



SAMFORD UNIVERSITY
PUBLIC INFRACTIONS DECISION
APRIL 12, 2016

I. INTRODUCTION

The NCAA Division I Committee on Infractions is an independent administrative body of the NCAA comprised of individuals from the NCAA Division I membership and the public. The committee is charged with deciding infractions cases involving member institutions and their staffs.¹ This case involved Samford University.² A panel of the committee considered this case through the cooperative summary disposition process in which all parties agreed to the primary facts and violations, as fully set forth in the summary disposition report (SDR). The panel proposed further penalties to the institution. Because the institution agreed to the violations and penalties, there is no opportunity to appeal.

The institution and the NCAA enforcement staff agreed two violations occurred in this case: improper certification of eligibility and a failure to monitor. The parties agreed both violations were Level II.

With respect to eligibility, the parties agreed that from the 2010-11 academic year through fall 2014, the institution improperly certified 33 student-athletes as eligible. The student-athletes had not met certain NCAA Bylaw 14 requirements. Specifically, they did not meet progress-toward-degree requirements (e.g., credit hour, declaration of major, percentage-of-degree and minimum grade-point average requirements). Each student-athlete competed and received actual and necessary travel expenses. The panel concludes the violation is Level II.

With respect to monitoring, the parties agreed that from 2010 to 2014, the institution failed to monitor its progress-toward-degree certification process. The institution did not develop a proper compliance system that provided appropriate oversight and education to staff members responsible for certification. The panel concludes the violation is Level II.

The panel accepts the parties' factual agreements and that violations occurred in this case. Based on the timing of the violations, the panel prescribes penalties under the current penalty guidelines, the more lenient penalty structure. After considering the aggravating and mitigating factors, the panel classifies this case as Level II-Standard. Utilizing the penalty guidelines, the

¹ Infractions cases are decided by hearing panels comprised of NCAA Division I Committee on Infractions members. Decisions issued by hearing panels are made on behalf of the Committee on Infractions.

² A member of the Southern Conference, the institution's total enrollment is approximately 5,000. The institution sponsors eight men's sports and nine women's sports. This is the institution's third major, Level I or Level II case. Previously, the institution had major infractions cases in 2011 (multiple sports) and 1972 (football and men's basketball).

panel prescribes the following penalties: a three-year probationary period; financial penalty; vacation of records; an external review of the institution's compliance systems; and administrative reporting requirements.

II. CASE HISTORY

In March 2014, the NCAA Academic and Membership Affairs (AMA) staff selected the institution for an Academic Performance Program (APP) audit. In May 2014, the AMA staff discovered the institution had not been appropriately applying progress-toward-degree legislation. Throughout the summer and fall 2014, the institution recertified student-athletes for the APP review period (2010-11 through 2012-13), as well as all current student-athletes. As part of that process, the institution submitted six reinstatement requests and three progress-toward-degree waivers.

In October 2014, the institution informed the enforcement staff of discovered violations and that the Committee on Academic Performance Subcommittee on Data Collection and Reporting suggested additional review. On February 18, 2015, after the institution completed its review, the enforcement staff began its investigation. On March 6, 2015, the enforcement staff provided a verbal notice of inquiry to the institution. Later that month it conducted on-campus interviews.

On November 23, 2015, the enforcement staff provided the institution with a draft notice of allegations. On December 4, 2015, the parties agreed to process the case through summary disposition. On February 29, 2016, the parties submitted the SDR to the committee. On March 14, 2016, a panel of the committee considered the case and, two days later, proposed additional penalties to the institution. On March 23, 2016, the institution accepted the proposed penalties.

III. PARTIES' AGREEMENTS

A. PARTIES' AGREED-UPON FACTUAL BASIS, VIOLATIONS OF NCAA LEGISLATION AND VIOLATION LEVELS

The parties jointly submitted a SDR that identifies an agreed-upon factual basis, violations of NCAA legislation and violation levels. The SDR identifies:

- 1. NCAA Division I Manual Bylaws 14.01.1, 14.4.3.1, 14.4.3.2, and 14.4.3.3 (2010-11 through 2014-15); 14.4.3.1.7-(b) (2010-11, 2013-14 and 2014-15); 14.4.3.1.8-(b) (2011-12 and 2012-13); 14.10.1, 14.11.1 and 16.8.1.2 (2010-11 through 2012-13); 14.9.1 (2013-14); 14.10.1 (2013-14); 16.8.1 (2013-14 and 2014-15); and 12.10.1 (2014-15)]**

The NCAA enforcement staff and institution agreed that from the 2010-11 academic year to the fall of 2014, the institution improperly certified 33 student-

athletes as eligible for competition in eight sports and, as a result, the student-athletes competed while ineligible. Specifically:

- a. During the 2010-11, 2011-12 and 2013-14 academic years, a men's basketball student-athlete and two football student-athletes competed without satisfactory completion of at least 18 semester-hours of degree credit toward the students' designated degree program since the beginning of the previous fall term. As a result, the student-athletes received actual and necessary travel expenses for competition while ineligible and two of the student-athletes competed during a subsequent academic year without the institution seeking reinstatement. [NCAA Bylaws 14.01.1 and 14.4.3.1-(b) (2010-11 through 2013-14); 14.4.3.1.7-(b) (2010-11 and 2013-14); 14.4.3.1.8-(b) (2011-12); 14.9.1 (2013-14); and 14.10.1 (2010-11 and 2011-12); 14.11.1 (2010-11 and 2012-13); 16.8.1.2 (2010-11 and 2011-12); and 16.8.1 (2013-14)]
- b. During the 2010-11 through 2014-15 academic years, two baseball student-athletes, five football student-athletes and a men's track and field student-athlete competed without satisfactory completion of at least six semester-hours of degree credit toward the students' designated degree program during the preceding regular academic term. As a result, the student-athletes received actual and necessary travel expenses for competition while ineligible. [NCAA Bylaws 14.01.1, 14.4.3.1-(c) (2010-11 through 2014-15); 14.4.3.1.7-(b) (2010-11, 2013-14 and 2014-15); 14.4.3.1.8-(b) (2011-12 and 2012-13); 14.10.1 (2010-11 through 2012-13); 14.9.1 (2013-14); 12.10.1 (2014-15); 16.8.1.2 (2010-11 through 2012-13); and 16.8.1 (2013-14 and 2014-15)]
- c. During the 2011-12 and 2013-14 academic years, a football student-athlete and a men's tennis student-athlete, who were in their third year of enrollment, competed without designating a program of studies. As a result, the student-athletes received actual and necessary travel expenses for competition while ineligible. [NCAA Bylaws 14.01.1 (2011-12 and 2013-14); 14.4.3.1.8-(b), 14.10.1 and 16.8.1.2 (2011-12); 14.4.3.1.7-(b), 14.9.1 and 16.8.1 (2013-14)]
- d. During the 2010-11 through 2013-14 academic years, 19 student-athletes in the sports of baseball, men's cross country, football, men's track and field, men's tennis, women's soccer and women's softball competed without successfully completing their percentage-of-degree requirements. As a result, the student-athletes received actual and necessary travel expenses for competition while ineligible and one student-athlete competed during a subsequent academic year without the institution seeking reinstatement. [NCAA Bylaws 14.01.1, 14.4.3.2 (2010-11 through

2013-14); 14.10.1 and 16.8.1.2 (2010-11 through 2012-13); 14.11.1 (2012-13); 14.9.1 and 16.8.1 (2013-14)]

- e. During the 2012-13 and 2013-14 academic years, a football student-athlete and a men's track and field student-athlete competed without meeting the necessary minimum grade-point average requirement. As a result, the student-athletes received actual and necessary travel expenses for competition while ineligible. [NCAA Bylaws 14.01.1 and 14.4.3.3 (2012-13 and 2013-14); 14.10.1 and 16.8.1.2 (2012-13); 14.9.1 and 16.8.1 (2013-14)]

2. [NCAA Constitution 2.8.1 (2010-11 through 2014-15)]

The NCAA enforcement staff and institution agree that from 2010 through 2014, the scope and nature of the violations detailed in Violation No. 1 demonstrate that the institution failed to adequately monitor its progress-toward-degree certification process to ensure compliance with NCAA rules. Specifically, the institution failed to establish an adequate compliance system to ensure proper athletics oversight of progress-toward-degree certification and provide adequate rules education to the institutional staff member responsible for progress-toward-degree certification. As a result, the institution continuously misapplied NCAA legislation regarding progress-toward-degree certification and the Level II violations detailed in Violation No. 1 occurred.

B. PARTIES' AGREED-UPON AGGRAVATING AND MITIGATING FACTORS

Pursuant to NCAA Bylaw 19.6.2-(g), the parties agreed to the following aggravating and mitigating factors:

1. Agreed-upon aggravating and mitigating factors. [NCAA Bylaws 19.9.3 and 19.9.4]
 - a. Aggravating factors.
 - (1) A history of Level I, II or major violations by the institution. [NCAA Bylaw 19.9.3-(b)]
 - (2) Multiple Level II violations by the institution. [NCAA Bylaw 19.9.3-(g)]
 - b. Mitigating factors.
 - (1) Prompt acknowledgement of the violation, acceptance of responsibility and imposition of meaningful corrective measures and/or penalties. [NCAA Bylaw 19.9.4-(b)]

IV. REVIEW OF CASE

The SDR fully detailed the parties' positions in the infractions case and included the agreed-upon primary facts, violations, violation levels and aggravating and mitigating factors. After reviewing the parties' principal factual agreements and the respective explanations surrounding those agreements, the panel accepts the parties' SDR and concludes that the facts constitute Level II violations. Level II violations provide or are intended to provide more than a minimal but less than a substantial advantage. They include, among others, multiple eligibility violations that do not amount to a lack of institutional control.

This case involved two agreed-upon Level II violations: the institution's improper certification of 33 student-athletes over approximately four-and-a-half years and a failure to monitor. The panel agrees with the parties and concludes that the violations are Level II.

With respect to improper certification, the parties agreed that for four-and-a-half years the institution improperly certified 33 student-athletes as eligible when they failed to meet certain progress-toward-degree requirements. The institution also permitted these student-athletes to compete and receive travel expenses. The conduct violated NCAA Bylaws 14 and 16.³

Generally, NCAA Bylaw 14 outlines eligibility requirements. NCAA Bylaw 14.4 sets progress-toward-degree requirements with specific requirements for competition identified in NCAA Bylaw 14.4.3. Among others, student-athletes must have completed 18 semester-hours since the start of the previous fall term and six semester-hours toward their designated degree in the previous academic term, NCAA Bylaws 14.4.3.1-(b) and (c), respectively. NCAA 14.4.3.1.7-(b) requires student-athletes to declare a major by the beginning of their third year of enrollment. In addition, beginning with a student-athlete's third year on campus, NCAA Bylaw 14.4.3.2 requires student-athletes to have completed certain percentage benchmarks toward their degree. Finally, NCAA Bylaw 14.4.3.3 requires student-athletes to meet minimum grade-point average requirements.

As it relates to institutions' responsibilities, NCAA Bylaw 14.01.1 prohibits institutions from permitting student-athletes who have not met all applicable eligibility requirements and not been certified as eligible from representing the institution in competition. Similarly, NCAA Bylaws 14.9.1 and 14.10.1 place the responsibility for certifying student-athletes' eligibility on the institution and requires the institution to withhold ineligible student-athletes from competition. Finally, NCAA Bylaw 16.8.1 permits institutions to provide actual and necessary travel expenses to eligible student-athletes to represent the institution in practice or competition.

³ A number of the bylaws were renumbered during the time period in which the violations occurred. In this section, the panel addresses the violations generally, citing the NCAA bylaws effective during the 2013-14 academic year. The panel cites the 2013-14 Division I manual because the institution violated each of the progress-toward-degree requirements cited in Violations No. 1 during that academic year. Other years involved some, but not all, of the cited requirements. Agreed-upon Violation No. 1 contains the specific NCAA Division I manual citations during the span of violations (2010-11 through 2014-15 academic years). The complete legislative history is produced in Appendix One.

In total, the institution improperly certified 33 student-athletes when it failed to meet various provisions of NCAA Bylaw 14. Specifically, the institution certified three student-athletes as eligible when they failed to complete at least 18 semester-hours since the beginning of the previous fall. It also certified eight student-athletes as eligible when they failed to complete at least six-semester hours in the previous semester toward their designated degree. The institution certified two student-athletes as eligible when they failed to designate a degree by the start of their third year of enrollment. The institution certified 19 student-athletes as eligible when they failed to meet percentage-toward-degree benchmarks and two student-athletes as eligible when they did not meet minimum grade-point average requirements.⁴ The institution permitted each of the 33 student-athletes to compete and receive travel expenses when they were ineligible.

When the institution improperly certified the 33 student-athletes as eligible, it violated numerous progress-toward-degree bylaws; particularly, the eligibility requirements for competition detailed in NCAA Bylaw 14.4.3. Additionally, when the institution permitted those 33 student-athletes to receive travel expenses, the institution violated NCAA Bylaw 16.8.1. Finally, the institution failed to fulfill its responsibilities under NCAA Bylaws 14.01.1, 14.9.1 and 14.10.1 when it permitted ineligible student-athletes to represent the institution in competition, did not ensure that student-athletes were properly certified and failed to withhold ineligible student-athletes from competition.

With respect to monitoring, the parties agreed that over the course of four-and-a-half years the institution failed to monitor its progress-toward-degree certification. The institution's insufficient monitoring violated NCAA Constitution Article 2.

Generally, NCAA Constitution 2.8.1 requires institutions to monitor their athletics programs and assure compliance. It also requires institutions to identify and report noncompliance.

In this case, the institution had an insufficient process regarding progress-toward-degree certification and failed to heed earlier identified issues that resulted in avoidable violations. These violations could have been avoided had the institution provided adequate rules education, developed specific policies and procedures detailing the shared responsibilities of eligibility certification and made appropriate modifications after its previous infractions case.

With respect to rules education, the institution acknowledged that it did not provide proper rules education to the registrar and academic advisors. The lack of education resulted in miscalculations by the registrar and academic advisors misadvising student-athletes. Based on that advice, student-athletes did not enroll in a sufficient amount of hours needed for eligibility.

With respect to policies and procedures, the institution indicated that it did not have any checks on the progress-toward-degree certification process and that the athletics department was

⁴ In total, the institution improperly certified student-athletes on 34 occasions. It improperly certified one student-athlete twice. First, the institution certified the student-athlete as eligible when he did not designate a degree of studies at the beginning of his third year. The following fall, the institution certified him as eligible when he failed to complete at least six semester-hours toward a designated degree in his previous semester.

"siloed" from other on-campus departments. As a result, the miscalculations went unchecked and undiscovered until the AMA staff identified issues during the APP audit.

Regarding modifications after the institution's previous infractions case, the panel is concerned with the similarity in how and why the violations occurred in this case and the institution's previous infractions case. *Samford University* (2011) (concluding that major violations occurred when the institution awarded financial aid to incoming student-athletes who had not enrolled in the required credit hours). Albeit different violations, the institution's 2011 major infractions case resulted from insufficient procedures, lack of communication between departments and on-campus departments not understanding NCAA legislation. After its previous case, the institution was on notice that it had siloed departments, insufficient systems and campus employees with inadequate understanding of NCAA legislation. Further, in an October 2011 compliance review, the institution was also encouraged to examine its process used for certifying continuing eligibility. At that time, these violations had begun. The institution permitted them to continue through fall 2014.

Under the NCAA Constitution, institutions must ensure that all departments and campus offices that touch athletics understand rules and responsibilities associated with their function. Institutions can meet this requirement through a number of measures, but a starting place is through effective rules education, fluid communication and adequate athletics oversight.

As a result of the deficiencies, the institution permitted the eligibility violations to occur and did not fulfill its responsibilities under NCAA Bylaw 2.8.1. The panel concludes that the violation is Level II.

V. PENALTIES

For the reasons set forth in Sections III and IV of this decision, the panel accepts the parties' agreed-upon factual basis and violations and concludes that this case involved Level II violations of NCAA legislation. Although the violations straddled the implementation of the new penalty structure, the panel did not determine they predominately occurred after adoption of the new structure. Therefore, the panel conducted a leniency test to prescribe appropriate penalties. Under the former penalty structure, the institution is considered a repeat violator and subject to enhanced penalties. These enhanced penalties made the former penalty structure more stringent. Therefore, the panel prescribes penalties under current NCAA Bylaw 19, the more lenient penalty structure.

When reviewing a case under the new penalty guidelines, the panel assesses aggravating and mitigating factors by weight, as well as number. The parties proposed *NCAA Bylaw 19.9.3-(b) a history of Level I, II or Major violations by the institution* as an aggravating factor. The panel agrees. The panel, however, limits that aggravating factor to the institution's 2011 major infractions case. The panel does not determine that the institution's 1972 infractions case is part of the aggravating factor. The parties also proposed *NCAA Bylaw 19.9.4-(d) an established*

history of self-reporting Level III violations as a mitigating factor. The panel does not determine that 18 self-reported violations over four years amounts to a mitigating factor for the institution. After determining and weighing the appropriate aggravating and mitigating factors, the panel classifies this case as Level II-Standard.

The institution agreed to the facts, violations, violation levels and the panel's proposed penalties; therefore, there is no opportunity to appeal.⁵ All penalties prescribed in this case are independent and supplemental to any action that has been or may be taken by the Committee on Academics through its assessment of postseason ineligibility, historical penalties or other penalties. The institution's corrective actions are contained in the Appendix Two. After considering all information relevant to the case, the panel prescribes the following:

Core Penalties for Level II-Standard Violations (NCAA Bylaw 19.9.5)

1. Probation: Three years of probation from April 12, 2016, through April 11, 2019, or completion of the final penalty, whichever is later.⁶

Pursuant to NCAA Bylaw 19.9.6, the panel prescribes an additional year of probation beyond the guideline maximum of two years for a Level II-Standard case. The panel believes that an extended probation is warranted because this is the institution's second case in the last five years. Although involving different conduct, both the violations in this case and the violations in the institution's 2011 case resulted from institutional staff members' misunderstandings, misapplication and a lack of communication regarding NCAA bylaws and institutional responsibilities. Because of these similarities, the panel believes the institution needs additional time for oversight and monitoring by the Association.

2. Financial penalty: The institution shall pay a \$5,000 fine.

Additional Penalties for Level II-Standard Violations (NCAA Bylaw 19.9.7)

3. Public reprimand and censure.
4. The institution acknowledged that the student-athletes referenced in Violation No. 1 competed while ineligible and would be subject to NCAA Bylaw 19.9.7-(g) (vacation of records). Therefore, pursuant to NCAA Bylaws 19.9.7-(g) and 31.2.2.3, the institution shall vacate all regular season and conference tournament records and participation in which the ineligible student-athletes detailed in Violation No. 1

⁵ The institution did not self-impose or propose any penalties in the February 29, 2016, SDR. In accordance with the penalty guidelines, the panel prescribes Level II-Standard penalties.

⁶ Probationary periods always commence with the release of the infractions decision. Pursuant to NCAA Bylaws 19.3.6-(e), 19.9.5.7 and COI Internal Operating Procedure 2-1-1, the committee tethers probationary periods to the prescribed penalties.

participated. This order of vacation includes all regular season competition and conference tournaments.⁷ The individual records of the ineligible student-athletes will also be vacated. However, the individual finishes and any awards for all eligible student-athletes will be retained. Further, the institution's records regarding its athletics programs, as well as the records of head coaches, will reflect the vacated records and will be recorded in all publications in which such records are reported, including, but not limited to, institutional media guides, recruiting material, electronic and digital media plus institutional, conference and NCAA archives. Any institution that may subsequently hire the affected head coaches shall similarly reflect the vacated wins in their career records documented in media guides and other publications cited above. Head coaches with vacated wins on their records may not count the vacated wins toward specific honors or victory "milestones" such as 100th, 200th or 500th career victories. Any public reference to the vacated contests shall be removed from the athletics department stationary, banners displayed in public areas and any other forum in which they may appear. Any trophies awarded by the NCAA in these sports shall be returned to the Association.

Finally, to ensure that all institutional and student-athlete vacations, statistics and records are accurately reflected in official NCAA publications and archives, the sports information director (or other designee as assigned by the director of athletics) must contact the NCAA Media Coordination and Statistics office and appropriate conference officials to identify the specific student-athletes and contests impacted by the penalties. In addition, the institution must provide the NCAA Media Coordination and Statistics office with a written report, detailing those discussions. This document will be maintained in the permanent files of the NCAA Media Coordination and Statistics office. This written report must be delivered to the office no later than 45 days following the release of this decision. The sports information director (or designee) must also inform the Office of the Committees on Infractions of this submission to the NCAA Media Coordination and Statistics office.

5. Within the next six months, the institution shall have an independent, external agency or consultant experienced in NCAA compliance matters conduct a thorough review of the institution's athletics compliance program. The results of this compliance review shall be included in the institution's first annual compliance report, and any recommendations made as a result of this compliance review shall be implemented as soon as possible, but no later than the conclusion of the second year of probation.

⁷ Among other examples identified in COI Internal Operating Procedure 4-16-4, the committee has indicated that a vacation penalty is particularly appropriate when cases involve an institution with a recent history of Level I, II or major violations or when the case involves a failure to monitor violation. Further, the committee has consistently applied a vacation of records in cases that involved student-athletes competing when they failed to meet eligibility or amateurism requirements. See *University of North Carolina, Greensboro* (2015); *University of Arkansas at Pine Bluff* (2014); and *Southeastern Louisiana University* (2013).

6. During this period of probation, the institution shall:
 - a. Continue to develop and implement a comprehensive educational program on NCAA legislation to instruct coaches, the faculty athletics representative, all athletics department personnel and all institution staff members with responsibility for certification of student-athletes' eligibility for admission, financial aid, practice or competition;
 - b. Submit a preliminary report to the Office of the Committees on Infractions by June 1, 2016, setting forth a schedule for establishing this compliance and educational program;
 - c. File with the Office of the Committees on Infractions annual compliance reports indicating the progress made with this program by February 15 of each year during the probationary period. Particular emphasis should be placed on: (1) enhancements to the institution's eligibility certification policies and procedures; (2) monitoring of the institution's eligibility certification process; and (3) a detailed reporting on the results of the external review and progress made towards implementing any recommendations. The reports must also include documentation of the institution's compliance with the penalties adopted and prescribed by the committee;
 - d. Inform prospective student-athletes in the involved sport programs in writing that the institution is on probation for three years and detail the violations committed. If a prospective student-athlete takes an official paid visit, the information regarding violations, penalties and terms of probation must be provided in advance of the visit. Otherwise, the information must be provided before a prospective student-athlete signs a National Letter of Intent; and
 - e. Publicize specific and understandable information concerning the nature of the infractions by providing, at a minimum, a statement to include the types of violations and the affected sport program and a direct, conspicuous link to the public infractions decision located on the athletic department's main or "landing" webpage. The information shall also be included in institutional media guides and in an alumni publication. The institution's statement must: (1) clearly describe the infractions; (2) include the length of the probationary period associated with the Level II infractions case; and (3) give members of the general public a clear indication of what happened in the Level II infractions case to allow the public (particularly, prospective student-athletes and their families) to make informed, knowledgeable decisions. A statement that refers only to the probationary period with nothing more is not sufficient.

7. Following the receipt of the final compliance report and prior to the conclusion of probation, 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.
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The committee 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. Any action by the institution contrary to the terms of any of the penalties or any additional violations shall be considered grounds for extending the institution's probationary period, prescribing more severe penalties or may result in additional allegations and violations.

NCAA COMMITTEE ON INFRACTIONS PANEL

Greg Christopher

Alberto Gonzales

Joel Maturi, Chief Hearing Officer

Gary L. Miller

Eleanor Myers

Jill Pilgrim

Greg Sankey

APPENDIX ONE

**AGREED-UPON VIOLATION NO. 1 LEGISLATIVE HISTORY AS IDENTIFIED IN
THE FEBRUARY 29, 2016, SUMMARY DISPOSITION REPORT (SDR)**

As identified in the infractions decision, agreed-upon Violation No. 1 occurred over a four-year period. During that time, the applicable bylaws underwent nonsubstantive changes. The parties identified these nonsubstantive changes in the February 29, 2016, SDR. For simplicity, the infractions decision cites only to the applicable NCAA Bylaws in the 2013-14 Division I Manual. Here, the panel reproduces the applicable NCAA bylaws for the duration of Violation No.1 and documents the nonsubstantive changes.

- 1. [NCAA Division I Manual Bylaws 14.01.1, 14.4.3.1, 14.4.3.2, and 14.4.3.3 (2010-11 through 2014-15); 14.4.3.1.7-(b) (2010-11, 2013-14 and 2014-15)⁸; 14.4.3.1.8-(b) (2011-12 and 2012-13); 14.10.1, 14.11.1 and 16.8.1.2 (2010-11 through 2012-13); 14.9.1 (2013-14)⁹; 14.10.1 (2013-14)¹⁰; 16.8.1 (2013-14 and 2014-15)¹¹; and 12.10.1 (2014-15)¹²]**

⁸ NCAA Bylaw 14.4.3.1.7 was renumbered to 14.4.3.1.8 during the 2011-12 and 2012-13 academic years and subsequently back to 14.4.3.1.7 for the 2013-14 and 2014-15 academic years.

⁹ Bylaw 14.10.1 was renumbered to 14.9.1 effective August 1, 2013.

¹⁰ Bylaw 14.11.1 was renumbered to 14.10.1 effective August 1, 2013.

¹¹ Bylaw 16.8.1.2 was revised and renumbered to 16.8.1, effective August 1, 2013, to state, "an institution, conference or the NCAA may provide actual and necessary expenses to a student-athlete to represent the institution in practice and competition (including expenses for activities/travel that are incidental to practice or competition). In order to receive competition-related expenses, the student-athlete must be eligible for competition." The revision had no substantive effect on the violations in this case in that the student-athletes still received actual and necessary travel expenses for competition while ineligible.

¹² Bylaw 14.9.1 was numbered to 12.10.1 effective August 1, 2014.

APPENDIX TWO

CORRECTIVE ACTIONS AS IDENTIFIED IN THE INSTITUTION'S FEBRUARY 29, 2016, SUMMARY DISPOSITION REPORT (SDR)

Institution's proposed penalties for Level I, II and Level III violations.

In order to correct the mistakes that led to the violations regarding academic certification, the institution requested a workshop on NCAA certification. The NCAA sent [a staff member] to the institution on June 12, 2014, to conduct an all-day certification workshop that taught the staff how to correctly certify student-athletes and what to look for when reviewing transcripts for progress-toward-degree, 6/12/18/24 rules, and major declarations. Based on the audit and NCAA training, the institution's NCAA certification officer rewrote the institutional policy for certification. The institution purchased software from [a vendor] in October 2014 after the NCAA Auditor recommended using it to help track Academic and Academic Progress Rate, as well as using it to monitor the institution's 17 athletics programs. Finally, the institution also added an additional staff member in the Registrar's office in summer of 2015; that person's primary focus is NCAA athletic academic certification.

There were no significant disciplinary actions taken against any current or former athletics department staff members as a result of violations acknowledged in this inquiry. It is important to note that no actions were taken because there was no malicious intent on behalf of any of the involved parties. Furthermore, no actions were taken because the named individuals that still work at the institution had little to no involvement in the certification process, as referenced by each person's job responsibilities and their length of time employed at the institution. Additionally, [the former senior associate director of athletics for athletics academics] and [the former registrar], the two people most closely involved with the violation(s), were unaware that they were doing anything incorrect and no longer work at the institution.

- a. [The former senior associate director of athletics for athletics academics] retired in July of 2013, prior to the NCAA audit. He was the former senior associate athletic director in charge of the Academic Enhancement Program (the department's academic support system for student-athletes), and liaison between the athletics department and the university's academic community.
- b. [The former registrar] retired in 2013, prior to the NCAA audit. He was the registrar in charge of certifying student-athletes' eligibility for practice and competition. He assigned the responsibility of certifying student-athletes within his office.
- c. [The senior associate director of athletics for student services and senior woman administrator] was not in charge of student services until [the senior associate director of athletics for athletics academics] retired. While she oversaw compliance, she had no involvement in the certification process until she received the eligibility report from the

registrar's office, which simply said "yes" or "no" regarding whether each student-athlete was eligible.

- d. [The assistant director of athletics for student services and academic enhancement] took over for [the senior associate director of athletics for athletics academics] starting with the spring 2014 semester. [The assistant director of athletics for student services and academic enhancement] was involved in the discovery and reporting of the violations at hand, but had no involvement in the creation of the problem/oversight of the six-hour rule, failure to designate a program of studies, competing while ineligible, and competing without meeting the necessary minimum grade-point average requirement. Prior to this, [the assistant director of athletics for student services and academic enhancement] was the faculty athletics representative for less than one year and the chair of reference and research services for the Samford University Library.
- e. [The director of football academic services] is and was primarily involved with counseling, initial eligibility, and academic advising for the football team. She had no involvement in the certification process during the period in question.
- f. [The faculty athletics representative] was named faculty athletics representative in 2013 and began serving in that role for the spring 2014 semester, after [the assistant director of athletics for student services and academic enhancement] vacated that position to take over for [the former senior associate director of athletics for athletics academics]. She had absolutely no involvement with athletics administration until 2014, at which point the violation(s) had already occurred.
- g. [The associate registrar] started working at Samford in August 2013 as the associate registrar. During the fall 2013 semester he was trained in NCAA certification by [the assistant registrar], and they split the role for the semester. After that semester, [the associate registrar] took over the NCAA certification process until the summer 2015 semester, at which point [the full-time certification officer] was designated as Samford's full-time NCAA Certification officer. [The associate registrar] is currently responsible for managing the Banner student module, in addition to having oversight of the NCAA certification process. He trains and updates the department course guardians across campus, manages the office's technology initiatives, works on special projects, and supervises five staff members.
- h. [The assistant registrar] was in charge of certifying student-athletes' continuing eligibility during the first half of the period in question. When [the associate registrar] was put in charge of certifications in late 2013, she helped [the associate registrar] for the fall 2013 semester and stopped doing certifications as of the spring 2014 semester.
- i. [The academic counselor and tutor coordinator] arrived at Samford in August 2013 as the student services coordinator. She was in charge of creating and implementing

study hall and tutoring programs for student-athletes, as well as advising undeclared student-athletes. As of the spring 2014 semester, she advises student-athletes in eight of the 17 varsity sports (MBB, MGO, WGO, MTN, WTN, WSO, WVB, SFT). She had no involvement in the certification process during the period in question.

- j. [The director of athletics] was named the director of athletics in 2011 and had no reason to believe that the certification process was being performed incorrectly. As mentioned before, the athletics department did not have a role in determining the continuing academic eligibility of student-athletes, but rather operated according to whether it received a "yes" or a "no" answer from the registrar's office for each student-athlete. [The director of athletics] was unaware of the problem and as a result was unaware of the need to fix it. He simply reviewed the squad lists with [the senior associate director of athletics for student services and the senior woman administrator] and signed off on them based on the discussions he had with [the senior associate director of athletics for student services and the senior woman administrator].