 to January 1995, a representative of the university's athletics interests provided money and paid expenses totaling at least \$7,000 for a student-athlete whom the institution had not recruited. In August 1994, the student-athlete approached the representative for advice on enrolling at the university as a walk-on student-athlete but indicated he did not have the financial means. The representative advised the student-athlete that he would pay his tuition, room and board. When the student-athlete arrived at the university later that month to enroll, he discovered that his tuition, room and board had already been paid by the representative at a cost of approximately \$6,585. On three occasions, the representative also provided the student-athlete cash totaling approximately \$450.

F. IMPROPER RECRUITING BY STUDENT-ATHLETES. [NCAA BYLAWS 13.1.2 AND 13.1.2.1]

In January 1994, during the recruitment of a prospective student-athlete, a member of the football coaching staff directed three football student-athletes to drive approximately 87 miles from Athens to visit the prospective student-athlete at his home. During the visit, they encouraged the prospective student-athlete to attend the university.

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. Continued to evaluate its athletics policies and procedures and revise its compliance manual with particular emphasis on rules education regarding the status of representatives of the institution's athletics interests.

2. Evaluated and improved the written policy and procedure for internal investigations regarding NCAA violations.
3. Requested the Southeastern Conference office to conduct a seminar on representatives of the institution's athletics interests with all new coaching staff members at the earliest possible date.
4. Continued to improve the university's rules-education program by increasing seminars and testing opportunities for coaches on recruiting legislation, increasing education for representatives of the institution's athletics interests on recruiting and extra-benefit legislation, and increasing the effort to educate all staff on such representatives.
5. Evaluated and improved record keeping and oversight of summer camps.

B. PENALTIES PROPOSED BY THE UNIVERSITY.

The Committee on Infractions adopted as its own the following penalties proposed by the institution:

1. The number of initial athletically related financial aid awards in football that are countable under Bylaw 15.02.3 shall be reduced by five during the 1997-98 academic year, which limits the institution to 20 initial scholarships under current rules.
2. The number of total athletically related financial aid awards in football shall be reduced as follows:
 - a. 1997-98 -- reduction of six scholarships, which limits the institution to 79 under current rules.
 - b. 1998-99 -- reduction of three scholarships, which limits the institution to 82 under current rules.
3. The number of expense-paid visits to the institution's campus in football shall be reduced as follows:
 - a. 1997-98 -- reduction of eight official visits, which limits the institution to 48 under current rules.
 - b. 1998-99 -- reduction of four official visits, which limits the institution to 52 under current rules.

4. The number of football coaches permitted to recruit off campus at any one time shall be reduced by one from the number allowed under NCAA Bylaw 11.7.2.2 for the 1997-98 academic year.
5. The institution indefinitely disassociated a representative of the institution's athletics interests from the institution's athletics program. The committee accepts this disassociation on the condition that it shall be for at least the institution's probationary period and shall include:
 - a. refraining from accepting any assistance from the individual that would aid in the recruitment of prospective student-athletes or the support of enrolled student-athletes;
 - b. refusing financial assistance or contributions to the institution's athletics program from the individual;
 - c. ensuring that no athletics benefit or privilege is provided to the individual, either directly or indirectly, that is not available to the public at large; and
 - d. implementing other actions that the institution determines to be within its authority to eliminate the involvement of the individual in the institution's athletics program.
6. The university will not recruit in Palm Beach County, Florida, during the 1997-98 and 1998-99 academic years.

C. PENALTIES IMPOSED BY THE COMMITTEE ON INFRACTIONS.

The Committee on Infractions agreed with and approved of the actions taken by the institution, but imposed other penalties, two of which merely clarify the terms of penalties proposed by the institution. The committee chose not to impose all of the presumptive penalties under Bylaw 19.6.2.1 because there was no evidence indicating that the institution's coaches were aware that the representative was the source of the funds used by the prospective student-athletes and because of the institution's meaningful, self-imposed sanctions. The penalties imposed by the committee are:

1. Public reprimand and censure.
2. Two years of probation (as proposed by the institution) from January 31, 1997, the date of the hearing.
3. During this 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 May 1, 1997, setting forth a schedule for establishing this compliance and educational program; and
 - c. File with the committee's administrator annual compliance reports, as proposed by the institution, indicating the progress made with this program by December 15 of each year during the probationary period. Particular emphasis should be placed on monitoring representatives of the institution's athletics interests and their contacts with coaches, student-athletes and prospective student-athletes. The reports must also include documentation of the university's compliance with the penalties adopted and imposed by the committee.
4. 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 Georgia 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, January 31, 1997.

Should the University of Georgia 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. This response may include additional information in accordance with Bylaw 32.10.5. A copy of the report would be provided to the institution prior to the institution's appearance before the appeals committee.

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

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