



## **News Release**

FOR RELEASE:  
January 8, 2008  
3 p.m. Eastern time

CONTACT:  
Josephine R. Potuto, chair  
NCAA Division I  
Committee on Infractions  
University of Nebraska, Lincoln

### **PRAIRIE VIEW A&M UNIVERSITY** **PUBLIC INFRACTIONS REPORT**

#### **A. INTRODUCTION.**

On October 5, 2007, officials from Prairie View A&M University, including the head women's basketball coach ("head coach") and a former assistant women's basketball coach appeared before the Division I Committee on Infractions to address allegations of NCAA violations in the basketball program. This case primarily involved NCAA violations in the areas of out-of-season practice and observation, extra benefits, eligibility and institutional control. The violations in this case were agreed upon and were limited in nature. Had the institution not been a "repeat-violator" as a result of its involvement in a major case adjudicated in 2001, this case would have been processed on the written record through the summary disposition process.

The majority of the violations in this case were the direct result of the institutions hiring a head coach with no NCAA experience in rules education. The head coach's lack of knowledge of the rules was, in large part, attributable to the institution's failure to educate her with regard to NCAA legislation.

Additionally, the committee concluded that an environment of noncompliance existed in the institution's athletics department. The leadership within the athletics department failed to emphasize the importance of NCAA rules compliance. Symptomatic of this noncompliance was the fact that on several occasions institution staff members witnessed what they knew were violations of NCAA rules yet made no attempt to report the information. The institution's failure to educate the head coach, coupled with the environment of non-compliance, were the primary reasons the committee found, and the institution's administration agreed, that the institution lacked institutional control.

A member of the Southwestern Athletic Conference (SWAC), the institution has an enrollment of approximately 8,000 students. The institution sponsors eight men's and 10 women's intercollegiate sports. This was the institution's third major infractions case, the institution having appeared before the committee, as earlier mentioned, in 2001 and also in 1964. Both of those cases involved the football program.

**B. FINDINGS OF VIOLATIONS OF NCAA LEGISLATION.**

**1. IMPERMISSIBLE TRYOUTS; IMPERMISSIBLE OUT-OF-SEASON PRACTICE ACTIVITIES. [NCAA Bylaws 13.1.2.1, 13.1.3.5 13.11.1; 13.12.2.2(a), 13.12.2.2(b) (2004-05 Manual); 17.1.6.2(a) and 17.5.6]**

On several occasions during the summer of 2005, members of the women's basketball coaching staff - including the head coach and three assistant women's basketball coaches ("assistant coaches 1, 2 and 3") - conducted basketball drills with and provided skill instruction to several members of the women's basketball team. Additionally, during the summer and fall of 2005, prior to the start of permissible preseason basketball practice, the head coach and assistant coaches 1 and 2 observed prospective student-athletes, with members of the women's basketball team, participating in pickup basketball games for brief periods of time in institutional facilities. Finally, during the summer of 2005, the head coach had an improper telephone call and an improper in-person, off-campus contact with a prospective student-athlete prior to her being officially recognized by the institution as an authorized staff member.

**Committee Rationale**

The institution, head coach, and the enforcement staff were in substantial agreement with the facts of this finding and that those facts constitute violations of NCAA legislation. The committee finds that the violations occurred.

The head coach was named to her position in May 2005 but did not sign the contract as head women's basketball coach until July 1, 2005. The head coach had been a student-athlete at an NCAA member institution during the early-mid 1980s and had both competed and coached at the professional level for a number of years. She had not been involved with collegiate basketball for 21 years prior to assuming her position at Prairie View. According to her, she had little, if any, previous knowledge of NCAA legislation regarding playing and practice seasons or tryouts.

The head coach admitted that she demonstrated basketball drills to a few women's basketball student-athletes shortly after being introduced to the team as head coach but prior to signing her employment contract. At the time these demonstrations occurred, she was unaware her actions were contrary to NCAA legislation. The head coach also admitted to observing women's basketball prospective student-athletes and student-athletes at times in the company of assistant women's basketball coaches and participating in pick-up basketball activities on at least two occasions. She did this after

being informed by the assistant women's basketball coaches that it was permissible for her to do so in order to evaluate potential walk-on student-athletes for the institution's women's basketball team.

Assistant coach 2 believed that it was permissible for coaching staff members to offer skill instruction to women's basketball student-athletes during the summer of 2005, based on his belief that the provisions of Bylaw 17.1.5.2.2 (2004-05 Manual) (17.1.6.2(a) 2007-08 Manual) included the summer. His failure to understand the application of the legislation, which precluded these activities in the summer, led to some of the violations occurring. The head coach did not receive education regarding NCAA legislation until the late summer of 2005, subsequent to her involvement in the violations set forth in this finding.

The committee noted that student-athletes were not required to take part in the impermissible out-of-season activities as no attendance was taken or recorded. The committee further noted the activity occurred in an "open gym" setting.

During the course of the investigation conducted by the institution and the enforcement staff, information regarding impermissible telephone and in-person contact with the prospect came to light. Because these violations occurred prior to the institution's announcement of the head coach's appointment, Bylaws 13.1.2.1 and 13.1.3.5.1 were violated.

**2. IMPERMISSIBLE EXTRA BENEFITS. [NCAA Bylaws 16.02.3; 16.2.2.5 and 16.11.2.1]**

During the summer of 2005 and the 2005-06 academic year, the head coach arranged for and provided extra benefits to members of the institution's women's basketball team. Specifically:

- a. During the fall semester of the 2005-06 academic year, the head coach provided small amounts of cash (\$10-\$30) and, in one instance, a personal item, to numerous women's basketball student-athletes.
- b. During the summer of 2005, the head coach arranged for several student-athletes to receive complimentary admissions to a Houston Comets women's professional basketball contest and to a men's professional basketball contest for Hurricane Katrina relief.

### **Committee Rationale**

The institution, the head coach, and the enforcement staff were in substantial agreement with the facts of this finding and that those facts constitute violations of NCAA legislation. The committee finds that the violations occurred.

With regard to Finding 2-a, the head coach stated that she provided the extra benefits for the following reasons:

1. As "forgiveness money" to members of the team in an effort to atone for her "inappropriate attitude" and excessive use of profanity toward the team during a particularly difficult stretch of the 2005-06 season. She also provided one student-athlete with an additional \$10 for "extra hustle" and a personal item to another student-athlete.
2. In an effort to motivate her players and encourage their competitive spirit, the head coach provided a small cash prize to the winner of a shooting contest.

When questioned by the committee at the hearing regarding providing cash to student-athletes, a violation of fundamental and universally understood rules, the head coach replied:

This was just a huge mistake on my part . . . I truly absolutely regret it . . . I should have known that this was a violation . . . I should have known as head coach that any monetary giving to athletes was strictly prohibited, and this is absolutely my bad.

Regarding Finding 2-b, the head coach acknowledged that she provided WNBA Houston Comets complimentary ticket vouchers to several of her players. She reported that the vouchers were often given to student groups around the city and she did not think of them as constituting an extra benefit. When interviewed by the enforcement staff, the head coach could not specifically recall providing complimentary tickets to student-athletes for the NBA's Katrina Victims' Relief benefit game but agreed that she did provide these tickets in her response to the notice of allegations. Both assistant coach 2 and the director of athletics stated that the head coach offered to provide them with complimentary tickets to Houston Comets games, which they both declined. Neither assistant coach 2 nor the director of athletics reported informing the head coach that her provision of complimentary tickets to student-athletes could violate NCAA legislation relating to extra benefits.

**3. ELIGIBILITY VIOLATION. [NCAA Bylaws 14.3.1, 14.3.2.2 and 14.3.5.1.1]**

During the 2005-06 academic year, the institution permitted a student-athlete, an incoming freshman who was not certified as a qualifier by the NCAA Initial-Eligibility Clearinghouse, to attend basketball practice sessions and engage in basketball practice activities with the institution's women's basketball team at a time when she was not permitted to do so.

**Committee Rationale**

The institution and the enforcement staff were in substantial agreement with the facts of this finding and that those facts constitute violations of NCAA legislation. The committee finds that the violations occurred.

The student-athlete was recruited by the institution and initially enrolled at Prairie View on August 22, 2005. The young woman registered with the clearinghouse in October 2004 but did not submit her high school transcript and records to the clearinghouse until August 2005. The institution did not submit an institutional request to the clearinghouse until September 2005, at which time the clearinghouse refused certification because of a dispute over two core courses. The young woman possessed the requisite test score and grade-point average to be a qualifier and her parents subsequently petitioned the clearinghouse to conduct another review of the student-athlete's academic records in order to resolve the core-course dispute. The clearinghouse re-evaluated her high school records and subsequently approved her core courses on November 15, 2005, certifying her as a qualifier.

According to the head coach, the student-athlete was issued institutional practice gear and engaged in preseason conditioning and individual skill instruction at the beginning of the 2005-06 academic year. She engaged in regular practice activities with the team at the beginning of preseason practice on October 15, 2005, and continued her participation in practice activities until October 29, 2005. At that time, the institution retrieved the institutional practice apparel from her and informed the young woman that she could not participate in regular practice sessions until her clearinghouse status was finally resolved. Nevertheless, the student-athlete was permitted to participate in practice sessions as a scout team player from October 29, 2005, until she was certified as a qualifier by the clearinghouse on November 15, 2005. Under the provisions of Bylaw 14.3.5.1.1, the student-athlete was only permitted to engage in basketball skill sessions and conditioning from the first day of classes for the 2005 fall semester--August 22, 2005, until September 5, 2005--the end of the specified two-week period for certification. At that time, she should have been withheld from any further basketball-related activities, including participation as a scout team member until November 15, 2005.

On November 15, 2005, the institution reissued practice apparel to the student-athlete and she was permitted to resume regular practice activities. She participated in the institution's initial regular-season intercollegiate contest on November 21, 2005, and has continued as a member of the women's basketball team since that time.

#### **4. LACK OF INSTITUTIONAL CONTROL [NCAA Constitution 6.01]**

During the summer of 2005 and the 2005-06 academic year, the institution demonstrated a lack of institutional control over its women's basketball program in that the institution failed to adequately educate its newly-hired woman's basketball coach with regard to basic NCAA legislation. Further, an environment of noncompliance regarding NCAA legislation existed, as reflected in Findings B-1, B-2, and B-3. The environment of noncompliance existed in that members of the women's basketball staff and the institution's athletics administration were either involved in or aware of the above-referenced violations; yet, violations were never reported until a women's basketball student-athlete brought some of the violations to the attention of the director of athletics in a December 27, 2005, letter.

- a. During the summer of 2005 and the 2005-06 academic year, the institution failed to provide adequate and comprehensive NCAA rules education to its inexperienced head women's basketball coach. The violations set forth in Finding B-1 are directly attributable to this failure to provide rules education.
- b. Regarding the environment of non-compliance which existed within the institution's athletics department, assistant coaches 1 and 2 observed the provision of cash to numerous student-athletes by the head coach as set forth in Finding B-2. The assistant coaches were aware that the provision of these funds was impermissible, yet they did not inform the head coach of this, nor did they report the violations to the appropriate institutional authority. On another occasion, assistant coaches 1 and 2 and an assistant director of athletics observed the provision of money to a student-athlete by the head coach. Assistant coaches 1 and 2 and the assistant director of athletics were aware that the provision of this money was impermissible, but they did not inform the head coach of this, and they did not report the violation to the appropriate institutional authority.

### **Committee Rationale**

The institution and the enforcement staff were in substantial agreement with the facts of this finding and that those facts constitute violations of NCAA legislation. The committee finds that the institution failed to exercise institutional control.

As previously mentioned, the institution failed to recognize the need to provide immediate NCAA rules compliance education for the newly-hired head women's basketball coach, a coach who had been out of the college basketball environment for 21 years and thus had virtually no knowledge of current NCAA legislation. In May 2005, the director of athletics introduced the head coach to the members of the team. At that time, the new head coach was permitted to interact with the student-athletes. Although the head coach was given an NCAA Manual in May 2005, she was not provided guidance at that time with respect to NCAA regulations, including permissible coaching activities or practice and playing season limitations. While the head coach had a responsibility to familiarize herself with NCAA legislation regarding playing and practice season activities and also had an obligation to ask questions of the institution's athletics compliance officer regarding the application of NCAA regulations, the institution also had a responsibility to educate its newly hired coach, who they knew had very limited knowledge of NCAA regulations prior to being employed by the institution. This failure to provide even rudimentary NCAA rules education set the stage for subsequent violations of NCAA legislation relating to tryouts, extra benefits and out-of-season practice activities; violations which could have been averted by immediate rules education for the new head coach.

In reference to Finding B-2, assistant coaches 1 and 2 said that they were aware of the head coach's provision of improper benefits to the student-athletes, yet they failed to advise her against it or report the violations to the appropriate institutional authority. Assistant coach 1 erroneously believed that as a graduate assistant in the athletics department, he was not authorized to advise a head coach or report the violations. Assistant coach 2 reported that he felt that the head coach should have known her actions were contrary to NCAA legislation. The former sports information director reported that he failed to report the violations because of prior "issues" he had with the head coach and because he felt that, as a former NCAA collegiate athlete, she should have known that it was impermissible to give student-athletes money. The failure of these individuals to report violations of NCAA legislation within the athletics department placed the institution in further jeopardy and is indicative of the institution's failure to maintain an environment of compliance within its women's basketball program.

The committee finds that there was a lack of direction and a failure to communicate starting at the highest levels of the athletics department. A product of this lack of direction and breakdown in communication was a department in which rules compliance

was not a high priority. This set the stage for violations to occur and be ignored, as manifested when assistant women's basketball coaches and an athletics administrator witnessed violations in the women's basketball program and decided neither to confront the head coach nor to report the information to the proper authorities.

On the issue of internal communication within the athletics department and the failure to be proactive with regard to rules compliance and education, the institution's president stated the following at the hearing:

The truth of the matter is, for whatever reason our athletics director and (the compliance officer) did not always communicate, so consequently there were things going on that she did not give any input to. That could be both of their shortcomings right there. It is very clear to us, we have not been proactive. We have only responded to things that we think are problems. We have not seen things that potentially could be problems. If you have a new coach, someone who has been described as (the head coach) is that surely you would think through some of the things. So I agree with you when you add it all up, I said earlier, it is good that we are here because it could have led to even worse violations than what we are facing today, the lack of communication, the lack of things that we have been doing and so forth.

The committee noted that, in the April 17, 2001, infractions report from the institution's previous case, the committee instructed the institution to do the following:

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 institution staff members with responsibility for the certification of student-athletes for admission, retention, financial aid or competition.

In reviewing the case material and the information provided during the hearing, it was obvious to the committee that the institution failed to follow the committee's 2001 directive to "implement a comprehensive educational program on NCAA legislation." If the institution expects to regain institutional control, the establishment of a viable, complete and effective compliance program is imperative.

**5. FAILURE TO RECORD COUNTABLE ACTIVITIES. [NCAA Bylaw 17.1.5.3.4 (2005-06 NCAA Manual)]**

Prior to the 2006-07 academic year, the institution failed to record countable hours of athletically related practice and competition activities on a daily basis for each student-athlete as an individual in any team sport.

### **Committee Rationale**

The institution and the enforcement staff are in substantial agreement with the facts of this finding and that those facts constitute violations of NCAA legislation. The committee finds that the violations occurred.

### **C. PENALTIES.**

For the reasons set forth in Parts A and B of this report, the Committee on Infractions found that this case involved major violations of NCAA legislation. In determining the appropriate penalties to impose, the committee considered the institution's self-imposed penalties and corrective actions. [Note: The institution's corrective actions are contained in Appendix Two.] As previously noted, in 2001, as a result of an infractions case adjudicated at that time, the committee directed the institution "to develop and implement a comprehensive educational program on NCAA legislation." In light of the violations, which occurred in this case, including an admitted lack of institutional control, it was apparent that the institution did not implement the committee's mandate. It is for these reasons that the committee imposed a lengthy period of probation in this case. The penalties in this case are as follows (the institution's self-imposed penalties are so noted):

1. Public reprimand and censure.
2. Four years of probation commencing on January 8, 2008, and concluding on January 7, 2012.
3. The institution shall limit the total number of grants-in-aid in the sport of women's basketball to 12 for the 2007-08 through the 2009-10 academic years. [Note 1: The maximum grants allowed in women's basketball is 15. Note 2: The institution had self-imposed a limit of 12 grants for the 2007-08 year only.]
4. For the first three weeks of the practice/playing season in the fall semester of 2007, the women's basketball team reduced practice hours from the maximum 20 hours allowed to 10 hours per week. (Self-imposed by the institution.)

5. For the 2007-08 academic year, official paid visits for women's basketball will be reduced from the four-year average of slightly over four visits to two visits. (Self-imposed by the institution.)
6. During this period of probation, the institution shall:
  - a. 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 institution staff members with responsibility for the certification of student-athletes for admission, retention, financial aid or competition;
  - b. Submit a preliminary report to the office of the Committees on Infractions by March 15, 2008, setting forth a schedule for establishing this compliance and educational program; and
  - c. File with the office of the Committees on Infractions annual compliance reports indicating the progress made with this program by October 1 of each year during the probationary period. Particular emphasis should be placed on the establishment of a viable compliance program with a vigorous rules education program. The reports must also include documentation of the institution's compliance with the penalties adopted and imposed by the committee.
7. The above-listed penalties are independent of and supplemental to any action that has been or may be taken by the Committee on Academic Performance through its assessment of contemporaneous, historical, or other penalties.
8. At the conclusion of the probationary period, the institution's president shall provide a letter to the committee affirming that the institution'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, Prairie View A&M University shall be subject to the provisions of NCAA Bylaw 19.5.2.3, concerning repeat violators, for a five-year period beginning on the effective date of the penalties in this case, January 8, 2008.

Should Prairie View A&M University or the involved individual 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.

The Committee on Infractions advises 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 legislative bodies 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

Paul T. Dee  
Eileen K. Jennings  
Alfred J. Lechner, Jr.  
Gene A. Marsh  
Josephine R. Potuto, chair  
Dennis E. Thomas  
Thomas E. Yeager

## APPENDIX ONE

### **CASE CHRONOLOGY.**

#### **2006**

January 21 - The enforcement staff received information alleging possible violations of NCAA legislation within the institution's women's basketball program.

June 23 - The institution submitted a secondary self-report to the Southwestern Athletic Conference (SWAC) office regarding several of the issues reported to the enforcement staff on January 21, 2006.

July 18 - The institution provided the enforcement staff a copy of a July 11, 2006, internal investigation report.

#### **2007**

February 9 – The Notice of Inquiry was sent to the institution.

February 21 – The Notice of Allegations was sent to the president of the institution and the head women's basketball coach.

June 20 – The head women's basketball coach provided her response to the Notice of Allegations.

July 2 - The institution provided its response to the Notice of Allegations.

August 29 - The enforcement staff conducted a prehearing conference with the head women's basketball coach.

August 30 - The enforcement staff conducted a prehearing conference with the institution.

October 5 – The institution appeared before the NCAA Division I Committee on Infractions.

#### **2008**

January 8 – Infractions Report No. 277 was released.

## **APPENDIX TWO**

### **CORRECTIVE ACTIONS AS LISTED IN THE INSTITUTION'S JUNE 28, 2007, RESPONSE TO THE NOTICE OF ALLEGATIONS.**

1. As of June 1, 2007, the athletics compliance officer reports directly to the president and as of July 2007 the athletics compliance officer will furnish a monthly status report covering compliance issues to the president with a copy to the athletic director.
2. All requests for interpretations of NCAA bylaws will be documented in writing and all will be directed to both the director of athletics and the athletics compliance officer, with a copy to the president.
3. In the area of rules education, the following actions will be taken: (1) the athletics director and all head coaches will be required to annually attend the NCAA's regional compliance seminar. (2) all coaches will attend the institution's compliance officer's compliance training sessions annually.