



THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

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FOR RELEASE

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TEXAS TECH UNIVERSITY 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, baseball, men's golf, men's and women's basketball, men's track, women's soccer, women's volleyball and men's tennis programs at Texas Tech University and disclosed numerous violations of NCAA bylaws governing eligibility, extra benefits, recruiting, unethical conduct, failure to monitor and lack of institutional control.

During the period of these violations, the culture at Texas Tech University did not place a sufficiently high priority on compliance with NCAA rules. There was no demonstrable oversight or control by the institution of the activities of the athletics department. The institution had no effective procedures for certifying eligibility or determining the validity of academic records. The registrar's office and the faculty athletics representative played no meaningful role in the eligibility evaluation process. The members of the athletics staff involved in the certification process were either inexperienced or uninformed, or both. Inappropriate activities of the athletics staff in the academic affairs of student-



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athletes were based solely on eligibility goals, rather than the principle of sound academic standards.

When the institution received information of possible serious violations, the initial response was limited. The institution exhibited a willingness to accept information supporting a conclusion that no violations had occurred, while minimizing or failing to

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follow up on conflicting information. However, in March 1996, under new leadership, the institution adopted new policies. From that time on, the institution's investigation and response were thorough and effective.

Texas Tech University is a Division I-A institution and a member of the Big 12 Conference. The institution has an enrollment of approximately 25,000 students and sponsors six men's and seven women's intercollegiate sports.

A. CASE CHRONOLOGY.

On October 13, 1994, the NCAA enforcement staff sent a letter to a number of institutions, including Texas Tech University (Texas Tech), regarding the enrollment of prospective and enrolled student-athletes in correspondence courses at Southeastern College of the Assemblies of God (Southeastern College) in Lakeland, Florida, and the subsequent transfer of credit to four-year institutions. The letter asked the institutions to identify all current student-athletes who were enrolled at Southeastern College during the summer of 1993.

On November 8, 1994, the director of athletics identified two student-athletes who had received credit from Southeastern College during the summer of 1993, a women's basketball student-athlete and a men's basketball student-athlete. On March 20, 1995, the faculty athletics representative reported that the institution had discovered that five additional football student-athletes had also taken correspondence courses from Southeastern College.

On April 12, 1995, an NCAA director of enforcement requested the institution's cooperation in obtaining NCAA release forms from all of the identified student-athletes. On April 20, the faculty athletics representative informed the director of enforcement that the institution had obtained a signed release from one of the football student-athletes.

During the summer of 1995, the enforcement staff received information indicating potential rules violations related to the institution's men's basketball program. A July 2, 1995, newspaper article reported possible rules violations related to the institution's recruitment of a men's basketball student-athlete and the student-athlete's enrollment in a Spanish course at another institution prior to his enrollment at Texas Tech.

On July 7, 1995, the faculty athletics representative submitted to the enforcement staff a report he had prepared in response to the matters raised in the July 2 newspaper article. On July 13, the enforcement staff received from an anonymous

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source an investigative report prepared by the other institution concerning the student-athlete's enrollment. The enforcement staff received additional information during the summer of 1995, some of which was reported by confidential sources, indicating potential rules violations in the Texas Tech athletics programs.

On October 23, 1995, the faculty athletics representative forwarded a copy of the other institution's report to the enforcement staff. In response, the staff conducted interviews with officials at the other institution.

On December 27, 1995, the enforcement staff received a copy of a December 12, 1995, letter from a professor at another institution which the professor had sent to the registrar at Texas Tech. The letter indicated that NCAA rules violations may have occurred in connection with a football student-athlete's enrollment in a course the professor taught during the summer of 1995.

During the week of February 19, 1996, the enforcement staff conducted numerous interviews with student-athletes and institution officials.

On February 27, 1996, the enforcement staff sent a letter of preliminary inquiry to the institution's president outlining the scope of the staff's review and advising the president of possible violations of NCAA legislation in the men's basketball and football programs during the period from 1991 to the present.

During the week of April 7, 1997, the enforcement staff conducted additional interviews. An NCAA director of enforcement informed the institution's chancellor that, based on information reported to the institution and the enforcement staff and on random audit findings, the enforcement staff had serious concerns about the possibility of numerous student-athletes having competed while ineligible, and that the institution would need to conduct a comprehensive audit for the period 1992 through 1995.

The director of enforcement also informed the institution that Bylaws 31.2.2.4 and 31.2.2.5 of NCAA executive regulations (institutional penalty for ineligible participation in an NCAA championship) might apply. Accordingly, the institution's audit needed to include teams and individuals who had competed in NCAA championship events from February 1992 to the present. The director of enforcement also asked the institution to review participants in football postseason bowl games. The institution agreed that such an audit was necessary and directed the institution's independent investigators to conduct a comprehensive eligibility-certification audit of all currently enrolled student-athletes, as well as a review of possible ineligible participation during previous

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years. The institution later expanded its audit to include issues raised in other areas, including possible overages of financial aid awards in equivalency sports.

On September 22, 1997, the institution submitted a report containing its eligibility certification findings and financial aid audits to the enforcement staff.

On October 31, 1997, the enforcement staff issued letters of official inquiry to the institution and to the former assistant director of athletics for student academic services, the former assistant men's basketball coach, the former assistant football coach, the head football coach and the head men's basketball coach. The enforcement staff directed the institution and all involved parties to submit their responses to the letter by February 2, 1998.

On January 9, 1998, the former director of athletics filed a response to the letter of official inquiry. Though the former director of athletics had not been charged with involvement in a violation and therefore was not required to file a response, he responded to those allegations in which he had been mentioned.

On January 28, 1998, the institution's president asked the Committee on Infractions for an extension of time in which to complete its response to the letter of official inquiry. The committee extended until February 27 the deadline for the institution and all involved individuals to respond. The institution and the former assistant football coach filed responses on February 27. The former assistant men's basketball coach responded on April 3.

On March 27, 1998, the enforcement staff and legal counsel for the assistant football coach conducted a prehearing conference via telephone. On March 30 and 31, the enforcement staff and institution representatives conducted a prehearing conference at the NCAA national office in Overland Park, Kansas.

On March 31, 1998, legal counsel for the former assistant director of athletics for student academic services advised the enforcement staff that the former assistant director of athletics would not file a written response to the NCAA allegations or appear at the hearing before the Committee on Infractions.

On April 3, 1998, the Committee on Infractions advised the faculty athletics representative and the former assistant director of athletics of the committee's authority to find violations not specifically alleged. The letter detailed certain allegations and the committee's concern about the individuals' involvement in these allegations based on information contained in the official inquiry and the institution's response. The committee also advised both individuals of their opportunity to respond to these concerns. Counsel for the former assistant

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director of athletics responded to the committee's letter on April 7, and the faculty athletics representative responded on April 15.

On April 24-25, 1998, representatives of the NCAA enforcement staff, the institution and the Big 12 Conference appeared at a hearing before the Committee on Infractions. Included among those present were the former assistant men's basketball coach and the former assistant football coach involved in this case. There were no remaining student-athlete eligibility issues at the time of the hearing.

B. SUMMARY OF THE FINDINGS OF VIOLATIONS.

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

- Between 1990 and 1997, at least 76 student-athletes competed while ineligible.
- During the 1993-94 through 1996-97 academic years, the institution exceeded team and individual grant-in-aid limitations in four sports.

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- During the summer of 1993, an assistant football coach provided a student-athlete with tuition assistance and other extra benefits and committed academic fraud by completing significant portions of the student-athlete's course work.
- In August 1993, an assistant men's basketball coach arranged for a prospective student-athlete to receive impermissible proctoring services.
- During the summer of 1991, a junior college basketball coach and representative of the institution's athletics interests provided tuition and enrollment assistance to a student-athlete and a prospective student-athlete.
- During the 1995 football season, the institution failed to adhere to sound academic standards in regard to a student-athlete and allowed the student-athlete to compete while ineligible.
- Beginning with the spring 1992 term, a member or members of the football coaching staff provided a student-athlete with money on several occasions before and after the student-athlete's enrollment at the institution.
- Between 1991 and 1996, representatives of the institution's athletics interests provided free bail bonding and legal services to student-athletes.
- An assistant football coach violated the principles of ethical conduct by knowingly violating extra-benefit legislation and by providing false and misleading information to the institution.
- From the summer of 1994 through the spring of 1997, the institution allowed student-athletes to place free long-distance telephone calls and failed to monitor the student-athletes' use of athletics department telephones.
- There was a lack of institutional control and monitoring of the institution's athletics programs.
- There were several secondary violations involving the provision of impermissible services, transportation and meals to student-athletes and prospective student-athletes.

C. SUMMARY OF THE PENALTIES.

In imposing the following penalties, the Committee on Infractions considered the

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corrective actions taken by the university, as detailed in Part III-A of this report, and the penalties proposed and self-imposed by the university.

1. The committee accepted and adopted as its own the following penalties proposed and self-imposed by the institution:

- Withdrawal from eligibility to compete in the 1997 Big 12 championship football game.
- Withdrawal from eligibility to compete in a post-season bowl game following the 1997 regular season.
- Reduction by 22 (from 62 to 40) in the number of official visits in football for the 1997-98 academic year.
- Reduction by two (from seven to five) in the number of football coaches permitted to recruit off-campus during the December 1997 through January 1998 evaluation period.
- Reduction by eight (from 25 to 17) in the number of initial financial aid awards in football for the 1998-99 academic year, and reduction by six (from 25 to 19) in the number of initial financial aid awards for the 1999-2000 academic year.
- Reduction by five (from 20 to 15) in the number of evaluation days in football for May 1998.
- Withdrawal from eligibility to compete in the 1997 NCAA Division I Men's Basketball Championship.
- Forfeiture of all 11 men's basketball conference victories from the 1996-97 season.
- Reduction by one (from 15 to 14) in the number of financial aid awards in women's basketball for the 1998-99 academic year.
- Reduction by three (from 11.7 to 8.7) in the number of financial aid awards in baseball for the 1999-2000 and 2000-01 academic years.
- Reduction by .4 (from 4.5 to 4.1) in the number of financial aid awards in men's golf for the 1998-99 academic year, and reduction by .32 (from 4.5 to 4.18) in the number of financial aid awards for the 1999-2000 academic

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year.

- Reduction by 2.36 (from 12.6 to 10.24) in the number of financial aid awards in men's track for the 1998-99 academic year.
 - Implementation of various compliance reviews, audits and rules education programs.
 - Forfeiture of those games in which ineligible student-athletes competed.
2. The committee found the penalties imposed by the university meaningful and significant. However, because of the lack of institutional control evidenced by the violations, the significant recruiting and competitive advantages gained, the length of time over which the violations occurred, and the fact that the violations were systemic and involved multiple sports, the committee

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imposed the following additional penalties. As noted below, some of the penalties incorporate and expand upon penalties proposed by the institution.

- Public reprimand and censure.
- Four years of probation. (The institution proposed a three-year 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.
- Reduction by four (from 25 to 21) in the number of initial financial aid awards in football during the 2000-01 academic year.
- Reduction by five (from 85 to 80) in the number of total financial aid awards in football during each of the 1999-2000 and 2000-01 academic years.
- Reduction by seven in the number of total financial aid awards in men's basketball during the 1998-99, 1999-2000, and 2000-01 academic years, with a reduction of at least two (from 13 to 11) scholarships during each of the three academic years. (The institution proposed a reduction of six scholarships over the three academic years.)
- Reduction by one (from 15 to 14) in the number of total financial aid awards in women's basketball during the 1999-2000 academic year.
- Reduction by three (from 11.7 to 8.7) in the number of equivalency scholarships in baseball during the 2001-02 academic year. (The institution proposed a reduction of 1.67 scholarships.)
- Vacation of the institution's performance in the 1996 NCAA Division I Men's Basketball Tournament, and recommendation that the institution be required to forfeit 90 percent of its share of revenue distribution for participation in the tournament. (The institution proposed to forfeit those games in which ineligible players competed and to return the monies received from the tournament.)
- Recertification of current athletics policies and practices.
- Show-cause requirement regarding a former assistant football coach for

three years.

II. FINDINGS OF VIOLATIONS OF NCAA LEGISLATION.

A. PARTICIPATION BY INELIGIBLE STUDENT-ATHLETES. [NCAA BYLAWS 14.2.4.5, 14.3.1, 14.3.3, 14.4.3.1, 14.4.3.1.1, 14.4.3.1.3, 14.4.3.2, 14.4.3.4.4, 14.4.3.4.5, 14.4.3.4.6, 14.4.3.4.10, 14.5.4.1.1, 14.5.4.4.2 AND 14.5.5.3.11]

During the 1990-91 through 1996-97 academic years, at least 76 student-athletes in the sports of football, men's basketball, women's basketball, baseball, women's soccer, women's volleyball, men's track and men's tennis competed while ineligible. The student-athletes failed to meet NCAA satisfactory-progress requirements in several different areas, including: (a) fulfillment of credit-hour requirements (12/24 credit requirements); (b) fulfillment of percentage of degree requirements; (c) completion of 75 percent of the required credit hours during the regular academic year; and (d) use of correspondence courses taken from another institution. Of the 76 student-athletes who failed to meet satisfactory-progress requirements, 57 failed to satisfy the 12/24 credit requirement, 26 failed to satisfy the percentage of degree requirements, four did not complete the necessary credit hours during the regular academic year to satisfy the 75 percent requirement, and four used correspondence courses taken from another institution to fulfill satisfactory-progress requirements. Two men's track student-athletes competed an entire season after exhausting their eligibility to participate in intercollegiate athletics. In addition to the 76 student-athletes noted above, 19 student-athletes competed while ineligible due to the institution's failure to maintain on file the documentation required by NCAA legislation. Specifically:

1. In March 1997, as a result of inquiries made by both the enforcement staff and the institution, the institution conducted a comprehensive eligibility certification audit that included: (a) teams and individuals who had competed in NCAA championship events and football bowl games since February 1992; and (b) all student-athletes who competed during the 1996-97 academic year. The institution's audit revealed that approximately 14 percent of the 683 student-athletes reviewed had competed while ineligible.
2. Eleven percent of the student-athletes audited (76 student-athletes) were ineligible because they had failed to meet satisfactory-progress requirements. Of these 76 student-athletes, 21 competed for two years while ineligible, six competed for three years while ineligible and two competed for four years while ineligible.

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Number of Student-Athletes Who Competed After Improperly
Being Certified
Under NCAA Satisfactory-Progress Legislation

Sport	Year in Which Student-Athletes Competed While Ineligible	Number of Student-Athletes Who Competed While Ineligible	Year in Which Team Competed in Postseason Play	No. of S.A.'s Who Competed in NCAA Championship Event or Football Bowl Game While Ineligible
Baseball	1995-96 1994-95 1993-94	2 6 1	1995-96 1994-95 -	2 3 No Postseason
Men's Basketball	1996-97 1995-96 1994-95 1992-93 1990-91	2 4 5 5 1	1996-97 1995-96 - 1992-93 -	0 4 No Postseason 2 No Postseason
Women's Basketball	1995-96 1994-95 1991-92	2 1 2	1995-96 1994-95 1991-92	1 1 1
Football	1996-97 1995-96 1994-95 1993-94 1992-93 1991-92 1990-91	7 14 16 21 13 5 1	1996-97 1995-96 1994-95 1993-94 - - -	3 10 13 16 No Postseason No Postseason No Postseason
Women's Soccer	1996-97	1	1996-97	0
Men's Tennis	1993-94	1	1993-94	1
Men's Track	1996-97 1995-96 1994-95 1992-93 1991-92 1990-91	1 1 1 2 3 1	1996-97 - - 1992-93 1991-92 -	0 No Postseason No Postseason 2 2 No Postseason
Women's Volleyball	1996-97	1	1996-97	0
Men's	1991-92	1	-	No Postseason

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Sport	Year in Which Student-Athletes Competed While Ineligible	Number of Student-Athletes Who Competed While Ineligible	Year in Which Team Competed in Postseason Play	No. of S.A.'s Who Competed in NCAA Championship Event or Football Bowl Game While Ineligible
Golf				
TOTAL		121		61

The total number of ineligible student-athletes listed in the chart above exceeds 76 because some student-athletes were ineligible during multiple years. For the years designated "no postseason play," the numbers in Column No. 3 (the numbers of student-athletes who competed while ineligible) represent the minimum numbers of ineligible student-athletes, in that not all team members were audited for that sport during those years.

3. Three percent of the student-athletes audited (19 student-athletes) were ineligible due to a lack of appropriate documentation. The institution failed to obtain: (a) documentation necessary for four-year college transfer student-athletes to qualify for the one-time transfer exception; (b) prior approval for summer course work at other institutions; and (c) NCAA Initial-Eligibility Clearinghouse verification of qualifier status for two junior college transfers.

B. EXCESSIVE FINANCIAL AID AWARDS AND FAILURE TO MAINTAIN ADEQUATE FINANCIAL AID CERTIFICATION DOCUMENTATION. [NCAA BYLAWS 15.01.7, 15.02.6, 15.2.5.3, 15.5.1.2.1, 15.5.1.2.3 AND 15.5.1.3.2]

During the 1993-94 through 1996-97 academic years, the institution exceeded the NCAA team grant-in-aid limitations in four sports (baseball, football, men's golf and men's track). In addition, three student-athletes received financial aid which exceeded a full grant-in-aid. The institution also failed to maintain adequate certification documentation on file as required by Bylaws 15.5.1.2.1, 15.5.1.2.3 and 15.5.1.3.2.

The following charts depict the team and individual overawards by sport and year:

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Team Overawards

SPORT	1993-94	1994-95	1995-96	1996-97	TOTAL
Baseball	2.18	1.46	-	2.62	6.26
Football	1 initial	-	-	-	1 initial
Men's Golf	-	.38	.04	.30	.72
Men's Track	.36	-	-	-	.36

Individual Overawards

SPORT	1993-94	1994-95	1995-96	1996-97	TOTAL
Football	-	-	-	\$934	\$934
Football	-	-	-	\$984	\$984
Men's Track	\$976	-	-	-	\$976

C. TUITION ASSISTANCE AND OTHER EXTRA BENEFITS PROVIDED TO A STUDENT-ATHLETE AND ACADEMIC FRAUD. [NCAA BYLAWS 10.1-(b) AND 16.12.2.1]

During the summer of 1993, in an effort to ensure the continuing eligibility of a football student-athlete, an assistant football coach provided assistance to the student-athlete contrary to NCAA legislation. The assistant coach paid for the student-athlete's enrollment in an Old Testament Survey correspondence course offered by Southeastern College of the Assemblies of God in Lakeland, Florida (Southeastern College). The assistant coach also completed and submitted significant portions of the student-athlete's required work in the course.

1. At the end of the 1993 spring semester, a football student-athlete needed to complete one course during the summer in order to meet NCAA satisfactory-progress requirements for continuing eligibility for the 1993 football season. In July 1993, an assistant football coach telephoned Southeastern College and enrolled the student-athlete in an Old Testament Survey correspondence course and asked the college to send all course materials to the assistant coach's residence in Lubbock, Texas. The assistant coach utilized his personal funds to purchase a money order payable to Southeastern College. The assistant coach sent the money order to Southeastern College to pay the cost of the student-athlete's tuition and textbooks. [Bylaw 16.12.2.1]
2. On July 26, Southeastern College sent the materials for the Old Testament Survey course, including three unit examinations, to the assistant coach's residence. After receiving the course materials, the assistant coach completed the football student-athlete's unit examinations by placing the answers on the answer sheets. On August 2, the assistant coach returned the answer sheets and final examination request form to Southeastern College via athletics department facsimile. Although Southeastern College did not utilize the unit exams in determining a correspondence student's grade in the course, completion of the unit exams was a course requirement and a prerequisite to taking the final examination. [Bylaws 10.1-(b) and 16.12.2.1]
3. The football student-athlete was one of nine student-athletes or prospective student-athletes referred by athletics department staff to Southeastern College for correspondence courses. Four of the nine individuals enrolled in the Old Testament Survey course. One of these football student-athletes had taken the final examination in the Old Testament Survey course on May 11. A copy of that final examination

and a copy of the student-athlete's marked examination answer sheet were retained in the institution's athletics academic services office.

4. On or about August 4, a member of the athletics department provided the football student-athlete involved in Findings II-C-1 and II-C-2 above with the answers to the Old Testament Survey final examination in order for the student-athlete to memorize the answers before taking the final examination on August 6. Had the committee been able to identify with greater certainty the staff member involved, the committee would have found that the individual was knowingly involved in arranging for fraudulent academic credit for a student-athlete in violation of Bylaw 10.1-(b).

D. PROCTORING SERVICE PROVIDED TO A PROSPECTIVE STUDENT-ATHLETE. [NCAA BYLAW 13.2.1]

In August 1993, in an effort to assist a men's basketball prospective student-athlete in obtaining his associate of arts degree from a junior college, an assistant men's basketball coach arranged for the junior college assistant men's basketball coach to serve as test proctor for the prospective student-athlete in an American History I correspondence course offered by Southeastern College of the Assemblies of God, Lakeland, Florida (Southeastern College).

Aware that the prospective student-athlete needed the American History I course to obtain his associate's degree, the institution's assistant coach discussed with the prospective student-athlete the possibility of taking the course from Southeastern College. On August 12 and 13, the assistant coach placed at least three long-distance telephone calls to Southeastern College to discuss the prospective student-athlete's enrollment in a correspondence course. The assistant coach also placed at least four long-distance telephone calls to the prospective student-athlete to discuss the prospective student-athlete's enrollment in the Southeastern College course. The prospective student-athlete was registered for this course, and Southeastern College sent the course materials to the junior college. On or about August 16, the institution's assistant coach contacted the junior college assistant coach and asked him to proctor the prospective student-athlete's American History I final examination. The junior college assistant coach agreed, although he was not an academic professor and had never served as an examination proctor for any other student.

E. TUITION AND ENROLLMENT ASSISTANCE PROVIDED TO A STUDENT-ATHLETE AND A PROSPECTIVE STUDENT-ATHLETE. [NCAA CONSTITUTION 6.4.2 AND BYLAWS 13.02.12, 13.2.1 AND 16.12.2.1]

During the summer of 1991, the head men's basketball coach at a junior college assisted with the enrollment at the junior college of a men's basketball prospective student-athlete who had signed a National Letter of Intent with Texas Tech. The junior college coach appropriated the junior college basketball program's scholarship money to pay for the prospective student-athlete's enrollment in the course. The junior college also assisted with the enrollment of a football student-athlete at the junior college during the summer of 1992. In each case, the junior college coach was acting as a representative of the institution's athletics interests.

1. Realizing that the men's basketball prospective student-athlete needed an additional Spanish course to be eligible for admission to Texas Tech in the fall of 1992, the head men's basketball coach asked the junior college coach, a former colleague and friend, if the junior college had a correspondence course in second-year Spanish in which the prospective student-athlete could enroll. The junior college coach informed the head coach that the junior college offered a Spanish course that the prospective student-athlete could complete as a correspondence course. (The junior college did not offer correspondence courses, but did permit students to obtain approval to complete courses on an independent-study basis.)

On July 3, 1991, the junior college coach completed the necessary forms to enroll the prospective student-athlete in the Spanish course. On the same day, realizing that the prospective student-athlete faced being dropped from the course for non-payment of tuition and fees, the junior college coach appropriated scholarship money from the junior college's basketball program to pay tuition and fees for the prospective student-athlete. The junior college coach knew at the time he enrolled the prospective student-athlete at the junior college and paid his tuition and fees that the prospective student-athlete was not a prospect for the junior college and did not intend to participate in the junior college's basketball program. The junior college coach acted so that the prospective student-athlete would be eligible to participate in the men's basketball program at Texas Tech. Telephone records reflect 29 telephone calls from the institution's athletics department to the junior college coach during the summer of 1991, including a 15 minute call on July 3. Asked why he enrolled the prospective student-athlete in the course using the junior college scholarship funds, the junior college coach told the enforcement staff that the Texas Tech head coach and the prospective student-athlete

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"needed the course." The credit which the student-athlete received for the Spanish course was subsequently transferred to Texas Tech.

2. During the second summer session of 1992, a Texas Tech athletics department staff member asked the junior college coach to enroll a football student-athlete in a course taught by the junior college coach at the junior college. The junior college coach completed the student-athlete's enrollment forms, signed the student-athlete's name on the junior college's application form and submitted the forms to the junior college admissions office. The student-athlete received credit for the course, which Texas Tech used to fulfill NCAA satisfactory-progress requirements for continuing eligibility.
3. [Note: The committee determined in Finding II-K below that the institution failed to adequately investigate and respond to reasonably reliable information indicating that NCAA legislation may have been violated as set forth in Finding II-E-3. The institution's failure to adequately respond and investigate is described here for informational purposes.]

Pursuant to advice from the former assistant director of athletics for compliance, the head men's basketball coach informed both the prospective student-athlete and the junior college coach that the student-athlete must pay for the junior college Spanish course. Shortly after the prospective student-athlete's enrollment at Texas Tech in the fall of 1991, the head coach learned from the student-athlete and the junior college coach that the student-athlete had not paid for the junior college Spanish course. However, the head coach did not follow up to ensure that payment was made. The head coach also failed to inform institution officials of the potential NCAA rules violation. The student-athlete never paid for the course.

On Sunday, July 2, 1995, a newspaper report was published concerning the athletics representative's involvement in the student-athlete's enrollment in and payment for the junior college course. The newspaper article prompted the junior college and Texas Tech to initiate independent investigations into the allegations.

The faculty athletics representative conducted the institution's investigation and was in communication with junior college officials during the preparation of the two schools' reports. On July 7, 1995, the faculty athletics representative submitted his findings to the president of

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Texas Tech. The faculty athletics representative failed to conclude that the junior college's head men's basketball coach was a representative of the institution's athletics interests, and therefore concluded that no NCAA rules had been violated.

On or about July 12, 1995, the junior college completed its investigation of the matter and forwarded a copy of its report to the institution and to the faculty athletics representative. Unlike the institution's report, the junior college's report stated that its head men's basketball coach had appropriated men's basketball scholarship money to pay for the prospective student-athlete's course, and that he acted so that the prospective student-athlete would be eligible to participate in the men's basketball program of his personal friend, Texas Tech's head coach.

The junior college report contained information that contradicted information reported by the junior college basketball coach to the institution's faculty athletics representative. Under these circumstances, the institution failed to act on information indicating potential NCAA rules violations.

F. FAILURE TO ADHERE TO SOUND ACADEMIC STANDARDS AND PARTICIPATION BY AN INELIGIBLE STUDENT-ATHLETE. [NCAA CONSTITUTION 2.5 AND BYLAWS 14.01.2.1, 14.02.5, 14.1.2, 14.4.1 AND 14.4.3.4.4]

During the 1995 football season, the institution allowed a student-athlete to compete while ineligible. The institution violated its own readmission policy when it readmitted the student-athlete and certified him as eligible for competition without having received sufficient information to establish the student-athlete's right to be re-admitted. The institution also failed to provide prior approval for the student-athlete to use a course taken during another institution's summer term to meet NCAA satisfactory-progress requirements. Specifically:

1. The institution placed the student-athlete on academic suspension following the 1994-95 academic year for failing to meet NCAA satisfactory-progress credit-hour requirements. The student-athlete subsequently enrolled in summer course work at a junior college in order to complete the three credit hours he needed to satisfy NCAA legislation. The institution did not approve the course prior to the student-athlete's enrollment as required by NCAA legislation. [Bylaw 14.4.3.4.4]

Pursuant to Texas Tech policy, the student-athlete was required to earn a grade-point average of 2.0 at the junior college in order to be readmitted

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for the 1995-96 academic year. The student-athlete enrolled in a history course during the first summer session at the junior college and received a grade of F. The student-athlete repeated the course and earned a grade of B. The student-athlete therefore failed to achieve the requisite 2.0 grade-point average.

2. Following conversations with the student-athlete and Texas Tech's head football coach and an assistant football coach, the junior college professor agreed to allow the student-athlete to complete extra-credit work during the 1995 fall academic term in order to earn the A grade necessary for readmission to Texas Tech. In an August 17, 1995, letter, the junior college professor informed the institution that the student-athlete would "make an A grade in history . . . contingent upon the completion of additional extra-credit work" yet to be assigned. The professor also informed the institution that if the student-athlete did not satisfactorily complete the extra credit work, he would change the grade back to a B and so notify the institution and the NCAA.

The institution violated its readmission policy when it readmitted the student-athlete and certified him as eligible on the basis of the junior college professor's August 17 letter indicating that the student-athlete had not yet earned a grade of A. The institution did not receive a transcript from the junior college with the grade of A until October 2, 1995. [NCAA Constitution 2.5 and Bylaw 14.4.1]

In a December 12, 1995, letter, the junior college professor informed the institution that the student-athlete had not completed the extra credit work and that he was therefore replacing the A grade with a grade of B.

3. [Note: The committee determined in Finding II-K below that the institution failed to adequately investigate and respond to reasonably reliable information indicating that NCAA legislation may have been violated as set forth in Finding II-F-3. The institution's failure to adequately respond and investigate is described here for informational purposes.]

The institution failed to respond adequately to the junior college professor's August 17, 1995, letter indicating that the student-athlete was being awarded a grade prior to having completed the academic requirements. The institution also failed to adequately respond to the professor's December 12 letter advising the institution that he was repealing the student-athlete's grade of A. Several department senior staff

members, including the director of athletics and faculty athletics representative, became aware of the circumstances of the student-athlete's enrollment at the junior college upon receipt of the professor's December 12 letter to the registrar. The institution did not, however, interview the student-athlete, the junior college professor, or any members of the football coaching staff, or otherwise attempt to determine whether any NCAA rules had been violated. As a result, the student-athlete was allowed to compete in a bowl game at the end of the 1994-95 season.

G. MONEY PROVIDED TO A STUDENT-ATHLETE. [NCAA BYLAWS 13.2.1, 13.2.2-(e), 16.01.3, 16.02.3 AND 16.12.2.1]

During the 1992 spring semester, a member of the football coaching staff arranged for a prospective student-athlete to receive \$100. The prospective student-athlete had previously attended the institution but had withdrawn from the institution during the fall 1991 semester. The prospective student-athlete enrolled at a junior college for the 1992 spring semester in order to complete course work necessary for continuing eligibility at Texas Tech for the 1992 fall semester. On several occasions during the 1992 spring semester, the student-athlete contacted members of the football coaching staff and requested financial assistance. A coaching staff member directed the prospective student-athlete to pick up money at a Western Union service outlet in the area. One hundred dollars was transferred to the student-athlete on May 8, 1992.

In addition, an assistant football coach provided cash to the student-athlete on several occasions during his enrollment at Texas Tech.

H. FREE BAIL BONDING AND LEGAL SERVICES PROVIDED TO STUDENT-ATHLETES. [NCAA CONSTITUTION 6.4.2 AND BYLAWS 16.12.2.1 AND 16.12.2.2.1]

On at least four occasions during the period beginning in late 1991 and continuing through November 1996, the owner of a bail bond company who was also a representative of the institution's athletics interests, secured the release of five student-athletes (three football and two men's basketball) from the Lubbock jail by posting bail bonds at no cost or at a reduced cost. Members of the coaching staff referred three of these student-athletes in the sports of football and men's basketball to the bail bondsman. In another instance, an assistant men's basketball coach secured the release of a men's basketball student-athlete who

had been dismissed from the team and who had no eligibility remaining by personally signing for the student-athlete's release.

During the period of spring 1992 through February 1996, an attorney who was a representative of the institution's athletics interests provided legal services to three or four men's basketball student-athletes and two football student-athletes for which the student-athletes either paid no fee or, in one instance, paid only \$5. The value of the legal services provided to the student-athletes was approximately \$2,000. In two of the instances, the attorney also paid court-ordered fines (\$95 and \$110) for the involved student-athletes. In some instances, members of the institution's football and men's basketball coaching staffs referred the student-athletes to the attorney's law firm.

I. UNETHICAL CONDUCT. [NCAA BYLAWS 10.01.1, 10.1-(c) AND 10.1-(d)]

An assistant football coach failed to deport himself in accordance with the generally recognized high standards normally associated with the conduct and administration of intercollegiate athletics. The assistant coach violated the principles of ethical conduct by knowingly violating NCAA extra-benefit legislation as set forth in Findings II-C-1, II-C-2 and II-G.

The assistant coach also violated the unethical conduct legislation by providing false and misleading information to the institution when questioned about his knowledge of and involvement in potential NCAA rules violations concerning a former football student-athlete's participation in Southeastern College correspondence courses as detailed in Finding II-C of this inquiry. Specifically, during a July 16, 1996, interview with the institution's general counsel, the institution's outside legal counsel and the assistant director of athletics for compliance, the assistant coach: (1) denied completing the student-athlete's Southeastern College Old Testament Survey correspondence course final examination request form; (2) denied asking the assistant director of athletics for student academic services to proctor the student-athlete's correspondence course final examination; and (3) provided misleading information concerning the circumstances surrounding the student-athlete's completion of three Old Testament Survey unit examinations. However, during a September 5, 1996, interview with the institution's independent legal counsel and two NCAA enforcement representatives, the assistant coach admitted that he knowingly provided false information to institutional representatives during the July 16, 1996, interview. The assistant coach agreed that he: (1) personally completed the student-athlete's correspondence course final examination request form; (2) asked the assistant director of athletics to proctor the student-athlete's final examination;

(3) obtained the assistant director of athletics' signature on the final examination request form; and (4) personally completed the student-athlete's three correspondence course unit examinations, including placing the answers on the answer sheets.

J. STUDENT-ATHLETES ALLOWED TO PLACE FREE LONG-DISTANCE TELEPHONE CALLS AND FAILURE TO MONITOR STUDENT-ATHLETE USE OF ATHLETICS DEPARTMENT TELEPHONES. [NCAA CONSTITUTION 2.8.1 AND NCAA BYLAW 16.12.2.2.2]

[Note: The committee determined in Finding II-K below that the institution failed to adequately investigate and respond to reasonably reliable information indicating that NCAA legislation may have been violated as set forth in Finding II-J. The institution's failure to adequately respond and investigate is described here for informational purposes.]

From the summer of 1994 through the spring of 1997, the institution failed to adequately monitor athletics department telephones and review athletics department telephone records in order to determine whether student-athletes were making unauthorized long-distance telephone calls.

The institution also failed to respond appropriately when it learned in February 1996 that student-athletes may have made unauthorized long-distance telephone calls. The institution secured the basketball office conference room telephone but did not secure other athletics department telephones. Consequently, student-athletes continued to make unauthorized telephone calls throughout the 1996-97 academic year. At least 14 student-athletes made 339 unauthorized long-distance telephone calls to family and friends from various locations within the athletics department. The total cost of these calls was \$404.31. The findings respecting the institution's failure to monitor are based only on those calls made after the summer of 1994. Specifically:

1. During the summer of 1994, as a means to monitor long-distance telephone usage, the institution's athletics department distributed telephone bills to all coaching staff and asked the staff to review and affirm legitimate calls. The coaching staff failed, however, to identify numerous unauthorized telephone calls made by several student-athletes.
2. In early 1996, an athletics department tutor informed an athletics department staff member that student-athletes may have been placing unauthorized long-distance telephone calls. On February 29, 1996, the

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associate director of athletics for academic services sent a memorandum to the associate director of athletics for business notifying him of this circumstance. A copy of the memorandum was forwarded to the director of athletics. The assistant director of athletics for compliance was also apprised of the situation. On March 4, 1996, the associate athletics director for business sent the director of compliance telephone records for review. The director of compliance did not, however, report any unauthorized calls.

In late February 1996, the assistant director of student services informed the head men's basketball coach that members of the men's basketball team may have used a telephone in the basketball conference room to place unauthorized long-distance telephone calls. The head coach met with several basketball student-athletes and questioned them about improper phone use. At least two student-athletes admitted to having made unauthorized long-distance telephone calls. The head coach informed the director of compliance that improper phone use may have occurred and that athletics department telephone records should be reviewed. The institution failed, however, to adequately review available information to determine whether improper usage had occurred. Numerous telephone calls made by student-athletes remained unidentified and continued to occur throughout the 1996-97 academic year.

**K. LACK OF INSTITUTIONAL CONTROL AND FAILURE TO MONITOR.
[NCAA CONSTITUTION 2.1.1, 2.1.2, 2.8.1 AND 6.01.1 AND NCAA BYLAWS
14.1.2 AND 14.4.1]**

1. The scope and nature of the violations in this official inquiry demonstrate a lack of monitoring and a lack of appropriate institutional control in the conduct and administration of the institution's athletics programs, in particular men's basketball and football. [Constitution 2.1.1, 2.1.2, 2.8.1 and 6.01.1] Specifically:
 - a. As described in Finding II-A, the institution failed to apply the NCAA satisfactory-progress legislation in a proper manner. During the 1990-91 through 1996-97 academic years, at least 76 student-athletes participated in eight different sports while ineligible, including four student-athletes who participated in the 1996 NCAA Division I Men's Basketball Championship while ineligible. The institution had no effective procedure for certifying eligibility. The registrar's office and the faculty athletics representative played no meaningful role in the eligibility evaluation process. The members of the athletics staff involved in

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the certification process were either inexperienced or uninformed, or both. The institution was in possession of all of the facts necessary to determine the ineligibility of the student-athletes under the satisfactory-progress legislation. Had the institution had appropriate institutional control in place, it would have known of the student-athletes' ineligibility.

- b. The institution failed to monitor the involvement of representatives of the institution's athletics interest in providing bail bonds and legal services to student-athletes as described in Finding II-H.
 - c. The institution did not adequately investigate and respond to reasonably reliable information indicating that NCAA legislation may have been violated as described in Findings II-E-3, II-F-3 and II-J.
2. When combined, the institution's failure to adequately monitor and validate the use of correspondence courses to satisfy continuing eligibility requirements and to monitor the involvement of athletics department staff members in student-athletes' registration in and completion of these courses as set forth in Findings II-C and II-L also constitutes a lack of institutional control. [Constitution 2.1.1, 2.1.2 and 6.01.1]. Specifically:
- a. In the case of the football student-athlete named in Finding II-C, the institution failed to recognize that the Old Testament Survey course did not meet satisfactory-progress requirements, and failed to review the involvement of athletics department staff members in the course process. The assistant football coach completed the final examination request form on the student-athlete's behalf and submitted the form to Southeastern College via athletics department facsimile. The assistant director of athletics for student academic services, who served as proctor and administered the final examination to the student-athlete, completed the personal information portion of the student-athlete's examination and sent the answer sheet to Southeastern College via athletics department facsimile. The student-athlete, who had received the answers to the final examination from a member of the athletics department staff, was erroneously awarded credit for having independently completed the examination. [Constitution 2.8.1 and Bylaw 14.4.1]
 - b. The institution failed to recognize that Southeastern College correspondence courses taken by other student-athletes did not

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meet satisfactory-progress requirements, failed to review the involvement of athletics department staff members in the course process and failed to ensure that course administration procedures were followed so that credit for the courses was validly awarded according to Southeastern College requirements [Constitution 2.8.1 and Bylaws 14.1.2 and 14.4.1] Specifically:

- (i) On or about June 18, 1993, a member of the football coaching staff sent a letter bearing a football student-athlete's purported signature to Southeastern College enrolling the student-athlete in a correspondence course. On August 10, the assistant director of athletics for student academic services submitted a final examination request form to Southeastern College via facsimile for another football student-athlete. The assistant director of athletics, who administered the final examinations to the two football student-athletes during the summer of 1993, completed the personal information portion of the student-athletes' examinations and sent the answer sheets to Southeastern College via facsimile.
 - (ii) At the conclusion of the 1992-93 academic year, a football student-athlete enrolled in a Southeastern College correspondence course that the institution believed was necessary to certify the student-athlete under satisfactory-progress requirements. The individual identified on the student-athlete's final examination request form as the exam proctor did not receive the examination from Southeastern College or administer the examination to the student-athlete. The student-athlete and his mother provided conflicting accounts concerning the student-athlete's use of a proctor. The student-athlete stated that someone other than the individual identified on the final examination request form proctored his examination. The student-athlete's mother stated that her son took the examination without a proctor present. In either case, the credit was not earned in conformance with Southeastern College testing procedures, and could not legitimately be used by either Southeastern College or the institution.
3. The institution's use of 12 hours of unearned academic credit to certify a student-athlete as eligible for the 1993 football season was a further

example of a lack of appropriate institutional control. [Constitution 2.1.1, 2.1.2 and 6.01.1]. Specifically:

- a. Late in the fall 1992 registration period, a football student-athlete met with an athletics department academic advisor to discuss his class schedule for the fall 1992 term. Realizing that many classes would be full, the academic advisor referred the student-athlete to a professor and representative of the institution's athletics interests who he knew would provide the student-athlete with the necessary administrative overrides to enroll in four of the professor's classes. At the time, the student-athlete had completed only 15 credit hours and had no prior affiliation with the professor's department. Three of the four courses were upper level courses for which the student-athlete had not satisfied the prerequisites listed in the institution's catalog, and all four courses were full. Nevertheless, the student-athlete obtained the overrides from the professor and enrolled in the four courses taught by the professor.

The professor was an honorary coach of the institution's football program who was given access to the team locker room and to the sidelines during home football contests. He was involved in the recruitment of prospective student-athletes for the institution, serving as an advisor to prospective student athletes during their official visits to the institution. The professor resigned from the institution effective August 31, 1995, and he refused to cooperate with the investigation by the institution and the enforcement staff.

- b. The professor had a long-term practice of providing unwarranted and highly inflated grades to student-athletes. Members of the athletics staff directed student-athletes to courses taught by the professor as a means of maintaining the eligibility of the student-athletes. During the fall 1992 term when the student-athlete named in paragraph 3-a above was enrolled in four of the professor's classes, the dean of the professor's department was reviewing the issue of the professor's granting inflated grades to student-athletes.
- c. At the conclusion of the 1992 fall term, the professor awarded 12 hours of unearned academic credit to the football student-athlete. According to his syllabi, the professor based grades for his courses on four examinations given periodically during the academic term. On or about December 18, 1992, the professor awarded grades of B to the student-athlete in each of his courses, despite the fact that

the student-athlete did not take any of the required examinations. (The four grades of B awarded by the professor were the only grades of B or better the student-athlete received during his entire eight semesters of enrollment at the institution.) The institution used the 12 hours of credit to certify the student-athlete as eligible for the 1993 season.

L. SECONDARY VIOLATIONS: IMPERMISSIBLE SERVICES PROVIDED TO STUDENT-ATHLETES [NCAA BYLAW 16.12.2.1]

1. On August 2, 1993, an assistant football coach completed a final examination request form for a football student-athlete so that the student-athlete could take the final examination in a correspondence course offered by Southeastern College. The assistant football coach submitted the form via athletics department facsimile to Southeastern College.
2. On August 6, 1993, the assistant director of athletics for student academic services completed the personal information portion (name, address and identification number) of a football student-athlete's final examination answer sheet, and sent the answer sheet via athletics department facsimile to Southeastern College.
3. On August 10, 1993, the assistant director of athletics for student academic services sent a final examination request form via athletics department facsimile to Southeastern College so that a football student-athlete could take the final examination in a correspondence course offered by Southeastern College. On August 19, 1993, the assistant director of athletics completed the personal information portion (name, address, telephone number and identification number) of the student-athlete's final examination answer sheet, and sent the answer sheet to Southeastern College via facsimile at no cost to the student-athlete.
4. On or about August 9, 1993, the assistant director of athletics for student academic services sent a football student-athlete's correspondence course final examination answer sheet to Southeastern College via athletics department facsimile. On August 25, 1993, the assistant director of athletics completed the personal information portion (name, address, telephone number and identification number) of another final examination answer sheet for the student-athlete, and sent the answer sheet to Southeastern College via athletics department facsimile.

M. SECONDARY VIOLATIONS: TRANSPORTATION AND MEALS PROVIDED TO STUDENT-ATHLETES AND PROSPECTIVE STUDENT-ATHLETES. [NCAA BYLAWS 13.2.1 AND 16.12.2.1]

Between the summer of 1991 and the fall of 1997, several football coaching staff members provided improper inducements to a prospective student-athlete and extra benefits to student-athletes. In one instance, a member of the men's basketball coaching staff arranged for a prospective student-athlete to receive impermissible automobile transportation. Specifically:

1. On numerous occasions between the summer of 1991 and the fall of 1996, various assistant football coaches and the assistant director of athletics for student academic services provided eight football student-athletes with automobile transportation. The transportation consisted of trips between the student-athletes' residences and other institutions which the student-athletes attended during the summer, as well as trips between the student-athletes' residences and the Texas Tech campus.
2. On approximately 12-15 occasions during the period 1993 through the fall of 1997, an assistant football coach entertained several football student-athletes at local Lubbock restaurants. The student-athletes paid a portion of the bills for their meals, and the assistant coach paid the remainder. On one occasion, the assistant coach paid the entire cost of the meals for two of the student-athletes (\$20 each) at a local restaurant.
3. During late May or early June 1993, an assistant men's basketball coach arranged for a friend who resided in Fort Smith, Arkansas, to provide automobile transportation to a men's basketball prospective student-athlete from an airport in Tulsa, Oklahoma, to a junior college (a one-way distance of approximately 116 miles) in order for the student-athlete to enroll in courses at the junior college. The student-athlete needed to take the courses in order to obtain his associate's degree and be eligible to play basketball at the institution in the fall of 1993.

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 numerous major violations of NCAA legislation.

A. CORRECTIVE ACTIONS TAKEN BY THE INSTITUTION.

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In determining the appropriate penalties to impose, the committee considered the institution's self-imposed corrective actions. Among the actions the institution has taken or will take are the following:

1. Reassigned the assistant director of athletics for compliance on March 11, 1997, and terminated the assistant director's further employment effective August 31, 1997.
2. Reassigned the assistant director of student services on March 11, 1997, and terminated the assistant director's further employment effective August 31, 1997.
3. Accepted the resignation of the assistant director of athletics for student academic services effective May 28, 1997.
4. Accepted the resignation of the associate director of athletics for academic services effective July 11, 1997.
5. Accepted the resignation of an assistant football coach effective July 31, 1997.
6. Hired a certification officer in the registrar's office, an associate director of financial aid responsible for student-athlete financial aid, an associate athletics director for compliance, an associate athletics director for student services, an assistant director for compliance and a counselor specialist to serve as athletics department liaison to the certification officer.
7. Increased the academic services staff.
8. Improved the system for certifying student-athlete eligibility by transferring certification responsibilities to the Office of the Registrar, training academic officials in the use of new satisfactory-progress forms, implementing a "hold" system to prevent student-athletes from dropping below full-time enrollment, implementing a computerized system for certifying eligibility and implementing internal audits of the certification process.
9. Improved the monitoring of financial aid by creating shared responsibility between the Office of Student Financial Aid and the athletics department compliance office, revising the institution's method of calculating the value of a full grant-in-aid, implementing a system to "hold" the disbursement of outside and nonathletics institutional aid until such aid

can be evaluated for compliance with NCAA legislation, implementing worksheets to evaluate outside financial aid and implementing internal audits of financial aid.

10. Enhanced its rules education programs for student-athletes, coaches and representatives of the institution's athletics interests.
11. Installed a new telephone system in the athletics department which requires the entry of a personal identification number for long-distance calls.

B. PENALTIES PROPOSED AND SELF-IMPOSED BY THE INSTITUTION.

The Committee on Infractions accepted and adopted as its own the following penalties proposed and self-imposed by the institution:

Football

1. Withdrew from eligibility to compete in the 1997 Big 12 championship game.
2. Withdrew from eligibility to compete in a post-season bowl game following the 1997 regular season.
3. Reduced the number of official visits for the 1997-98 academic year from 62 (56 plus six unused from 1996-97) to 40.
4. Reduced the number of coaches permitted to recruit off-campus during the December 1997 through January 1998 evaluation period from seven to five.
5. Shall reduce the number of initial financial aid awards from 25 to 17 for the 1998-99 academic year, and from 25 to 19 for the 1999-2000 academic year.
6. Stated its intention to reduce the number of evaluation days in May 1998 from 20 to 15, with no more than 90 evaluation opportunities as opposed to a permissible 140 opportunities.

Men's Basketball

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7. Withdrew from eligibility to compete in the 1997 NCAA Division I Men's Basketball Championship.
8. Forfeited all 11 conference victories from the 1996-97 season.

Women's Basketball

9. Shall reduce the number of financial aid awards from 15 to 14 for the 1998-99 academic year.

Baseball

10. Shall reduce the number of equivalency scholarships from 11.7 to 8.7 for the 1999-2000 and 2000-01 academic years.

Men's Golf

11. Shall reduce the number of equivalency scholarships from 4.5 to 4.1 for the 1998-99 academic year, and from 4.5 to 4.18 for the 1999-2000 academic year.

Men's Track

12. Shall reduce the number of equivalency scholarships from 12.6 to 10.24 for the 1998-99 academic year.

Other

13. Shall implement compliance reviews, audits and rules education as detailed in Part III-C-3 below.
14. Shall forfeit those games in which ineligible student-athletes competed.

C. ADDITIONAL PENALTIES IMPOSED BY THE COMMITTEE ON INFRACTIONS.

The Committee on Infractions agreed with and approved of the actions taken by the institution, but it imposed additional penalties because of the lack of institutional control evidenced by the violations, the significant recruiting and competitive advantages gained, the length of time over which the violations occurred, and the fact that the violations were systemic and involved multiple sports. The competitive advantage gained by the institution was particularly

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significant, in that at least 76 student-athletes competed while ineligible, including four student-athletes who competed in the 1996 NCAA Division I Men's Basketball Tournament.

The committee chose not to impose all of the presumptive penalties permitted under Bylaw 19.6.2.1 because the institution implemented significant corrective measures and self-imposed substantial penalties.

The committee imposed the following additional penalties. As noted below, some of the penalties incorporate and expand upon penalties proposed by the institution.

1. The institution shall be subject to public reprimand and censure.
2. The institution shall be on probation for four years from April 24, 1998, the date of the hearing. (The institution proposed a three-year probation.)
3. During the period of probation, the institution shall, as proposed by the institution, take the following actions:
 - a. Request a Big 12 Conference review each year of the areas of eligibility certification, financial aid, rules education and NCAA mandatory reporting forms;
 - b. Institute an internal audit of eligibility certification and financial aid;
 - c. Continue to develop compliance and rules education programs for all athletics department staff, athletics representatives and student-athletes;
 - d. Direct the institution's athletic council to create a subcommittee for rules compliance to provide review, input and recommendations for the compliance program;
4. During the period of probation, the institution shall also:
 - a. Submit a preliminary report to the director for the NCAA infractions committees by September 1, 1998, setting forth a schedule for establishing this compliance and educational program; and

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- b. File with the committee's director annual compliance reports indicating the progress made with this program by April 1 of each year during the probationary period. The institution should place particular emphasis on its certification procedures. The reports must also include documentation of the institution's compliance with the penalties adopted and imposed by the committee.
5. The number of initial athletically related financial aid awards in football that are countable under Bylaw 15.02.3 shall be reduced by four during the 2000-01 academic year, which will limit the institution to 21 initial scholarships under current rules.
6. The number of total athletically related financial aid awards in football shall be reduced by five during each of the 1999-2000 and 2000-01 academic years, which will limit the institution to 80 total scholarships under current rules.
7. The number of total athletically related financial aid awards in men's basketball shall be reduced by a total of seven during the 1998-99, 1999-2000 and 2000-01 academic years, with a reduction of at least two (from 13 to 11) scholarships during each of the three academic years. (The institution proposed a reduction of six scholarships over the three academic years, with a reduction of two scholarships each year.)
8. The number of total athletically related financial aid awards in women's basketball shall be reduced by one during the 1999-2000 academic year, which will limit the institution to 14 total scholarships under current rules.
9. The number of equivalency scholarships in baseball shall be reduced by three during the 2001-02 academic year, which will limit the institution to 8.7 scholarships under current rules. (The institution proposed a reduction of 1.67 equivalency scholarships for the 2001-02 academic year.)
10. Pursuant to NCAA Bylaw 19.6.2.2(e)(2), the institution shall vacate its performance in the 1996 NCAA Division I Men's Basketball Tournament. In accordance with Bylaw 19.6.2.2(e), and pursuant to Bylaw 31.2.2.5, the Committee on Infractions shall recommend to the Championships/Competition Cabinet that the institution be required to reimburse the Association an amount equal to 90 percent of monies already received as revenue distribution from the 1996 NCAA Division I Men's Basketball Tournament, and that the institution not be permitted to receive an amount equal to 90 percent of its share of monies yet to be

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distributed by the Association for participation in the 1996 tournament. (The institution proposed to forfeit those games in which ineligible players competed and to return the monies received from the 1996 NCAA Division I Men's Basketball Tournament.)

11. The institution's president shall recertify in a letter to the committee that all of the institution's current athletics policies and practices conform to all requirements of NCAA regulations.
12. If the assistant football coach named in Finding II-I had still been employed in athletics at the institution, the institution would have been required to show cause in accordance with Bylaw 19.6.2.2-(I) why it should not be subject to additional penalties if it had failed to take appropriate disciplinary action against him.
13. The assistant football coach named in Finding II-I will be informed in writing by the NCAA that, due to his involvement in certain violations of NCAA legislation found in this case, if he seeks employment or affiliation in an athletically related position at an NCAA member institution during a three-year period (April 24, 1998 to April 24, 2001), he and the involved institution shall be requested to appear before the Committee on Infractions to consider whether the member institution should be subject to the show-cause procedures of Bylaw 19.6.2.2-(I), which could limit the coach's athletically related duties at the new institution for a designated period.

As required by NCAA legislation for any institution involved in a major infractions case, Texas Tech University 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, April 24, 1998.

Should Texas Tech University, the assistant football coach, the assistant director of athletics for student academic services or the assistant men's basketball coach who participated in the processing of this case appeal either the findings of violations or penalties to the NCAA Division I 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

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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

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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 DIVISION I
COMMITTEE ON INFRACTIONS

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