



**UNIVERSITY OF MISSISSIPPI
PUBLIC INFRACTIONS DECISION
December 1, 2017**

I. INTRODUCTION

The NCAA Division I Committee on Infractions (COI) is an independent administrative body of the NCAA comprised of individuals from the Division I membership and the public. The COI decides infractions cases involving member institutions and their staffs.¹ This case is the second part of a bifurcated case involving the University of Mississippi.² This case centers on NCAA recruiting violations committed by representatives of the institution's athletics interests, primarily supporters of its football program.³ The case also involves rules violations committed by six members of the football staff, failure to monitor by the head football coach and the institution's lack of control over football staff members and boosters of its football program.

The case included 21 allegations of violations that occurred over a five-year span. It involved a lengthy and, at times, contentious investigation that included numerous procedural requests that challenged the model and the COI's repeated attempts to manage the voluminous case and bring it to resolution. In all, the investigation produced roughly 53,000 pages of information.

Mississippi fostered an unconstrained booster culture—particularly in boosters' relationships with the football program and their involvement in recruiting. This is now the third case over three decades that has involved the boosters and the football program. Even the head coach acknowledged that upon coming to Mississippi, he was surprised by the "craziness" of boosters trying to insert themselves into his program. At the hearing, Mississippi's chancellor acknowledged his institution's problem with boosters, characterizing one instance as "disturbingly questionable." The chancellor pledged to correct his institution's booster issues.

Regarding booster involvement in this case, from the summer of 2010 through 2015, 12 institutional boosters provided impermissible inducements and/or benefits to prospective and enrolled student-athletes, their families and acquaintances. The impermissible inducements and

¹ Infractions cases are decided by hearing panels comprised of COI members. Decisions issued by hearing panels are made on behalf of the COI.

² A member of the Southeastern Conference, Mississippi has an enrollment of approximately 20,000 students. It sponsors 10 women's and eight men's sports. The institution had previous major infractions cases in 1994 (football), 1986 (football) and 1959 (recruiting). In 2016, this panel considered another Mississippi case involving the women's basketball and women's track and field programs. The violations in that case, designated as Case No. 189693, are set forth in Infractions Decision No. 460. The panel issued that decision on October 7, 2016.

³ Representatives of an institution's athletics interests are commonly referred to as "boosters."

benefits consisted of meals, transportation, lodging, merchandise, the use of automobiles and cash payments. Over the same time, four assistant football coaches and two administrative members of the football staff also committed NCAA rules violations. Two members of the football program helped arrange fraudulent standardized tests scores for three prospects, while many other violations were centered on two highly recruited student-athletes. Among those violations, a booster provided \$10,000 cash for one of those prospects to commit to Mississippi, while another booster gave \$800 cash to the other prospect's step-father after the prospect enrolled. Other violations by boosters and staff members involving these and other prospects included impermissible recruiting contacts, arranging for impermissible transportation, meals and lodging for prospects and those accompanying them to campus, arranging access to a booster's private hunting land and allowing a prospect to stay overnight with an assistant coach. The violations committed by the boosters and staff members were Levels I, II and III and many occurred while the investigation was ongoing.

The violations resulted from a culture of rules violations being acceptable in the Mississippi football program. Members of the football staff were often in regular contact with the boosters who provided impermissible inducements and benefits. Further, the football staff at times did not report known violations and falsified recruiting paperwork. The violations in this case were similar to those in both the 1994 and 1986 cases and reflect a recurring culture of noncompliance in the football program and among football boosters. As in the previous cases, boosters were improperly involved in recruiting, often with the knowledge and encouragement of the football staff. Mississippi boosters cannot go unchecked. It is imperative that Mississippi, like all NCAA member institutions, take whatever action is necessary to control their boosters.

In the midst of some of the booster activity, Mississippi hired the head coach. When measured by wins and losses, he brought significant success to the football program during his tenure. Off the field, he promoted an atmosphere of compliance and expected his staff to abide by the rules. However, throughout his tenure, the head coach also violated NCAA head coach responsibility legislation because he failed to monitor his program's activities surrounding the recruitment of prospects. Members of his staff knowingly committed recruiting violations, submitted false information on recruiting paperwork and failed to report known violations. Among their violations, staff members provided a highly-regarded prospect impermissible inducements and benefits on numerous unofficial visits he made to campus. The head coach did not exercise sufficient oversight into what the staff members were doing. He did not meet his responsibility to monitor the activities that resulted in violations. His failure to monitor is a Level I violation.

Mississippi lacked control over its boosters and oversight of football recruiting activities. Although the institution is now attempting to manage its boosters, this case is symptomatic of an out-of-control culture that has existed for decades. A dozen boosters provided prospects, enrolled student-athletes and their families and friends with impermissible inducements and benefits. It is imperative that Mississippi gain control of and change this culture. Further, and perhaps related, the institution lacked control of the recruiting process. It did not confirm where prospects were staying when visiting campus or ensure that recruiting rules were followed and paperwork was accurate. Finally, even though the panel would have concluded a lack of control solely from the football violations, the violations from Case No. 189693 also contributed to the conclusion that

the institution lacked control of its athletics program. The institution's lack of control over these aspects of its athletics department is a Level I violation.

Mississippi agreed that its staff and boosters engaged in rules violations, although it disagreed with some specific allegations. The institution and the head coach did not agree that the head coach failed to monitor his program. Mississippi did not agree that it lacked control over its department of athletics.

Because the violations predominated after October 30, 2012, the current penalty structure applies. The panel classifies this case as Level I-Standard for the institution. The violations of one of the assistant coaches and both of the at-risk administrative staff members are Level I-Aggravated, while the violations of two other assistant coaches are Level I-Standard and Level II-Mitigated, respectively. The final assistant coach engaged in a single Level III violation.⁴ The head coach's violations are Level I-Mitigated. Utilizing the current guidelines, the panel adopts and prescribes the following penalties: three years of probation, a two-year postseason ban for the football team, reductions in grants-in-aid and recruiting opportunities, vacation of records, a two conference-game suspension for the head football coach, and show-cause penalties for two assistant coaches and the two administrative staff members involved in the violations. The penalty section describes these and other penalties.

II. CASE HISTORY

In September 2012, the Southeastern Conference notified the institution of potential violations in its women's basketball program. The institution instituted an investigation and notified the NCAA enforcement staff, which issued a notice of inquiry on October 17, 2012. The investigation continued over the next three years, expanding to two other sports, women's track and field and football. On January 22, 2016, the NCAA enforcement staff issued a notice of allegations (NOA) to the institution in Case No. 189693. The NOA included 13 allegations related to the football program, as well as allegations involving women's basketball and women's track and field.

In light of the ongoing investigation into the football program, on May 19, 2016, the institution requested that the entire case be postponed or, in the alternative, the panel bifurcate the football allegations from the other allegations. On June 1, 2016, the chief hearing officer (CHO) conducted a conference call to discuss all parties' positions on postponement and bifurcation. The following day, the CHO bifurcated the case, separating the football allegations. The panel proceeded to hear the non-football allegations on July 25, 2016, and issued Infractions Decision No. 460 on October 7, 2016. The panel also specifically identified it would be mindful of the case's procedural history.

As the football investigation progressed, the COI vice chair granted limited immunity pursuant to NCAA Bylaw 19.3.7 to six student-athletes. On February 22, 2017, the enforcement staff issued

⁴ As will be set forth in the explanation for Level III Violation V.2, the assistant director of sports video for football also committed rules violations. He was not considered to be "at risk" per Bylaw 19.7.1.2.

a final NOA regarding the football allegations to the institution, the then-head football coach (head coach), two assistant football coaches (assistant coaches 1 and 2, respectively), two former assistant football coaches (assistant coaches 3 and 4, respectively), the former administrative operations coordinator for football (operations coordinator) and former assistant athletic director for high school and junior college relations for football (assistant athletic director). On July 21, 2017, the enforcement staff submitted its written reply and statement of the case. By August 11, 2017, all parties but the operations coordinator, submitted responses and/or supplemental responses to the NOA.⁵

In May, July and August 2017, various parties raised numerous procedural issues. At times, the parties submitted multiple procedural letters on the same day, requiring the CHO to review numerous pages and address upwards of ten procedural issues in the same letter. In general, the procedural issues fell into six areas: (1) access to information from other investigations; (2) access to a student-athlete from another institution (student-athlete 1) whom the enforcement staff interviewed three times during the investigation; (3) access to items in the record; (4) bifurcation of the case; (5) questions regarding involved individuals, as defined by Bylaw 19.7; and (6) accusations of confidentiality breaches. The CHO considered the issues and communicated his decisions to the parties in letters sent on May 18, 2017, and August 25, 2017.

A panel of the COI conducted an in-person hearing on September 11-12, 2017. Representatives of the institution attended the hearing, as did the head coach, assistant coaches 1, 2 and 4, and the assistant athletic director. Given the procedural issues raised surrounding student-athlete 1 and pursuant to Bylaws 19.7.7.5 and 19.7.7.5.2, the panel requested that student-athlete 1 attend and participate in the hearing. Student-athlete 1 attended the infractions hearing and answered the panel's questions. The panel heard the case on the merits and based its decision on the full information in the record and developed at the hearing.

III. FINDINGS OF FACT

The majority of the facts in this case surround conduct that occurred in the football program during the head coach's tenure and largely involved his staff or those affiliated with his program. Other conduct occurred prior to his arrival. Mississippi hired the head coach in December 2011. He served as head football coach until the summer of 2017, when the institution dismissed him for reasons unrelated to this case. Assistant coaches 1, 2 and 4 all served on his staff. Assistant coach 1 was already working as an assistant football coach at the institution when the head coach arrived. He was hired by the head coach's predecessor in April 2010, was retained by the head coach and presently remains on the staff. Assistant coach 3 began coaching at Mississippi in 2008. He left for another member institution when the head coach was hired in December 2011. Assistant coaches 2 and 4 were assistants for the head coach at a prior institution before joining him at

⁵ On September 7, 2017, the operations coordinator submitted a letter to the enforcement staff generally denying all involvement in the allegations concerning him. The panel accepted the letter into the record even though it did not comply with Bylaw 19.7.5 and COI Internal Operating Procedure (IOP) 3-15.

Mississippi in December 2011. Assistant coach 2 remains part of the Mississippi coaching staff. Assistant coach 4 resigned in 2016 after Mississippi declined his request for a multi-year contract. At the time of the hearing, he was an assistant football coach at another member institution.

The operations coordinator never worked on the head coach's staff. He worked on the staff of the head coach's predecessor from April to December 2010 before leaving to take a coaching position at another member institution.⁶ While at Mississippi, the operations coordinator was responsible for guiding prospects and coaches through the initial eligibility process and facilitating prospects' admission to the institution. Finally, the assistant athletic director came to the institution as an original member of the head coach's staff. Because of the relationships he had built with Mississippi high school football coaches through the years, his main duties included setting up unofficial visits to campus and interacting with high school coaches, prospects and prospects' families on the visits. He worked previously at a number of member institutions and had an earlier stint at Mississippi under a different head coach. The institution placed the assistant athletic director on administrative leave in November 2016 and terminated his employment the following month.

Boosters, Football Staff and Pre-Enrollment Academic Issues

Although the bulk of booster activity involved the head coach's staff and occurred during his tenure, issues involving the football program predated his arrival. For instance, in 2010, two football staff members orchestrated a scheme for high school senior prospects to raise entrance exams scores at a testing site hundreds of miles from their home state in order to cure NCAA initial eligibility issues. They also later involved a booster in hosting prospects who continued to work toward eligibility standards. During February 2010, three high school senior prospects from Florida (student-athletes 2, 3 and 4, respectively) were among the prospects who signed National Letters of Intent (NLI) to attend Mississippi. Assistant coach 3 was the main institutional recruiter in Florida. At the time of their high school graduations in the spring of 2010, all three prospects had taken the ACT college entrance exam once but needed to achieve higher scores to meet NCAA initial eligibility standards.

On June 12, 2010, in an attempt to meet those standards, all three prospects re-took the ACT. At least one of them was pre-registered to re-take the test near his home until assistant coach 3 instructed them to take the test at a Mississippi location hundreds of miles from their homes. The operations coordinator was a long-time friend of the test supervisor at the Mississippi location (test supervisor). Prior to the June 2010 exam, the test supervisor mentioned to others helping her administer the exam that some examinees would be coming in from out-of-state. Assistant coach 3 was in phone contact with student-athlete 3's father in the days leading to the exam, including the night before the test as student-athlete 3's father drove the three prospects through the night from Florida to the testing site. Assistant coach 3 also communicated with the prospects either the night before the exam or in the morning before the exam started, telling them to only answer the

⁶ The operations coordinator also had a four-year stint on the Mississippi football staff some years earlier.

questions they knew and to leave the other spaces blank.⁷ All three prospects showed up at the testing site the morning of the exam, registered as "standby examinees" because they were not pre-registered at that site, and sat for the test.⁸

The three prospects did not complete the test but ultimately achieved higher scores following the operations coordinator's and assistant coach 3's plan. The ACT consists of 215 multiple choice questions covering four academic areas. Examinees are not penalized for wrong answers or guessing. Student-athlete 2 only answered approximately 10 questions on the test before he handed it in. Student-athlete 3 said he could not recall whether he left a significant number of questions unanswered, but one of the proctors remembered specifically that he did not finish the exam. Student-athlete 4 left anywhere from 15-20 questions blank. Once they handed in their exam answer sheets, the test supervisor took possession of them as part of her supervisory duties. She was solely responsible for securing them and shipping them to ACT personnel for grading. A later review of student-athlete 2's and 4's answer sheets showed that they were completely filled in. They attained scores seven and six points higher, respectively, than their first exams and, with those scores, met initial eligibility requirements.⁹ Student-athlete 4's answer sheet contained over 50 erasures and changed answers. Student-athlete 3 eventually stopped cooperating with the investigation, therefore, the enforcement staff could not obtain and review his answer sheet. However, he managed to score five points higher than his first exam and, with the score, meet initial eligibility requirements.

The test supervisor was a long-time acquaintance of the operations director, whose job included helping prospects meet eligibility standards. Even though the prospects showed up to take the June 2010 ACT at the test supervisor's Mississippi location on the morning of the exam as "standbys," the test supervisor was aware they were coming. She took sole custody of the three prospects' exam materials at the conclusion of the exam. Although neither student-athlete 2 or 4 finished the exam, their answer sheets were filled in completely. All three prospects attained improved scores and met initial eligibility standards. The panel finds that the operations coordinator arranged for the test supervisor to complete, or cause to be completed, the prospects' exam answer sheets. Assistant coach 3 assisted by telling the prospects to not answer any questions they did not know.

To cover all bases related to the prospects' academic deficiencies, the operations coordinator and the assistant coach 3 also arranged for the prospects (and others) to attend an educational facility and stay with an institutional booster. From the ACT exam location, student-athlete 3's father transported student-athletes 2, 3 and 4 directly to Jackson, Mississippi, so they could complete

⁷ Student-athlete 4 stated that the operations coordinator also told him to only answer the questions he knew and leave the rest blank. He said that assistant coach 3 and the operations coordinator were "preaching the same thing."

⁸ Both student-athlete 2 and student-athlete 4 were unaware of who signed them up for the exam in Mississippi or paid for their registrations.

⁹ Student-athlete 4 admitted that he did not study for the second exam. Student-athlete 2 stated that he took the second exam mainly to improve his reading score. That score jumped 16 points from his first exam.

academic coursework they needed to meet initial eligibility requirements. In Jackson, the three prospects spent the subsequent weeks with an institutional booster (booster 1) along with two other prospects from their home state (student-athletes 5 and 6, respectively) and a sixth prospect (student-athlete 7), who resided elsewhere in Mississippi. Student-athletes 5, 6 and 7, like student-athletes 2, 3 and 4, had all signed NLIs to attend Mississippi the previous February. Also like student-athletes 2, 3 and 4, student-athletes 5, 6 and 7 had academic deficiencies that threatened to keep them from meeting initial eligibility standards. While staying with booster 1, the prospects did academic coursework at a local educational facility (Jackson school). Booster 1 allowed the prospects to stay in his home cost-free, transported them to the Jackson school each day and may have provided some meals, although it was unclear whether the prospects bought most of their own food. The combined monetary value of the lodging, transportation and any meals booster 1 may have provided was approximately \$1,700. Student-athletes 2 and 3 withdrew from the Jackson school once they received their June 2010 ACT scores (which were high enough for them to attain eligibility), while student-athletes 4, 5, 6 and 7 completed various courses there. Student-athletes 2, 3, 4, 5 and 7 initially enrolled at Mississippi and competed for the football team. Student-athlete 6 initially enrolled in a junior college before enrolling and competing at Mississippi. Mississippi used student-athlete 2's, 3's and 4's ACT scores to certify them as eligible. They received athletically related financial aid based in part on those scores.

The operations coordinator and assistant coach 3 arranged for student-athletes 2, 3, 4, 5 and 6 to stay with booster 1. The operations coordinator became aware of the Jackson school in 2002 and had a longstanding relationship with booster 1. Assistant coach 3 was the main recruiter for student-athletes 2, 3, 4, 5 and 6. When it became clear the prospects had academic deficiencies, assistant coach 3 suggested they live with booster 1 and take summer courses at the Jackson school. Phone records from the relevant time frame confirm regular contact among the operations coordinator, assistant coach 3, booster 1 and the five out-of-state prospects. Except for student-athlete 3, the out-of-state prospects and/or members of their families all confirmed that assistant coach 3 guided them to the Jackson school and booster 1.

The operations coordinator was also responsible for steering student-athlete 7, the in-state prospect, to booster 1 and the Jackson school. Assistant coach 1, the primary recruiter for student-athlete 7, was a second-year coach who had not previously had one of his recruits fall short of initial eligibility qualifications. When he realized student-athlete 7 might not qualify, assistant coach 1 reported the situation to the operations coordinator, who had recently been hired because of his years of experience dealing with academic situations. They spoke of student-athlete 7 possibly attending the Jackson school as a way to keep him from enrolling in junior college. The operations coordinator did not mention booster 1, and assistant coach 1 did not know him.

Assistant coach 1 mentioned the Jackson school to student-athlete 7 and assumed that student-athlete 7 would commute from his home to complete the course he needed for eligibility. Once he learned during the summer that student-athlete 7 was staying at booster 1's home, assistant coach 1 approached the operations coordinator and asked about the propriety of the situation. The operations coordinator assured assistant coach 1 that the arrangement was permissible because

booster 1's charity provided housing to high school students all over the country. Assistant coach 1 did not pursue the matter further or report it to the compliance office.

In 2013, the enforcement staff began its investigation into possible violations in the Mississippi football program. On August 14, 2013, the enforcement staff contacted the compliance office at the member institution where assistant coach 3 was working to set up an interview with him. The staff asked the compliance officer (compliance officer) to inform assistant coach 3 of its request for an interview and admonish him not to discuss the matter with anyone but his legal counsel.¹⁰ The compliance officer informed the football staff of the request, prompting assistant coach 3 to phone him. The compliance officer spoke with assistant coach 3 in his office at 12:04 p.m., passing on the information about the interview and the "no contact" admonition. Immediately following his conversation with the compliance officer, assistant coach 3 began making phone calls to others who had some involvement with this case, including one to assistant coach 1. At 1:30 p.m., the compliance officer spoke to assistant coach 3 again and repeated the admonition. Once again, assistant coach 3 phoned assistant coach 1 immediately thereafter. At 3:05 p.m., assistant coach 3 phoned the compliance officer at Mississippi (Mississippi compliance officer) and asked what the interview was about. The Mississippi compliance officer declined to discuss the matter with him, but called the enforcement staff to report he had heard from assistant coach 3.

The enforcement staff immediately informed the compliance officer, who once again spoke to assistant coach 3 and admonished him not to discuss the matter with anyone. The compliance officer provided assistant coach 3 the phone number of the general counsel at their institution, and assistant coach 3 phoned her the following day. The general counsel also admonished him about keeping the matter confidential. However, assistant coach 3 later texted assistant coach 1, asking him to call. That evening, assistant coach 3 phoned assistant coach 1 and spoke to him for 14 minutes. Assistant coach 3 also contacted other people involved in the investigation that night, including student-athlete 3 and his father, student-athlete 5 and his mother, the operations coordinator and booster 1.

Four days later, on August 19, 2013, the enforcement staff interviewed assistant coach 3 for the first time. The staff interviewed him a second time on December 17, 2013, at which time he denied any knowledge of, or involvement in, arranging for prospects 2, 3 and 4 to take their June 2010 ACT exams in Mississippi or instructing them to refrain from answering the questions they did not know. In his response to the NOA, assistant coach 3 acknowledged making the calls to find "out what he potentially was involved in." The enforcement staff also interviewed the operations coordinator on December 16, 2013, and on February 25, 2014. In both instances, he denied arranging for student-athletes 2, 3 and 4 to take their June 2010 ACT exams in Mississippi or having any knowledge or involvement in fraud/misconduct in the administration of the exams.¹¹

¹⁰ The enforcement staff did not divulge to the compliance office the subject matter of the requested interview.

¹¹ Neither assistant coach 3 nor the operations coordinator were employed at Mississippi when these interviews occurred. NCAA rules now refer to such conduct as academic misconduct. However, at the time, the legislation referred to it as academic fraud.

The FCA Huddle Leader's Involvement in Football Recruiting

Boosters continued to be involved with prospects recruited by the institution once the head coach arrived. Throughout the 2012-13 academic year, a second institutional booster (booster 2) provided four prospects (student-athletes 8, 9, 10 and 11, respectively) with transportation to the institution's campus and bowl game, lodging, meals, tutoring services and institutional apparel.¹² Assistant coach 2 involved booster 2 in his recruitment of the four prospects and was aware of booster 2's actions. Assistant coach 2 made a determination that it was within NCAA legislation for booster 2, a Fellowship of Christian Athletes (FCA) "huddle leader" at the prospects' high school, to be involved with them because of a preexisting relationship. The head coach accepted assistant coach 2's interpretation of booster 2's status with the prospects. Assistant coach 2 did not confirm through the compliance office that booster 2's involvement was allowable. The total value of the benefits booster 2 provided to the prospects and their families was approximately \$2,250. Student-athletes 8 and 9 eventually enrolled and competed at Mississippi.

Booster 2 became involved in the prospects' recruitment to the institution in October and November 2012. He transported one or more of them approximately 140 miles from their hometown to the institution for football gameday unofficial visits three times. On those occasions he drove them to and from the institution on the same day and purchased food for them. During the first visit, booster 2 met assistant coach 2, the head coach and another assistant coach (assistant coach 5) and informed them he had transported the prospects. Before the latter two visits, booster 2 contacted assistant coach 2 in advance to inform him that he would bring the prospects. In late November, and at assistant coach 2's direction, booster 2 had phone contact with student-athlete 8's mother to arrange an in-home visit between her and assistant coach 5. In the first week of December, booster 2 was present and provided food for a recruiting visit at student-athlete 8's home by the head coach and assistant coach 2.¹³ Later that month, booster 2 paid the cell phone bills for student-athlete 8 and student-athlete 10's mother.

In the first week of January 2013, booster 2 transported student-athletes 8 and 11 over 400 miles to the institution's football bowl game. He also paid for their lodging, meals and game tickets. Booster 2 told assistant coach 2 that the group was coming. Assistant coach 2 arranged for the group to meet with an institutional football graduate assistant (graduate assistant), who allowed the prospects to attend a defensive team meeting at the bowl site. The graduate assistant was not one of the institution's countable coaches. The prospects also met the head coach and assistant coach 4 while at the bowl game site. The football staff did not log this contact into the recruiting monitoring system.

¹² At one point, booster 2 sent emails to assistant coach 2 and the head coach, informing them that his family was assisting the prospects with tutoring services. The football staff did not report this to the compliance office. The head coach claimed he never saw the email.

¹³ The head coach asked booster 2 to leave the visit, but not because the head coach believed booster 2 should not be there. The head coach desired to spend the visit with the prospect and his family. The football staff did not contemporaneously log this visit into the recruiting monitoring system.

Booster 2 continued bringing the prospects to the institution from January into March, at least partially in the hope that they would choose to attend Mississippi.¹⁴ He informed assistant coach 2 that he was coming before all but the final trip. He also arranged, at assistant coach 2's direction, an off-campus recruiting contact between student-athlete 9's mother and assistant coach 2. Booster 2 made four campus trips with one or more prospects and/or their family members. On January 30, he hosted at his home an off-campus meeting between assistant coach 2, prospects 8, 10, 11 and members of their families. His trips to campus during these months were during both official and unofficial visits by the prospects, and he informed assistant coach 2 in advance when he would bring them. One of the trips occurred from January 18-20, 2013, when booster 2 transported student-athlete 10, his mother and sister, and student-athlete 11 to campus.¹⁵ During the weekend, assistant coach 2 arranged for student-athletes 10 and 11 to stay cost-free in a hotel room reserved for student-athlete 8, who was making his official visit at the same time. That same weekend, the graduate assistant transported student-athletes 10 and 11 to the head coach's house, where they, student-athlete 11's mother and booster 2 received cost-free meals and had contact with members of the football coaching staff, including the head coach. On January 30, 2013, assistant coach 2 visited student-athletes 8, 10 and 11, and members of their families, at booster 2's home. Again, he did not log the contacts into the recruiting monitoring system. Booster 2 also transported student-athletes 9 and 11 to campus the first weekend of February. On that weekend, student-athlete 11, who was on an unofficial visit, stayed cost-free in a hotel room reserved for student-athlete 9's parent.¹⁶ The football staff did not report any of this information to the compliance office, and at no point did any member of the football staff ask the compliance office if booster 2's activities were allowable.

Sometime in January 2013, the institution received information regarding possible recruiting violations. The compliance office responded by reviewing social media accounts of prospects who had recently visited campus. Following its review, the compliance staff interviewed booster 2, determined that he met the definition of a booster, told him to cease his involvement in recruiting, and made the football staff aware of his status. However, on March 24, 2013, booster 2 transported student-athletes 8, 10 and 11 to the campus, where he purchased game tickets and concessions for them at an institutional baseball game. Assistant coach 2 observed him there and reported the incident to the compliance office.

¹⁴ On the January 25-27 visit weekend, another Mississippi booster (booster 3) gave student-athlete 8 a ride home from campus following his visit.

¹⁵ The institution asserted that this was an official paid visit for student-athlete 10. However, the paperwork for the weekend is in disarray and does not establish that his visit was official. Additionally, assistant coach 2 stated the visit was unofficial, and student-athlete 10 paid for his own meals. The panel finds that it was an unofficial visit. Student-athlete 11's visit this weekend was also unofficial.

¹⁶ On the February weekend, student-athlete 9 was on an official visit while student-athlete 11's visit was unofficial. When assistant coach 2 found out that student-athlete 11 stayed without paying in a room reserved for someone else, he required student-athlete 11 to reimburse the cost. Assistant coach 2 did not report this to the compliance office or any other member of the administration.

Campus Visits

Mississippi hosted a series of prospects on both official and unofficial visits where prospects, their family members and others attending the visits interacted with football staff members and boosters. On these visits, prospects participated in and were featured in mock television commercials. One prospect utilized a booster's land for hunting. On a later visit, Mississippi provided individuals traveling with prospects cost-free accommodations and meals and an assistant coach directed them to a booster's retail store where they received free gear. The same assistant coach later allowed that prospect to spend two nights at his home. Boosters continued to involve themselves with that prospect's family, providing them free lodging on their visits to campus over the next 18 months.

The January 18-20, 2013, visit weekend was the first of three consecutive weekends when the assistant director of sports video for football (video assistant) filmed visiting prospects and their families wearing Mississippi gear (jerseys, helmets, etc.) and made mock television recruiting commercials featuring them. Members of the football staff, including the head coach, were also included in the videos, which the football staff played for the visiting recruits on two of the three weekends. The head coach approved the video production and showings after the video assistant suggested the idea. The head coach claimed he told his staff to consult the compliance office about the idea. No member of the staff checked with the compliance office, which had previously advised the football staff against this type of recruiting activity twice in 2012. The head coach did not confirm personally or with his staff that compliance approved the project, even though he was aware that the compliance staff had previously advised against recruiting videos.

During the same weekend, the football staff arranged for one of the prospects making an official visit (student-athlete 12) to go hunting on a booster's (booster 4) private land. The head coach knew of the arrangement, and neither he nor any other member of the football staff checked with the compliance office on whether the activity was allowable. After student-athlete 12 enrolled at the institution, the football staff arranged for him to have free access to booster 4's hunting land on two or three other occasions during the 2013-14 academic year. Again, no member of the football staff cleared the activity through the compliance office.

Several elite prospects visited the institution on the weekend of January 25-27, 2013. Among them was a highly-coveted individual (student-athlete 13). Student-athlete 13, who was primarily recruited by assistant coach 4, came to campus accompanied by five others, including his younger half-brother (brother), mother (mother), his mother's then-boyfriend (boyfriend), and the half-brother's father and his wife (brother's father and step-mother). While arranging the visit, assistant coach 4 provided inaccurate information about the family relationships to a recruiting office staff member (assistant recruiting director), causing the assistant recruiting director to believe that the half-brother's father was also the father of student-athlete 13 and that the boyfriend was student-athlete 13's step-father.¹⁷ Based on the information he received from assistant coach 4, the assistant recruiting director approved lodging and meals for all members of the traveling party. The

¹⁷ Specifically, assistant coach 4 told the assistant recruiting director that the half-brother's father was student-athlete 13's "real dad" and that the boyfriend was student-athlete 13's step-father.

institution paid \$709 for meals for the boyfriend and the brother's father and step-mother, as well as \$318 for the brother's father's and step-mother's lodging. Approximately three months prior to this weekend, the compliance staff provided the football program with specific rules education regarding official visit accommodations after the football staff paid expenses for non-family members who accompanied a prospect to campus. At the hearing, assistant coach 4 stated that he relied on his own "common sense" approach to who the institution could pay for.

During the same weekend, assistant coach 4 referred student-athlete 13's group to a local off-campus retail store (retail store) to obtain institutional-themed clothing and apparel. Assistant coach 4 told them to go into the store and ask for the owner (booster 5). When they arrived at the retail store, booster 5 told them he had already spoken with assistant coach 4. He then instructed his employees to allow the group to select, free of charge, up to \$400 worth of merchandise. In two separate visits (one on Saturday, the other on Sunday), members of the group selected jerseys, sweatpants and sweatshirts, t-shirts, a tank top, slippers and baseball hats. They kept the total value under \$400 and did not have to pay for any of the items. Student-athlete 13 committed to the institution, signed an NLI, enrolled for the 2013-14 academic year and competed on the football team.

Prior to his initial enrollment, student-athlete 13 stayed at the home of assistant coach 4 for two nights during the summer of 2013. According to assistant coach 4, student-athlete 13 was on campus for the summer and became homesick. Student-athlete 13 spent some time at assistant coach 4's home, swimming, playing video games and watching television, and twice he fell asleep and spent the night. Assistant coach 4 did not report this activity to the compliance office. At the hearing, he acknowledged that he should have.

Assistant coach 4 knew he should have reported student-athlete 13's overnight stays, as well as information regarding student-athlete 13's traveling party, because both the head coach and the compliance office provided him, and all staff members, with comprehensive rules education. From the time he arrived on campus, the head coach demanded rules compliance from his staff. After a 2013 presentation to conference coaches by the NCAA enforcement staff, the head coach put together a coaches' manual to assist in the compliance effort. The manual contained visit protocols and educational materials. The head coach frequently asked questions of the compliance staff, encouraged his staff to do the same, had an "open door" policy regarding compliance questions and open lines of communication among his staff and compliance personnel. He developed a visit checklist and conducted both pre- and post-visit meetings to review visit paperwork. He asked questions about visit details, particularly visits made by elite prospects. However, upon becoming head coach at Mississippi, he was surprised by the "craziness" of boosters trying to insert themselves into the program.

Boosters were also involved with student-athlete 13's mother and her boyfriend. Student-athlete 13's mother and her boyfriend enjoyed two nights of cost-free lodging in the vicinity of the Mississippi campus during the summer of 2013. On June 7 and 8, 2013, a booster (booster 6) provided overnight lodging worth \$280 for them at a local hotel he owned. Assistant coach 4 lived near booster 6 and had a relationship with him. According to student-athlete 13's mother's

boyfriend, assistant coach 4 arranged the hotel reservations (on this occasion and later in the year) and relayed the information to the family, sometimes telling them to check in using the name of another booster (booster 7).¹⁸ Assistant coach 4 and booster 6 had phone contact during May and June 2013. Booster 6, who claimed the boyfriend approached him on social media, could offer no explanation why the boyfriend chose to contact him rather than any other hotel proprietor in town. The panel finds that assistant coach 4 was involved with booster 6 becoming acquainted with student-athlete 13's family. Booster 6 also allowed student-athlete 13's mother and her boyfriend to stay free-of-charge at his hotel (eight nights) or in a rental property he owned near campus (two nights) on October 26, 2013, November 9 and 16, 2013, March 8, 2014, April 4-5, 2014, May 10, 2014, and May 25-27, 2014. The total value of the free lodging from June 2013 through May 2014 was approximately \$2,253.

Mississippi's Recruitment of Student-Athlete 1

Student-athlete 1, another high-profile prospect, garnered attention from the institution's football staff and boosters in 2013-14. During his recruitment, the head coach contacted him during an evaluation period and the assistant athletic director maintained close telephone and in-person contact with him and his family. The assistant athletic director also coordinated student-athlete 1's introduction to boosters, who took an active role in his recruitment. Student-athlete 1 took numerous visits to campus, on which the assistant athletic director coordinated, arranged or was responsible for cost-free transportation, lodging and meals for student-athlete 1 and those traveling with him. In total, boosters and the assistant athletic director were responsible for student-athlete 1 and those accompanying him receiving approximately \$2,272 worth of transportation, lodging and meals. The football program falsified visit forms documenting some of these visits. Additionally, and like student-athlete 13's traveling party, student-athlete 1 received free gear from a booster's retail store.

As the 2013 high school football season progressed, student-athlete 1 became an important recruiting target for the institution.¹⁹ An in-state prospect and high school junior, his play throughout the fall elevated him to the point that, by the end of the season in November, he was a highly regarded recruit. On December 3, 2013, during an evaluation period, the head coach made a visit to student-athlete 1's high school. Early in the morning, before classes, the high school coach (high school coach) sent a text to student-athlete 1, asking him to come to the high school coach's office to meet the head coach. When student-athlete 1 arrived at the office, the head coach was already there. During face-to-face interaction that lasted anywhere from one to perhaps five or ten minutes, the head coach and student-athlete 1 shook hands and had at least some conversation.²⁰ The head coach told student-athlete 1 that they could not speak, but he also told

¹⁸ Boosters 6 and 7 were friends. As will be detailed later, booster 7 also interacted with student-athlete 13's mother and her boyfriend.

¹⁹ At the hearing, the head coach described student-athlete 1 as a recruiting priority at a position of need.

²⁰ The high school coach estimated that the meeting lasted from a minute or two to three-five minutes. Student-athlete 1 said it lasted five-10 minutes, while the head coach said it only lasted a minute.

student-athlete 1 to remember who the first coach was to visit him, "I look forward to recruiting you," and "listen to your coach."²¹ Student-athlete 1 then left and went to class.

The head coach was not the only staff member to contact prospects during an evaluation period. On May 8, 2014, assistant coach 4 traveled to an out-of-state high school, where he had a conversation with two prospects. When he arrived at the high school, he initially contacted the football coach. The football coach summoned the two prospects to a private meeting room near the school office, where they spoke to assistant coach 4 for approximately 10 minutes. Assistant coach 4 did not log the contact or report it to the compliance office.

Student-athlete 1's contact with the institution and football staff members accelerated in the spring of 2014. In particular, the assistant athletic director was in close contact with the family, speaking by phone with student-athlete 1 and/or members of his family as often as four times per week.²² On March 28-30, 2014, student-athlete 1 made the first of seven unofficial visits to the campus (he was also on campus in June and July 2014 to attend football camps and later made an official visit).²³ The assistant athletic director suggested he make the trip and told the family that a number of prospects would be on campus that weekend. Student-athlete 1 traveled to the institution by car with his mother and step-father, toured the campus with members of the staff and stayed the night at a local hotel. Mississippi provided him and his parents a meal they did not pay for.

The first unofficial visit was the only time student-athlete 1's parents accompanied him to campus. He came alone to a second visit from April 4-6, 2014, and for June and July 2014 football camps. He was accompanied on his other five unofficial visits in August, September, October and November 2014 by one or both of two cousins (cousins 1 and 2, respectively) and/or a friend (friend). Cousin 1 also accompanied student-athlete 1 on his January 2015 official visit to Mississippi. When he wanted to visit the campus, student-athlete 1 contacted the assistant athletic director, who admitted at the hearing that he "wanted to get the young man to campus."

Regarding the June 2014 football camp, student-athlete 1 direct-messaged the head coach expressing a desire to attend, although he was unsure he had a ride. In response, the head coach sent a message to his staff, asking if anyone in the area where student-athlete 1 lived was coming to the camp and could give him a ride. The assistant athletic director replied, "I think I can get him [a ride] from a young man from [another town]." The assistant athletic director was actually referring to a campus food service worker he knew well (booster 8). The head coach directed the assistant athletic director to "make sure [student-athlete 1] is okay with it" but did not inquire further about student-athlete 1's ride to the camp. Booster 8 transported student-athlete 1 to and

²¹ The head coach was the first collegiate coach to visit with student-athlete 1.

²² The assistant athletic director, who described himself as student-athlete 1's "recruiting coach," had a second phone besides his institutional phone. Because he contacted student-athlete 1 from both phones and the records from his second phone were unavailable, the full extent of their contact could not be ascertained. But student-athlete 1's mother described the assistant athletic director as being at the family home "all the time. If he wasn't here, he was calling."

²³ Student-athlete 1 did not participate in the second camp, meaning that trip became classified as an unofficial visit.

from the June camp and, later, to and from his August 2014 visit. The roundtrip distance between student-athlete 1's home and the Mississippi campus was approximately 432 miles.

The assistant athletic director focused his efforts on facilitating student-athlete 1's numerous trips to campus and coordinating his stays. The assistant athletic director assisted student-athlete 1 with transportation to Mississippi on occasions when student-athlete 1 did not have a ride to campus. As he admitted at the hearing, the assistant athletic director directed booster 8 to provide transportation to student-athlete 1 for visits in June and August 2014.²⁴ On the August trip, booster 8 also transported another prospect (student-athlete 14) and cousin 1. Between student-athletes 1 and 14, booster 8 transported them approximately 660 miles from their homes to campus and back. The assistant athletic director was aware booster 8 transported them. In July 2014, another booster (booster 9), whom student-athlete 1 met through yet another booster (booster10) the assistant athletic director introduced him to, transported student-athlete 1 to and from an institutional football camp. Student-athlete 1 was at a football camp at another member institution and called booster 9 to transport him to the Mississippi camp. She retrieved him from the other institution, brought him to Mississippi and took him back to his hometown later that weekend, driving him approximately 321 miles. During this timeframe, the assistant athletic director was in contact with booster 9. He acknowledged at the hearing that he "could have" known she transported student-athlete 1 to and from the camp.

Student-athlete 1 and his companions always stayed in local hotels when they traveled to the Mississippi campus. The assistant athletic director arranged the accommodations. The institution correctly pointed out at the hearing that the assistant athletic director's phone showed no calls to the hotel where student-athlete 1 and his companions stayed. However, the assistant athletic director finally admitted in a late interview and at the hearing that he had a second phone. Records for that phone were unavailable for review. And even though he denied involvement in the hotel arrangements, at the hearing the assistant athletic director admitted telling booster 8 to be sure student-athlete 1 had a place to stay on his trips to campus. Student-athlete 1 and his companions did not have to pay for the lodging. The panel finds that, either directly or indirectly, the assistant athletic director arranged for student-athlete 1's cost-free hotel stays on his trips to campus.

At the hearing, the assistant athletic director accepted responsibility for the free meals the prospects received on unofficial visits because "they are my recruits." He denied arranging the free lodging. The total value of the meals, lodging and transportation the assistant athletic director and Mississippi boosters provided to student-athlete 1, his family and other companions on the visits was approximately \$2,272. This amount includes approximately \$325 for lodging and meals the institution provided for cousin 1, who traveled with student-athlete 1, and stayed with him, on student-athlete 1's official visit to the institution in January 2015. This amount also includes the value of meals and transportation by booster 8 that the assistant athletic director either arranged

²⁴ The assistant athletic director and booster 8 were in almost constant contact. From February 24, 2014, through February 4, 2015, (national signing day), they exchanged 946 calls on the assistant athletic director's institutional phone. It is unknown how many calls they may have exchanged on the assistant athletic director's second phone.

for or directly provided to student-athlete 14, who visited the institution at the same times in July and August 2014 as student-athlete 1.²⁵

The football staff only sporadically reported to the athletics administration that student-athlete 1 was visiting campus. For two visits, no paperwork existed in his institutional recruiting file. For more than one visit, the file contained falsified documentation.²⁶ For example, student-athletes 1 and 14 were at the institution from August 15-17, 2014, for a "Meet the Rebels" event. When the group arrived at the institution, booster 8 dropped them off at a local hotel, where the assistant athletic director, or booster 8 at the assistant athletic director's direction, had arranged for them to stay free-of-charge. The documentation the football program submitted to the compliance office for this occasion stated that the two prospects provided their own transportation and stayed in a dormitory room.

Similarly, the visit form for student-athlete 1's unofficial visit on September 13, 2014, shows that he stayed on campus with an enrolled student-athlete. However, student-athlete 1 and his companions were clear that they never stayed with the enrolled student-athlete. The enrolled student-athlete stated that his signature on the visit form was forged and that student-athlete 1 never stayed with him. Finally, on student-athlete 1's January 2015 official visit, cousin 1 stayed cost-free with student-athlete 1 in his hotel room and did not pay for his meals. The football staff submitted false documentation to the compliance office showing that cousin 1 paid half the hotel bill and purchased his own food.

On their trips to campus between March 2014 and January 2015, student-athlete 1 and his companions frequently patronized a local bar/restaurant (establishment) run by an institutional booster (booster 11). Student-athlete 1 initially met booster 11 at the football facility during one of his campus visits. During subsequent visits, booster 11 and/or his employees provided student-athlete 1 and his companions with free food and/or alcoholic drinks at booster 11's establishment.²⁷ When student-athlete 1 entered the establishment, he would look for booster 11, whom he often observed sitting in a corner. Student-athlete 1 would approach him and they conversed. Cousins 1 and 2 and student-athlete 1's friend confirmed receiving free food and drinks, and they recalled booster 11 interacting with student-athlete 1 and being excited to see him. At some point, booster 11 introduced student-athlete 1 to his bartender. Thereafter, when student-athlete 1 entered the establishment and booster 11 was not there, he would speak directly with the bartender to obtain free food and drinks.²⁸ Booster 11 also provided cash to student-athlete 1 on two or three occasions. Student-athlete 1 estimated that he received a total of between \$200 and \$600. When speaking alone with booster 11 they would shake hands, with booster 11 leaving cash in student-

²⁵ The investigation did not identify the source of any money used to pay for these inducements and benefits.

²⁶ The investigation did not identify who falsified visit paperwork.

²⁷ Student-athlete 1 and his companions were all under the legal drinking age.

²⁸ Although student-athlete 1 did not identify this activity (i.e., interaction with the bartender) in his interviews, he credibly explained it to the panel at the hearing.

athlete 1's hand when they separated. Booster 11 provided the cash in denominations of \$100, handing student-athlete 1 one or two bills each time.

Booster 11 knew the head coach and also had frequent phone contact with the assistant athletic director and booster 8. From October 15, 2014, through February 4, 2015 (national signing day), the time when Mississippi was recruiting student-athlete 1 and he made multiple visits to campus, booster 11 exchanged 12 phone calls with the assistant athletic director. Booster 11 also spoke with booster 8, whom the assistant athletic director was in constant contact with, on February 4. Further, booster 11 phoned student-athlete 1 on January 31, 2015, and February 3, 2015, and also texted him on February 3. Yet, booster 11 denied knowing student-athlete 1 and claimed no recollection of meeting him or of student-athlete 1 ever being in his establishment. Before the enforcement staff was able to confront him with his own phone records, booster 11 said he would be "shocked" if they showed any communications between him and student-athlete 1. He offered no reason why he might have had contact with student-athlete 1.²⁹

Similar to the family of student-athlete 13, an athletics staff member also referred student-athlete 1 to the retail store on one of his visits. To the best of student-athlete 1's recollection, he visited the retail store during his July 2014 visit to campus after mentioning to the assistant athletic director that he would like to have some institutional athletic gear. The assistant athletic director said he would "hook [student-athlete 1] up" and that student-athlete 1 could obtain approximately \$400 of merchandise.³⁰ Likely accompanied by booster 8, student-athlete 1 went to the retail store, where he selected what he estimated to be seven to eight items. He took them to the cashier, who removed "something off the clothing."³¹ The cashier used some kind of card during the transaction, and student-athlete 1 subsequently left the retail store in possession of the merchandise without having to pay for it.³²

During the investigation, a third prospect (student-athlete 15) also talked about obtaining free merchandise from the retail store during his recruitment.³³ Student-athlete 15 made seven unofficial visits to the institution between November 2014 and November 2015, as well as an official visit in January 2016. One of his high school coaches accompanied him on perhaps four of the unofficial visits. Similar to student-athlete 1, the assistant athletic director referred student-athlete 15 to the retail store. The assistant athletic director, who was heavily involved in recruiting student-athlete 15, told him to ask for a particular female who would allow him to select some gear

²⁹ Booster 11 also lied about knowing booster 8 and the assistant athletic director.

³⁰ The assistant athletic director was a friend of booster 5, the owner of the retail store, and his daughter (booster 5's daughter), who worked there. The assistant athletic director had regular phone contact with them.

³¹ Student-athlete 1 was uncertain of this and other facts of the transaction during his various interviews. He speculated that the clerk may have removed price tags or security tags.

³² Student-athlete 1 could not state whether the card was a credit card, pre-paid debit card, a retail store gift card or something else. He provided conflicting statements on whether or not he possessed the card. At the hearing, he stated that he did not physically possess it or see the cashier swipe it. The cashier retained the card.

³³ Student-athletes 1, 13 and 15 did not know each other at the times they talked about the retail store in their interviews.

that he would not have to pay for. Student-athlete 15 went into the retail store on approximately four of his campus visits and estimated that he obtained approximately \$500 of cost-free merchandise each time. Student-athlete 15's mother later produced a video in which she showed some of the merchandise her son had received, along with a business card of booster 5's daughter that had booster 5's daughter's cell phone number hand-written on the back.³⁴ The high school coach who accompanied student-athlete 15 on some of his visits did not see student-athlete 15 with large amounts of merchandise from the retail store, but the high school coach was not with him at all times on the visits and did not accompany him on every trip.

Cash Payments from Boosters to Student-Athlete 1

Like other instances where football staff members intentionally involved boosters in the recruitment of student-athletes, the assistant athletic director involved boosters 9 and 10 in financially persuading student-athlete 1 to attend Mississippi after he told the assistant athletic director that he wanted to be paid for his commitment. Booster 9 and 10 provided a series of cash payments to student-athlete 1, culminating in a final \$10,000 payment, on the day before national signing day. Student-athlete 1 did not sign with Mississippi.

On March 29, 2014, as student-athlete 1 was making his first unofficial visit to the institution, the assistant athletic director had his first known phone contact with booster 10. The assistant athletic director gave booster 10 student-athlete 1's phone number, possibly during this March 29 call. At some point, the assistant athletic director told student-athlete 1 to be expecting a phone call. One day later, on March 30, booster 9, who was employed by booster 10, made her first phone call to student-athlete 1. From that first call through September 24, 2014, student-athlete 1 and booster 9 exchanged 78 phone calls and/or text messages. In the same timeframe, booster 9 and the assistant athletic director were also in contact by phone and text, with some of their text messages referring specifically to student-athlete 1 and his recruitment by the institution. For example, on April 21, 2014, the assistant athletic director texted her a message that he had to ask her "a couple of questions about [student-athlete 1]." Booster 9 responded that she would give him a call. On August 21, 2014, shortly after student-athlete 1 verbally committed (but not publicly) to attend Mississippi, the assistant athletic director texted booster 9 that "He's in & wants to keep it quiet." Booster 9 responded, "Yep, I kno [sic]."

At the hearing, Mississippi characterized the actions of the assistant athletic director, booster 9 and booster 10 in contacting student-athlete 1 as "disturbingly questionable." The panel agrees. However, the institution offered no reasons *why* the three of them were contacting student-athlete 1 and each other about him. Student-athlete 1 himself provided that context—the purpose of the contacts between booster 9 and student-athlete 1 was for her to provide cash payments to him. In the months after the assistant athletic director set up their initial contact through booster 10, booster 9 delivered cash payments of \$500 to \$800 to student-athlete 1 on six or seven occasions. Student-athlete 1 was able to describe booster 9's two vehicles and identify a picture of her. The payments

³⁴ Booster 5's daughter did not have the same name as the female the assistant athletic director told student-athlete 15 to see in the retail store.

usually occurred in Jackson, Mississippi, where boosters 9 and 10 worked, but at least once booster 9 traveled to student-athlete 1's hometown to pay him. When the enforcement staff interviewed her during the investigation, booster 9 reported that student-athlete 1's name had "no meaning" to her in April 2014, even though her contacts with him began the previous month. She also denied meeting or having contact with him. When shown proof of their many communications, she offered no explanation other than stating, "I just don't recall."

Out of all the booster conduct from 2010 through 2015, Booster 10 went to the greatest lengths to secure a prospect's commitment. He personally delivered a \$10,000 payment to student-athlete 1. He made the payment on February 3, 2015, the day before prospective student-athletes could sign NLIs with member institutions. In one of his conversations with booster 10 leading up to that day, student-athlete 1 requested \$10,000 in exchange for signing with Mississippi. Booster 10 agreed, drove from Jackson to student-athlete 1's hometown, and met student-athlete 1 in a local motel parking lot in the afternoon after student-athlete 1 got out of school. Student-athlete 1 got into the passenger side of booster 10's vehicle (the color, make and model of which he correctly recalled during the investigation) and accepted \$10,000 in \$100 bills from booster 10. In the weeks and months that followed, he spent \$6,885 cash on a used car and gave his mother anywhere from \$1,000 to \$3,000 to put down on a new family residence. He also purchased clothes and provided money to the mother of his young daughter.³⁵

In spite of accepting the money from booster 10, student-athlete 1 did not intend to sign with and attend Mississippi. Later in the afternoon after providing student-athlete 1 the \$10,000, rumors circulated that student-athlete 1 might attend another institution. In response to those rumors, booster 10 sent a text message to the assistant athletic director, addressed to student-athlete 1. In the text, booster 10 urgently sought an explanation surrounding student-athlete 1's alleged commitment to another member institution:

[Student-athlete 1] I need you to call me immediately. We met and agreed upon things and now I see a former coach of yours on [another institution's internet message] board saying he spoke with you after school and you are going to [the other institution]? What is going on? You swore to me on your daughter. Please call me. You owe me that. Thanks.

Booster 10 soon thereafter forwarded the same text message directly to student-athlete 1, who did not respond. When discussing the meaning of his text message in his interview with the enforcement staff during the investigation, booster 10 claimed that his use of the words "we met and agreed upon things" referred to an encounter he claimed he had with student-athlete 1 on the Mississippi campus some months earlier. He said he asked student-athlete 1 to "please call me. You owe me that" because he was going to refer student-athlete 1 to an attorney regarding a

³⁵ At the hearing, student-athlete 1 talked about receiving a similar amount of money from another individual at approximately the same time. The panel reached no conclusion over whether it occurred. Student-athlete 1 was clear about the amounts he received from boosters 9 and 10 and how he spent the money from them. The panel found him credible.

purported domestic issue.³⁶ Booster 10 offered no reason why student-athlete 1 needed to call him "immediately" on February 3, 2015, and did not explain what student-athlete 1 owed him.

A month later, in March 2015, student-athlete 1 posted a video of himself to one of his social media accounts. The video showed him wearing new clothing and items of jewelry, as well as holding a large amount of cash. When later interviewed about the video, student-athlete 1 acknowledged that it depicted some of the money he received from booster 10.

Assistant Athletic Director's Statements

The assistant athletic director was a central figure in the recruitment of student-athlete 1. When later interviewed by the enforcement staff during the investigation, the assistant athletic director denied involvement in rules violations surrounding Mississippi's recruitment of student-athlete 1. The enforcement staff interviewed him on December 1, 2016. During the interview, he denied any knowledge of, or involvement in, arranging free lodging for student-athlete 1's visits to the institution during August, September, October and November 2014. He also denied knowledge of, or involvement in, arranging transportation to the institution for student-athlete 1 and others in June, July and August 2014. Further, he denied knowledge of, or involvement in, arranging recruiting contact among student-athlete 1 and boosters 9 and 10. Finally, he denied any knowledge of, or involvement in, boosters 9 and 10 providing cash payments to student-athlete 1.

Additional Cash Payments and Use of Loaner Vehicles from Boosters

Once student-athlete 1 committed to and signed an NLI with a different institution, his contact with the Mississippi football staff and boosters understandably ceased. But that was not the case for student-athlete 13 and others. After enrolling, student-athlete 13's mother's boyfriend received cash from another booster, while student-athlete 13 and another student-athlete had on-going relationships with a local car dealership.

After student-athlete 13 enrolled at Mississippi in the summer of 2013, he and those associated with him continued to receive cash and special arrangements from boosters. On August 22, 2014, booster 7 provided an \$800 cash payment to student-athlete 13's mother's boyfriend. Booster 7 and the boyfriend met initially in the early autumn of 2013 in a hotel lobby prior to a football game. Later in the season, after a home football game, assistant coach 4 reintroduced them. The boyfriend and booster 7 exchanged phone numbers and had periodic phone and texting contact thereafter. On August 18, 2014, the boyfriend and booster 7 exchanged a series of text messages regarding a "package" to be delivered from the booster to the boyfriend. The word "package" referred to a cash payment, one of many the boyfriend claimed he received from booster 7. On August 22, 2014, the boyfriend and booster 7 met in person and booster 7 delivered the money. The boyfriend's bank records show that he was overdrawn on that day until he made a \$500 cash deposit to one of his accounts. Booster 7 denied making cash payments to the boyfriend, but he had no explanation for the use of the word "package" in their communications.

³⁶ Student-athlete 1 denied being involved in any domestic issue at the time and no information in the record establishes he was.

Another booster (booster 12) allowed student-athlete 13 to use automobiles free-of-charge following his enrollment and made him a loan contrary to a purchase agreement student-athlete 13 signed. Booster 12 owned an automobile dealership (dealership), and the cars he let student-athlete 13 use came from his inventory.³⁷ During the summer of 2014, student-athlete 13 took his personal vehicle to the dealership for repairs. As part of the dealership's service, it provided him a "loaner" vehicle. On August 11, 2014, the dealership determined to forgo further repairs to student-athlete 13's vehicle, ending his status as a service customer. However, booster 12's dealership allowed him to use the "loaner" free-of-charge until October 28, 2014, contrary to its policy. He returned the vehicle when the compliance office learned he was using it. Before he returned the vehicle, student-athlete 13 competed in six contests during the fall of 2014.

The institution agreed that it did not adequately inquire into how student-athlete 13 came to possess and use the vehicle. In the fall of 2014, student-athlete 13 received eight parking tickets on the vehicle after parking it illegally. On October 3, after campus parking services "booted" the vehicle because student-athlete 13 did not pay the tickets, student-athlete 13 bought a parking pass that showed him to be the individual possessing the vehicle. He promptly received five more tickets by October 28. At approximately this point, the compliance office learned that student-athlete 13 was using the vehicle and directed him to return it to booster 12's dealership. However, the compliance office accepted student-athlete 13's false statement that he only possessed the vehicle for two weeks without conducting a further inquiry.

In February 2015, student-athlete 13 spoke to booster 12's dealership about potentially purchasing a vehicle. On February 16, the dealership loaned him a vehicle at no cost. Student-athlete 13 had to return the vehicle to the dealership on May 11, 2015, because it had been sold, but at that time the dealership allowed him to take another vehicle cost-free. He retained the second vehicle until June 10, 2015. The institution agreed that the value of the use of the vehicles from August 2014 to June 2015 was approximately \$3,740 and that the use of the vehicles was outside the scope of the dealership's loaner policies.

On June 10, 2015, student-athlete 13 purchased a vehicle from booster 12's dealership. He signed a finance agreement requiring him to put \$3,000 down on the purchase, but he did not make the down payment. Instead, the dealership gave him a deferred-payment \$3,000 loan, which it does not generally provide to other customers.

Similar to the situation with student-athlete 13, in April 2015, booster 12 and his dealership let a second enrolled student-athlete (student-athlete 16) use a "loaner" free-of-charge while his personal vehicle was being repaired. However, even though the repairs to student-athlete 16's vehicle were completed on July 7, 2015, the dealership allowed him to retain the "loaner" free-of-charge until August 10, 2015, contrary to its loaner policies. The institution agreed that the value of the complimentary use of the vehicle was approximately \$755.

³⁷ The enforcement staff and institution agreed that booster 12's automobile dealership also met the definition of a booster.

Student-athlete 16 had a campus parking pass that he used in both his personal vehicle and the "loaner." Campus police ticketed both vehicles, but the institution did not investigate why he had two cars and one was from a local dealership. The compliance office realized student-athlete 16 was driving the "loaner" in August 2015, as it investigated student-athlete 13's use of vehicles from the same dealership.

IV. ANALYSIS

The violations in this portion of the institution's infractions case occurred in the football program. The violations involved boosters and team staff members, including coaches, and fall into one or more of four areas: (A) through (D) ACT exam fraud and unethical conduct; (E) through (N) multiple instances of boosters and/or football team staff members, sometimes working in concert, providing impermissible benefits and inducements to prospective and enrolled student-athletes, resulting in unethical conduct by football team staff members and ineligible participation by the student-athletes; (O) failure of the head coach to monitor his staff; and (P) the institution's lack of control over its football program.

A. UNETHICAL CONDUCT: ENTRANCE EXAM FRAUD RESULTING IN INELIGIBLE PARTICIPATION [NCAA Division I Bylaws 10.01.1, 10.1 and 10.1-(h) (2009-10), 14.1.2, 14.3.2.1, 14.3.2.1.1 and 14.11.1 (2010-11 through 2012-13, and 14.10.1 (2013-14)]

In 2010, the operations coordinator and assistant coach 3 arranged for prospects to obtain fraudulent entrance exam scores. The prospects used the fraudulent scores to satisfy NCAA initial eligibility requirements and later practiced, received athletically related aid and competed. Mississippi and the enforcement staff substantially agreed to the facts and that violations occurred. The operations coordinator and assistant coach 3 disagreed with the allegations. The panel concludes that Level I violations occurred.

1. NCAA legislation relating to academic fraud and ineligible participation.

The applicable portions of the bylaws may be found in Appendix Two.

2. The operations coordinator and assistant coach 3 violated ethical conduct legislation when they directed three prospects to not complete their ACT exams and arranged for someone else to complete the exams, resulting in the prospects fraudulently gaining initial eligibility.

In May and June 2010, the operations coordinator and assistant coach 3 arranged for student-athletes 2, 3 and 4 to obtain fraudulent ACT scores that the prospects used to meet initial eligibility standards. The actions of the two football staff members constituted unethical conduct in violation of Bylaw 10. Mississippi then used the fraudulent test scores to certify the prospects as eligible for competition and allowed them to practice, receive athletically related financial aid and compete. In doing so, the institution violated Bylaw 15 and various provisions of Bylaw 14.

Bylaw 10 governs ethical conduct in collegiate athletics. Bylaw 10.1.01 generally requires institutional staff members to act with honesty and sportsmanship. Bylaw 10.1 identifies several categories of unethical conduct, including subsection (h), which in 2009-10 prohibited staff members from engaging in fraud or misconduct in connection with entrance or placement exams. Bylaw 14 governs student-athlete eligibility. Bylaw 14.1.2 holds member institutions responsible for determining the validity of the information they use to certify eligibility, while Bylaws 14.3.2.1 and 14.3.2.1.1 set forth the requirements for initial eligibility. If a prospect does not meet the requirements, he or she cannot practice, receive athletically related financial aid or compete. Bylaw 14.11.1 requires member institutions to withhold ineligible student-athletes from all intercollegiate competition.³⁸ Finally, Bylaw 15.01.5 provides that student-athletes must meet all provisions of Bylaw 14 before institutions can award them financial aid.

When the operations coordinator worked with the test supervisor to ensure that student-athletes 2, 3 and 4 attained improved scores on their second ACT exams, he failed to conduct himself with the honesty and integrity required of NCAA institutional staff members. The operations coordinator and test supervisor were long-time acquaintances. Even though the three prospects showed up as "standby" registrants the morning of the test, the test supervisor knew they were coming. She took possession of the completed tests once the examinees handed them in. Assistant coach 3 violated the same bylaws. The main recruiter for the three prospects, he instructed them before the test to only complete the answers they knew. Even though the three prospects did not complete their exams, the answer sheets for student-athletes 2 and 4 (student-athlete 3 did not make his answer sheet available) were filled in completely. All three prospects attained markedly higher scores. When the operations coordinator and assistant coach 3 assisted the prospects in attaining those higher scores, they did not meet the membership's expectations for conduct under Bylaws 10.01.1 and 10.1, and engaged in test fraud pursuant to Bylaw 10.1-(h).

The actions of the operations coordinator and assistant coach 3 rendered the prospects ineligible and caused the institution to violate eligibility legislation. Because the ACT exam scores used by the institution to certify the prospects were invalid, Mississippi violated Bylaw 14.1.2. And because the three prospects would not have met minimum initial eligibility standards without the fraudulent scores, Mississippi violated Bylaws 14.3.2.1, 14.3.2.1.1, 14.11.1 and 15.01.5 when it allowed them to receive athletically related aid, practice and compete.

This is the second case the COI has considered in which the operations coordinator orchestrated standardized test fraud in an attempt to help prospects attain initial eligibility. In *University of Louisiana at Lafayette* (2016), this same operations coordinator also arranged for prospects to take their ACT exams at the test supervisor's high school, which was hundreds of miles from their homes.³⁹ The test supervisor administered the exams. As in this case, multiple answers were changed on the prospects' answer sheets after the prospects turned them in. The prospects attained higher scores that were then used to certify their eligibility. The panel concluded that the

³⁸ As of the 2013-14 academic year, this provision moved to Bylaw 14.10.1. The language did not change. As of the 2014-15 academic year, this provision moved to Bylaw 12.11.1.

³⁹ The operations coordinator is identified as an assistant coach in *Lafayette*.

operations coordinator orchestrated test fraud and the violations were Level I. This situation, where the test supervisor or someone else completed the ACT tests for the prospects, is also analogous to cases where others perform academic coursework for student-athletes. The COI has consistently concluded that those violations are Level I. See *University of Mississippi* (2016) (concluding, in the women's basketball and women's track and field portion of this case, that a former director of basketball operations engaged in a Level I violation when he completed coursework for two prospects in five online courses); *University of Southern Mississippi* (2016) (concluding that members of the men's basketball staff who completed 60 credit hours of coursework for seven prospects committed Level I violations); and *Southern Methodist University* (2016) (concluding that a basketball administrative assistant committed Level I violations when she completed a prospect's online coursework and exams).

Pursuant to Bylaw 19.1.1-(d), the panel concludes that the violations are Level I. Individual unethical conduct is a Level I severe breach of conduct. Institutional staff members who arrange for fraudulent test scores seriously undermine the integrity of the NCAA Collegiate Model, which is based in part on commitments to fairness, sportsmanship and honesty. By their actions, the operations coordinator and assistant coach 3 provided a substantial recruiting or competitive advantage to the institution. Student-athletes 2, 3 and 4 would not have been able to enroll without attaining improved ACT scores. With the fraudulent scores, they were able to come to Mississippi and compete for the football team.

B. UNETHICAL CONDUCT: THE OPERATIONS COORDINATOR AND ASSISTANT COACH 3 ARRANGING FOR A BOOSTER TO PROVIDE IMPERMISSIBLE INDUCEMENTS, RESULTING IN INELIGIBLE PARTICIPATION [NCAA Division I Manual Bylaws 10.01.1, 10.1, 10.1-(c), 13.1.2.1, 13.2.1 and 13.2.1.1-(h) (2009-10), 14.11.1 (2010-11 through 2012-13), and 14.10.1 (2013-14)]

During the summer of 2010, the operations coordinator and assistant coach 3 violated the principles of ethical conduct when they arranged for a booster to provide impermissible inducements to prospects. The institution and enforcement staff substantially agreed on the facts and that violations occurred, but Mississippi asserted that the violations are Level II. The operations coordinator and assistant coach 3 disagreed that they knowingly arranged for impermissible inducements. The panel concludes that Level I violations occurred.

1. NCAA legislation relating to impermissible inducements and ineligible participation.

The applicable portions of the bylaws may be found in Appendix Two.

2. The operations coordinator and assistant coach 3 violated NCAA unethical conduct and recruiting legislation when they knowingly arranged for a booster to provide impermissible housing and transportation to prospects.

In June 2010, the operations coordinator and assistant coach 3 arranged for student-athletes 2, 3, 4, 5 and 6 to reside with booster 1 in Jackson, Mississippi, where they attended classes to complete the academic work necessary to meet initial eligibility requirements. The operations coordinator also arranged for student-athlete 7 stay with booster 1 for the same purpose. The operation coordinator's and assistant coach 3's actions violated Bylaws 10 and 13 and resulted in the institution violating Bylaw 14.

As stated above, Bylaw 10 requires institutional staff members to act with honesty and sportsmanship. In particular, Bylaw 10.1-(c) precludes institutional staff members from knowing involvement in providing a prospective student-athlete any improper inducements or benefits. Bylaw 13 governs recruiting. Bylaws 13.1.2.1 and 13.2.1 preclude boosters from engaging in any recruiting activities, on- or off-campus, and from providing any benefits to prospects unless explicitly allowed by NCAA rules. Bylaw 13.2.1 also precludes institutional staff members from arranging for impermissible benefits. Bylaw 13.2.1.1-(h) specifically prohibits boosters from providing, and staff members from arranging, free or reduced-cost housing for prospects. Finally, Bylaw 14.10.1 (and its predecessor, Bylaw 14.11.1) requires member institutions to withhold ineligible student-athletes from all intercollegiate competition.

The operations coordinator and assistant coach 3 knowingly arranged impermissible inducements for prospects. When the operations coordinator and assistant coach 3 steered student-athletes 2, 3, 4, 5, 6 and 7 to the operations coordinator's long-time acquaintance, booster 1, they did so knowing the prospects would stay at his home in Jackson while taking the classes the two institutional staff members hoped would allow the prospects to meet initial eligibility requirements. While in Jackson, booster 1 provided cost-free housing for the prospects and transported them to the Jackson school. His actions violated Bylaws 13.1.2.1, 13.2.1 and 13.2.1.1-(h). When they made the arrangements for the prospects to stay with booster 1, the operations director and assistant coach 3 violated Bylaws 10.01.1, 10.1, 10.1-(c), 13.2.1 and 13.2.1.1-(h). The prospects were all rendered ineligible by their receipt of the benefits, but the institution subsequently allowed student-athletes 2, 3, 4 and 7 to compete during one or more football seasons, in violation of Bylaw 14.11.1.

Pursuant to Bylaw 19.1.1-(d), the panel concludes that the violations are Level I. In doing so, the panel considers more than the dollar amount of the inducements/benefits provided by booster 1. In this case, the operations coordinator's and assistant coach 3's purpose in placing the prospects with booster 1 was for the prospects to meet initial eligibility standards. Without achieving those standards, the prospects would not have been able to enroll at the institution and participate in athletics. Because the prospects successfully completed the classes they took at the Jackson school (other than student-athletes 2 and 3, who withdrew once they received their fraudulent ACT scores, see Violation A above), all but one of the six prospects were able to enroll at Mississippi and four competed as members of the football team. Their ability to compete was due to the actions of the

operations coordinator and assistant coach 3 and conferred a substantial or extensive advantage upon the institution.

C. UNETHICAL CONDUCT AND FAILURE TO COOPERATE: ASSISTANT COACH 3 [NCAA Division I Manual Bylaws 10.01.1, 10.1, 10.1-(d), 19.2.3 and 19.2.3.2 (2013-14)]

Assistant coach 3 violated the principles of ethical conduct, and failed to cooperate in the investigation, when he communicated with other individuals who had knowledge of pertinent facts and provided false or misleading information in an interview. Because assistant coach 3 was no longer employed by Mississippi at the time the NOA was issued, the institution took no position on the allegation. Assistant coach 3 agreed that he made phone calls and sent texts, but disagreed that he provided false information and failed to cooperate. The panel concludes that a Level I violation occurred.

1. NCAA legislation relating to unethical conduct and failure to cooperate.

The applicable portions of the bylaws may be found in Appendix Two.

2. Assistant coach 3 violated NCAA cooperation legislation when he contacted others involved in an active investigation after being directed not to, and engaged in unethical conduct when he denied his role in helping three prospects obtain fraudulent ACT exam scores.

In August 2013, after he was admonished to refrain from contacting individuals with knowledge of the active investigation, assistant coach 3 had contact with student-athlete 3, student-athlete 3's father, student-athlete 5, student-athlete 5's mother, booster 1 and the operations coordinator. His actions compromised the integrity of the investigation and constituted violations of Bylaw 19. In December 2013, he denied any role in steering student-athletes 2, 3 and 4 to booster 1 and directing them to only answer certain questions of their June 2010 ACT exams. His denials constituted false or misleading information in violation of Bylaw 10.

Bylaw 19.2.3 requires institutional staff members to fully cooperate with the NCAA enforcement staff and protect the integrity of investigations. Bylaw 19.2.3.2 states that a failure to satisfy the responsibility to cooperate may result in an allegation of violating NCAA legislation. As stated above, Bylaw 10 governs the ethical conduct considerations for institutional staff members. In particular, Bylaw 10.1-(d) prohibits former or present institutional staff from providing false or misleading information concerning his or her involvement in possible violations.

When assistant coach 3 contacted other individuals during the investigation, he failed to protect the integrity of the investigation. In August 2013, assistant coach 3 phoned or texted other individuals who had knowledge of the investigation after the compliance officer and/or general counsel at the institution where he was working told him no fewer than four times to keep the matter confidential. After the first two admonitions, assistant coach 3 immediately began phoning

others with knowledge of the incidents that were the subject of his second interview. He eventually spoke with two student-athletes, two parents of student-athletes, booster 1 and the operations coordinator after receiving directions to keep the matter confidential. His actions were a direct failure to protect the integrity of the investigation and violated Bylaws 19.2.3 and 19.2.3.2.

The enforcement staff interviewed assistant coach 3 twice, the second time in December 2013. During that interview, he denied instructing student-athletes 2, 3 and 4 to take the June 2010 ACT exam at the Mississippi location and to only answer questions to which they knew the answers. As set forth in the analysis for Violation IV.C above, he did both. In providing false and misleading information, he violated Bylaws 10.01.1, 10.1 and 10.1-(d).

Present and former institutional staff members are required to protect the integrity of ongoing investigations into possible rules violations. The failure to do so is in itself a rules violation. *See Southern Mississippi* (concluding that a coach who deleted relevant emails and contacted other individuals involved in an ongoing investigation violated ethical conduct and cooperation legislation); and *Georgia Institute of Technology* (2011) (concluding that when members of the athletics administration ignored the enforcement staff and informed a student-athlete that he was going to be interviewed, they violated cooperation legislation).

Assistant coach 3's violations are Level I. Bylaw 19.1.1-(d) presumes that individual unethical conduct is a severe breach of conduct, while Bylaw 19.1.1-(h) classifies intentional violations as severe. Lying about severe breaches of conduct is itself a severe breach of conduct. *See Southern Mississippi* (concluding that a coach who lied about his Level I violations engaged in a separate Level I violation and that two other staff members who refused to cooperate in the investigation of Level I violations committed further Level I violations); and *Lamar University* (2016) (concluding that a coach who committed Level I extra benefit violations engaged in a further Level I violation when he refused to cooperate in the investigation). The cooperative principle is a core principal upon which the infractions process is based.

D. UNETHICAL CONDUCT: OPERATIONS COORDINATOR [NCAA Division I Manual Bylaws 10.01.1, 10.1 and 10.1-(d) (2013-14)]

Over two years, the operations coordinator provided false or misleading information in interviews with the institution and enforcement staff. On both occasions, he denied involvement in the violations set forth in Violation IV.A. Because the operations coordinator was no longer employed at Mississippi at the time the NOA was issued, the institution took no position on the allegation. The operations coordinator disagreed that he provided false information. The panel concludes that Level I violations occurred.

1. NCAA legislation relating to unethical conduct.

The applicable portions of the bylaws may be found in Appendix Two.

2. In 2013 and 2014, the operations coordinator engaged in unethical conduct when he denied his role in helping three prospects obtain fraudulent ACT exam scores.

In December 2013 and February 2014, the operations coordinator told the enforcement staff that he played no role in arranging for prospects to take the June 2010 ACT exam in a particular location so that they could receive fraudulent scores. His statements were false and/or misleading and violated Bylaw 10.

As stated previously, Bylaw 10.1-(d) requires that former and present institutional staff members provide truthful information to the NCAA regarding their involvement in possible violations. This is a core tenet of the infractions process.

The operations coordinator steered student-athletes 2, 3 and 4 to the Mississippi test location for the June 2010 ACT exam. At least one of the prospects recalled that the operations director, along with assistant coach 3, told the prospects to not answer any question they did not know. The operations director's long-time acquaintance took possession of the prospects' answer sheets, at least two of which were later altered by having answers completed and/or changed. The operations director was involved in the ACT exam fraud. When he denied it, he violated Bylaws 10.01.1, 10.1 and 10.1-(d).

As with assistant coach 3, the operations coordinator's violations are Level I. He knowingly committed the underlying ACT exam fraud violations, which were Level I, before lying about his involvement during his interviews. His denials constituted further Level I violations because he intentionally lied to the enforcement staff. *See Southern Mississippi and Lamar.*

E. IMPERMISSIBLE RECRUITING INDUCEMENTS: BOOSTER 2 AND ASSISTANT COACH 2 [NCAA Division I Manual Bylaws 11.7.2.2, 13.01.4, 13.1.2.1, 13.1.2.4-(a), 13.1.2.5, 13.1.3.5.1, 13.2.1, 13.2.1.1-(b), 13.2.1.1-(e), 13.7.2.1 and 13.7.2.1.2 (2012-13)]

Booster 2 violated NCAA recruiting rules when he assisted in recruiting four prospects to the institution by providing them and some family members with impermissible recruiting inducements and arranging contacts between family members and Mississippi coaches. Assistant coach 2 was aware of booster 2's activities and at times facilitated them. Other members of the football staff also had impermissible recruiting contacts with some of the prospects and their family members. The institution, enforcement staff and assistant coach 2 substantially agreed to the facts and that violations occurred. The panel concludes that Level I violations occurred.

1. NCAA legislation relating to permissible recruiters and recruiting inducements.

The applicable portions of the bylaws may be found in Appendix Two.

- 2. In the 2012-12 academic year, Booster 2, with the knowledge and participation of assistant coach 2, engaged in impermissible recruiting activities with four prospects when he provided them and some of their family members with impermissible transportation, meals and lodging, paid cell phone bills and arranged contacts between prospects and members of the football staff.**

Throughout the 2012-13 academic year, booster 2 provided impermissible benefits to four prospects when he transported them to the Mississippi campus and bowl game, paying for food, merchandise, hotels, bowl game tickets, baseball game tickets and other items. He also paid the phone bills of one prospect and another's mother, provided tutoring for the prospects and helped Mississippi coaches set up in-home recruiting visits. His actions violated Bylaw 13. Assistant coach 2 knew of booster 2's activities, asked him to help set up off-campus meetings and arranged for two prospects on unofficial visits to stay in a hotel room free-of-charge. His actions also violated Bylaw 13. On the two occasions when the graduate assistant had contact with prospects off-campus, he violated Bylaw 11.

Bylaw 11.7.2.2 provides that only head and assistant coaches counted within an institution's numerical limits may contact prospects off campus. As stated regarding Violation IV. B above, Bylaw 13 governs recruiting. Bylaws 13.01.4, 13.1.2.1 and 13.2.1 preclude boosters from engaging in any recruiting activities, on- or off-campus, and from providing any benefits to prospects unless explicitly allowed by NCAA legislation. Bylaw 13.2.1 also precludes institutional staff members from being involved in any way in arranging for impermissible benefits. Bylaws 13.2.1.1-(b) and (e) preclude boosters and institutional staff from providing gifts of clothing and cash or like items, respectively, to prospects, while Bylaw 13.1.2.5 limits off-campus contacts with prospects to those coaches identified in accordance with Bylaw 11.7.2.2. Bylaw 13.5.3 limits institutions to providing transportation for unofficial visitors to viewing practice/competition sites and other on-campus facilities only. Finally, Bylaws 13.7.2.1 and 13.7.2.1.2 state institutions cannot pay prospect expenses for unofficial visit expenses, including the cost of any meals. If unofficial visitors eat with enrolled student-athletes, institutional personnel or officially-visiting prospects, they must pay for their meals.

Booster 2 provided impermissible inducements throughout the 2012-13 academic year. On seven occasions, booster 2 transported student-athletes 8, 9, 10 and/or 11 to the Mississippi campus for unofficial visits.⁴⁰ After meeting assistant coach 2 during the first visit, booster 2 notified him in advance of all but the final of the subsequent visits. During the visits, booster 2 provided meals for the prospects, and he also provided food for an off-campus recruiting visit assistant coach 2 and the head coach made to student-athlete 8's residence. Booster 2 also paid all expenses for student-athletes 8 and 11 to attend the institution's bowl game, where assistant coach 2 arranged for them to have contact with the graduate assistant and where they sat in on a team meeting. Also in 2012-13, booster 2 paid the phone bills of student-athlete 8 and student-athlete 10's mother and, at the request of assistant coach 2, twice set up off-campus recruiting contacts between student-athlete 9's mother and members of the football staff. On January 20, 2013, while student-athletes

⁴⁰ On the January 18-20, 2013, visit, booster 2 also transported student-athlete 10's mother and sister to Mississippi.

10 and 11 were on unofficial visits to Mississippi, the graduate assistant transported them to the head coach's home, where they, along with student-athlete 10's mother and sister, ate a free meal and had contact with members of the football staff. That same weekend, assistant coach 2 arranged for student-athletes 10 and 11 to stay cost-free in the hotel room of student-athlete 8, who was on an official visit. Throughout the academic year, booster 2 also purchased Mississippi merchandise for some or all of the prospects, provided them with tutoring services and, on one occasion, purchased their tickets for, and concessions at, an institutional baseball game. None of the benefits and inducements provided to the prospects by booster 2 were allowable by NCAA rules. The actions of booster 2 and assistant coach 2 constituted violations of Bylaws 13.01.4, 13.1.2.1, 13.2.1, 13.2.1.1-(b) and (e), 13.7.2.1 and 13.7.2.1.2. When the graduate assistant, who was not a countable coach, visited with prospects at the bowl game site and transported them to the head coach's home, he violated Bylaws 11.7.2.2 and 13.1.2.5.⁴¹

These violations were easily avoidable had the football staff asked some simple questions regarding booster 2. Without checking with the compliance office, the Mississippi coaches, particularly assistant coach 2, made their own determination that booster 2's involvement with the prospects was allowable due to booster 2's status as an FCA "huddle leader." The COI dealt with a similar situation in *Syracuse University* (2015), a case in which the men's basketball coaching staff did not check the status of an individual who developed personal relationships with student-athletes and, among other things, provided them with transportation and meals. Syracuse and its coaches pointed out that the individual did not bear many of the "typical" characteristics of a booster in that he was not "flashy" or a financial donor, etc. However, member institutions are responsible for the actions of any individuals who meet the definition of Bylaw 13.02.15 (representatives of athletics interests). Institutions must vet any individual associating with prospects or enrolled student-athletes through the proper administrative channels.

Collectively, the violations are Level I. Impermissible recruiting contacts, and providing impermissible inducements and benefits to prospects, help build relationships and give offending institutions advantages over institutions that abide by recruiting rules. See *Baylor University* (2016) (citing *University of Colorado* (2002) and *University of Florida* (2015) in concluding that coaches who made impermissible off-campus recruiting evaluations of, and contacts with, prospects were trying to demonstrate their high regard for the prospects and establish a relationship with them, giving Baylor an advantage over institutions that comply with NCAA recruiting legislation). *Baylor* involved two football coaches conducting two impermissible evaluations and having one impermissible contact over the course of approximately five weeks. The violations in that case were Level II. The present matter involves far more impermissible activities that occurred over the course of almost a full academic year and involved multiple coaches, prospects and a booster. Mississippi gained a substantial or extensive recruiting advantage through the violations.

⁴¹ The graduate assistant was not considered to be an involved individual at risk for his involvement, pursuant to Bylaw 19.7 because of his limited role in the violations.

**F. IMPERMISSIBLE RECRUITING INDUCEMENTS: ASSISTANT COACH 4
ARRANGING MEALS AND LODGING [NCAA Division I Manual Bylaws 13.2.1,
13.6.7.7 and 13.6.8 (2012-13)]**

For a month, assistant coach 4 arranged for impermissible recruiting inducements for acquaintances of a prospect by providing inaccurate information to the assistant recruiting director, who then approved the payment of expenses for acquaintances who accompanied the prospect on his official visit. Mississippi, assistant coach 4 and the enforcement staff substantially agreed to the facts and that violations occurred, although Mississippi and assistant coach 4 asserted that the violations were Level III, and assistant coach 4 claimed that the violations resulted from miscommunication. The panel concludes that Level II violations occurred.

1. NCAA legislation relating to permissible recruiting inducements.

The applicable portions of the bylaws may be found in Appendix Two.

2. In January 2013, assistant coach 4 arranged impermissible recruiting inducements for acquaintances of student-athlete 13 when he provided inaccurate information to the assistant recruiting director, causing the institution to pay expenses of non-family members who accompanied student-athlete 13 on his official visit.

On January 25-27, 2013, assistant coach 4 arranged impermissible recruiting inducements for non-family members of student-athlete 13. Specifically, he told the assistant recruiting director that two non-family members had a familial relationship with student-athlete 13, resulting in the assistant recruiting director approving payment for lodging and meals when they accompanied student-athlete 13 on his official visit. Assistant coach 4's actions violated Bylaw 13.

As stated previously, Bylaw 13 governs recruiting. Bylaw 13.2.1 precludes institutional staff from any involvement in arranging benefits for a prospect's friends or relatives unless the benefits are authorized by NCAA rules. Bylaws 13.6.7.7 and 13.6.8 set forth the limits on institutions providing meals, lodging and entertainment to individuals accompanying prospects on official visits. In those situations, institutions can only provide lodging to a prospect's parents, legal guardians and spouse. Meals may be provided to those same people as well as children of the prospects. Anyone accompanying a prospect on an official visit who does not fall into one of those categories is responsible for his or her own expenses.

Assistant coach 4's provision of inaccurate information violated Bylaw 13. He told the assistant recruiting director that student-athlete 13's mother's boyfriend was student-athlete 13's step-father and the brother's father was student-athlete 13's "real dad," setting in motion the events that caused the institution to provide over \$1,000 in impermissible lodging and meals to those individuals. Assistant coach 4's provision of the inaccurate information to the assistant recruiting director violated Bylaw 13.2.1 and resulted in the institution violating Bylaws 13.6.7.7 and 13.6.8.

Pursuant to Bylaw 19.1.2, the violation is Level II because it allowed the institution to continue building a relationship with student-athlete 13, members of his family and others in his circle of acquaintance. *See Baylor* and Violation IV.E above. Mississippi relied on assistant coach 4's inaccurate information to provide impermissible lodging and meals to members of student-athlete 13's traveling party. As a result, the institution gained more than a minimal recruiting advantage over institutions that abide by the rules.

G. IMPERMISSIBLE RECRUITING INDUCEMENTS (CLOTHING AND MERCHANDISE): ASSISTANT COACH 4 AND THE ASSISTANT ATHLETIC DIRECTOR [NCAA Division I Manual Bylaws 13.2.1, 13.2.1.1-(b) and 13.2.1.1-(f) (2012-13, 2013-14 or 2014-15 and 2015-16)]

Over three years, assistant coach 4 and the assistant athletic director arranged impermissible recruiting inducements for two prospects and a third prospect's family and acquaintances by referring them to the retail store for free gear. Mississippi, assistant coach 4 and the assistant athletic director all disagreed with the allegation. The panel concludes that Level I violations occurred.

1. NCAA legislation relating to permissible recruiters and recruiting inducements.

The applicable portions of the bylaws may be found in Appendix Two.

2. From January 2013, through 2015, assistant coach 4 and the assistant athletic director arranged impermissible recruiting inducements for student-athlete 13's family and acquaintances and student-athletes 1 and 15 by referring them to the retail store to receive free clothing and free merchandise.

On the weekend of January 25-27, 2013, assistant coach 4 referred the group accompanying student-athlete 13 on his official visit to the retail store, where booster 5 and/or his employees provided them with free clothing and merchandise. During the recruitment of student-athlete 1 and student-athlete 15, the assistant athletic director referred them to the retail store, where booster 5 and/or his employees provided them with free clothing and merchandise. In arranging for the inducements, assistant coach 4 and the assistant athletic director violated Bylaw 13.

As stated above, Bylaw 13.2.1 precludes institutional staff from any involvement in arranging impermissible inducements for prospects or their friends and family. Bylaw 13.2.1.1-(b) and (f) specifically prohibit institutional staff members from arranging for gifts of clothing and other tangible items, including merchandise.

When assistant coach 4 arranged for student-athlete 13's group to receive free clothing and merchandise, he violated Bylaw 13. Assistant coach 4 referred the large group accompanying student-athlete 13 on his official visit to the retail store and told them to ask for booster 5. Members of the group made two trips to the retail store during the weekend and were told by booster 5 that he had spoken to assistant coach 4. Booster 5 allowed them to select up to \$400 worth of free

clothing and merchandise. When assistant coach 4 arranged for prospect 13's group to receive the cost-free clothing and merchandise, he violated Bylaws 13.2.1, 13.2.1.1-(b) and 13.2.1.1-(f).

Similarly, the assistant athletic director arranged for student-athletes 1 and 15 to receive cost-free clothing and merchandise in violation of Bylaw 13. He was heavily involved in the recruitment of both prospects. When student-athlete 1 mentioned to the assistant athletic director that he wanted gear, the assistant athletic director referred him to the retail store, where he obtained approximately \$400 worth of merchandise cost-free. The assistant athletic director also referred student-athlete 15 to the retail store. On approximately four of his visits to campus, student-athlete 15 went to the retail store, selected and left with approximately \$500 of free items. When the assistant athletic director referred the two prospects to the retail store, where they obtained cost-free inducements not permitted by recruiting legislation, he violated Bylaws 13.2.1, 13.2.1.1-(b) and 13.2.1.1-(f).

At the hearing, the institution, assistant coach 4 and the assistant athletic director denied any role in arranging for any impermissible inducements at the retail store. They noted flaws and inconsistencies in the statements of student-athlete 13's mother's boyfriend, student-athlete 1 and student-athlete 15 and questioned whether the boyfriend and two prospects had fabricated their stories. The different positions taken by the parties required the panel to assess credibility, which is a crucial responsibility for panels in infractions cases. In reaching its decisions, the COI has previously weighed denials of involvement in violations against other factual information in the record to assess credibility. See *Southern Mississippi* (concluding that a head coach's denials of orchestrating a scheme of academic fraud were not credible when considering the information of his involvement and his actions in attempting to hide his involvement); *Louisiana at Lafayette* (concluding that an assistant coach's denials of knowledge that a booster was making recruiting calls were not credible); and *California State Northridge* (2004) (concluding that an assistant coach's denial that he asked another coach to change a grade was not credible, as the other person's explanation was more plausible). When assessing credibility of individuals, the COI does not require perfect recollection. See *San Jose State University* (2016) (concluding that, even though a student-athlete could not recall all details of the violations and was mistaken about some facts, her explanation of the violations was credible). In this matter, as in all cases, the panel assessed the credibility of the individuals, taking into consideration all relevant information.

Student-athlete 1 could not recall certain details of the incidents that resulted in this violation. He could not recall the exact trip to campus on which he went to the retail store (he believed it to be July 2014), how he arrived at the store (he believed he was driven there by booster 8) and he did not know whether a card presented to the store clerk was a credit card, debit card, gift card or something else. However, he was certain that, when he asked the assistant athletic director for Mississippi gear, the assistant athletic director steered him to the retail store, where he had an "allowance" of up to \$400 in free merchandise.

Two other individuals had similar experiences at the retail store, which bolster student-athlete 1's recollections. Student-athlete 1's version of events—being referred by a staff member to booster 5's retail store for free merchandise—was similar to the one offered by student-athlete 13's mother's

boyfriend, down to the dollar amount of gear student-athlete 13's group obtained at the retail store. The assistant athletic director referred student-athlete 15 to the retail store for his free gear like he did for student-athlete 1. None of the three individuals knew each other at the times they gave their accounts of their trips to the retail store. Additionally, both assistant coach 4 and the assistant athletic director acknowledged referring the individuals to the retail store. Assistant coach 4 made a phone call to booster 5 the day following student-athlete 13's visit weekend, and the assistant athletic director exchanged numerous phone calls not only with booster 5, whom he described as a friend, but also with booster 5's daughter, who worked at the retail store and whose business card, with her hand-written cell phone number on the back, student-athlete 15 possessed.⁴² Student-athlete 15's mother displayed the business card in a video that included some of the merchandise her son obtained at the retail store. Student-athlete 13's mother's boyfriend and student-athlete 1 both provided other information that established otherwise-unknown violations in this case (including some agreed upon by the institution), while assistant coach 4 and the assistant athletic director were knowingly involved in a number of violations that they either did not report to the Mississippi administration, lied about, or both. In concluding that the violations occurred, the panel determined student-athlete 1, student-athlete 15 and student-athlete 13's mother's boyfriend to be credible on this topic.

Pursuant to Bylaw 19.1.1-(f), the violations are Level I. When assistant coach 4 and the assistant athletic director referred the prospects to the retail establishment for free gear, they did so with the intent to secure the prospects' enrollment. Institutional staff members who arrange for prospects and their friends/families to obtain free merchandise worth hundreds of dollars convey a substantial or extensive recruiting advantage on their institution, to the detriment of institutions that abide by recruiting rules.

H. IMPERMISSIBLE EXTRA BENEFITS: BOOSTER 6 [NCAA Division I Manual Bylaws 16.11.2.1 (2012-13 and 2013-14)]

Over two years, booster 6 provided impermissible free lodging to a student-athlete's mother and acquaintance. Mississippi and the enforcement staff substantially agreed to the facts and that violations occurred. The panel concludes that Level I violations occurred.

1. NCAA legislation relating to impermissible extra benefits.

The applicable portions of the bylaws may be found in Appendix Two.

⁴² Mississippi correctly pointed out that not all of the assistant athletic director's phone calls to booster 5 were made during "recruiting periods" or coincided with student-athletes 1's and 15's trips to campus. However, as noted earlier, the assistant athletic director also possessed a second phone that he lied about.

2. In 2013 and 2014, booster 6 violated extra benefit legislation when he allowed student-athlete 13's mother and her boyfriend to stay 12 nights cost-free at his hotel and rental property.

From June 7, 2013, through May 27, 2014, after student-athlete 13 enrolled at Mississippi, booster 6 allowed student-athlete 13's mother and her boyfriend to stay cost-free in a local hotel he owned on 10 nights and in his local rental property on two nights. In doing so, he violated Bylaw 16.

Bylaw 16 details who may provide benefits to enrolled student-athletes and in what amounts. Bylaw 16.11.2.1 sets forth the general rule that student-athletes shall not receive any extra benefits. "Extra benefits" are defined as any special arrangement by institutional employees or boosters to provide student-athletes or their relatives and friends with a benefit not expressly authorized by NCAA legislation.

When he provided 12 nights of free lodging to student-athlete 13's mother and boyfriend, booster 6 violated Bylaw 16. Booster 6 initially became acquainted with student-athlete 13's family through assistant coach 4. When student-athlete 13's mother and her boyfriend came to the vicinity of the institution, booster 6 allowed them to stay in either his hotel or his rental property cost-free. The record does not reflect that this arrangement was available to the public at-large or the general student body at Mississippi, and NCAA rules do not allow boosters to provide free lodging to student-athletes' families. Therefore, booster 6's actions violated Bylaw 16.11.2.1.

Pursuant to Bylaw 19.1.1-(f), the violations are Level I. They occurred over the course of a year and violated well-known rules. The benefits had a value of over \$2,000 and provided a substantial or extensive advantage.

I. IMPERMISSIBLE RECRUITING INDUCEMENTS (LODGING, MEALS AND TRANSPORTATION): ASSISTANT ATHLETIC DIRECTOR [NCAA Division I Manual Bylaws 13.1.2.1, 13.1.2.5, 13.2.1, 13.5.3, 13.7.2.1.2 (2013-14 and 2014-15) and 13.6.7.7 and 13.6.8 (2014-15)]

Over nearly a year, the assistant athletic director knowingly arranged impermissible recruiting inducements for prospects and friends of one of the prospects. Mississippi and the enforcement staff substantially agreed to the facts and that violations occurred, although Mississippi had minor disagreements with some facts. The assistant athletic director substantially agreed that he arranged transportation for prospects on two occasions and that he was responsible for any free meals they had on their visits. He disagreed that he arranged for free lodging for prospects and those accompanying them. The panel concludes that Level I violations occurred.

1. NCAA legislation relating to impermissible recruiting inducements.

The applicable portions of the bylaws may be found in Appendix Two.

2. From March 2014 through January 2015, the assistant athletic director violated recruiting legislation when he arranged cost-free transportation, meals and lodging for two prospects and those accompanying them on visits to the institution.

From March 2014 through January 2015, the assistant athletic director attempted to attract two prospects to Mississippi by arranging impermissible inducements in conjunction with their visits. Specifically, he arranged cost-free hotel rooms, transportation and meals for the prospects as well as family and friends of one of the prospects. His actions violated Bylaw 13.

As previously noted, Bylaw 13 governs recruiting. Bylaws 13.1.2.1 and 13.1.2.5 preclude anyone other than authorized institutional staff members from having on- or off-campus, in-person recruiting contacts with prospects, while Bylaw 13.2.1 prohibits institutional staff members or boosters from providing or arranging any benefits or inducements to prospects that are not expressly permitted by NCAA rules. Bylaws 13.5.3, 13.7.2.1, 13.7.2.1.2, 13.6.7.7 and 13.6.8 set forth specific limits to what an institution or its staff members may provide or arrange for prospects visiting campus. For unofficial visits, an institution may not provide transportation other than that necessary to view local practice/competition sites and other institutional facilities and cannot pay any expenses other than tickets to watch a home athletic event. Prospects making unofficial visits can only eat with officially-visiting prospects and/or enrolled student-athletes if they pay the cost of the meal. On official visits, institutions are limited to providing lodging to a prospect's parents, legal guardians and spouse. Institutions may provide lodging and entertainment to those same people and prospects' children.

The assistant athletic director arranged impermissible inducements and benefits for student-athlete 1 on numerous occasions during his recruitment because he was a prized recruit. When the assistant athletic director arranged, either directly or indirectly for student-athlete 1 and his companions to stay cost-free at a local hotel on unofficial visits in August, September, October and on two occasions in November 2014, he violated Bylaws 13.2.1 and 13.7.2.1. The assistant athletic director also caused violations of Bylaws 13.7.2.1 and 13.7.2.1.2 when student-athlete 1 and his companions ate free during the visits. The assistant athletic director's actions allowed student-athlete 14 to eat at no cost on his July and August 2014 visits, violating the same bylaw provisions. The assistant athletic director also arranged for cousin 1 to stay cost-free with student-athlete 1 in his hotel room during the latter's official paid visit in January 2015 and to receive free meals, in violation of Bylaws 13.6.7.7 and 13.6.8. The football program also provided impermissible cost-free meals to student-athlete 1 and his parents in March 2014.

Regarding transportation, the assistant athletic director arranged for booster 8 to drive student-athlete 1 roundtrip to campus and back in June and August 2014 and to drive student-athlete 14 roundtrip for the August visit. When he arranged the free roundtrip transportation, the assistant athletic director violated Bylaws 13.1.2.1, 13.1.2.5, 13.2.1, 13.5.3 and 13.7.2.1. Booster 9's transportation violated the same bylaws. Even though student-athlete 1 phoned booster 9 directly in July to transport him from another institution's football camp to Mississippi, the assistant athletic director set that violation in motion when he arranged contact between student-athlete 1 and booster 10, booster 9's boss. Without the assistant athletic director's actions, student-athlete 1 and

booster 9 would not have known each other. The assistant athletic director knew booster 9, had contact with her during this time and admitted at the hearing that he "could have" known she was spending the weekend driving student-athlete 1 over 300 miles. The assistant athletic director is also responsible for arranging that violation.

Student-athlete 1 arranged his visits to campus through the assistant athletic director. When student-athlete 1 wanted to visit the institution, he spoke to the assistant athletic director. Thereafter, when he arrived at the campus, he and his traveling companions stayed in cost-free hotel rooms and ate free meals. On two occasions, the assistant athletic director arranged for a booster to transport prospects hundreds of miles to and from campus. On another occasion, a different booster, who was connected to student-athlete 1 through the assistant athletic director, transported student-athlete 1 over 300 miles. On at least two occasions, someone in the football program—either the assistant athletic director or someone else—falsified visit paperwork to make it appear as if student-athlete 1 paid his own expenses to visit.

Providing impermissible benefits or inducements to prospects violates NCAA recruiting legislation. See *Southern Methodist* (concluding that a golf coach violated Bylaw 13 when he provided reduced-cost equipment and institutional merchandise to four prospects); and *Southeastern Louisiana University* (2015) (concluding that a coach violated Bylaw 13 when he arranged for prospects to receive cost-free housing). While the COI concluded that Level II violations occurred in *Southern Methodist* and *Southeastern Louisiana University*, the violations in this case rise to Level I due to the assistant athletic directors' intentional and reckless involvement of boosters in the recruitment of a prized prospect.

Pursuant to Bylaws 19.1.1-(f), (g) and (h), the violations are Level I. The assistant athletic director committed the violations intentionally over a significant period with an intent to secure the enrollment of student-athletes 1 and 14. He also involved boosters in the violations.

J. IMPERMISSIBLE RECRUITING INDUCEMENTS: BOOSTER 11 [NCAA Division I Bylaws 13.2.1 and 13.2.1.1-(e) 2013-14 and 2014-15]

Booster 11 provided cash and free food and drinks to a prospect and his companions. Mississippi agreed that the prospect and his companions had contact with booster 11 in his establishment and "likely" had free food and drinks while there, but disagreed that booster 11 made cash payments to the prospect. The panel concludes that Level I violations occurred.

1. NCAA legislation relating to impermissible recruiting inducements.

The applicable portions of the bylaws may be found in Appendix Two.

2. In 2014 and/or 2015, booster 11 violated recruiting legislation when he gave or arranged free food and drinks to student-athlete 1 and his companions and gave cash to student-athlete 1.

When student-athlete 1 visited the Mississippi campus from August 2014 through January 2015, booster 11 provided, or had his employees provide, free food and drinks to student-athlete 1, cousins 1 and 2 and student-athlete 1's friend when they visited his establishment. Further, on two or three occasions, booster 11 gave student-athlete 1 \$100 or \$200 cash, for a total of \$200 to \$600. The actions of booster 11 violated Bylaw 13.

This is another violation of Bylaws 13.2.1 and 13.2.1.1-(e), which prohibit boosters from arranging or giving any benefits or inducements to prospects and their relatives and friends, unless those benefits or inducements are expressly allowed by NCAA rules. Gifts of cash are specifically prohibited, while the bylaws do not allow boosters to give free food and drinks to prospects and those accompanying them on unofficial visits. When booster 11 (or, in his absence, his employees) provided free food and drinks to student-athlete 1, his two cousins and his friend, he violated Bylaw 13.2.1. When he gave student-athlete 1 anywhere from \$200-\$600 in "cash handshakes," he violated Bylaws 13.2.1 and 13.2.1.1-(e).

As with Violation IV.G above and all other contested allegations, the panel had to assess the credibility of the individuals involved because they disputed what happened. *See Southern Mississippi, Louisiana at Lafayette and California State Northridge*. Booster 11 lacks credibility. As acknowledged by the institution, he lied about knowing the assistant athletic director and booster 8. He further lied about knowing and contacting student-athlete 1. On the other hand, student-athlete 1 and the three individuals who accompanied him were clear about receiving free food and drinks at the establishment, that booster 11 was excited to see student-athlete 1 and that student-athlete 1 and booster 11 interacted. Student-athlete 1 described "cash handshakes" that occurred on two or three occasions, and records showed that booster 11 was in contact with him as national signing day was imminent. The panel considered why this booster was in contact with this prospect and found that he was trying to recruit student-athlete 1 to Mississippi. The panel concludes that the violation occurred as described by student-athlete 1.

Pursuant to Bylaws 19.1.1-(f) and (g), the violation is Level I. Booster 11's actions were intentional, occurred over a period of months and were intended to provide a substantial or extensive recruiting advantage by convincing student-athlete 1 to enroll at Mississippi. Further, the violation was a severe breach of conduct of a kind that threatens to undermine the integrity of the NCAA Collegiate Model.

K. IMPERMISSIBLE RECRUITING INDUCEMENTS: BOOSTERS 9 AND 10 AND THE ASSISTANT ATHLETIC DIRECTOR [NCAA Division I Manual Bylaws 11.7.2.2 (2013-14); 13.1.2.1, 13.1.2.4-(a), 13.1.2.5, and 13.1.3.5.1 (2013-14 and 2014-15); 13.2.1 and 13.2.1.1-(e) (2013-14 and/or 2014-15)]

Throughout student-athlete 1's recruitment, Boosters 9 and 10 assisted the institution in his recruitment by communicating with him and providing cash payments. The assistant athletic director initiated the contacts and facilitated the impermissible inducements. Mississippi and the enforcement staff substantially agreed that boosters 9 and 10 had impermissible contact with student-athlete 1, but the institution disagreed that the boosters paid him thousands of dollars. The assistant athletic director disagreed that he initiated contact, facilitated the inducements or was aware of them. The panel concludes that Level I violations occurred.

1. NCAA legislation relating to impermissible benefits.

The applicable portions of the bylaws may be found in Appendix Two.

2. In 2014 and 2015, after being connected with student-athlete 1 through the assistant athletic director, boosters 9 and 10 had impermissible communication and contact with him and provided him with \$13,000 to \$15,600 in an effort to persuade him to play at Mississippi.

From March 30, 2014, through February 3, 2015, booster 9 and her employer, booster 10, had multiple telephone, text message and personal contacts with student-athlete 1. The contacts were initiated by the assistant athletic director. During at least some of those contacts, boosters 9 and 10 provided student-athlete 1 with impermissible recruiting inducements in the form of cash payments totaling between \$13,000 and \$15,600. The boosters provided the inducements in an attempt to secure student-athletes 1's commitment to attend Mississippi. When the boosters had off-campus contact with student-athlete 1, they violated Bylaw 11. When the assistant athletic director facilitated the boosters' communications and contacts with student-athlete 1, and when the boosters, with the assistant athletic director's knowledge, provided cash inducements to student-athlete 1, boosters 9 and 10 and the assistant athletic director violated Bylaw 13.

Bylaws 11.7.2.2, 13.1.2.1 and 13.1.2.5 limit off-campus contact with prospects to authorized institutional personnel who are counted within the legislated numerical limits on coaches. Bylaws 13.1.2.4-(a) and 13.1.3.5.1 prohibit boosters from phoning prospects, particularly for recruiting-related reasons. Bylaw 13.2.1 prohibits institutional staff members and boosters from making any arrangements, directly or indirectly, for any benefits or inducements to prospects that are not specifically authorized by NCAA legislation. Bylaw 13.2.1.1-(e) specifically prohibits institutional staff and boosters from arranging or providing cash payments to prospects.

Besides their frequent contacts with student-athlete 1, boosters 9 and 10 provided him cash on multiple occasions. Sometime before or during his first unofficial visit to the institution, student-athlete 1 told the assistant athletic director that he wanted to be paid for committing to attend

Mississippi. During the first unofficial visit, the assistant athletic director had his first known phone contact with booster 10, gave him student-athlete 1's phone number and told student-athlete 1 to expect a phone call. The next day, booster 9 called student-athlete 1 for the first time. In the ensuing months, booster 9 had phone and text contact with student-athlete 1 and personally met with him to deliver cash payments from her boss, booster 10. The payments were made in amounts of \$500 to \$800 on six to seven occasions, totaling from \$3,000 to \$5,600. Throughout this time, the assistant athletic director maintained contact with booster 9, sometimes explicitly discussing student-athlete 1 and his recruitment. As national signing day approached, student-athlete 1 told booster 10 that he wanted \$10,000 to sign with Mississippi. In response, booster 10 personally met student-athlete 1 off-campus and delivered the payment in \$100 bills. NCAA rules did not authorize boosters 9 and 10 to have off-campus contact with prospects, therefore, when they contacted student-athlete 1, they violated Bylaws 11.7.2.2, 13.1.2.1 and 13.1.2.5. When the boosters and student-athlete 1 spoke by phone for recruiting reasons, the boosters violated Bylaws 13.1.2.4-(a) and 13.1.3.5.1. NCAA legislation prohibits institutional staff from initiating contact between boosters and prospects for recruiting. The bylaws expressly forbid any institutional staff and boosters from giving cash to prospects. Paying prospects for their enrollment or play is completely contrary to the foundational principles of the NCAA collegiate model. Therefore, when the assistant athletic director facilitated the payments to student-athlete 1, and when boosters 9 and 10 made the payments, the three of them violated Bylaws 13.2.1 and 13.2.1.1-(e).

Due to the conflicting positions taken by the various individuals involved in these violations, the panel again assessed credibility. *See Southern Mississippi, Louisiana at Lafayette and California State Northridge.* The panel determined that booster 9 and booster 10 lack credibility. Booster 9 denied ever meeting with, communicating with or even knowing student-athlete 1, yet he was able to identify her cars (both of them) and her phone records showed 78 calls and/or texts between them from March 30, 2014, (the last day of student-athlete 1's first unofficial visit to Mississippi) through September of that year. She offered no explanation for the communications. Likewise, student-athlete 1 was able to identify booster 10's car. Booster 10 denied having the assistant athletic director's phone number, yet records showed calls between them. Booster 10 called student-athlete 1 multiple times on February 3, 2015, and could offer no reasonable explanation regarding his text message of the same date (also sent to the assistant athletic director), in which he implored student-athlete 1 to call him "immediately" regarding student-athlete 1 possibly attending an institution other than Mississippi. In the text, booster 10 referenced a meeting he and student-athlete 1 had and that student-athlete 1 "swore to [booster 10] on your daughter" and "owed" him. Booster 10 offered no reasonable explanation as to the meaning of the text, while student-athlete 1 explained that it referred to the \$10,000 payment booster 10 made to him earlier that day.

The assistant athletic director likewise lacked credibility. As is set forth elsewhere in this decision, he knowingly committed NCAA violations and provided false information during the investigation. He had a second, secret phone that he used in his recruitment of prospects, even though institutional policy required him to make all recruiting phone calls on institutional phones. He initiated the contact and communications between boosters 9 and 10 and student-athlete 1, then

stayed in contact with them throughout student-athlete 1's recruitment. In two of his texts to booster 9, he directly referenced student-athlete 1.

To the contrary, the panel found student-athlete 1 credible. He was able to identify both boosters' vehicles. Records confirmed regular contact between him and booster 9. And at the crucial time when prospects can sign NLI's, booster 10 communicated with him a number of times, including the text message referring to student-athlete 1 "owing" him and which institution he might attend. Later, student-athlete 1 posted images of himself with a large amount of cash on social media. He explained that the cash came from boosters 9 and 10. Student-athlete 1's version of the facts was credible, while the versions advanced by the boosters were not.

Pursuant to Bylaws 19.1.1-(d), (f), (g) and (h), the violations are Level I. The "disturbingly questionable" actions taken by an institutional staff member and boosters to deliver thousands of dollars of cash to a prospect unquestionably provided this institution a substantial or extensive recruiting advantage and threatened to undermine the integrity of the NCAA Collegiate Model.

L. UNETHICAL CONDUCT: ASSISTANT ATHLETIC DIRECTOR [NCAA Division I Manual Bylaws 10.01.1, 10.1 and 10.1-(c) (2013-14, 2014-15 and 2016-17)]

The assistant athletic director violated the principles of ethical conduct in over two years when he knowingly arranged impermissible recruiting inducements and arranged recruiting contact and communication between boosters and student-athlete 1 for the purpose of cash payments. Later, he also committed ethical conduct violations when he provided false information in his interview regarding his knowledge of, and involvement in, the violations. Mississippi partially agreed with the facts but disputed that boosters 9 and 10 made cash payments to student-athlete 1. The assistant athletic director agreed that he arranged impermissible transportation for prospects on unofficial visits and provided false information about it in his interview. He also agreed he was responsible for the provision of meals. He denied arranging free lodging for prospects, arranging impermissible contact among boosters 9 and 10 and student-athlete 1 and knowing about booster 9's and 10's payments to student-athlete 1. The panel concludes that Level I violations occurred.

1. NCAA legislation relating to unethical conduct.

The applicable portions of the bylaws may be found at Appendix Two.

- 2. In 2014, 2015 and 2016, the assistant athletic director acted unethically when he arranged for impermissible meals, lodging and transportation for prospects 1 and 14 for unofficial visits to campus; arranged for boosters 9 and 10 to have contact and communication with student-athlete 1 for the purpose of providing him cash payments; and provided false or misleading information in his interview about his involvement in the violations.**

As set forth in Violation IV.I, the assistant athletic director arranged impermissible free hotel lodging for student-athlete 1 and those accompanying him on his visit, as well as student-athlete

14. He also arranged impermissible free meals and transportation to campus for the two prospects. Further, he arranged contact between boosters 9 and 10 and student-athlete 1 after student-athlete 1 expressed a desire to get paid for his commitment to play football; the boosters subsequently provided student-athlete 1 with approximately \$13,000 to \$15,600 in cash payments. Finally, in his interview with the enforcement staff on December 1, 2016, the assistant athletic director was not truthful regarding his involvement in the violations. His actions violated Bylaw 10.

As stated in Violations IV.C and D, Bylaws 10.01.1 and 10.1 generally require all institutional staff members to conduct themselves in an ethical manner. In 2013-14 and 2014-15, Bylaw 10.1-(c) specifically provided that an institutional staff member who is knowingly involved in providing improper inducements and benefits to prospects engages in unethical conduct. Since the academic year 2016-17, Bylaw 10.1-(c) reads in part that an institutional staff member who provides false or misleading information regarding violations of NCAA rules engages in unethical conduct.⁴³

The assistant athletic director acted unethically when he arranged impermissible inducements/benefits and was untruthful in his interview. He acknowledged at the hearing that he arranged for booster 8 to transport student-athlete 1 to Mississippi for unofficial visits in June and August 2014 and student-athlete 14 on the August occasion, also for an unofficial visit. He also accepted responsibility for impermissible meals. The enforcement staff interviewed the assistant athletic director on December 1, 2016, at which time he denied arranging the transportation. When he arranged for impermissible transportation for the prospects and later denied doing so, the assistant athletic director violated Bylaws 10.01.1, 10.1 and 10.1-(c).

During the same interview, the assistant athletic director denied arranging for impermissible lodging for student-athlete 1 and/or his companions on six occasions from August 2014 through January 2015. However, as set forth in Violation IV.I, student-athlete 1 informed the assistant athletic director whenever he was coming to the Mississippi campus. When he arrived, he stayed in hotels and did not have to pay. Either personally or through someone else, the assistant athletic director arranged the hotel stays. When he arranged the lodging, and denied it in his interview, he violated Bylaws 10.01.1, 10.1 and 10.1-(c).

As detailed in Violation IV.K, the assistant athletic director contacted booster 10 after student-athlete 1 asked for money in exchange for his commitment to Mississippi. Booster 9, booster 10's employee, contacted student-athlete 1 just a day after the assistant athletic director called booster 10, and thereafter had regular contact with him. Booster 9 paid student-athlete between \$3,000 and \$5,600 over the ensuing months, and booster 10 paid him \$10,000 on February 3, 2015. All the while, the assistant athletic director was in contact with boosters 9 and 10. He set up the payments, was aware of them, and provided false or misleading information in his December 1, 2016, interview when he denied any knowledge or involvement with them. His conduct violated Bylaws 10.01.1, 10.1 and 10.1-(c).

⁴³ Prior to 2016-17, this language was found at Bylaw 10.1-(d). The language did not change when the bylaw moved.

Pursuant to Bylaws 19.1.1-(d), (f), (g) and (h), the assistant athletic director's unethical conduct is a Level I violation. See *Southern Mississippi* (concluding that, among other things, a coach engaged in Level I violations when he provided false or misleading information during his interview); *University of Mississippi* (2016) (concluding that coaches engaged in Level I unethical conduct when they denied their involvement in other violations); *Georgia Southern University* (2016) (concluding that an athletics staff member engaged in Level I unethical conduct when she told a false story regarding other violations); *University of Central Florida* (2012) (concluding that a coach engaged in unethical conduct when he denied awareness of a known violation); and *Ohio State University* (2011) (concluding that a coach engaged in unethical conduct when provided false information about a known violation).

**M. IMPERMISISBLE EXTRA BENEFIT: BOOSTER 7 [NCAA Division I Manual
Bylaw 16.11.2.1 (2014-15)]**

Booster 7 provided an impermissible cash benefit to student-athlete 13's mother's boyfriend. Mississippi and the enforcement staff substantially agreed on the facts and that the violation occurred. The panel concludes that a Level I violation occurred.

1. NCAA legislation relating to impermissible benefits.

The applicable portions of the bylaws may be found at Appendix Two.

2. In August 2014, booster 7 violated NCAA benefit legislation when he delivered \$800 cash to student-athlete 13's mother's boyfriend.

In August 2014, booster 7 gave \$800 cash to student-athlete 13's mother's boyfriend. After student-athlete 13's mother's boyfriend met in 2013, they stayed in contact and exchanged messages. In one message, the boyfriend requested a "package" from Booster 7. Four days later, booster 7 gave the boyfriend \$800 cash. In doing so, he violated Bylaw 16.

As identified in Violation IV.H above, Bylaw 16 governs allowable benefits for student-athletes. Bylaw 16.11.2.1 prohibits student-athletes from receiving benefits not expressly authorized by NCAA legislation. The legislation does not authorize cash payments from boosters to individuals associated with enrolled student-athletes.

Booster 7 impermissibly provided cash to student-athlete 13's mother's boyfriend as part of his effort to persuade student-athlete 13 to enroll at Mississippi. Booster 7 and student-athlete 13's mother's boyfriend became acquainted through assistant coach 4 in 2013 and had periodic contact thereafter. On August 22, 2014, after booster 7 and student-athlete 13's mother's boyfriend exchanged texts a few days earlier about the boyfriend needing a "package," booster 7 gave him \$800 cash. Booster 7's payment violated Bylaw 16.11.2.1.

Pursuant to Bylaw 19.1.1-(h), the violation is Level I. This was an intentional violation that demonstrated a reckless indifference to NCAA bylaws.

**N. IMPERMISSIBLE BENEFITS: BOOSTER 12 AND HIS CAR DEALERSHIP
[NCAA Division I Manual Bylaws 12.11.1 (2014-15); 16.11.2.1 (2014-15 and 2015-16);
16.11.2.2-(a) (2014-15) and 16.11.2.2-(c) (2014-15 and 2015-16)]**

Over two years, booster 12 and his car dealership provided the impermissible benefits of complimentary vehicle use to two prospects and an impermissible loan to one of the prospects. Mississippi and the enforcement staff substantially agreed on the facts and that violations occurred. The panel concludes that Level I violations occurred.

1. NCAA legislation relating to impermissible benefits.

The applicable portions of the bylaws may be found at Appendix Two.

2. In 2014 and 2015, booster 12 violated NCAA benefit legislation when he and his car dealership allowed student-athletes 13 and 16 to retain loaner cars free-of-charge and did not require student-athlete 13 to make a down payment pursuant to his purchase agreement.

From August 2014 through August 2015, booster 12 and his car dealership allowed student-athletes 13 and 16 to use "loaner" automobiles free-of-charge in violation of the dealership's policies. Additionally, booster 12 and his dealership did not collect student-athlete 13's \$3,000 down payment on a vehicle he purchased, even though his finance agreement required that he pay that amount at the time of purchase. Booster 12 and his dealership violated Bylaw 16, resulting in the institution violating Bylaw 12.

As stated above, Bylaw 16.11.2.1 precludes boosters from providing extra benefits to student-athletes. Specific examples of impermissible benefits are listed in Bylaw 16.11.2.2-(a) and (c) and include loans of money and use of automobiles. Student-athletes who receive impermissible extra benefits are rendered ineligible for competition. Bylaw 12.11.1 requires institutions to withhold ineligible student-athletes from competition unless and until their eligibility is restored.

Booster 12 and his car dealership provided student athletes 13 and 16 impermissible benefits over the course of two years. From August 11, 2014, to October 28, 2014, after student-athlete 13's status as a service customer ended, booster 12 and his dealership allowed him to use a loaner car in violation of dealership policy. Later, when student-athlete 13 inquired about purchasing a vehicle from the dealership in February 2015, booster 12 and his dealership allowed him to drive two vehicles at no cost, one from February 16, 2015, to May 11, 2015, and the other from May 11, 2015, to June 10, 2015. This was again contrary to dealership policies. Similarly, beginning July 7, 2015, after the dealership completed repairs to student-athlete 16's vehicle and his status as a service customer ended, booster 12 and his dealership allowed him to use a loaner vehicle cost free until August 10, 2015. When booster 12 and his dealership allowed the student-athletes to use the vehicles free-of-charge, they violated Bylaws 16.11.2.1 and 16.11.2.2-(c).

Booster 12 and his dealership also violated dealership policies by allowing student-athlete 13 to purchase a vehicle on June 13, 2015, without paying the \$3,000 down payment as required by his purchase agreement. The actions of booster 12 and the dealership converted the \$3,000 down payment into a loan, in violation of Bylaws 16.11.2.1 and 16.11.2.2-(a). *See University of Mississippi* (1994) (concluding that a booster provided a student-athlete an impermissible loan surrounding the student-athlete's purchase of a car).

The actions of booster 12 and his dealership also rendered the student-athletes ineligible for competition. However, prior appealing for the restoration of student-athlete 13's eligibility, the institution allowed him to participate in six football contests during the fall of 2014, in violation of Bylaw 12.11.1.

Pursuant to Bylaw 19.1.1-(h), the violations are Level I. They were intentional, provided a substantial or extensive to the student-athletes and institution, and illustrated a reckless indifference to NCAA bylaws. They were severe breaches of conduct that provided the institution a substantial or extensive advantage.

O. HEAD COACH RESPONSIBILITY [NCAA Division I Manual Bylaws 11.1.2.1 (October 13-29, 2012); and 11.1.1.1 (October 30, 2012, through 2014-15)]

For over three years, the head coach was responsible for recruiting and booster violations that occurred in the Mississippi football program. The head coach fell short of his monitoring responsibilities when members of his staff committed intentional violations and deliberately involved boosters in the recruitment of prized prospects. Mississippi and the head coach disagreed that the head coach violated head coach responsibility legislation. The panel concludes that a Level I violation occurred.

1. NCAA legislation relating to head coach responsibility.

The applicable portions of the bylaws may be found at Appendix Two.

2. From October 2012 through 2015, the head coach did not fulfill his responsibilities when he failed to monitor the recruiting activities of staff who reported to him, either directly or indirectly, and his staff's interactions with boosters.

Throughout his tenure as head football coach at Mississippi, the head coach failed to monitor certain aspects of his staff's involvement in the recruiting process for his program. Specifically, he failed to monitor the interactions of certain staff members with prospects, both on- and off-campus, and their interactions with his program's boosters. As a result, members of his staff, sometimes in concert with boosters, arranged for free transportation, lodging, meals, and merchandise. On other occasions, boosters provided prospects or their companions with cash. When the head coach did not discover these activities through sufficient monitoring, he violated Bylaw 11.

Bylaw 11.1.1.1 sets forth the responsibility of head coaches.⁴⁴ It holds head coaches responsible for the conduct of their staff members (those who report, either directly or indirectly, to the head coach) and imposes an affirmative duty to promote an atmosphere of rules compliance in their programs. The bylaw presumes the head coach responsible for staff members' violations, although a head coach can rebut the presumption.

Because the head coach failed to monitor his staff in certain situations, he did not rebut the presumption that he was responsible for their violations. A head coach's duty to monitor is an ongoing responsibility and cannot be delegated to others. See *California State University, Sacramento* (2015) (concluding that a former head coach was responsible for his assistant's recruiting violations, even though the violations were of a short duration); *Syracuse* (concluding that the head coach was responsible for violations that occurred during student-athletes' interactions with a booster); *University of Connecticut* (2011) (concluding that head coaches are obligated to identify potential problems, address them, and report them to the athletics administration); and *Indiana University, Bloomington* (2008) (concluding that head coaches have specific and independent monitoring obligations). The head coach did not meet his responsibility in this case.

The extensive violations committed by football staff members, including the staff violations involving boosters during the head coach's tenure, became the responsibility of the head coach. The violations regarding prospects are set forth above in Violations IV.E, F, I and Level III violations V.2, 3 and 6 below. They establish a pattern of staff members and boosters committing recruiting violations with the intent to procure the enrollment of prospective student-athletes. Over the head coach's tenure, numerous violations occurred in his program. The violations were committed by his administrative staff, coaches, prospects his program recruited, enrolled student-athletes and boosters who had access to his program. The head coach did not identify them. Many of the violations surrounded coveted, high-profile prospects and student-athletes. These violations cut against and undermine core principles of the collegiate model.

Regarding Violation IV.E, assistant coach 2 used booster 2 to assist in recruiting. Booster 2 operated freely and in plain sight of the head coach and the football program. The head coach and assistant coach 2 knew booster 2 as an FCA "huddle leader" during the year booster 2 frequently transported four prospects and members of their families to campus. Like the head coach in *Syracuse*, the head coach had an obligation to ascertain whether booster 2 met the definition of an institutional athletics representative. On the first visit in October 2012, booster 2 introduced himself to the head coach, assistant coach 2 and assistant coach 5 and informed them he had transported the prospects. From that point into February 2013, booster 2 transported the prospects to Mississippi, set up contacts at the request of assistant coach 2 and had personal and phone contact with members of the football staff, including the head coach. Booster 2 and the head coach interacted during the head coach's in-home visit with student-athlete 8 in December 2012, and

⁴⁴ Both versions of the head coach responsibility bylaw were in effect at the times the violations during the head coach's tenure occurred. Former Bylaw 11.1.2.1 was replaced by Bylaw 11.1.1.1 as of October 30, 2012. In spite of the differences in the language of the bylaws, the analysis of a head coach's potential violations is the same under either version.

twice in January 2013—at Mississippi's bowl game and at the head coach's home. Booster 2 also emailed the head coach that he and his family were providing tutoring services to the prospects. On at least four occasions, the football staff failed to log contacts with booster 2 and some or all of the four prospects into the recruiting monitoring system, and the staff never checked with the compliance office to verify booster 2's status.

The head coach was responsible for ensuring that his staff conducted all recruiting activities in his program consistent with NCAA rules and properly reported. But he did not confirm booster 2's status (or have any member of his staff make the confirmation). Likewise, he did not ensure that all recruiting activities were logged as required. By his failure to monitor, he did not rebut the presumption that he was responsible for the violations that ensued. He failed to meet his monitoring obligations under Bylaw 11.1.1.1.

The head coach also bears responsibility for Violations IV.F and I, which his staff committed and, like Violation IV.E, illustrated a lack of monitoring of the football program's recruiting and visit processes. Regarding Violation IV.F, assistant coach 4 provided inaccurate information to the assistant recruiting director about the relationship of the people accompanying student-athlete 13 on his visit, resulting in the institution paying expenses for individuals in violation of recruiting rules. The head coach reviewed visit paperwork with his coaches after each visit weekend and paid particular attention to elite prospects, of which student-athlete 13 was one. Yet his review and discussions with assistant coach 4 following student-athlete 13's visit apparently did not reveal the correct relationships of those who accompanied student-athlete 13 on the trip. Similarly, regarding Violation IV.I, the assistant athletic director on numerous occasions arranged impermissible transportation and lodging for student-athlete 1, another elite prospect. The head coach's review of the paperwork for all of those occasions did not cause him to question any of the information, which on more than one occasion was forged and/or falsified by members of his football program. The head coach's failures to uncover correct information regarding student-athlete 13's and student-athlete 1's visits constituted failure to monitor, rendering him unable to rebut his responsibility for the violations per Bylaw 11.1.1.1.

Level III violations V.2, V.3 and V.6 also support the head coach's failure to monitor and his responsibility for the violations. Regarding Violation V.2, the head coach approved the use of recruiting videos even though the compliance office recommended against it. The head coach told his staff to clear the use of the videos with the compliance office, but never followed up to make sure they had, despite knowing that the compliance office prohibited earlier videos. Violation V.3 occurred under similar circumstances, when the head coach failed to ensure that student-athlete 12's use of booster 4's hunting land was permissible. Regarding Violation V.6, assistant coach 4 did not log his impermissible contacts with two prospects or report the contacts to the compliance office. The head coach had a responsibility to be aware of what his assistant coach was doing while recruiting away from campus. Because the head coach did not ensure that the recruiting videos and use of the hunting land were permissible, and because he did not ascertain what his assistant was doing while visiting a high school, he failed to rebut his responsibility for the violations under Bylaw 11.1.1.1.

In addition, the head coach was responsible for the other violations his staff committed involving boosters and prospects. This institution had two previous infractions cases involving control of boosters before the head coach's tenure. However, once he accepted the position of head football coach, the head coach became responsible for the actions of his staff and their intentional involvement of boosters in the recruitment of prospects. In Violations IV.G and IV.K, assistant coach 4 and the assistant athletic director used boosters to funnel impermissible inducements and benefits to student-athletes 1, 13 and 15 and/or individuals associated with them. The violations occurred on multiple occasions throughout the institution's recruitment of the prospects. At the hearing, the head coach detailed how he reviewed visit paperwork, revised forms, invited the compliance personnel to football staff meetings and constructed a coaches' compliance manual. However, he was unprepared for the efforts made by boosters to insert themselves into the program despite recognizing what he termed as the "craziness" of the institution's boosters when he arrived at Mississippi. He had a responsibility to ensure that his staff did not use boosters to commit rules violations, and he was presumed responsible once they did. While the actions he took regarding rules compliance were admirable, he did not rebut the presumption of responsibility for the actions of his staff intentionally involving boosters. The head coach did not confirm the status and activities of boosters or ascertain the circumstances surrounding prospects who made numerous trips to campus and who they associated with during their recruitment. Therefore, he is responsible for those violations under Bylaw 11.1.1.1.

Pursuant to Bylaw 19.1.1-(e), the violation is Level I. Bylaw 19.1.1-(e) identifies Bylaw 11.1.1.1 violations by a head coach resulting from underlying Level I violations by an individual within the head coach's program as an example of a Level I violation. *See Syracuse* (concluding that the head coach's responsibility violation was Level I when the most severe underlying violations were Level I). The head coach's subordinates, at times working with program boosters, engaged in multiple Level I violations. The head coach is responsible for those violations, as he did meet his monitoring obligations under Bylaw 11.

P. LACK OF INSTITUTIONAL CONTROL [NCAA Division I Manual Constitution 2.1.1, 2.8.1 and 6.01.1 (2009-10 and 2011-12 through 2015-16); 6.4.1 and 6.4.2 (2009-10 and 2012-13 through 2015-16)]

Over five years, Mississippi failed to exercise control of the conduct and administration of its football program because football staff members felt they could continually commit recruiting rules violations, not report known violations and involve boosters in violations. The football program was able to involve boosters in violations because Mississippi fostered a culture that enabled unconstrained and undeterred booster involvement in the recruiting process. The institution disagreed that it lacked control of the football program. The panel concludes that Level I violations occurred.

1. NCAA legislation relating to institutional control.

The applicable portions of the bylaws may be found at Appendix Two.

2. From 2010 through 2015, the institution lacked control of the football recruiting process, football boosters and football student-athletes' use of vehicles from automobile dealerships.

From 2010 through 2015, the institution lacked control of the culture of the football program, in two main areas: (1) the recruiting process and (2) booster activities. The football staff committed multiple and intentional violations throughout the head coach's tenure. Throughout the same period and due to the institutional culture, Mississippi football boosters engaged in knowing NCAA rules violations that the institution did not control. Finally, the institution lacked control and monitoring of the "loaner" cars used by two student-athletes. The lack of control and monitoring violated Articles 2 and 6 of the NCAA Constitution.

The Constitution requires member institutions to control and monitor their intercollegiate athletics programs so as to ensure those programs operate in compliance with NCAA legislation. Constitution sections 2.1.1, 2.8.1 and 6.01.1 all state the responsibility of institutions to control their athletic programs, while sections 6.4.1 and 6.4.2 also make member institutions responsible for the actions of institutional boosters, including outside individuals, organizations and other entities.

Mississippi failed to control its football program, specifically, the recruiting process. The culture of the football program going back decades was such that football staff members felt they could repeatedly and intentionally violate NCAA rules. The violations in this case date to 2010, when assistant coach 3 and the operations coordinator directed three prospects to engage in test fraud and arranged for a booster to impermissibly house them and two other prospects during the summer. The violations continued once the head coach was hired and *as the investigation was occurring*, as members of the football staff falsified recruiting paperwork (or did not file required paperwork at all), failed to ask pertinent questions of the compliance staff, did not report known violations, arranged impermissible inducements for prospects and their families, involved institutional boosters in severe violations and lied to or did not cooperate with investigators.

Assistant coach 2 made his own determination that booster 2 could transport four prospects to campus visits for most of a full academic year. Other members of the football staff, including the head coach, had contact with booster 2, both on- and off-campus, but no one took the time to ask the compliance office if his activities were permissible. Assistant coach 4 continually engaged in rules violations—arranging impermissible inducements of meals, lodging and merchandise, making impermissible contacts, allowing a student-athlete to stay in his home and introducing those associated with student-athletes to boosters who provided them with impermissible benefits. The assistant athletic director had a second, secret phone he used for recruiting purposes. On multiple occasions he arranged impermissible transportation, lodging and merchandise for visiting prospects, and he recruited boosters for a scheme to pay no less than \$13,000 to student-athlete 1. The institution has recently taken action trying to gain control of this culture (*see* Corrective Actions, Appendix One), but its failure to control and change the culture through the years the violations occurred fell short of its obligations to control the football program under Constitution 2.1.1, 2.8.1 and 6.01.1. *See University of Southern California* (2010) (concluding that an

institution's violations were at least in part due to a general campus environment that made compliance efforts difficult); and *University of Alabama* (2002) (concluding that the institution's past history and culture of noncompliance among prominent boosters contributed to the violations in the case).

The culture of rules violations was shared by institutional boosters, resulting in Mississippi also failing to exercise control over them. This case involved a total of 12 boosters, all but two of whom (booster 3, who gave a prospect a ride on one occasion; and booster 4, whose hunting land the football staff allowed a prospect to use) were knowing participants in conduct that violated NCAA rules. Boosters 1, 2, 5, 8, 9 and 10, acting at the request of, or with the knowledge of, football staff members, engaged in Level I severe breaches of conduct on multiple occasions. Booster 5's retail store provided hundreds of dollars of free merchandise to prospects or their family members. The actions of boosters 9 and 10 were particularly egregious, as they schemed with the assistant athletic director to funnel thousands of dollars to student-athlete 1. Other boosters engaged in Level I severe breaches of conduct seemingly without prompting by the football staff—booster 6 allowed the family of student-athlete 13 to stay free 12 nights in his properties; booster 7, who was introduced to student-athlete 13's family by assistant coach 4, provided an \$800 cash payment to student-athlete 13's mother's boyfriend; Booster 11 provided free food, drinks and cash to student-athlete 1 at his restaurant; and booster 12 and his automobile dealership allowed two student-athletes to use vehicles at no cost for months. This institution failed to exercise control over its boosters, in violation of Constitution 2.1.1, 2.8.1, 6.01.1, 6.4.1 and 6.4.2.

The culture that fostered the booster violations existed at Mississippi literally for decades and continued well into and through the investigation in this case. This institution had prior infractions cases in 1986 and 1994 with facts strikingly similar to the present matter. Both prior cases featured booster involvement in recruiting, with the boosters providing prospects with impermissible inducements such as clothing, transportation, lodging and offers of financial assistance and an automobile. The boosters were encouraged by some members of the football staff. In the 1994 case, the COI noted that the 1986 case did not cause the institution to increase its vigilance. Instead, the institution "continued, at least within the football program, an attitude of business as usual." That attitude remained and permeated the football program's boosters in this case. That attitude must change, at this and all other member institutions where such environments exist.

Finally, Mississippi lacked control over, and did not sufficiently monitor, the process through which two student-athletes received and retained "loaner" vehicles from booster 12 and his dealership. Both student-athletes drove the vehicles on campus and were ticketed, but the institution failed to have in place a process to detect their use of the cars. Once the institution discovered student-athlete 13's use of the vehicle, it took his word for how long he used it and did not investigate how he came to be in possession of it. Had the institution properly investigated his use of the first loaner, it would have been able to limit his violations and likely avoid the later violation involving student-athlete 16. Mississippi failed to control and monitor this aspect of its athletics program, in violation of Constitution 2.1.1, 2.8.1, 6.01.1, 6.4.1 and 6.4.2.

While the panel specifically identified it would remain mindful of the case's procedural history, the panel cannot ignore the fact that Level I and Level II violations occurred at the same time in women's basketball and women's track and field. Those violations included academic fraud, intentional unethical conduct, failure to cooperate, recruiting violations (including tampering with student-athletes at other institutions), and head coach responsibility failures. See Infractions Decision No. 460, Case No. 189693. The head coaches of both sports were cited for failing to monitor their assistants, and the head women's track coach also failed to promote an atmosphere of rules compliance in his program. While the football violations set forth in this decision are enough to establish the lack of institutional control, the women's basketball and women's track and field violations also demonstrate that this institution failed to exercise control over its athletics program.

Pursuant to Bylaw 19.1.1-(a), the violation is Level I. Bylaw 19.1.1-(a) includes lack of institutional control among the violations that seriously undermine or threaten the integrity of the NCAA Collegiate Model.

V. LEVEL III VIOLATIONS

- 1. IMPERMISSIBLE INDUCEMENTS [NCAA Division I Manual Bylaws 13.2.1, 13.2.1.1-(h) and 13.15.1 (2009-10)]** In the summer of 2010, assistant coach 1 referred student-athlete 7 to the Jackson school, which in part led to booster 1 providing student-athlete 1 with impermissible inducements (See Violation IV.B). Assistant coach 1's actions assisted in arranging for the impermissible inducements and benefits.
- 2. IMPERMISSIBLE RECRUITING VIDEOS [NCAA Division I Manual Bylaws 13.4.1.5 and 13.6.7.9 (2012-13)]** On three official visit weekends during January and February 2013, the video assistant, with the knowledge and approval of the head coach, produced three personalized recruiting videos that showed multiple prospective student-athletes and members of their families wearing and displaying official team equipment and apparel. On two of the three weekends, the video assistant played the videos for the prospects and their families, also with the knowledge and approval of the head coach.
- 3. IMPERMISSIBLE ENTERTAINMENT BY A BOOSTER AND EXTRA BENEFITS [NCAA Division I Manual Bylaws 13.2.1, 13.6.7.1 (2012-13) and 16.11.2.1 (2013-14)]** In January 2013, the football program arranged for student-athlete 12 to have access to booster 4's private hunting land on his official visit. Later, when student-athlete 12 was enrolled at Mississippi during the 2013-14 academic year, the football staff arranged for him to have access to booster 4's private hunting land on two or three occasions.
- 4. IMPERMISSIBLE BENEFITS [NCAA Division I Manual Bylaw 16.11.2.1 (2012-13)]** On two occasions during the summer of 2013, assistant coach 4 allowed student-athlete 13 to stay overnight at his house free-of-charge.

5. **IMPERMISSIBLE RECRUITING CONTACT [NCAA Division I Manual Bylaw 13.1.1.1 (2013-14)]** On December 3, 2013, the head coach had an impermissible recruiting contact with student-athlete 1, a high school junior, at his high school. The head coach positioned himself in the high school coach's office prior to student-athlete 1 arriving at the office in response to a summons from his high school coach, making contact likely. After student-athlete 1 came to the high school coach's office, the head coach engaged him in a face-to-face conversation in excess of a greeting.
6. **IMPERMISSIBLE RECRUITING CONTACTS [NCAA Division I Manual Bylaw 13.1.1.1 (2013-14)]** On May 8, 2014, assistant coach 4 had impermissible recruiting contacts with two high school prospects at their high school. A high school coach summoned the two prospects to a private room to meet with assistant coach 4, who spoke to the prospects for approximately 10 minutes. Assistant coach 4 did not record the interaction on his recruiting logs or report it to the Mississippi administration.

VI. VIOLATIONS NOT DEMONSTRATED

As part of the allegation that resulted in Violation IV.E, the enforcement staff alleged that assistant coaches 2 and 4 were present at a local hotel on February 2, 2013, when student-athletes 9 and 11 arrived, student-athlete 9 for his official visit and student-athlete 11 for an unofficial visit, and that the two coaches assisted the prospects with checking into their hotel rooms. However, the information was conflicting regarding whether assistant coach 2 was present when the prospects checked into the hotel or if he assisted them in any way. The panel concludes that this portion of the violation was not demonstrated.

As part of Violation IV.I, the enforcement staff alleged that the assistant athletic director arranged for student-athlete 1 and cousin 1 to stay free-of-charge in a local hotel for two nights, October 31, 2014, and November 1, 2014. However, neither student-athlete 1 nor his cousin could recall exactly where they may have stayed on the night of October 31, and information suggested that they may not have arrived until the following day. Based on this information, the panel concludes that the assistant athletic director only arranged their room for one night, November 1, 2014.

Finally, as part of Violation IV.O, the head coach responsibility violation, the enforcement staff alleged that not only did the head coach fail to monitor, he also failed to promote an atmosphere of compliance in his football program. In his response to the notice of allegations and at the hearing, the head coach detailed the many initiatives he took in an attempt to ensure rules compliance among his staff. He compiled a coaches' manual that included visit forms and rules explanations. He interacted with the compliance office and encouraged his staff to do the same. He reviewed paperwork and in many instances asked questions of both his staff and compliance personnel. Based on this information, the panel concludes that a failure to promote an atmosphere for compliance by the head coach was not demonstrated.

VII. PENALTIES

For the reasons set forth in Sections III, IV and V of this decision, the panel concludes this case involved Level I, II and III violations of NCAA legislation. Level I violations are severe breaches of conduct that seriously undermine or threaten the integrity of the NCAA Collegiate Model. Level II violations are significant breaches of conduct that may compromise the integrity of the Collegiate Model. Level III violations are breaches of conduct that are isolated or limited and provide no more than a minimal advantage.

Pursuant to Bylaw 19.9.1, the panel prescribes penalties under the current penalty structure because the violations in this case predominantly occurred after October 30, 2012. In considering penalties, the panel first reviewed the aggravating and mitigating factors pursuant to Bylaws 19.9.2, 19.9.3 and 19.9.4 to determine the appropriate classifications for the parties. The panel then used the current penalty guidelines (Figure 19-1) and Bylaws 19.9.5 and 19.9.7 to prescribe penalties.

The panel determined the below-listed factors applied and assessed the factors by weight and number. Based on its assessment, the panel classifies this case as Level I-Standard for the institution, Level II-Mitigated for assistant coach 2's violations, Level I-Aggravated for assistant coach 3's, the operations coordinator's and the assistant athletic director's violations, Level I-Standard for assistant coach 4's violations and Level I-Mitigated for the head coach's violations.

Aggravating Factors for Mississippi

- 19.9.3-(a): Multiple Level I violations;
- 19.9.3-(b): A history of Level I, Level II or major violations;
- 19.9.3-(c): Lack of institutional control;
- 19.9.3-(g): Multiple Level II violations;
- 19.9.3-(i): One or more of the violations caused significant ineligibility or other substantial harm to a student-athlete or prospective student-athlete; and
- 19.9.3-(k): A pattern of noncompliance within the sport program involved.

The institution's two most recent cases occurred in 1986 and 1994, but they were similar to the present case and are accorded significant weight. Regarding lack of institutional control, the panel noted that a number of violations occurred while the investigation was ongoing.

Mitigating Factors for Mississippi

- 19.9.4-(a): Prompt self-detection and self-disclosure of the violations;
- 19.9.4-(b): Prompt acknowledgement of the violations, acceptance of responsibility and imposition of meaningful corrective measures and/or penalties;
- 19.9.4-(c): Affirmative steps to expedite final resolution of the matter; and
- 19.9.4-(d): An established history of self-reporting Level III or secondary violations.

Mississippi also proposed mitigating factors 19.9.4-(e) (implementation of a system of compliance methods designed to ensure rules compliance and satisfaction of institutional/coaches control

standards) and 19.9.4-(f) (exemplary cooperation). Neither applies. Regarding subsection (e), the compliance systems in place did not detect numerous severe violations. Most serious violations were discovered after tips to the enforcement staff. Further, the COI has determined that the compliance systems must be in place prior to the violations occurring. *See University of Missouri, Columbia* (2016) (determining that this mitigating factor did not apply because the compliance system did not detect the most serious violations, and the enhancements to the compliance system were made after the violations occurred). Regarding subsection (f), the record does not support it. Mississippi and the enforcement staff worked closely together during the investigation, and the institution met its obligation to cooperate. The panel also recognizes that the institution self-detected some of the violations. The panel, however, determines that Mississippi's level of cooperation did not rise to the level of exemplary because an institution must do more than just meet its obligation under the bylaws to cooperate. *See Baylor* and *California State Northridge*.

Aggravating Factors for the Operations Coordinator

19.9.3-(a): Multiple Level I violations;

19.9.3-(b): A history of Level I, Level II or major violations;

19.9.3-(e): Unethical conduct, compromising the integrity of the investigation, failing to cooperate during the investigation or refusing to provide all relevant or requested information;

19.9.3-(f): The violations were premeditated, deliberate or committed after substantial planning; and

19.9.3-(m): The violations were intentional, willful and demonstrated a blatant disregard for the NCAA constitution and bylaws.

Mitigating Factors for the Operations Coordinator

None.

Aggravating Factors for Assistant Coach 2

None.

Mitigating Factors for Assistant Coach 2

19.9.4-(b): Prompt acknowledgement of the violations and acceptance of responsibility;

19.9.4-(h): The absence of prior conclusions of Level I, Level II or major violations; and

19.9.4-(i): Other factors warranting a lower penalty range.

Assistant coach 2 attended the hearing and admitted his violations. Upon seeing booster 2 on campus with prospects in March 2013, he reported the violation to the compliance office.

Aggravating Factors for Assistant Coach 3

19.9.3-(a): Multiple Level I violations;

19.9.3-(e): Unethical conduct, compromising the integrity of an investigation, failing to cooperate during the investigation or refusing to provide all relevant or requested information;

19.9.3-(f): The violations were premeditated, deliberate or committed after substantial planning; and

19.9.3-(m): The violations were intentional, willful and demonstrated a blatant disregard for the NCAA constitution and bylaws.

Mitigating Factors for Assistant Coach 3

None.

Aggravating Factors for Assistant Coach 4

19.9.3-(a): Multiple Level I violations; and

19.9.3-(k): A pattern of noncompliance within the sport program involved.

Mitigating Factors for Assistant Coach 4

19.9.4-(h): The absence of prior conclusions of Level I, Level II or major violations.

Aggravating Factors for the Assistant Athletic Director

19.9.3-(a): Multiple Level I violations;

19.9.3-(e): Unethical conduct, compromising the integrity of the investigation, failing to cooperate during the investigation or refusing to provide all relevant or requested information;

19.9.3-(f): The violations were premeditated, deliberate or committed after substantial planning; and

19.9.3-(m): The violations were intentional, willful and demonstrated a blatant disregard for the NCAA constitution and bylaws.

Mitigating Factors for the Assistant Athletic Director

19.9.4-(h): The absence of prior conclusions of Level I, Level II or major violations.

Aggravating Factors for the Head Coach

None.

Mitigating Factors for the Head Coach

19.9.4-(b): Prompt acknowledgement of the violations and acceptance of responsibility; and

19.9.4-(h): The absence of prior conclusions of Level I, Level II or major violations.

All of the penalties prescribed in this case are independent and supplemental to any action that has been or may be taken by the NCAA Division I Committee on Academics through its assessment of postseason ineligibility, historical penalties or other penalties. The panel considered the institution's corrective actions, which are contained in Appendix One. The panel prescribes the following penalties (self-imposed penalties are so noted):

Core Penalties for Level I-Standard Violations (Bylaw 19.9.5)

1. Probation: Three years of probation from December 1, 2017, through November 30, 2020. This probation shall run concurrently with the probationary period in Infractions Case No. 189693, for a total probationary period of four years.

2. Financial penalties: Mississippi shall pay a financial penalty of \$5,000 plus 1% of its average football budget for three years, which was calculated at \$179,797. (Self-imposed.) A complete accounting of this financial penalty shall be included in the institution's annual compliance reports.
3. Postseason ban: Mississippi shall end the 2017 football season with its last regular season game and shall not participate in postseason competition. (Self-imposed.) Mississippi shall also end the 2018 football season with its last regular season football game and shall not participate in postseason competition.
4. Scholarship reductions: Mississippi has reduced, and shall reduce, football grants-in-aid by greater than 15% as outlined below:

Academic year 2015-16: Overall reduction: 1; Initial reduction: 0
Academic year 2016-17: Overall reduction: 2; Initial reduction: 3
Academic year 2017-18: Overall reduction: 6; Initial reduction: 4
Academic year 2018-19: Overall reduction: 4; Initial reduction: 3
Totals: 13 grants overall, 10 initial grants. (Self-imposed.)

5. Recruiting restrictions:
 - a. Mississippi reduced official visits in the sport of football by nearly 20% for the 2014-15 academic year, based on the previous four-year average. (Self-imposed.)
 - b. Mississippi reduced the number of evaluation opportunities for the full football staff by 10% during the spring 2015 evaluation period (from 168 days to 151) and by 12.5% during the spring 2016 evaluation period. (Self-imposed.)
 - c. Mississippi prohibited all unofficial visits in fall 2017 from September 1 through October 19 and in fall 2016 for five weeks. (Self-imposed.) Additionally, for the full term of probation, Mississippi shall limit all prospective student-athletes in the sport of football to one unofficial campus visit per academic year.
 - d. Mississippi prohibited assistant coach 2 from off-campus recruiting for 21 days and assistant coach 4 for 30 days.

Core Penalties for Head Coach Level I-Mitigated Violations (Bylaw 19.9.5.5)

6. Head coach restrictions. The head coach was responsible for the violations committed by members of his staff. He failed to monitor certain aspects of the recruiting process as set forth in Violation IV.O, and he did not monitor the actions of boosters supporting his program. Members of his staff engaged in numerous Level I, II and II violations, while football boosters continued a decades-long disdain for NCAA recruiting rules. Therefore, pursuant to Bylaw 19.9.5.5, any member institution hiring the head coach as a head football coach during a one-

year period, December 1, 2017, through November 30, 2018, shall suspend the head coach for the first two conference contests of the 2018 football season.

The provisions of this suspension require that the head coach not be present in the venue where the games are played and have no contact or communication with members of the football coaching staff and student-athletes during the suspension period. The prohibition includes all coaching activities for the period of time which begins at 12:01 a.m. the day of the first conference game and ends at 11:59 p.m. on the day of the second conference game. During that period, the head coach may not participate in any activities, including, but not limited to, team travel, practice, recruiting, video study and team meetings. The results of those contests from which the head coach is suspended shall not count in his career coaching record.

Although each case is unique, the suspension is consistent with those previously prescribed in *University of Louisville* (2017), *Syracuse*, *Saint Mary's College of California* (2013) and *University of Connecticut* (2011), where the head men's basketball coaches were suspended for five, nine, five and three conference games, respectively. Although these cases also included a failure to promote an atmosphere of compliance, a suspension is appropriate because those suspensions stemmed from head coach responsibility violations.

Show-cause orders

7. The operations coordinator arranged for three prospects to receive fraudulent standardized test scores. He committed similar violations in Case No. 00187, which were detailed in *University of Louisiana at Lafayette* (2016). Further, he arranged for six prospects to reside with a booster while they took academic courses to assist them in attaining eligibility to participate in intercollegiate athletics. Finally, the operations coordinator provided false information in interviews during the investigation. His actions were willful, intentional, unethical and threatened the integrity of the NCAA Collegiate Model. Therefore, the operations coordinator will be informed in writing by the NCAA that the panel prescribes an eight-year show-cause order pursuant to Bylaw 19.9.5.4. The show-cause order shall run consecutive to the operations director's eight-year show-cause in Case No. 00187, meaning the show-cause period in this case shall be from January 11, 2024, through January 10, 2032. Any NCAA member institution employing the operations coordinator during the eight-year period shall preclude him from holding any athletically related duties and from having any contact with prospective students and their families. The eight-year show-cause order is the same length as the show-cause order prescribed in *Louisiana at Lafayette* and consistent with those prescribed in previous cases. See *Southern Mississippi* (prescribing a ten-year show-cause order for the Level I-Aggravated violations of the head men's basketball coach, who planned and orchestrated an academic misconduct scheme involving prospects, failed to disclose information relevant to the investigation, took affirmative steps to obstruct the investigation and violated head coach responsibility legislation, and an eight-year show-cause order for the Level-I Aggravated violations of the associate head men's basketball coach who facilitated academic fraud and did not cooperate with the investigation).

8. Assistant coach 3 acted in concert with the operations director to facilitate standardized test fraud and arrange for prospects to reside with a booster while taking summer academic courses. He failed to protect the integrity of the investigation and provided false information when interviewed during the investigation. His actions were also willful, intentional, unethical and threatened the integrity of the NCAA Collegiate Model. Therefore, assistant coach 3 will be informed in writing by the NCAA that the panel prescribes a five-year show-cause order pursuant to Bylaw 19.9.5.4. The show-cause period shall run from December 1, 2017, through November 30, 2022. Any NCAA member institution employing assistant coach 3 during the five-year period shall preclude him from holding any athletically related duties. The five-year show-cause order is consistent with those prescribed in prior cases. *See Southeast Missouri State University* (2017) (prescribing a six-year show-cause order for the Level I-Aggravated violations of the assistant men's basketball coach who knowingly arranged for the receipt of fraudulent academic credit for a prospect, pressured an enrolled student-athlete to participate in unethical conduct and engaged in unethical conduct); *California State Northridge* (prescribing a five-year show-cause order for the Level I-Aggravated violations of the director of men's basketball operations, who committed academic misconduct by knowingly completing and submitting coursework for four student-athletes who received fraudulent academic credit, provided impermissible academic benefits to eight student-athletes and engaged in unethical conduct); and *Southern Methodist* (prescribing a five-year show-cause order for the Level I-Aggravated violations of a men's basketball administrative assistant who assisted a prospect in obtaining fraudulent academic credit, provided false or misleading information and failed to cooperate).
9. Assistant coach 4 committed multiple violations. He provided inaccurate information to the assistant recruiting director, resulting in the institution impermissibly paying the expenses of individuals who accompanied student-athlete 13 on his official visit. That same weekend, assistant coach 4 referred the family of student-athlete 13 to the retail establishment, where they received free merchandise. He allowed student-athlete 13 to spend the night in his home, he made impermissible contacts with prospects and he failed to report his known violations. He was the link between student-athlete 13's family and booster 6, who provided members of the family with free lodging on multiple occasions. He introduced student-athlete 13's mother's boyfriend to booster 7, who later provided him with an \$800 cash payment. Therefore, assistant coach 4 will be informed in writing by the NCAA that the panel prescribes a two-year show-cause order pursuant to Bylaw 19.9.5.4. The show-cause period shall run from December 1, 2017, through November 30, 2019. Any NCAA member institution employing assistant coach 4 during the two-year period shall: (a) prohibit assistant coach 4 from all off-campus recruiting activities; and (b) prohibit assistant coach 4 from hosting any occasional meals as defined by Bylaw 16.11.1.5 and from allowing any prospective or enrolled student-athletes to visit his home for any purpose. The two-year show-cause order is consistent with those prescribed in other cases. *See University of South Florida* (prescribing a two-year show-cause order for the Level I-Standard violations of the assistant men's basketball coach who knowingly provided and arranged for multiple prospects to receive recruiting inducements and engaged in unethical conduct);

10. The assistant athletic director referred two prospects to the retail establishment, where they received free merchandise. He arranged impermissible lodging, meals and transportation for visiting prospects and maintained a second phone that he used for recruiting activities in violation of institutional policy. When student-athlete 1 expressed a desire to be paid for his commitment to attend Mississippi, the assistant athletic director referred him to boosters 9 and 10, who provided student-athlete 1 with thousands of dollars. During the investigation, he provided false information to the enforcement staff. Therefore, the assistant athletic director will be informed in writing that the panel prescribes a five-year show-cause order pursuant to Bylaw 19.9.5.4. The show-cause period shall run from December 1, 2017, through November 30, 2022. Any NCAA member institution employing the assistant athletic director during the five-year period shall prohibit him from all recruiting duties, both on- and off-campus. The five-year show-cause order is consistent with those prescribed in other cases. *See Southern Methodist* (prescribing a five-year show-cause order for the Level I-Aggravated violations of a men's golf coach who provided impermissible recruiting inducements to multiple prospects and gave false or misleading information during the investigation).

Additional Penalties for Level I and Level II Violations (Bylaw 19.9.7)

11. Public reprimand and censure.
12. Vacation of records. Due to their receipt of impermissible inducements and benefits as described in Section IV, the student-athletes referenced in the violations were rendered ineligible for collegiate competition. Many of them enrolled at, and competed for, Mississippi. The violations were Level I and Level II, intentional, numerous and occurred over multiple years. Many of the violations involved institutional staff members. Therefore, pursuant to Bylaws 19.9.7-(g) and 31.2.2.3, and consistent with IAC Report No. 306 in *University of Memphis* (2010) and IAC Report 414 in *Syracuse University* (2015), Mississippi shall vacate all regular season and postseason wins in which ineligible student-athletes competed from the time they became ineligible through the time they were reinstated as eligible for competition through either the student-athlete reinstatement process or a grant of limited immunity. The individual records of the ineligible student-athletes shall also be vacated. Further, Mississippi's records regarding football, as well as the record of the head coaches, shall reflect the vacated records and be recorded in all publications in which football 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 individuals who served as head coaches when the ineligible participation occurred shall similarly reflect the vacated wins in the head coaches' 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 to attain specific honors or victory "milestones" such as 100th, 200th or 500th career victories. Any public reference to these vacated contests shall be removed from athletics department stationery, banners displayed in public areas and any other forum in which they may appear. Any trophies or other team awards attributable to the vacated contests shall be returned to the Association.

To aid in accurately reflecting all institutional and student-athlete vacations, statistics and records in official NCAA publication and archives, the sports information director (or other designee as assigned by the director of athletics) must contact the NCAA media coordination and statistics staff and appropriate conference officials to identify the specific student-athletes and contests impacted by the penalties. In addition, Mississippi must provide the NCAA media coordination and statistics staff a written report detailing those discussions. This document will be maintained in the permanent files of the NCAA media coordination and statistics department. This written report must be delivered to the NCAA media coordination and statistics staff no later than 45 days following the initial infractions decision release or, if the vacation penalty is appealed, at the conclusion of the appeals process. A copy of the written report shall also be delivered to the Office of the Committees on Infractions (OCOI) at the same time.

13. Disassociation: Mississippi disassociated boosters 2, 6, 7, 8, 9, 10, 11 and 12. It has represented that the disassociation is in accordance with Bylaw 19.9.7-(i) and includes additional restrictions. For boosters 2, 6, 7, 8, 9, 10, the period of disassociation is indefinite and includes exclusion from institutional facilities and home athletics events. Boosters 11 and 12 cooperated at least in part with the institution, which therefore disassociated them for three years. During their three-year disassociation periods, Mississippi also excluded them from institutional facilities and home athletics events. (Self-imposed.)⁴⁵

Additionally, Mississippi shall disassociate booster 5 for a period of not less than three years. Pursuant to Bylaw 19.9.7-(i), the disassociation shall include:

- a. Refraining from accepting any assistance from booster 5 that would aid in the recruitment of prospective student-athletes or the support of enrolled student-athletes;
 - b. Refusing financial assistance or contributions to Mississippi's athletics program from booster 5 or his business interests;
 - c. Ensuring that no athletics benefit or privilege is provided to booster 5, either directly or indirectly, that is not available to the public at large; and
 - d. Implementing other actions that Mississippi determines to be within its authority to eliminate the involvement of booster 5 in the institution's athletics program.
14. Following the receipt of the final compliance report and prior to the conclusion of probation, Mississippi's chancellor shall provide a letter to the committee affirming that the institution's current athletics policies and practices conform to all requirements of NCAA regulations.

⁴⁵ Pursuant to the COI IOPs, the COI does not prescribe periods of disassociation for longer than 10 years but does not prohibit institutions from self-imposing a period of disassociation longer than 10 years.

15. During the period of probation, Mississippi shall:

- a. Continue to develop and implement a comprehensive educational program on NCAA legislation to instruct the coaches, the faculty athletics representative, all athletics department personnel and all institution staff members with responsibility for NCAA recruiting and certification legislation;
- b. File with the OCOI annual compliance reports indicating the progress made with this program. The reports for this case may be combined with the annual compliance reports in Case No. 189693 that are filed by August 15th of each year during the period of probation. Particular emphasis shall be placed on ethics training for the football staff, training on recruiting rules for the football staff, ethics training for institutional boosters and recruiting rules presentations to institutional boosters.
- c. Inform prospective football student-athletes in writing that Mississippi is on probation for four 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
- d. 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 programs and a direct, conspicuous link to the public infractions report located on the athletic department's main or "landing" webpage. The information shall also be included in the football media guides and in an alumni publication. Mississippi's statement must: (i) clearly describe the infractions; (ii) include the length of the probationary period associated with the infractions case; and (iii) provide a clear indication of what happened in the infractions case. A statement that refers only to the probationary period with nothing more is not sufficient.

The COI advises Mississippi that it should take every precaution to ensure that it observes the terms of the penalties. The COI 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 may 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
Carol Cartwright
Greg Christopher, Chief Hearing Officer
Bobby Cremins
Joel Maturi
Eleanor Myers
Larry Parkinson

APPENDIX ONE
CORRECTIVE ACTIONS AS IDENTIFIED IN MISSISSIPPI'S
MAY 23, 2017, RESPONSE TO THE NOTICE OF ALLEGATIONS AND AT THE
INFRACTIONS HEARING

Corrective actions set forth in the response to the NOA:

1. Assistant coach 2 was reprimanded and required to attend the NCAA Regional Rules Seminar held in May 2015 in Indianapolis, Indiana.
2. Assistant coach 4 was reprimanded and required to attend the NCAA Regional Rules Seminar held in May 2015 in Indianapolis, Indiana. In 2016, Mississippi refused his request for a multi-year contract renewal.
3. The former assistant athletic director's employment was put on administrative leave on November 8, 2016. On December 8, 2016, his employment with Mississippi ended after it was determined that he had committed serious infractions, hidden evidence from Mississippi, and had been less-than truthful with investigators.
4. Mississippi has disassociated boosters involved in violations and prohibited certain disassociated boosters from attending home athletic events and entering all athletic facilities.
5. Mississippi has provided violation-specific rules education.
6. Mississippi has created a Test Score Validation Form to gain more information regarding ACT and/or SAT examinations where a prospect's test scores increase by a certain amount.
7. Mississippi has incorporated a specific description and discussion of official visit itineraries prior to every official visit specific to each prospective football student-athlete and revised its Official Visit Approval Form to require names of those accompanying a recruit and their exact biological relationship to the recruit.
8. Mississippi has revised its unofficial visit paperwork to include a personal statement that each prospect signs, acknowledging that the prospect has been informed about what benefits are and are not allowed during an unofficial visit.
9. Mississippi has implemented rules education with booster 12's dealership, which provided the improper loaner cars at issue, regarding the provision of extra benefits to institutional student-athletes and is providing specific rules education to student-athletes concerning loaner car violations as part of its annual NCAA instruction.

10. Mississippi has enhanced its monitoring of student-athlete vehicles, creating new systems and processes to track which vehicles student-athletes are using and to highlight potential violations.
11. Mississippi has expanded its compliance staff and reallocated resources to increase monitoring and to respond to inquiries on a round-the-clock basis.
12. Mississippi implemented (and it continues to implement) every recommendation made as part of an external review required by the chancellor upon his hiring.

Corrective actions set forth at the infractions hearing:

1. High-profile prospects must provide their test log-in information to Mississippi so that the compliance office can check testing dates, scores and score differences from one test to the next. If the compliance office notes a score jump of significance, the score is reviewed by the institution's 9A Committee, which was created to review potentially questionable test scores.
2. In addition to regularly scheduled rules education sessions, the compliance staff conducts an average of 11 meetings per year to discuss recruiting rules and logistics with the football staff. The compliance staff monitors each infractions decision and updates departmental personnel on relevant issues.
3. In response to the violations involving the recruiting videos, the compliance staff now reviews any video before it is shown during recruiting visits.
4. The compliance office now reviews recruiting itineraries item-by-item to ensure a clear understanding of the activity taking place.
5. The chancellor and director of athletics now include rules compliance as a component of any speech they give to booster groups. Leaders of booster groups are required to come to campus annually for rules education sessions. On football game days, the compliance office monitors the locker room, tunnel to the field and suite areas to ensure that no prospects or enrolled student-athletes come into contact with boosters. The compliance office continues to provide mailings and other rules education to boosters, including those who engaged in the violations in this case.
6. The compliance office provides rules education for parents of student-athletes as soon as the student-athlete signs an NLI. The parents/family continue to receive educational materials throughout the season.
7. As part of its disassociation penalties, Mississippi will publicly identify the boosters who committed the violations in this case, the impermissible actions each booster took, and why the actions violated NCAA legislation.

8. The compliance office works with the campus parking services office to track tickets issued to vehicles that are registered to, or being used by, student-athletes. Parking Services now provides the compliance office with weekly reports (they used to be issued monthly) of tickets issued to vehicles associated with student-athletes.
9. By directive of the chancellor, and to follow the audit of the athletics compliance function he ordered upon arriving at the institution, Mississippi has initiated an external review of the academic component of the athletics department.

APPENDIX TWO

Bylaw Citations

Division I 2009-10 Manual

2.1.1 Responsibility for Control. It is the responsibility of each member institution to control its intercollegiate athletics program in compliance with the rules and regulations of the Association. The institution's president or chancellor is responsible for the administration of all aspects of the athletics program, including approval of the budget and audit of all expenditures.

2.8.1 Responsibility of Institution. Each institution shall comply with all applicable rules and regulations of the Association in the conduct of its intercollegiate athletics programs. It shall monitor its programs to assure compliance and to identify and report to the Association instances in which compliance has not been achieved. In any such instance, the institution shall cooperate fully with the Association and shall take appropriate corrective actions. Members of an institution's staff, student-athletes, and other individuals and groups representing the institution's athletics interests shall comply with the applicable Association rules, and the member institution shall be responsible for such compliance.

6.01.1 Institutional Control. The control and responsibility for the conduct of intercollegiate athletics shall be exercised by the institution itself and by the conference(s), if any, of which it is a member. Administrative control or faculty control, or a combination of the two, shall constitute institutional control.

6.4.1 Independent Agencies or Organizations. An institution's "responsibility" for the conduct of its intercollegiate athletics program shall include responsibility for the acts of an independent agency, corporate entity (e.g., apparel or equipment manufacturer) or other organization when a member of the institution's executive or athletics administration, or an athletics department staff member, has knowledge that such agency, corporate entity or other organization is promoting the institution's intercollegiate athletics program.

6.4.2 Representatives of Athletics Interests. An institution's "responsibility" for the conduct of its intercollegiate athletics program shall include responsibility for the acts of individuals, a corporate entity (e.g., apparel or equipment manufacturer) or other organization when a member of the institution's executive or athletics administration or an athletics department staff member has knowledge or should have knowledge that such an individual, corporate entity or other organization:

10.01.1 Honesty and Sportsmanship. Individuals employed by (or associated with) a member institution to administer, conduct or coach intercollegiate athletics and all participating student-athletes shall act with honesty and sportsmanship at all times so that intercollegiate athletics as a

whole, their institutions and they, as individuals, shall represent the honor and dignity of fair play and the generally recognized high standards associated with wholesome competitive sports.

10.1 Unethical Conduct. Unethical conduct by a prospective or enrolled student-athlete or a current or former institutional staff member (e.g., coach, professor, tutor, teaching assistant, student manager, student trainer) may include, but is not limited to, the following:

- (c) Knowing involvement in offering or providing a prospective or an enrolled student-athlete an improper inducement or extra benefit or improper financial aid;
- (h) Fraudulence or misconduct in connection with entrance or placement examinations.

13.01.4 Recruiting by Representatives of Athletics Interests. Representatives of an institution's athletics interests (as defined in Bylaw 13.02.13) are prohibited from making in-person, on- or off-campus recruiting contacts, or written or telephonic communications with a prospective student-athlete or the prospective student-athlete's relatives or legal guardians. Specific examples of exceptions to the application of this regulation are set forth in Bylaw 13.1.2.2 (see Bylaw 13.1.3.5.1.1).

13.1.2.1 General Rule. All in-person, on- and off-campus recruiting contacts with a prospective student-athlete or the prospective student-athlete's relatives or legal guardians shall be made only by authorized institutional staff members. Such contact, as well as correspondence and telephone calls, by representatives of an institution's athletics interests is prohibited except as otherwise permitted in this section. Violations of this bylaw involving individuals other than a representative of an institution's athletics interests shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the prospective student-athlete's eligibility.

13.2.1 General Regulation. An institution's staff member or any representative of its athletics interests shall not be involved, directly or indirectly, in making arrangements for or giving or offering to give any financial aid or other benefits to a prospective student-athlete or his or her relatives or friends, other than expressly permitted by NCAA regulations. Receipt of a benefit by prospective a student-athlete or his or her relatives or friends is not a violation of NCAA legislation if it is determined that the same benefit is generally available to the institution's prospective students or their relatives or friends or to a particular segment of the student body (e.g., international students, minority students) determined on a basis unrelated to athletics ability.

13.2.1.1 Specific Prohibitions. Specifically prohibited financial aid, benefits and arrangements include, but are not limited to, the following:

- (h) Free or reduced-cost housing.

13.15.1 Prohibited Expenses. An institution or a representative of its athletics interests shall not offer, provide or arrange financial assistance, directly or indirectly, to pay (in whole or in part) the costs of the prospective student-athlete's educational or other expenses for any period prior to his or her enrollment or so the prospective student-athlete can obtain a postgraduate education. For violations of Bylaw 13.15 in which the value of the benefit received directly by the prospective

student-athlete is \$100 or less, the eligibility of the prospective student-athlete shall not be affected conditioned on the prospective student-athlete repaying the value of the benefit to a charity of his or her choice. However, the prospective student-athlete shall remain ineligible from the time the institution has knowledge of receipt of the direct impermissible benefit until the prospective student-athlete repays the benefit. Violations of this bylaw remain institutional violations per Constitution 2.8.1, and documentation of the prospective student-athlete's repayment shall be forwarded to the enforcement staff.

Division I 2010-11 Manual

14.1.2 Validity of Academic Credentials. As a condition and obligation of membership, it is the responsibility of a member institution to determine the validity of the information on which the eligibility of a student-athlete is based. Therefore, it is the responsibility of a member institution to determine whether a transcript is valid for purposes of applying appropriate NCAA legislation to the eligibility of a student-athlete when the institution receives notification, or otherwise has cause to believe, that a student-athlete's high school, preparatory school or two-year college transcript is not valid.

14.3.2.1 Nonqualifier. A nonqualifier is a student who has not graduated from high school or who, at the time specified in the regulation (see Bylaw 14.3), did not present the core-curriculum grade-point average and/or SAT/ACT score required for a qualifier.

14.3.2.1.1 Eligibility for Aid, Practice and Competition. An entering freshman with no previous college attendance who was a nonqualifier at the time of enrollment in a Division I institution shall not be eligible for regular-season competition or practice during the first academic year in residence. However, such a student shall be eligible for nonathletics institutional financial aid that is not from an athletics source and is based on financial need only, consistent with institutional and conference regulations.

14.11.1 Obligation of Member Institution to Withhold Student-Athlete from Competition. If a student-athlete is ineligible under the provisions of the constitution, bylaws or other regulations of the Association, the institution shall be obligated to apply immediately the applicable rule and to withhold the student-athlete from all intercollegiate competition. The institution may appeal to the Committee on Student-Athlete Reinstatement for restoration of the student-athlete's eligibility as provided in Bylaw 14.12 if it concludes that the circumstances warrant restoration.

15.01.5 Eligibility of Student-Athletes for Institutional Financial Aid. A student-athlete must meet applicable NCAA (see Bylaw 14), conference and institutional regulations to be eligible for institutional financial aid. If these regulations are met, the student-athlete may be awarded institutional financial aid during any term in which a student-athlete is in regular attendance [was enrolled initially in a minimum full-time program of studies as defined by the certifying institution

during that term (see Bylaw 14.1.8.2.1.3 for final term exception and Bylaw 15.2.8 for summer-term exception)] under the following circumstances.

Division I 2011-12 Manual

2.1.1 Responsibility for Control. It is the responsibility of each member institution to control its intercollegiate athletics program in compliance with the rules and regulations of the Association. The institution's president or chancellor is responsible for the administration of all aspects of the athletics program, including approval of the budget and audit of all expenditures.

2.8.1 Responsibility of Institution. Each institution shall comply with all applicable rules and regulations of the Association in the conduct of its intercollegiate athletics programs. It shall monitor its programs to assure compliance and to identify and report to the Association instances in which compliance has not been achieved. In any such instance, the institution shall cooperate fully with the Association and shall take appropriate corrective actions. Members of an institution's staff, student-athletes, and other individuals and groups representing the institution's athletics interests shall comply with the applicable Association rules, and the member institution shall be responsible for such compliance.

6.01.1 Institutional Control. The control and responsibility for the conduct of intercollegiate athletics shall be exercised by the institution itself and by the conference(s), if any, of which it is a member. Administrative control or faculty control, or a combination of the two, shall constitute institutional control.

11.1.2.1 Responsibility of Head Coach. It shall be the responsibility of an institution's head coach to promote an atmosphere for compliance within the program supervised by the coach and to monitor the activities regarding compliance of all assistant coaches and other administrators involved with the program who report directly or indirectly to the coach.

14.11.1 Obligation of Member Institution to Withhold Student-Athlete from Competition. If a student-athlete is ineligible under the provisions of the constitution, bylaws or other regulations of the Association, the institution shall be obligated to apply immediately the applicable rule and to withhold the student-athlete from all intercollegiate competition. The institution may appeal to the Committee on Student-Athlete Reinstatement for restoration of the student-athlete's eligibility as provided in Bylaw 14.12 if it concludes that the circumstances warrant restoration.

Division I 2012-13 Manual

2.1.1 Responsibility for Control. It is the responsibility of each member institution to control its intercollegiate athletics program in compliance with the rules and regulations of the Association.

The institution's president or chancellor is responsible for the administration of all aspects of the athletics program, including approval of the budget and audit of all expenditures.

2.8.1 Responsibility of Institution. Each institution shall comply with all applicable rules and regulations of the Association in the conduct of its intercollegiate athletics programs. It shall monitor its programs to assure compliance and to identify and report to the Association instances in which compliance has not been achieved. In any such instance, the institution shall cooperate fully with the Association and shall take appropriate corrective actions. Members of an institution's staff, student-athletes, and other individuals and groups representing the institution's athletics interests shall comply with the applicable Association rules, and the member institution shall be responsible for such compliance.

6.01.1 Institutional Control. The control and responsibility for the conduct of intercollegiate athletics shall be exercised by the institution itself and by the conference(s), if any, of which it is a member. Administrative control or faculty control, or a combination of the two, shall constitute institutional control.

6.4.1 Independent Agencies or Organizations. An institution's "responsibility" for the conduct of its intercollegiate athletics program shall include responsibility for the acts of an independent agency, corporate entity (e.g., apparel or equipment manufacturer) or other organization when a member of the institution's executive or athletics administration, or an athletics department staff member, has knowledge that such agency, corporate entity or other organization is promoting the institution's intercollegiate athletics program.

6.4.2 Representatives of Athletics Interests. An institution's "responsibility" for the conduct of its intercollegiate athletics program shall include responsibility for the acts of individuals, a corporate entity (e.g., apparel or equipment manufacturer) or other organization when a member of the institution's executive or athletics administration or an athletics department staff member has knowledge or should have knowledge that such an individual, corporate entity or other organization:

11.1.2.1 Responsibility of Head Coach. It shall be the responsibility of an institution's head coach to promote an atmosphere for compliance within the program supervised by the coach and to monitor the activities regarding compliance of all assistant coaches and other administrators involved with the program who report directly or indirectly to the coach.

11.7.2.2 Contact and Evaluation of Prospective Student-Athletes. [FBS] Only those coaches who are counted by the institution within the numerical limitations on head and assistant coaches may contact or evaluate prospective student-athletes off campus. In addition, there is a limit of seven coaches (including the head coach) who may contact or evaluate prospective student-athletes off campus at any one time (see Bylaw 11.7.4).

13.01.4 Recruiting by Representatives of Athletics Interests. Representatives of an institution's athletics interests (as defined in Bylaw 13.02.14) are prohibited from making in-person, on- or off-campus recruiting contacts, or written or telephonic communications with a prospective student-athlete or the prospective student-athlete's relatives or legal guardians. Specific examples of exceptions to the application of this regulation are set forth in Bylaw 13.1.2.2 (see Bylaw 13.1.3.5.1.1).

13.1.2.1 General Rule. All in-person, on- and off-campus recruiting contacts with a prospective student-athlete or the prospective student-athlete's relatives or legal guardians shall be made only by authorized institutional staff members. Such contact, as well as correspondence and telephone calls, by representatives of an institution's athletics interests is prohibited except as otherwise permitted in this section. Violations of this bylaw involving individuals other than a representative of an institution's athletics interests shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the prospective student-athlete's eligibility.

13.1.2.4 Other Restrictions, Athletics Representatives. The following are additional restrictions that apply to athletics representatives:

(a) Telephone Conversation. An athletics representative of a member institution may speak to a prospective student-athlete via the telephone only if the prospective student-athlete initiates the telephone conversation and the call is not for recruiting purposes. Under such circumstances, the representative must refer questions about the institution's athletics program to the athletics department staff.

13.1.2.5 Off-Campus Contacts or Evaluations. Only those coaches who are identified by the institution, in accordance with Bylaws 11.7.2.2, 11.7.3.2 and 11.7.4, may contact or evaluate prospective student-athletes off campus.

13.1.3.5.1 Representatives of Athletics Interests. Representatives of an institution's athletics interests (as defined in Bylaw 13.02.14) are prohibited from making telephonic communications with a prospective student-athlete or the prospective student-athlete's relatives or legal guardians.

13.2.1 General Regulation. An institution's staff member or any representative of its athletics interests shall not be involved, directly or indirectly, in making arrangements for or giving or offering to give any financial aid or other benefits to a prospective student-athlete or his or her relatives or friends, other than expressly permitted by NCAA regulations. Receipt of a benefit by a prospective student-athlete or his or her relatives or friends is not a violation of NCAA legislation if it is determined that the same benefit is generally available to the institution's prospective students or their relatives or friends or to a particular segment of the student body (e.g., international students, minority students) determined on a basis unrelated to athletics ability.

13.2.1.1 Specific Prohibitions. Specifically prohibited financial aid, benefits and arrangements include, but:

- (b) Gift of clothing or equipment;
- (e) Cash or like items;
- (f) Any tangible items, including merchandise.

13.4.1.5 Video/Audio Materials. An institution may not produce video or audio materials to show to, play for or provide to a prospective student-athlete except as specified in this section. Permissible video or audio material may only be provided to a prospective student-athlete via an electronic mail attachment or hyperlink, except as provided in Bylaw 13.4.1.5.4.

13.5.3 Transportation on Unofficial Visit. During any unofficial recruiting visit, the institution may provide the prospective student-athlete with transportation to view practice and competition sites in the prospective student-athlete's sport and other institutional facilities and to attend a home athletics contest at any local facility. An institutional staff member must accompany the prospective student-athlete during such a trip. Payment of any other transportation expenses, shall be considered a violation.

13.6.7.1 General Restrictions. An institution may provide entertainment, which may not be excessive, on the official visit only for a prospective student-athlete and the prospective student-athlete's parents (or legal guardians) or spouse and only within a 30-mile radius of the institution's main campus. Entertainment and contact by representatives of the institution's athletics interests during the official visit are prohibited. It is not permissible to entertain other relatives or friends (including dates) of a prospective student-athlete at any time at any site.

13.6.7.7 Meals on Official Visit. The cost of actual meals, not to exceed three per day, on the official visit for a prospective student-athlete and the prospective student-athlete's parents, legal guardians, spouse or children need not be included in the \$40-per-day entertainment expense. Meals must be comparable to those provided to student-athletes during the academic year. A reasonable snack (e.g., pizza, hamburger) may be provided in addition to the three meals.

13.6.7.9 Activities During Official Visit. An institution may not arrange miscellaneous, personalized recruiting aids (e.g., personalized jerseys, personalized audio/video scoreboard presentations) and may not permit a prospective student-athlete to engage in any game-day simulations (e.g., running onto the field with the team during pregame introductions) during an official visit. Personalized recruiting aids include any decorative items and special additions to any location the prospective student-athlete will visit (e.g., hotel room, locker room, coach's office, conference room, arena) regardless of whether the items include the prospective student-athlete's name or picture.

13.6.8 Entertainment on Official Visit for Spouse, Parent or Legal Guardian of Prospective Student-Athlete. A member institution shall limit entertainment and lodging on the prospective student-athlete's official visit to a prospective student-athlete, the prospective student-athlete's

parents (or legal guardians) and spouse. An institution shall limit meals on the prospective student-athlete's official visit to a prospective student-athlete, the prospective student-athlete's parents (or legal guardians), spouse and children.

13.7.2.1 General Restrictions. During an unofficial visit, the institution may not pay any expenses or provide any entertainment except a maximum of three complimentary admissions (issued only through a pass list) to a home athletics event at any facility within a 30-mile radius of a member institution's main campus in which the institution's intercollegiate team practices or competes. Such complimentary admissions are for the exclusive use of the prospective student-athlete and those persons accompanying the prospective student-athlete on the visit and must be issued on an individual-game basis. Such admissions may provide seating only in the general seating area of the facility used for conducting the event. Providing seating during the conduct of the event (including intermission) for the prospective student-athlete or the prospective student-athlete's parents (or legal guardians) or spouse in the facility's press box, special seating box(es) or bench area is specifically prohibited.

13.7.2.1.2 Meals. A prospective student-athlete on an unofficial visit to an institution may pay the actual cost of meals (or the regular cost of training-table meals) and eat with other prospective student-athletes who are on their official visits or with enrolled student-athletes.

14.11.1 Obligation of Member Institution to Withhold Student-Athlete from Competition. If a student-athlete is ineligible under the provisions of the constitution, bylaws or other regulations of the Association, the institution shall be obligated to apply immediately the applicable rule and to withhold the student-athlete from all intercollegiate competition. The institution may appeal to the Committee on Student Athlete Reinstatement for restoration of the student-athlete's eligibility as provided in Bylaw 14.12 if it concludes that the circumstances warrant restoration.

16.11.2.1 General Rule. The student-athlete shall not receive any extra benefit. The term "extra benefit" refers to any special arrangement by an institutional employee or representative of the institution's athletics interests to provide the student-athlete or his or her relatives or friends with a benefit not expressly authorized by NCAA legislation.

Division I 2013-14 Manual

2.1.1 Responsibility for Control. It is the responsibility of each member institution to control its intercollegiate athletics program in compliance with the rules and regulations of the Association. The institution's president or chancellor is responsible for the administration of all aspects of the athletics program, including approval of the budget and audit of all expenditures.

2.8.1 Responsibility of Institution. Each institution shall comply with all applicable rules and regulations of the Association in the conduct of its intercollegiate athletics programs. It shall monitor its programs to assure compliance and to identify and report to the Association instances

in which compliance has not been achieved. In any such instance, the institution shall cooperate fully with the Association and shall take appropriate corrective actions. Members of an institution's staff, student-athletes, and other individuals and groups representing the institution's athletics interests shall comply with the applicable Association rules, and the member institution shall be responsible for such compliance.

6.01.1 Institutional Control. The control and responsibility for the conduct of intercollegiate athletics shall be exercised by the institution itself and by the conference(s), if any, of which it is a member. Administrative control or faculty control, or a combination of the two, shall constitute institutional control.

6.4.1 Independent Agencies or Organizations. An institution's "responsibility" for the conduct of its intercollegiate athletics program shall include responsibility for the acts of an independent agency, corporate entity (e.g., apparel or equipment manufacturer) or other organization when a member of the institution's executive or athletics administration, or an athletics department staff member, has knowledge that such agency, corporate entity or other organization is promoting the institution's intercollegiate athletics program.

6.4.2 Representatives of Athletics Interests. An institution's "responsibility" for the conduct of its intercollegiate athletics program shall include responsibility for the acts of individuals, a corporate entity (e.g., apparel or equipment manufacturer) or other organization when a member of the institution's executive or athletics administration or an athletics department staff member has knowledge or should have knowledge that such an individual, corporate entity or other organization:

10.01.1 Honesty and Sportsmanship. Individuals employed by (or associated with) a member institution to administer, conduct or coach intercollegiate athletics and all participating student-athletes shall act with honesty and sportsmanship at all times so that intercollegiate athletics as a whole, their institutions and they, as individuals, shall represent the honor and dignity of fair play and the generally recognized high standards associated with wholesome competitive sports.

10.1 Unethical Conduct. Unethical conduct by a prospective or enrolled student-athlete or a current or former institutional staff member, which includes any individual who performs work for the institution or the athletics department even if he or she does not receive compensation for such work, may include, but is not limited to, the following:

- (c) Knowing involvement in offering or providing a prospective or an enrolled student-athlete an improper inducement or extra benefit or improper financial aid;
- (d) Knowingly furnishing or knowingly influencing others to furnish the NCAA or the individual's institution false or misleading information concerning an individual's involvement in or knowledge of matters relevant to a possible violation of an NCAA regulation.

11.1.1.1 Responsibility of Head Coach. An institution's head coach is presumed to be responsible for the actions of all assistant coaches and administrators who report, directly or indirectly, to the head coach. An institution's head coach shall promote an atmosphere of compliance within his or her program and shall monitor the activities of all assistant coaches and administrators involved with the program who report, directly or indirectly, to the coach.

11.7.2.2 Contact and Evaluation of Prospective Student-Athletes. [FBS] Only those coaches who are counted by the institution within the numerical limitations on head and assistant coaches may contact or evaluate prospective student-athletes off campus.

13.1.1.1 Time Period for Off-Campus Contacts—General Rule. Off-campus recruiting contacts shall not be made with an individual (or his or her relatives or legal guardians) before July 1 following the completion of his or her junior year in high school (July 7 after the junior year in high school in women's ice hockey and July 15 after the junior year in high school in women's gymnastics), or the opening day of classes of his or her senior year in high school (as designated by the high school), whichever is earlier. U.S. service academy exceptions to this provision are set forth in Bylaw 13.16.1.

13.1.2.1 General Rule. All in-person, on- and off-campus recruiting contacts with a prospective student-athlete or the prospective student-athlete's relatives or legal guardians shall be made only by authorized institutional staff members. Such contact, as well as correspondence and telephone calls, by representatives of an institution's athletics interests is prohibited except as otherwise permitted in this section. Violations of this bylaw involving individuals other than a representative of an institution's athletics interests shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the prospective student-athlete's eligibility.

13.1.2.4 Other Restrictions, Athletics Representatives. The following are additional restrictions that apply to athletics representatives:

(a) **Telephone Conversation.** An athletics representative of a member institution may speak to a prospective student-athlete via the telephone only if the prospective student-athlete initiates the telephone conversation and the call is not for recruiting purposes. Under such circumstances, the representative must refer questions about the institution's athletics program to the athletics department staff.

13.1.2.5 Off-Campus Contacts or Evaluations. Only those coaches who are identified by the institution, in accordance with Bylaws 11.7.2.2, 11.7.3.2 and 11.7.4, may contact or evaluate prospective student-athletes off campus. Institutional staff members (e.g., faculty members) may contact prospective student-athletes for recruiting purposes in all sports, on campus, or within 30 miles of campus during the prospective student-athlete's official visit.

13.1.3.5.1 Representatives of Athletics Interests. Representatives of an institution's athletics interests (as defined in Bylaw 13.02.14) are prohibited from making telephonic communications with a prospective student-athlete or the prospective student-athlete's relatives or legal guardians.

13.2.1 General Regulation. An institution's staff member or any representative of its athletics interests shall not be involved, directly or indirectly, in making arrangements for or giving or offering to give any financial aid or other benefits to a prospective student-athlete or his or her relatives or friends, other than expressly permitted by NCAA regulations. Receipt of a benefit by a prospective student-athlete or his or her relatives or friends is not a violation of NCAA legislation if it is determined that the same benefit is generally available to the institution's prospective students or their relatives or friends or to a particular segment of the student body (e.g., international students, minority students) determined on a basis unrelated to athletics ability.

13.2.1.1 Specific Prohibitions. Specifically prohibited financial aid, benefits and arrangements include, but are not limited to, the following:

- (b) Gift of clothing or equipment;
- (e) Cash or like items;
- (f) Any tangible items, including merchandise.

13.5.2.3 Air Transportation. An institution providing air transportation to a prospective student-athlete to and from an official campus visit must use commercial transportation at coach-class airfare. Coaching staff members shall not accompany a prospective student-athlete to or from an official visit when air travel is used, except as permitted in Bylaw 13.5.2.4.

13.7.2.1 General Restrictions. During an unofficial visit, the institution may not pay any expenses or provide any entertainment except a maximum of three complimentary admissions (issued only through a pass list) to a home athletics event at any facility within a 30-mile radius of a member institution's main campus in which the institution's intercollegiate team practices or competes. Such complimentary admissions are for the exclusive use of the prospective student-athlete and those persons accompanying the prospective student-athlete on the visit and must be issued on an individual-game basis. Such admissions may provide seating only in the general seating area of the facility used for conducting the event. Providing seating during the conduct of the event (including intermission) for the prospective student-athlete or the prospective student-athlete's parents (or legal guardians) or spouse in the facility's press box, special seating box(es) or bench area is specifically prohibited.

13.7.2.1.2 Meals. A prospective student-athlete on an unofficial visit to an institution may pay the actual cost of meals (or the regular cost of training-table meals) and eat with other prospective student-athletes who are on their official visits or with enrolled student-athletes.

14.10.1 Obligation of Member Institution to Withhold Student-Athlete From Competition. If a student-athlete is ineligible under the provisions of the constitution, bylaws or other regulations of the Association, the institution shall be obligated to apply immediately the applicable rule and to withhold the student-athlete from all intercollegiate competition. The institution may appeal to the Committee on Student-Athlete Reinstatement for restoration of the student-athlete's eligibility as provided in Bylaw 14.11 if it concludes that the circumstances warrant restoration.

16.11.2.1 General Rule. The student-athlete shall not receive any extra benefit. The term "extra benefit" refers to any special arrangement by an institutional employee or representative of the institution's athletics interests to provide the student-athlete or his or her family members or friends with a benefit not expressly authorized by NCAA legislation.

19.2.3 Responsibility to Cooperate. All representatives of member institutions have an affirmative obligation to cooperate fully with and assist the NCAA enforcement staff, the Committee on Infractions and the Infractions Appeals Committee to further the objectives of the Association and its enforcement program. The responsibility to cooperate requires institutions and individuals to protect the integrity of investigations and to make a full and complete disclosure of any relevant information, including any information requested by the enforcement staff or relevant committees. All representatives of member institutions have an affirmative obligation to report instances of noncompliance to the Association in a timely manner and assist in developing full information to determine whether a possible violation has occurred and the details thereof.

19.2.3.2 Failure to Cooperate. Failing to satisfy the responsibility to cooperate may result in an independent allegation and/or be considered an aggravating factor for purposes of determining a penalty. Institutional representatives and the involved individual may be requested to appear before a hearing panel of the Committee on Infractions at the time the allegation is considered.

Division I 2014-15 Manual

2.1.1 Responsibility for Control. It is the responsibility of each member institution to control its intercollegiate athletics program in compliance with the rules and regulations of the Association. The institution's president or chancellor is responsible for the administration of all aspects of the athletics program, including approval of the budget and audit of all expenditures.

2.8.1 Responsibility of Institution. Each institution shall comply with all applicable rules and regulations of the Association in the conduct of its intercollegiate athletics programs. It shall monitor its programs to assure compliance and to identify and report to the Association instances in which compliance has not been achieved. In any such instance, the institution shall cooperate fully with the Association and shall take appropriate corrective actions. Members of an institution's staff, student-athletes, and other individuals and groups representing the institution's athletics interests shall comply with the applicable Association rules, and the member institution shall be responsible for such compliance.

6.01.1 Institutional Control. The control and responsibility for the conduct of intercollegiate athletics shall be exercised by the institution itself and by the conference(s), if any, of which it is a member. Administrative control or faculty control, or a combination of the two, shall constitute institutional control.

6.4.1 Independent Agencies or Organizations. An institution's "responsibility" for the conduct of its intercollegiate athletics program shall include responsibility for the acts of an independent agency, corporate entity (e.g., apparel or equipment manufacturer) or other organization when a member of the institution's executive or athletics administration, or an athletics department staff member, has knowledge that such agency, corporate entity or other organization is promoting the institution's intercollegiate athletics program.

6.4.2 Representatives of Athletics Interests. An institution's "responsibility" for the conduct of its intercollegiate athletics program shall include responsibility for the acts of individuals, a corporate entity (e.g., apparel or equipment manufacturer) or other organization when a member of the institution's executive or athletics administration or an athletics department staff member has knowledge or should have knowledge that such an individual, corporate entity or other organization:

10.01.1 Honesty and Sportsmanship. Individuals employed by (or associated with) a member institution to administer, conduct or coach intercollegiate athletics and all participating student-athletes shall act with honesty and sportsmanship at all times so that intercollegiate athletics as a whole, their institutions and they, as individuals, shall represent the honor and dignity of fair play and the generally recognized high standards associated with wholesome competitive sports.

10.1 Unethical Conduct. Unethical conduct by a prospective or enrolled student-athlete or a current or former institutional staff member, which includes any individual who performs work for the institution or the athletics department even if he or she does not receive compensation for such work, may include, but is not limited to, the following:

- (c) Knowing involvement in offering or providing a prospective or an enrolled student-athlete an improper inducement or extra benefit or improper financial aid.

11.1.1.1 Responsibility of Head Coach. An institution's head coach is presumed to be responsible for the actions of all assistant coaches and administrators who report, directly or indirectly, to the head coach. An institution's head coach shall promote an atmosphere of compliance within his or her program and shall monitor the activities of all assistant coaches and administrators involved with the program who report, directly or indirectly, to the coach.

12.11.1 Obligation of Member Institution to Withhold Student-Athlete From Competition. If a student-athlete is ineligible under the provisions of the constitution, bylaws or other regulations of the Association, the institution shall be obligated to apply immediately the applicable rule and to withhold the student-athlete from all intercollegiate competition. The institution may appeal to the Committee on Student-Athlete Reinstatement for restoration of the student-athlete's eligibility as provided in Bylaw 12.12 if it concludes that the circumstances warrant restoration.

13.1.2.1 General Rule. All in-person, on- and off-campus recruiting contacts with a prospective student-athlete or the prospective student-athlete's relatives or legal guardians shall be made only by authorized institutional staff members. Such contact, as well as correspondence and telephone calls, by representatives of an institution's athletics interests is prohibited except as otherwise permitted in this section. Violations of this bylaw involving individuals other than a representative of an institution's athletics interests shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the prospective student-athlete's eligibility.

13.1.2.4 Other Restrictions, Athletics Representatives. The following are additional restrictions that apply to athletics representatives:

(a) **Telephone Conversation.** An athletics representative of a member institution may speak to a prospective student-athlete via the telephone only if the prospective student-athlete initiates the telephone conversation and the call is not for recruiting purposes. Under such circumstances, the representative must refer questions about the institution's athletics program to the athletics department staff.

13.1.2.5 Off-Campus Contacts or Evaluations. Only those coaches who are identified by the institution, in accordance with Bylaws 11.7.4.2, 11.7.5.2 and 11.7.6, may contact or evaluate prospective student-athletes off campus. Institutional staff members (e.g., faculty members) may contact prospective student-athletes for recruiting purposes in all sports, on campus, or within 30 miles of campus during the prospective student-athlete's official visit.

13.1.3.5.1 Representatives of Athletics Interests. Representatives of an institution's athletics interests (as defined in Bylaw 13.02.14) are prohibited from making telephonic communications with a prospective student-athlete or the prospective student-athlete's relatives or legal guardians.

13.2.1 General Regulation. An institution's staff member or any representative of its athletics interests shall not be involved, directly or indirectly, in making arrangements for or giving or offering to give any financial aid or other benefits to a prospective student-athlete or his or her relatives or friends, other than expressly permitted by NCAA regulations. Receipt of a benefit by a prospective student-athlete or his or her relatives or friends is not a violation of NCAA legislation if it is determined that the same benefit is generally available to the institution's prospective students or their relatives or friends or to a particular segment of the student body (e.g., international students, minority students) determined on a basis unrelated to athletics ability.

13.2.1.1 Specific Prohibitions. Specifically prohibited financial aid, benefits and arrangements include, but are not limited to, the following:

- (b) Gift of clothing or equipment;
- (e) Cash or like items;
- (f) Any tangible items, including merchandise.

13.5.3 Transportation on Unofficial Visit. During any unofficial recruiting visit, the institution may provide the prospective student-athlete with transportation to view practice and competition sites in the prospective student-athlete's sport and other institutional facilities and to attend a home athletics contest at any local facility. An institutional staff member must accompany the prospective student-athlete during such a trip. Payment of any other transportation expenses, shall be considered a violation.

13.6.7.7 Meals on Official Visit. The cost of actual meals, not to exceed three per day, on the official visit for a prospective student-athlete and the prospective student-athlete's parents, legal guardians, spouse or children need not be included in the \$40-per-day entertainment expense. Meals must be comparable to those provided to student-athletes during the academic year. A reasonable snack (e.g., pizza, hamburger) may be provided in addition to the three meals.

13.6.8 Entertainment on Official Visit for Spouse, Parent or Legal Guardian of Prospective Student-Athlete. A member institution shall limit entertainment and lodging on the prospective student-athlete's official visit to a prospective student-athlete, the prospective student-athlete's parents (or legal guardians) and spouse. An institution shall limit meals on the prospective student-athlete's official visit to a prospective student-athlete, the prospective student-athlete's parents (or legal guardians), spouse and children.

13.7.2.1 General Restrictions. During an unofficial visit, the institution may not pay any expenses or provide any entertainment except a maximum of three complimentary admissions (issued only through a pass list) to a home athletics event at any facility within a 30-mile radius of a member institution's main campus in which the institution's intercollegiate team practices or competes. Such complimentary admissions are for the exclusive use of the prospective student-athlete and those persons accompanying the prospective student-athlete on the visit and must be issued on an individual-game basis. Such admissions may provide seating only in the general seating area of the facility used for conducting the event. Providing seating during the conduct of the event (including intermission) for the prospective student-athlete or the prospective student-athlete's parents (or legal guardians) or spouse in the facility's press box, special seating box(es) or bench area is specifically prohibited. Complimentary admissions may not be provided during a dead period, except as provided in Bylaw 13.7.2.5.

13.7.2.1.2 Meals. A prospective student-athlete on an unofficial visit to an institution may pay the actual cost of meals (or the regular cost of training-table meals) and eat with other prospective student-athletes who are on their official visits or with enrolled student-athletes.

16.11.2.1 General Rule. The student-athlete shall not receive any extra benefit. The term "extra benefit" refers to any special arrangement by an institutional employee or representative of the institution's athletics interests to provide the student-athlete or his or her family members or friends with a benefit not expressly authorized by NCAA legislation.

16.11.2.2 Other Prohibited Benefits. An institutional employee or representative of the institution's athletics interests may not provide a student-athlete with extra benefits or services, including, but not limited to:

- (a) A loan of money;
- (c) An automobile or the use of an automobile.

Division I 2015-16 Manual

2.1.1 Responsibility for Control. It is the responsibility of each member institution to control its intercollegiate athletics program in compliance with the rules and regulations of the Association. The institution's president or chancellor is responsible for the administration of all aspects of the athletics program, including approval of the budget and audit of all expenditures.

2.8.1 Responsibility of Institution. Each institution shall comply with all applicable rules and regulations of the Association in the conduct of its intercollegiate athletics programs. It shall monitor its programs to assure compliance and to identify and report to the Association instances in which compliance has not been achieved. In any such instance, the institution shall cooperate fully with the Association and shall take appropriate corrective actions. Members of an institution's staff, student-athletes, and other individuals and groups representing the institution's athletics interests shall comply with the applicable Association rules, and the member institution shall be responsible for such compliance.

6.01.1 Institutional Control. The control and responsibility for the conduct of intercollegiate athletics shall be exercised by the institution itself and by the conference(s), if any, of which it is a member. Administrative control or faculty control, or a combination of the two, shall constitute institutional control.

6.4.1 Independent Agencies or Organizations. An institution's "responsibility" for the conduct of its intercollegiate athletics program shall include responsibility for the acts of an independent agency, corporate entity (e.g., apparel or equipment manufacturer) or other organization when a member of the institution's executive or athletics administration, or an athletics department staff member, has knowledge that such agency, corporate entity or other organization is promoting the institution's intercollegiate athletics program.

6.4.2 Representatives of Athletics Interests. An institution's "responsibility" for the conduct of its intercollegiate athletics program shall include responsibility for the acts of individuals, a corporate entity (e.g., apparel or equipment manufacturer) or other organization when a member of the institution's executive or athletics administration or an athletics department staff member has knowledge or should have knowledge that such an individual, corporate entity or other organization.

11.1.1.1 Responsibility of Head Coach. An institution's head coach is presumed to be responsible for the actions of all institutional staff members who report, directly or indirectly, to the head coach. An institution's head coach shall promote an atmosphere of compliance within his or her program and shall monitor the activities of all institutional staff members involved with the program who report, directly or indirectly, to the coach.

13.2.1 General Regulation. An institution's staff member or any representative of its athletics interests shall not be involved, directly or indirectly, in making arrangements for or giving or offering to give any financial aid or other benefits to a prospective student-athlete or his or her relatives or friends, other than expressly permitted by NCAA regulations. Receipt of a benefit by a prospective student-athlete or his or her relatives or friends is not a violation of NCAA legislation if it is determined that the same benefit is generally available to the institution's prospective students or their relatives or friends or to a particular segment of the student body (e.g., international students, minority students) determined on a basis unrelated to athletics ability.

13.2.1.1 Specific Prohibitions. Specifically prohibited financial aid, benefits and arrangements include, but are not limited to, the following:

- (b) Gift of clothing or equipment;
- (f) Any tangible items, including merchandise.

16.11.2.1 General Rule. The student-athlete shall not receive any extra benefit. The term "extra benefit" refers to any special arrangement by an institutional employee or representative of the institution's athletics interests to provide the student-athlete or his or her family members or friends with a benefit not expressly authorized by NCAA legislation.

16.11.2.2 Other Prohibited Benefits. An institutional employee or representative of the institution's athletics interests may not provide a student-athlete with extra benefits or services, including, but not limited to:

- (a) A loan of money;
- (c) An automobile or the use of an automobile.

Division I 2016-17 Manual

10.01.1 Honesty and Sportsmanship. Individuals employed by (or associated with) a member institution to administer, conduct or coach intercollegiate athletics and all participating student-athletes shall act with honesty and sportsmanship at all times so that intercollegiate athletics as a whole, their institutions and they, as individuals, shall represent the honor and dignity of fair play and the generally recognized high standards associated with wholesome competitive sports.

10.1 Unethical Conduct. Unethical conduct by a prospective or enrolled student-athlete or a current or former institutional staff member, which includes any individual who performs work

for the institution or the athletics department even if he or she does not receive compensation for such work, may include, but is not limited to, the following:

(c) Knowingly furnishing or knowingly influencing others to furnish the NCAA or the individual's institution false or misleading information concerning an individual's involvement in or knowledge of matters relevant to a possible violation of an NCAA regulation.