

## CASE SUMMARY

### **Recruiting violations occurred in California football program**

Recruiting violations occurred in the University of California, Berkeley football program when several staff members arranged and conducted a Zoom call with three former players during the program's Junior Day. Additional violations occurred when the former director of player development engaged impermissible recruiting contacts and communications with several prospects and their families. The case was processed via negotiated resolution and was approved by the Division I Committee on Infractions.

The parties agreed that despite being told three days prior by the school's compliance department that it was not permissible, several members of the football staff facilitated a Zoom call with three former Cal players — a then-NFL coach, current NFL player and former NFL player, all three of whom are considered boosters — and 44 prospects (and 80 of their family members) during the program's Junior Day. The football staff involved in the violation included Marshall Cherrington, director of player personnel; Andrew McGraw, football chief of staff; and Benji Palu, director of recruiting.

As part of the investigation, the parties uncovered additional violations involving Kevin Parker, the former director of player development, who had impermissible in-person recruiting contacts and recruiting communications with a number of prospects and/or their family members. The recruiting contacts and communications violated NCAA rules because Parker was not employed by the school at the time they occurred and thus was considered a booster.

During the investigation, Parker violated ethical conduct rules when he did not meet his obligation to cooperate with an investigation; specifically, he did not produce records requested by the enforcement staff. The enforcement staff petitioned the Committee on Infractions to prescribe immediate penalties, resulting in an immediate three-year show-cause order for Parker. Several months later, Parker agreed to cooperate with the investigation, and the show-cause order was lifted. Separate from the petition for immediate penalties, Parker also failed to cooperate when he provided false or misleading information related to the records request when interviewed by the enforcement staff.

Finally, the enforcement staff, school and football head coach Justin Wilcox agreed that Wilcox did not rebut the presumption of head coach responsibility because he did not demonstrate that he monitored his staff's recruiting practices and because he did not ask pointed questions about a former staff member's involvement in recruiting activities.

The violations were classified as Level II-Mitigated for California (in part due to the school's prompt self-disclosure), Wilcox, McGraw, Cherrington and Palu; and Level II-Aggravated for Parker.

The following penalties apply:

- One year of probation.
- A fine of \$25,000.
- A two-week prohibition on official visits during the 2025 football season.
- A three-week ban on recruiting communications during the 2024-25 academic year.
- A reduction in the number of recruiting-person days for the 2024-25 academic year by seven.
- A two-week ban on unofficial visits from March 31 through April 14, 2025, including the 2025 spring game.
- A 16-day ban for Wilcox from any off-campus recruiting activities (served January and February 2025).
- A three-week ban for McGraw from phone calls and other recruiting communications (served March 2025).
- A two-week ban for Cherrington from in-person recruiting contacts and other recruiting communications during spring 2025.
- A two-week suspension for McGraw during the spring of 2025.
- One-game suspensions for Cherrington and Palu during the 2024 football season.
- A two-year show-cause order for Parker, during which time he must be restricted from all athletically related responsibilities during the first year and restricted from off-campus recruiting activities during the second year. If he is employed by an NCAA member school during that show-cause period, he will also be suspended from 30% of the regular-season football games during his second year of employment.
- Unless he is employed at Cal, Parker will be disassociated by the school for two years, the specific conditions of which are included in the decision.

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

- Cassandra Kirk, chief magistrate judge in Fulton County, Georgia.
- Kay Norton, chief hearing officer and president emerita of Northern Colorado, chair of the Committee on Infractions.
- Vince Nicastro, deputy commissioner and chief operating officer of the Big East.