

## CASE SUMMARY

### **Hampton violated certification rules**

*Violations occurred during the 2021-22 through 2023-24 academic years*

Hampton violated certification rules when it improperly certified 80 student-athletes in 12 sports as eligible for practice and/or competition, resulting in 98 violations of amateurism and eligibility certification legislation, according to a decision released by a Division I Committee on Infractions panel. As a result, 65 student-athletes competed and received actual and necessary expenses while ineligible or not certified.

The violations in this case occurred during the 2021-22 through 2023-24 academic years. Due to its failure to properly staff the compliance office and implement a system of checks and balances related to certification, Hampton failed to monitor its academic certification process.

As a result of impacts from the COVID-19 pandemic, Hampton required each campus department to reduce staff size by 20% for the 2021-22 academic year. This initiative resulted in the separation of 10 of the 12 Hampton employees who were involved in academic certification. Because Hampton did not refill many of these positions, it dramatically impacted Hampton's ability to accurately certify student-athletes. Hampton did not employ a dedicated athletics compliance officer during significant portions of the 2021-22 and 2022-23 academic years, which caused a gap in the academic certification process. Hampton also experienced changes in leadership with the departure of its president and director of athletics between the summers of 2022 and 2023. Hampton discovered significant certification issues during the fall 2023 certification process and self-reported those issues.

The university, NCAA enforcement staff and outside counsel then engaged in a collaborative investigative and recertification effort. As part of that process, Hampton revamped its certification processes, which resembled the process that existed before the staff reductions.

The panel classified the case as Level I — Mitigated. The committee used the Division I membership-approved infractions penalty guidelines to prescribe a three-year probation; \$30,000 fine plus 1% of the budget for the men's basketball, men's track and field, women's tennis and women's track and field sport programs paid to the NCAA; and a vacation of team and individual records in multiple sports over the 2021-22 through 2023-24 seasons. The 1% fine calculation is based on the budgets of the four sports programs with the highest percentage of their rosters involved in the violations rather than all sports involved.

Members of the Committee on Infractions are drawn from the NCAA membership and members of the public. Members of the panel that reviewed this case are:

- Jason Leonard, executive director of athletics compliance at Oklahoma and chief hearing officer for the panel.
- Bryan Blair, vice president and director of athletics at Toledo.
- Stephen Madva, attorney in private practice.

## NEGOTIATED RESOLUTION<sup>1</sup>

Hampton University – Case No. 020292

December 18, 2024

### **I. CASE SYNOPSIS**

Hampton University (Hampton) and NCAA enforcement staff agree with the violations and penalties detailed below.

Prior to the 2021-22 academic year, the institution's compliance and academic certification process involved a total of 12 individuals from athletics and campus academic offices. However, during the COVID-19 pandemic, Hampton cancelled all in-person classes and restricted all students and staff from campus for the 2020-21 academic year. This resulted in budgetary challenges, and the institution required all campus departments to reduce staff size by 20% for the 2021-22 academic year. During this time period, 10 of the 12 employees previously involved in academic certification separated from the university and many of the positions were not refilled, which dramatically impacted Hampton's ability to accurately certify student-athletes' academics. Additionally, between the summer of 2022 and the summer of 2023, the long-time university president and director of athletics also left the institution.

In February 2023, the institution hired Anthony Henderson (Henderson), director of athletics, whose priorities included re-staffing the athletics department in critical areas. As part of this effort, Henderson hired Alexis Avery (Avery), then associate director of athletics for compliance, in the late spring of 2023. Avery began the academic certification process for the fall of 2023 and immediately noticed significant issues, including the institution missing initial eligibility certification and/or amateurism certification for dozens of student-athletes. On July 19, 2023, the institution reported the violation to the enforcement staff via their conference office.

The enforcement staff asked the institution to re-certify all current student-athletes with upcoming competitions. From August 9 through 11, 2023, the enforcement staff visited campus to help with the re-certification efforts. Ultimately, the institution could not sufficiently re-certify all the current student-athletes in time for some fall competitions.

In October 2023, the institution hired outside counsel to assist in academic recertification and to represent it through this matter. On November 7 and 8, the enforcement staff visited campus for a second time to help with re-certification. By this time, the institution had reinstated the academic certification process that existed prior to the 2021-22 academic year and reengaged other campus academic offices, including the registrar's office.

---

<sup>1</sup> In reviewing this agreement, the hearing panel made editorial revisions pursuant to NCAA Division I Committee on Infractions (COI) Internal Operating Procedure (IOP) 4-7-1-2. These modifications did not affect the substance of the agreement.

Ultimately, the collaborative certification and investigation between the institution and enforcement staff identified that the institution improperly certified 80 student-athletes in 12 sports between the 2021-22 through 2023-24 academic years. This resulted in 98 violations of amateurism, initial eligibility, continuing eligibility and transfer eligibility violations.

Additionally, due to its failure to properly staff the compliance office and implement a system of checks and balances in regard to certification, the institution failed to monitor its academic certification process.

## **II. PARTIES' AGREEMENTS**

### **A. Agreed-upon findings of fact, violations of NCAA legislation and violation levels.**

1. [NCAA Division I Manual Bylaws 16.8.1 (2021-22); 12.1.1.1.3, 12.1.1.3.1, 12.11.1, 14.3.5.1, 14.4.3.1-(b), 14.4.3.1-(c) and 14.4.3.1.6 (2021-22 and 2022-23); 14.4.3.2 (2021-22 through 2023-24); and 14.3.2.1.1 and 14.4.3.1.7-(b) (2022-23)] (Level I)

The institution and enforcement staff agree that during the 2021-22 through 2023-24 academic years, the institution improperly certified 80 student-athletes in 12 sports as eligible for practice and/or competition, resulting in 98 violations of amateurism certification, initial eligibility certification, continuing eligibility certification and transfer eligibility certification legislation. As a result, 65 student-athletes competed and received actual and necessary expenses while ineligible or not certified. Additionally, the institution failed to withhold 12 student-athletes from competition during subsequent academic years before their eligibility was reinstated. Specifically:

- a. During the 2021-22 and 2022-23 academic years, 52 student-athletes in 12 sports practiced and/or competed prior to obtaining final amateurism certification and/or final initial eligibility certification.
  - (1) Thirty-nine student-athletes practiced beyond 45 days prior to obtaining final amateurism certification. Of those 39 student-athletes, 36 also competed prior to obtaining final amateurism certification. [NCAA Bylaws 12.1.1.1.3 and 12.1.1.1.3.1 (2021-22 and 2022-23)]
  - (2) Twenty-four student-athletes practiced beyond 45 days prior to obtaining final initial eligibility certification. Of those 24 student-athletes, 11 also competed prior to obtaining final initial eligibility certification. [NCAA Bylaw 14.3.5.1 (2021-22 and 2022-23)]
- b. During the 2022-23 academic year, one men's lacrosse student-athlete practiced and competed as an academic non-qualifier. [NCAA Bylaw 14.3.2.1.1 (2022-23)]

- c. During the 2021-22 through 2023-24 academic years, 28 student-athletes in eight sports competed without obtaining the required progress towards degree requirements:
- (1) During the 2021-22 and 2022-23 academic years, one men's basketball and two football student-athletes competed without satisfactory completion of at least 18 semester-hours of degree credit toward the students' designated degree program since the beginning of the previous fall term/since the beginning of the certifying institution's preceding regular two semesters. [NCAA Bylaw 14.4.3.1-(b) (2021-22 and 2022-23)]
  - (2) During the 2021-22 and 2022-23 academic years, two football student-athletes and one men's basketball student-athlete competed without satisfactory completion of six semester-hours of degree credit toward the students' designated degree program during the preceding regular academic term. [NCAA Bylaw 14.4.3.1-(c) (2021-22 and 2022-23)]
  - (3) During the 2022-23 academic year, one football transfer student-athlete competed without completing 24 semester-hours of degree credit at the previous institution. [NCAA Bylaw 14.4.3.1.2-(b) (2022-23)]
  - (4) During the 2021-22 and 2022-23 academic years, six football student-athletes competed in the first four contests without completing nine semester hours of academic credit during the preceding fall term. [NCAA Bylaw 14.4.3.1.6 (2021-22 and 2022-23)]
  - (5) During the 2021-22 through 2023-24 academic years, six football, two men's track, one men's basketball, one women's track, one women's basketball, one women's volleyball, two men's lacrosse, two women's tennis, one softball and one men's tennis student-athletes competed without successfully completing their percentage-of-degree requirements. [NCAA Bylaw 14.4.3.2 (2021-22 through 2023-24)]
  - (6) During the 2021-22 through 2022-23 academic years, one men's basketball and one men's track student-athletes competed without meeting the necessary minimum grade-point average requirement. [NCAA Bylaw 14.4.3.3 (2021-22 and 2022-23)]
  - (7) During the 2022-23 academic year, one women's basketball and one football student-athletes did not designate a program of studies prior to the beginning of their fifth full time term of enrollment. [NCAA Bylaw 14.4.3.1.7-(b) (2022-23)]

This allegation serves as the basis for Agreed-upon Finding of Fact No. 2.

2. [NCAA Division I Manual Constitution 2.8.1 (2021-22) and Bylaw 8.01.3 (2022-23 and 2023-24)] (Level I)

The institution and enforcement staff agree that during the 2021-22 through 2023-24 academic years, the scope and nature of the violations detailed in Agreed-upon Finding of Fact No. 1 demonstrate that the institution violated the NCAA principle of rules compliance when it failed to adequately monitor its academic certification process to ensure compliance with academic certification legislation. Because of budgetary constraints due to the COVID-19 pandemic, the institution did not employ a dedicated athletics compliance officer during significant portions of the 2021-22 and 2022-23 academic years, which caused a gap in the academic certification process. Additionally, the institution did not have the necessary checks and balances in place when it failed to adequately involve campus academic officials in student-athlete certification.

**B. Agreed-upon aggravating and mitigating factors.**

Pursuant to Bylaw 19.10.3-(e), the parties agree that the aggravating and mitigating factors identified below are applicable. The parties assessed the factors by weight and number and agree that this case should be properly resolved as Level I – Mitigated.

**Institution:**

1. Aggravating factors (Bylaw 19.12.3.1).
  - a. Multiple Level I violations for which the institution is responsible [Bylaw 19.12.3.1-(a)].
  - b. One or more violations caused ineligible competition [Bylaw 19.12.3.1-(f)].
2. Mitigating factors (Bylaw 19.12.4.1).
  - a. Prompt self-disclosure of the violations [Bylaw 19.12.4.1-(a)].
  - b. Institution self-imposed meaningful corrective measures [Bylaw 19.12.4.1-(c)]
  - c. Affirmative steps to expedite final resolution of the matter, including timely submission of a negotiated resolution pursuant to Bylaw 19.10 [Bylaw 19.12.4.1-(d)].
  - d. Absence of prior conclusions of Level I, Level II or major within the past ten years. [19.12.4.1-(g)]

**III. OTHER VIOLATIONS OF NCAA LEGISLATION SUBSTANTIATED; NOT ALLEGED**

None.

**IV. REVIEW OF OTHER ISSUES**

None.

**V. PARTIES' AGREED-UPON PENALTIES<sup>2</sup>**

With one exception, each of the penalties agreed upon by the institution and enforcement staff fall within the appropriate cells of Figure 19-1. The lone deviation involves the percentage component of the financial penalty, where the parties based the one percent fine calculation on the budgets of the four sports programs with the highest percentage of their rosters involved in the violations rather than all sports involved in the violations. While not including the other involved sports programs in this calculation deviates from the Figure 19-1 penalty guideline, such a deviation is supported by case precedent. See *Morgan State University (2017)* (a hearing panel determined it was appropriate to fine the institution one percent of the annual budget of the three sports where the number of student-athletes involved in the violations constituted a significant percentage of the number of student-athletes the rosters for those sports carried in any given academic year). In this instance, two of the selected programs – women's tennis and men's basketball, involved significantly higher percentages of their rosters involved in certification violations per year at 18.2% and 11.3% respectively. The next two sports with the highest percentage of their rosters involved in certification violations were women's track and field (8.5%) and men's track and field (7.8%), while all remaining sports that had certification violations were 6.5% or less of their rosters per year.

All penalties agreed upon 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.

Pursuant to Bylaw 19.10.3-(e), the parties agree to the following penalties:

**Core Penalties for Level I – Mitigated Violations (Bylaw 19.12.7)**

1. Three years' probation from December 18, 2024, through December 17, 2027.

---

<sup>2</sup> All penalties must be completed during the time periods identified in this decision. If completion of a penalty is impossible during the prescribed period, the institution shall make the NCAA Committee on Infractions aware of the impossibility and must complete the penalty at the next available opportunity.

2. The institution shall pay a fine of \$30,000 plus 1 percent of the budget for the men's basketball, men's track and field, women's tennis and women's track and field sport programs to the NCAA.<sup>3</sup>

**Additional Penalties for Level I – Mitigated Violations (Bylaw 19.12.9)**

3. During the 2025-26 academic year, the institution will volunteer for an NCAA Academic Performance Program (APP) data review.
4. During the 2025-26 academic year, the institution will request and participate in the National Association of Academic and Student-Athlete Development Professionals program review.
5. All staff-members on the institution's athletics certification committee and those that have athletics certification responsibilities will attend the NCAA regional rules seminar during each year of the probationary period.
6. Public reprimand and censure through the release of the negotiated resolution agreement.
7. Vacation of team and individual records: Ineligible participation in the men's basketball, women's basketball, men's cross country, women's cross country, football, men's lacrosse, softball, men's track and field, women's track and field, women's tennis, men's tennis and women's volleyball occurred over the 2021-22 through 2023-24 academic years as a result of violations in this case. Therefore, pursuant to Bylaws 19.12.9-(g) and 31.2.2.3 and NCAA Division I Committee on Infractions Internal Operating Procedure 5-15-9, the institution shall vacate all regular season and conference tournament wins, records and participation in which the ineligible student-athletes competed from the time they became ineligible through the time they were reinstated as eligible for competition. Further, if the ineligible student-athletes participated in NCAA postseason competition at any time they were ineligible, the institution's participation in the postseason contests in which the ineligible competition occurred shall be vacated. The individual records of the ineligible student-athletes shall also be vacated. However, the individual finishes and any awards for all eligible student-athletes shall be retained. Further, the institution's records regarding the affected sport programs, as well as the records of the head coaches, shall reflect the vacated records and be recorded in all publications in which such records are reported, including, but not limited to,

---

<sup>3</sup> The fine from the program budget must be calculated in accordance with Committee on Infractions IOPs 5-15-6 and 5-15-6-1. Additionally, and pursuant to Bylaw 19.12.8, the agreed-upon fine represents a deviation from the core penalties in Figure 19-1 in that it involves some, but not all, of the sport programs where improper certifications occurred. Based on the unique facts and circumstances of this case, the parties adopted a fine methodology where the percentage component is limited to the sport programs where a significant percentage of the sport programs' roster was improperly certified in any given year. The COI adopted a similar methodology in *Morgan State University* (2017).

institutional media guides, recruiting material, electronic and digital media plus institutional, conference and NCAA archives. Any institution that may subsequently hire the affected head coaches shall similarly reflect the vacated wins in their career records documented in media guides and other publications cited above. Head coaches with vacated wins on their records may not count the vacated wins toward specific honors or victory “milestones” such as 100th, 200th or 500th career victories. Any public reference to the vacated records shall be removed from the athletics department stationery, banners displayed in public areas and any other forum in which they may appear. Any trophies awarded by the NCAA in the affected sport programs shall be returned to the Association.

Finally, to aid in accurately reflecting all institutional and student-athlete vacations, statistics and records in official NCAA publications and archives, the sports information director (or other designee as assigned by the director of athletics) must contact the NCAA media coordination and statistics office and appropriate conference officials to identify the specific student-athletes and contests impacted by the penalties. In addition, the institution must provide the media coordination and statistics office with a written report detailing those discussions. This written report will be maintained in the permanent files of the media coordination and statistics office. The written report must be delivered to the office no later than 14 days following the release of this decision or, if the institution appeals the vacation penalty, 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 at the same time.

8. During this period of probation, the institution shall:
  - a. Continue to develop and implement a comprehensive educational program on NCAA legislation to instruct coaches, the faculty athletics representative, all athletics department personnel and all institutional staff members with responsibility for academic certification legislation.
  - b. Submit a preliminary report to the office of the Committees on Infractions by February 15, 2025, setting forth a schedule for establishing this compliance and educational program.
  - c. File with the office of the Committees on Infractions annual compliance reports indicating the progress made with this program by October 31<sup>st</sup> during each year of probation. Particular emphasis shall be placed on rules education and monitoring related to academic eligibility certification.
  - d. Inform prospects in the men's basketball, women's basketball, men's cross country, women's cross country, football, men's lacrosse, softball, men's track and field, women's track and field, women's tennis, men's tennis and women's

volleyball programs in writing that the institution is on probation for three years and detail the violations committed. If a prospect 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 prospect signs a National Letter of Intent.

- e. Publicize specific and understandable information concerning the nature of the infractions by providing, at a minimum, a statement to include the types of violations and the affected sport programs and a direct, conspicuous link to the public infractions decision located on the athletics department's main website "landing page" and in the media guides for the men's basketball, women's basketball, men's cross country, women's cross country, football, men's lacrosse, softball, men's track and field, women's track and field, women's tennis, men's tennis, and women's volleyball. Permissible website posting locations include the main navigation menu or a sidebar menu. The link may not be housed under a drop-down menu. Further, the link to the posting (i.e., the icon or the text) must be titled "NCAA Infractions Case." With regard to the content of the posting, the institution's statement must: (i) clearly describe the infractions; (ii) include the length of the probationary period associated with the case; and (iii) give members of the general public a clear indication of what happened in the case to allow the public (particularly prospects and their families) to make informed, knowledgeable decisions. A statement that refers only to the probationary period with nothing more is not sufficient.
9. Following the receipt of the final compliance report and prior to the conclusion of probation, the institution's president shall provide a letter to the Committee on Infractions affirming that the institution's current athletics policies and practices conform to all requirements of NCAA regulations.

## **VII. OTHER AGREEMENTS**

The parties agree that this case will be processed through the NCAA negotiated resolution process as outlined in Bylaw 19.10, and a hearing panel comprised of members of the Committee on Infractions will review the negotiated resolution. The parties acknowledge that the negotiated resolution contains agreed-upon findings of fact of NCAA violations and agreed-upon aggravating and mitigating factors based on information available at this time. Nothing in this resolution precludes the enforcement staff from investigating additional information about potential rules violations. The parties agree that pursuant to Bylaw 19.1.2, the violations identified in this agreement occurred and should be classified as Level I – Mitigated.

If a hearing panel approves the negotiated resolution, the institution agrees that it will take every precaution to ensure that the terms of the penalties are observed. The institution

acknowledges that they have or will impose and follow the penalties contained within the negotiated resolution, and these penalties are in accordance with those prescribed in Bylaws 19.12.7, 19.12.8, 19.12.9 and 19.12.10. The office of the Committees on Infractions 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 prescribing more severe penalties or may result in additional allegations and violations.

The parties acknowledge that this negotiated resolution may be voidable by the Committee on Infractions if any of the parties were aware or become aware of information that materially alters the factual information on which this negotiated resolution is based.

The parties further acknowledge that the hearing panel, subsequent to its review of the negotiated resolution, may reject the negotiated resolution. Should the hearing panel reject the negotiated resolution, the parties understand that the hearing panel will issue instructions for processing of the case pursuant to hearing resolution (Bylaw 19.8) or limited resolution (Bylaw 19.9) and prior agreed-upon terms of the rejected negotiated resolution will not be binding.

Should a hearing panel approve the negotiated resolution, the parties agree that they waive NCAA hearing and appellate opportunities.

### **VIII. DIVISION I COMMITTEE ON INFRACTIONS APPROVAL**

Pursuant to NCAA Bylaw 19.10.1, the panel approves the parties' negotiated resolution agreement. The panel's review of this agreement is limited. Panels may only reject a negotiated resolution agreement if the agreement is not in the best interests of the Association or if the agreed-upon penalties are manifestly unreasonable. *See* Bylaw 19.10.4. In this case, the panel determines the agreed-upon facts, violations, aggravating and mitigating factors, and classifications are appropriate for this process. Further, the parties classified this case as Level I-Mitigated for Hampton. The agreed-upon penalties align with the ranges identified for core penalties for Level I-Mitigated cases in Figure 19-1 and Bylaw 19.12.7 and the additional penalties available under Bylaw 19.12.9. Pursuant to Bylaw 19.10.6, this negotiated resolution has no precedential value.

The COI advises Hampton that it should take every precaution to ensure that Hampton observes the terms of its penalties. The COI will monitor Hampton during the effective period. Any action by Hampton contrary to the terms of any of the penalties or any additional violations shall be considered grounds for prescribing more severe penalties and/or may result in additional allegations and violations.

NCAA COMMITTEE ON INFRACTIONS PANEL

Bryan Blair

Jason Leonard, chief hearing officer

Stephen Madva

## **APPENDIX**

### **HAMPTON UNIVERSITY'S CORRECTIVE ACTIONS**

1. Hampton adopted a new athletics certification policy that includes multiple checks and balances and also requires a redundant certification policy whereby each student-athlete on each team every semester will have their athletics academic certification completed independently by at least two different people in two different offices with a third independent review occurring for an additional 10% of the student-athlete population so that any human errors that occur would be caught by others as they perform the same independent certification;
2. As part of its new athletics certification policy, Hampton will require its athletics certification committee (e.g. the group of individuals inside athletics and outside of athletics with certification responsibilities) to meet in person several times a year to review student-athlete certification and ensure any outstanding questions or issues are addressed in a timely manner before student-athletes are certified to compete;
3. Hampton purchased full system compliance software to help with monitoring requirements and other compliance related tasks by purchasing and implementing the ARMS software. Previously, it had a limited suite of basic services through Teamworks but did not have all compliance services until it added ARMS. It also added Retain, the module for academic support that assists athletics academic advisors monitor NCAA academic progress, communicate with faculty, etc.;
4. Hampton will create a new study hall requirement for all freshmen, all incoming undergraduate transfers and all upperclassmen with less than a 2.5 cumulative GPA whereby each student-athlete in one of these groups is required to attend mandatory study hall for six hours per week;
5. Hampton will only allow student-athletes to practice (but not compete) for up to 30 days prior to receiving full amateur and academic certification from the NCAA Eligibility Center throughout the duration of its probation period;
6. Hampton will work with university officials in information technology and the registrar's office to make changes to the Banner system (to the extent possible given the institution's particular Banner system) to require a hold on every student-athlete's account so that they cannot unilaterally drop below 12 hours without prior notice to the athletics department and they cannot officially change majors without athletics department approval;

7. Hampton created a new transfer evaluation system whereby coaches are required to obtain and upload transfer transcripts into an online portal in the ARMS software while also providing other factual information about each prospect to the athletics staff prior to officially requesting a transfer evaluation. The department also created new transfer evaluation forms so that staff would use the same system when evaluating transfers;
8. Hampton will provide NCAA athletics academic eligibility requirements education to all Hampton faculty annually at the fall mandatory faculty meeting; and
9. Hampton's athletics academic staff will provide NCAA academic eligibility education to academic staff with all institution colleges throughout the year.