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.

NEGOTIATED RESOLUTION[1]

University of California, Berkeley – Case No. 020184

May 2, 2025

I. CASE SYNOPSIS

The University of California, Berkeley (California); Marshall Cherrington (Cherrington), director of player personnel; Andrew McGraw (McGraw), football chief of staff; Benji Palu (Palu), director of recruiting; Kevin Parker (Parker), former director of player development; Justin Wilcox (Wilcox), head football coach; and NCAA enforcement staff agree with the violations and penalties detailed below. The parties agree this case should be resolved as Level II – Mitigated for the institution, Cherrington, McGraw, Palu and Wilcox and Level II – Aggravated for Parker.

On July 22, 2022, the institution notified the enforcement staff of potential violations involving the football program and submitted a self-report through Requests/Self-Reports Online (RSRO). The report detailed potential recruiting violations that occurred during the institution's Junior Day event March 5, 2022, when three former student-athletes and representatives of the institution's athletics interests impermissibly promoted the institution's football program during a Zoom call.

After reviewing the self-report, the enforcement staff began a collaborative investigation with the institution. From October 2022 through April 2024, the enforcement staff requested and reviewed relevant documents, interviewed multiple individuals and engaged in substantive discussions with the institution about resolution of the matter.

Ultimately, the investigation substantiated the self-reported violations. Specifically, the compliance staff had advised Cherrington, McGraw and Palu in an email three days prior to the Junior Day event that it would be impermissible to conduct a Zoom call with the representatives of the institution's athletics interests. During their interviews, all three individuals acknowledged receiving the compliance staff's direction and nevertheless decided to conduct the Zoom call between the representatives of the institution's athletics interests and 44 prospective student-athletes and 80 of their family members who were on campus for Junior Day. The representatives of the institution's athletics interests on the Zoom call included a then-NFL coach, a current NFL player and a former NFL player.

The investigation also developed facts that substantiated additional violations in the football program, including impermissible recruiting contacts by Parker, a then former football staff member who was a representative of the institution's athletics interests at the time. Specifically, Parker had impermissible in-person contact with four football prospective student-athletes and their family members and impermissible telephone and text message contacts with three prospective student-athletes and four family members before he was rehired by the institution.

[1] 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.

Further, Parker failed to meet his responsibility to cooperate with the enforcement staff when he failed to produce cellular call records that were requested December 1, 2022. The enforcement staff petitioned a hearing panel of the NCAA Division I Committee on Infractions June 2, 2023, seeking immediate penalties for Parker for failing to produce cellular call records. On July 13, 2023, the hearing panel prescribed immediate penalties, including a three-year show cause order for Parker. The enforcement staff subsequently interviewed Parker July 25, 2023. During the interview, Parker provided false or misleading information regarding the reasons he had not supplied the cellular call records. Parker subsequently produced partial cellular call records starting in October 2023 and provided the remaining cellular call records February 26, 2024. Parker then submitted to a second interview with the enforcement staff March 13, 2024. On March 15, 2024, the enforcement staff notified the hearing panel that Parker had fully cooperated with the enforcement staff related to his provision of the requested call records and the hearing panel lifted Parker's three-year show-cause order.

II. PARTIES' AGREEMENTS

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

1. [NCAA Division I Manual Bylaws 13.1.2.1 and 13.1.3.5.1 (2021-22 and 2022-23)] (Level II)

The institution, McGraw, Cherrington, Palu and enforcement staff agree that between March and August 2022, members of the institution's football staff, including McGraw, Cherrington and Palu, arranged for representatives of the institution's athletics interests to impermissibly recruit multiple prospective student-athletes and their family members. Specifically:

a. On March 5, 2022, during the institution's Junior Day, Cherrington, McGraw and Palu arranged for a Zoom call during which three representatives of the institution's athletics interests impermissibly promoted the institution's football program to and thereby assisted in the recruitment of 44 prospective student-athletes and 80 of their family members. Cherrington, McGraw and Palu arranged and executed the Zoom call despite direction from the compliance staff that the call was impermissible. [NCAA Bylaws 13.1.2.1 and 13.1.3.5.1 (2021-22)]

b. Between March 6 and April 30, 2022, Parker, representative of the institution's athletics interests,[2] had impermissible in-person contact with four football prospective student-athletes and their family members. Specifically:

(1) On March 6, Parker met with football prospective student-athlete (Prospect 1) and his father at a hotel in Oakland, California. [NCAA Bylaw 13.1.2.1 (2021-22)]

[2] Parker became a representative of the institution's athletics interests when, at the request of football staff members, he provided a presentation and promoted the institution to prospective student-athletes and their families as part of Junior Day.

(2) On March 31, during football prospective student-athlete (Prospect 2 unofficial visit to the institution, Parker had impermissible contact at a local restaurant with prospective student-athlete 2 and his father. [NCAA Bylaw 13.1.2.1 (2021-22)]

(3) On April 30, during the institution's spring football game, Parker had impermissible contact with football prospective student-athletes (Prospect 3 and Prospect 4). [NCAA Bylaw 13.1.2.1 (2021-22)]

c. On March 17 and 21, 2022, Cherrington directed Parker, who was listed as "Key Support Staff" on the head football coach's recruiting call sheet despite not being employed at the institution at the time, to impermissibly contact multiple football prospective student-athletes. Subsequently, during the spring of 2022, Cherrington requested Parker to obtain information about football prospective student-athlete (Prospect 5) from Prospect 5's father to assist the institution's recruiting efforts. Parker placed one call to Prospect 5 and 20 calls to Prospect 5's father. Additionally, between March and August 2022, Parker exchanged at least one text message with Prospect 4; placed two calls to Prospect 3 and 10 calls to his mother; sent 10 text messages and placed two calls to the father of Prospect 1; and exchanged three text messages with and placed one call to the father of Prospect 2. [NCAA Bylaws 13.1.2.1 and 13.1.3.5.1 (2021-22 and 2022-23)]

2. [NCAA Division I Manual Bylaws 10.01.1, 10.1, 10.1-(a), 19.2.3, 19.2.3-(c), 19.2.3-(d), 19.2.3.2 and 19.2.3.2.1 (2022-23) and 19.2.1, 19.2.1-(e), 19.2.1-(f), 19.2.2-(a), 19.2.2.-(b) and 19.2.2-(c) (as of January 1, 2023, and 2023-24)] (Level II)

The institution, Parker and enforcement staff agree that Parker, then director of player development,[3] violated the NCAA principles of ethical conduct and failed to cooperate with the enforcement staff when he failed to provide full, complete or timely information relevant to an investigation of potential violations of NCAA legislation when requested to do so by the institution and enforcement staff and knowingly provided false or misleading information to the enforcement staff. Specifically:

a. In response to the enforcement staff's December 1, 2022, request for Parker's cellular call records, Parker submitted partial telephone and text message records October 6 and November 7, 2023, and January 17, 2024. Parker provided the remaining cellular call records February 26, 2024, approximately 14 months after the initial request. [NCAA Bylaws 10.01.1, 10.1, 10.1-(a), 19.2.3, 19.2.3-(c), 19.2.3-(d), 19.2.3.2 and 19.2.3.2.1 (2022-23), 19.2.1, 19.2.1-(e), 19.2.1-(f), 19.2.2-(a), 19.2.2.-(b) and 19.2.2-(c) (as of January 1, 2023, and 2023-24)]

[3] California officially hired Parker as director of player development for football October 31, 2022. The institution placed Parker on administrative leave effective July 13, 2023, and did not renew Parker's contract as of December 31, 2023.

b. On July 25, 2023, Parker failed to cooperate when he provided false or misleading information to the institution and enforcement staff regarding the identity of who was paying for and in control of his cellular telephone bill. Specifically, Parker stated he could not provide the requested records because his former employer paid and controlled the cellular telephone bill; however, the factual record substantiates that the former employer did not. [NCAA Bylaws 19.2.1, 19.2.1-(e), 19.2.2-(a) and 19.2.2-(c) (as of January 1, 2023, and 2023-24)]

3. [NCAA Division I Manual Bylaw 11.1.1.1 (2021-22 and 2022-23)] (Level II)

The institution, Wilcox and enforcement staff agree that between March and August 2022, Wilcox is presumed responsible for the violations in Agreed-Upon Finding of Fact No. 1-a and did not rebut the presumption of responsibility. Specifically, Wilcox failed to demonstrate that he monitored his staff when he did not ask questions about the permissibility of the football program conducting a Zoom call that included multiple representatives of the institution's athletics interests promoting the football program to visiting prospective student-athletes. Additionally, Wilcox did not ask pointed questions about Parker being listed as "Key Support Staff" on the head coach's recruiting call sheet, as detailed in Agreed-Upon Finding of Fact No. 1-c.

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 II – Mitigated for the institution, Wilcox, McGraw, Cherrington and Palu and Level II – Aggravated for Parker.

In reaching a mitigated classification for the institution, the parties agreed that additional weight should be given to "prompt self-disclosure" because the institution notified the enforcement staff after detecting the violations, conducted an immediate review and submitted a self-report. Those steps allowed the enforcement staff to conduct a thorough investigation.

Finally, the institution, Wilcox, McGraw, Cherrington, Palu and Parker agreed to negotiate a resolution and prescribe/accept appropriate suspensions during the processing of the case.

Institution:

1. Aggravating factors (Bylaw 19.12.3.1).

a. Multiple Level II violations for which the institution is responsible [Bylaw 19.12.3.1-(a)].

b. Persons of authority condoned, participated in or negligently disregarded the violation or related wrongful conduct [Bylaw 19.12.3.1-(e)].

c. Intentional, willful or blatant disregard for NCAA bylaws by a person with institutionally derived authority [Bylaw 19.12.3.1-(i)].

d. Involvement by a representative of the institution's athletics interests in violations [Bylaw 19.12.3.1-(k)].

2. Mitigating factors (Bylaw 19.12.4.1).

a. Prompt self-disclosure of the violation(s) [Bylaw 19.12.4.1-(a)].

b. Affirmative steps to expedite final resolution of the matter, including submission of a negotiated resolution [Bylaw 19.12.4.1-(d)].

c. An established history of self-reporting Level III violations [Bylaw 19.12.4.1-(e)].[4]

d. The absence of prior conclusions of Level I, Level II or major violations within the past 10 years [Bylaw 19.12.4.1-(g)].

Involved Individual [Cherrington]:

1. Aggravating factors (Bylaw 19.12.3.2).

a. Intentional, willful or blatant disregard for NCAA bylaws [Bylaw 19.12.3.2-(i)].

b. Involvement by a representative of the institution's athletics interests in violations [Bylaw 19.12.3.2-(j)]

2. Mitigating factors (Bylaw 19.12.4.2).

a. Prompt acknowledgement and acceptance of responsibility for the violations [Bylaw 19.12.4.2-(b)].

b. Affirmative steps to expedite final resolution of the matter, including timely submission of a negotiated resolution [Bylaw 19.12.4.2-(d)].

c. The absence of prior conclusions of Level I or Level II violations [Bylaw 19.12.4.2-(e)].

[4] The institution reported 86 violations over the past five years, approximately 17 violations per year.

Involved Individual [McGraw]:

1. Aggravating factor (Bylaw 19.12.3.2).

    a. Persons of authority condoned, participated in or negligently disregarded the violation or related wrongful conduct [Bylaw 19.12.3.2-(d)].

    b. Intentional, willful or blatant disregard for NCAA bylaws [Bylaw 19.12.3.2-(i)].

2. Mitigating factors (Bylaw 19.12.4.2).

    a. Prompt acknowledgement and acceptance of responsibility for the violations [Bylaw 19.12.4.2-(b)].

    b. Affirmative steps to expedite final resolution of the matter, including submission of a negotiated resolution [Bylaw 19.12.4.2-(d)].

    c. The absence of prior conclusions of Level I, Level II or major violations [Bylaw 19.12.4.2-(e)].

Involved Individual [Palu]:

1. Aggravating factor (Bylaw 19.12.3.2).

    Intentional, willful or blatant disregard for NCAA bylaws [Bylaw 19.12.3.2-(i)].

2. Mitigating factors (Bylaw 19.12.4.2).

    a. Prompt acknowledgement and acceptance of responsibility for the violations [Bylaw 19.12.4.2-(b)].

    b. Affirmative steps to expedite final resolution of the matter, including submission of a negotiated resolution [Bylaw 19.12.4.2-(d)].

    c. The absence of prior conclusions of Level I or Level II violations [Bylaw 19.12.4.2-(e)].

Involved Individual [Parker]:

1. Aggravating factors (Bylaw 19.12.3.2).

    a. Multiple Level II violations [Bylaw 19.12.3.2-(a)].

b. Failing or refusing to take all appropriate steps outlined in Bylaw 19.2.1 to advance resolution of the matter, including steps that hinder or thwart the institution and/or enforcement staff's investigation [Bylaw 19.12.3.2-(b)].

c. Intentional, willful or blatant disregard for NCAA bylaws [Bylaw 19.12.3.2-(i)].

2. Mitigating factors (Bylaw 19.12.4.2).

a. Affirmative steps to expedite final resolution of the matter, including submission of a negotiated resolution [Bylaw 19.12.4.2-(d)].

b. The absence of prior conclusions of Level I or Level II violations [Bylaw 19.12.4.2-(e)].

Involved Individual [Wilcox]:

1. Aggravating factor (Bylaw 19.12.3.2).

The enforcement staff did not identify any aggravating factors.

2. Mitigating factors (Bylaw 19.12.4.2).

a. Prompt acknowledgement of and acceptance of responsibility for the violations [Bylaw 19.12.4.2-(b)].

b. Affirmative steps to expedite final resolution of the matter, including submission of a negotiated resolution [Bylaw 19.12.4.2-(d)].

c. The absence of prior conclusions of Level I, Level II violations or major violations [Bylaw 19.12.4.2-(e)].

III. OTHER VIOLATIONS OF NCAA LEGISLATION SUBSTANTIATED; NOT ALLEGED

None.

IV. REVIEW OF OTHER ISSUES

Head coach responsibility for Wilcox.

Wilcox was not personally involved in violations or aware of the circumstances of the compliance staff informing McGraw, Cherrington and Palu that the Zoom call with representatives of the institution's athletics interests on Junior Day was impermissible. In addition, Wilcox did not have knowledge of Parker's impermissible contact with prospective student-athletes. Except for the circumstances set forth in this negotiated resolution, the case record indicates that Wilcox otherwise promoted an atmosphere of compliance and monitored his staff. Accordingly, the parties agree that a suspension penalty was not appropriate. However, Wilcox will be subject to the institutional recruiting restrictions outlined below.

Leveling for Parker's failure to cooperate.

Due to immediate penalties discussed above, Parker was subject to a show-cause order restricting all athletically related duties from July 2023 to March 2024. Further, Parker ultimately produced the requested records, which included additional impermissible contacts unknown to the institution and enforcement staff and acknowledged having impermissible contact with the prospective student-athletes and their family members as outlined in Agreed-Upon Finding of Fact No. 1. While a failure to cooperate is typically Level I, the parties agree that Parker's failure to cooperate should be Level II in light of the totality of these circumstances.

V. PARTIES' AGREED-UPON PENALTIES[5]

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 II – Mitigated Violations (Bylaw 19.12.7)

1. One year of probation from **May 2, 2025, through May 1, 2026**.
2. The institution shall pay a fine of $25,000.
3. Recruiting restrictions:

[5] 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 Committee on Infractions aware of the impossibility and must complete the penalty at the next available opportunity.

a. The institution shall prohibit official paid visits in the football program for a two-week period during the fall 2025 football season. At least one week of the prohibition will coincide with a home football contest.

b. The institution shall prohibit recruiting communications with prospective student-athletes for two consecutive weeks plus one additional week in the football program during the 2024-2025 academic year.

c. The institution shall reduce the number of recruiting-person days in the football program during the 2024-2025 academic year by seven from the number of recruiting-person days permissible.

d. The institution prohibited unofficial visits in the football program for two weeks from March 31 to April 14, 2025, and no unofficial visits were permitted during the institution's 2025 spring game.

e. The institution prohibited Wilcox from any involvement in off-campus recruiting activities, including communicating with prospective student-athletes for a consecutive 16-day period during the recruiting contact period from January 17 to February 1, 2025.

f. The institution prohibited McGraw from phone calls and other electronic recruiting communications with prospective student-athletes for a consecutive three-week period from March 3 to March 24, 2025.

g. The institution shall prohibit Cherrington from all in-person contacts, phone calls and all other recruiting communications with prospective student-athletes for a consecutive two-week period in the spring of 2025.

4. Suspensions: Bylaw 19.12.7.5 and Figure 19-1 penalty guidelines contemplate suspensions. Therefore, any member institution that employs McGraw in an athletically related position shall suspend McGraw for a consecutive two-week period during the spring of 2025. The provisions of this suspension apply to all athletically related duties and require that McGraw not be present with or have contact or communication with football coaching staff members, student-athletes or prospective student-athletes during the suspension period. The prohibition includes all football related activities for the suspension period that begins at 12:01 a.m. on the first day and ends at 11:59 p.m. on the last day of the suspension period. During the suspension period, McGraw may not participate in any athletically related duties, including, but not limited to, team travel, practice, video study, recruiting and team meetings. Any employing institution may not utilize Bylaw 11.02.2.1 to replace McGraw on a temporary basis during the period of suspension. The results of those contests from which McGraw is suspended shall not count

toward the coach's career record if he is in the role of a head coach at the time of suspension.

Additional Penalties for Level II – Mitigated Violations (Bylaw 19.12.9)

5. The institution imposed a one-game suspension for Cherrington and Palu during the 2024 12-game playing season. The terms of the suspension required that Cherrington and Palu not be present in the facility where the contest was played or have any contact or communication with football coaching staff members or student-athletes during the suspension period. The prohibition included all athletically related activities for the period that began at 12:01 a.m. on the day of the contest and ended at 11:59 p.m. that day. During that period, Cherrington and Palu did not participate in any athletically related activities, including, but not limited to, team travel, practice, video study, recruiting and team meetings.

6. McGraw, Cherrington and Palu shall attend the 2025 NCAA Regional Rules Seminar. (Self-imposed)

7. Public reprimand and censure through the release of the negotiated resolution agreement.

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 recruiting and certification legislation.

    b. Submit a preliminary report to the Office of the Committees on Infractions (OCOI) by **June 15, 2025**, setting forth a schedule for establishing this compliance and educational program.

    c. File with the OCOI annual compliance reports indicating the progress made with this program by **March 31st** during each year of probation. Particular emphasis shall be placed on rules education and monitoring related to the involvement of representatives of an institution's athletics interests in recruiting.

    d. Inform prospects in the football program in writing that the institution is on probation for one year 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 or financial aid agreement.

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 sports 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 football program. 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 chancellor 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.

Core Penalties for Level II – Aggravated Violations (Bylaw 19.12.7)

10. Parker failed to meet his responsibility to cooperate with the enforcement staff when he failed to produce cellular call records in a timely manner, which required the enforcement staff to petition the hearing panel seeking immediate penalties for Parker. Additionally, Parker engaged in unethical conduct when he initially provided false or misleading information regarding the reasons he had not produced the cellular call records. Therefore, Parker shall be subject to a two-year show-cause order from **May 2, 2025, through May 1, 2027**. In accordance with Bylaw 19.12.7.4 and Committee on Infractions Internal Operating Procedure 5-15-5, any employing member institution shall restrict Parker from (a) all athletically related activity during the first year of the show-cause period and (b) all off-campus recruiting activities during the second year. Any member institution that employs Parker in an athletically related position during the two-year show-cause period, shall abide by the terms of the show-cause order unless it contacts the office of the Committee on Infractions to make arrangements to show cause why the terms of the order should not apply.

11. Suspension: Bylaw 19.12.7.5 and Figure 19-1 penalty guidelines contemplate suspensions. Therefore, any member institution that employs Parker in an athletically related position shall suspend Parker from 30% of the football regular season contests during the second year of his employment within the two-year

show-cause period. This suspension corresponds with four regular season contests. The provisions of this suspension apply to all athletically related duties and require that Parker not be present with or have contact or communication with football coaching staff members or student-athletes during the suspension period. The suspension begins on the date of the first scheduled contest of the regular season. The prohibition includes all athletically related duties for the suspension period that begins at 12:01 a.m. on the day of the first contest and ends at 11:59 p.m. on the day of the last contest. During the suspension period, Parker may not participate in any athletically related duties, including, but not limited to, team travel, practice, video study, recruiting and team meetings. If hired as a countable coach by another institution, the employing institution may not utilize Bylaw 11.02.2.1 to replace Parker on a temporary basis during the period of suspension. The results of those contests from which Parker is suspended shall not count toward the coach's career record if he is in the role of a head coach at the time of suspension.

Additional Penalties for Level II – Aggravated Violations (Bylaw 19.12.8)

12. If Parker becomes employed by an institution during the show cause period, he shall attend the next available NCAA Regional Rules Seminar.

13. Disassociation: The institution shall disassociate Parker for a period of two years beginning with the release of this infractions decision on May 2, 2025, and ending May 1, 2027.[6] Pursuant to Bylaw 19.12.9-(i), the disassociation shall include:

    a. Refraining from accepting any financial or other assistance from Parker that would aid in the recruitment of prospective student-athletes or the support of enrolled student-athletes.

    b. Parker shall not provide any financial assistance to the institution during the disassociation period.

    c. If Parker violates any Committee on Infractions penalties or institutional restrictions, Parker will lose any privileges he receives as a parent of a current student-athlete at the institution (e.g., facility access, complimentary admissions).

    d. Taking such other actions that the institution determines to be within its authority, including training Parker on recruiting matters and taking the steps necessary to prohibit his involvement in recruiting for the institution's athletics program.

[6] If Parker is employed by the institution at any point during the two-year show-cause period in Penalty No. 10, above, the restrictions on his athletically related duties and off-campus recruiting activities will supersede the terms of his disassociation.

VI. 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 NCAA 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 19.1.3, the violations identified in this agreement occurred and should be classified as Level II – Mitigated for the institution, Wilcox, McGraw, Cherrington and Palu and Level II – Aggravated for Parker.

If a hearing panel approves the negotiated resolution, the parties agree that they will take every precaution to ensure that the terms of the penalties are observed. The parties acknowledge 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 OCOI will monitor the penalties during their effective periods. Any action by the parties 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.

VII. 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 II-Mitigated for

California, Cherrington, McGraw, Palu and Wilcox, and Level II-Aggravated for Parker. The agreed-upon penalties align with the ranges identified for core penalties for Level II-Mitigated and Level II-Aggravated 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 California, Cherrington, McGraw, Palu, Wilcox and Parker that they should take every precaution to ensure that they observe the terms of the penalties. The COI will monitor the institution while it is on probation to ensure compliance with the penalties and terms of probation and may extend the probationary period, among other action, if the institution does not comply or commits additional violations. Likewise, any action by the institution and/or Cherrington, McGraw, Palu, Wilcox or Parker 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
Cassandra Kirk
Vince Nicastro
Kay Norton, chief hearing officer