



**UNIVERSITY OF ALASKA FAIRBANKS**  
**PUBLIC INFRACTIONS DECISION**  
**NOVEMBER 5, 2014**

**I. INTRODUCTION**

This is a cross-divisional case involving the University of Alaska Fairbanks.<sup>1</sup> The institution is a member of Division II of the NCAA, but also sponsors Division I men's ice hockey. Therefore, both the Division I and Division II Committees on Infractions consider this case. Both committees are independent administrative bodies of the NCAA, comprised of individuals from the membership and the public and charged with deciding infractions cases involving member institutions and their staffs.<sup>2</sup> This case involves the men's ice hockey program and eight of the nine Division II sports sponsored by the institution. The committees considered this case through the cooperative summary disposition process in which all parties agree to the primary facts and violations, as fully explained in the Summary Disposition Report (SDR).<sup>3</sup> Following the committees' review of the SDR, the institution requested an expedited hearing to challenge some of the committees' proposed penalties.

This case centers on the institution's erroneous eligibility certification of 40 initial-enrolling, continuing and transfer student-athletes from the 2007-08 academic year through 2011-12. Nine of the student-athletes participated in men's ice hockey, while the other 31 were Division II student-athletes. They were ineligible for a number of reasons, including failure to declare a degree program by their fifth semester of enrollment, failure to complete six semester hours of degree credit in a preceding regular academic term, failure to be enrolled in a full-time program of studies, failure to meet general eligibility requirements and failure to meet transfer requirements. The violations, as well as the institution's failure to act when it became aware that its system of certifying athletics eligibility was deficient, demonstrated that the institution lacked control over, and failed to monitor, its athletics program.

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<sup>1</sup> The institution, with an enrollment of approximately 11,000, is a member of the Division II Great Northwest Athletic Conference and the Division I Western Collegiate Hockey Association. It sponsors one coeducational (rifle), four men's and five women's sports. This was the institution's first major infractions case.

<sup>2</sup> Pursuant to NCAA Bylaw 19.3.3, Division I cases are considered by hearing panels comprised of NCAA Division I Committee on Infractions members. Decisions issued by the hearing panels are made on behalf of the Committee on Infractions.

<sup>3</sup> The Division I panel only considered the men's ice hockey issues. As the committee for the institution's primary membership, the Division II committee considered the violations in the Division II sports and the violations pertaining to lack of institutional control and failure to monitor.

The Division I panel and the Division II committee accepts the facts and violations agreed to in the parties' SDR. The Division I panel concludes that the agreed-upon facts and violations involving men's ice hockey constitute Level I severe breaches of conduct as defined by NCAA Bylaw 19.1.1. The Division II committee concludes that the parties' agreed-upon facts regarding the Division II sports constitute major violations of NCAA bylaws. In light of these violations, the panel and committee determine that the following principal penalties are appropriate: three years of probation, grants-in-aid reductions, and vacation of contests and bans from postseason competition. These penalties, as well as other appropriate penalties, are detailed in the penalty section of this decision.

## **II. CASE HISTORY**

The institution hired an athletics compliance director in the fall of 2010 "compliance director 1". As part of her duties, compliance director 1 spent one month working in the institution's academic advising center during the summer of 2011, when she was "furloughed" from the department of athletics.

Compliance director 1 performed continuing eligibility certifications while working in the academic advising office during May and June 2011. In the course of doing so, she discovered errors in prior certifications. She and an academic advisor then reviewed the academic files of all 2010-11 student-athletes and noted problems with other certification decisions. Following the review, she immediately reported the violations to institutional officials and the Great Northwest Athletics Conference.

In the fall of 2012, compliance director 1 received an interpretation from the NCAA Academic and Membership Affairs department that student-athletes enrolled as "pre-majors" at the institution did not qualify as "regularly enrolled, degree-seeking" students as required by NCAA bylaws. The institution immediately identified the student-athletes affected by the interpretation, reported violations to the NCAA secondary infractions staff and began the reinstatement process.

In November 2012, the secondary enforcement staff forwarded the information to the major enforcement staff. The major enforcement staff provided a verbal notice of inquiry to the institution on November 21, 2012. On September 23, 2013, the enforcement staff and institution agreed to process the case through summary disposition. The staff submitted proposed findings to the institution on November 7 and the parties submitted the SDR to the committees on January 30, 2014.

The Division I panel reviewed the relevant portions of the SDR on February 21, 2014, while the Division II committee reviewed its portion of the SDR on February 27. Following their reviews, both the panel and the committee requested further information

from the parties on two occasions. By May 8, 2014, the panel and committee had received all of the requested additional information. They jointly proposed a number of additional penalties to the institution in a letter dated June 11, 2014. The institution responded via email on June 23 that it did not accept the proposed penalties. The institution then sent a letter on July 23 explaining which penalties it was contesting and requested an expedited hearing. On September 13, 2014, the institution appeared before the Division I panel and the Division II committee in separate expedited penalty hearings held pursuant to NCAA Division I Bylaw 19.6.4.5 and NCAA Division II Bylaw 32.7.1.4.3.<sup>4</sup>

### III. PARTIES' AGREEMENTS

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

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

1. **NCAA Division I Manual Bylaws 14.01.1, 14.4.3.1.5, 14.10.1 and 16.8.1.2 (2007-08); 14.01.1, 14.4.3.1.6, 14.10.1 and 16.8.1.2 (2008-09); 14.01.1, 14.4.3.2, 14.10.1 and 16.8.1.2 (2009-10); 14.01.1, 14.4.3.1, 14.4.3.1.7, 14.4.3.2, 14.4.3.2.2, 14.10.1 and 16.8.1.2 (2010-11)**

From the 2007-08 to the 2010-11 academic years, the institution failed to properly certify student-athlete eligibility based on continuing and transfer academic requirements. As a result, the institution permitted six Division I men's ice hockey student-athletes to represent the institution in 124 contests and receive travel expenses for 63 contests while academically ineligible.

This finding serves as part of the basis for the lack of institutional control violation.

2. **NCAA Division I Manual Bylaws 14.01.1, 14.1.7.1, 14.10.1 and 16.8.1.2 (2008-09, 2009-10, 2010-11 and 2011-12)**

From the 2008-09 to the 2011-12 academic years, the institution permitted four Division I men's ice hockey student-athletes, who were not regularly

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<sup>4</sup> Because it is the primary committee in the case, the Division II committee was present to observe the Division I portion of the hearing. It did not participate in that part of the hearing.

enrolled, degree-seeking students, to compete in 124 contests and receive travel expenses for 62 contests while ineligible.

This finding serves as part of the basis for the lack of institutional control violation.

3. **NCAA Division II Manual Bylaws 14.01.1, 14.01.2, 14.1.8.1, 14.4.3.1, 14.4.3.1.5-(b), 14.11.1 and 16.8.1.2 (2007-08); 14.01.1, 14.4.3.1, 14.4.3.6-(b), 14.11.1 and 16.8.1.2 (2008-09); 14.01.1, 14.1.8.1, 14.4.3.1, 14.4.3.1.5, 14.4.3.1.6-(b), 14.11.1 and 16.8.1.2 (2009-10); 14.01.1, 14.01.2, 14.1.8.1, 14.4.3.1, 14.4.3.1.5, 14.4.3.1.6-(b), 14.11.1 and 16.8.1.2 (2010-11)**

From the 2007-08 to the 2010-11 academic years, the institution failed to properly certify student-athlete eligibility based on continuing and transfer academic requirements. As a result, the institution permitted 19 student-athletes in eight Division II sport programs to represent the institution in 178 contests and receive travel expenses for 83 contests while academically ineligible.

4. **NCAA Division II Manual Bylaws 14.01.1, 14.1.7.1, 14.11.1 and 16.8.1.2 (2008-09, 2010-11 and 2011-12)**

During the 2008-09, 2010-11 and 2011-12 academic years, the institution permitted 10 student-athletes in six Division II sport programs, who were not regularly enrolled, degree-seeking students, to compete in 90 contests and receive travel expenses for 41 contests while ineligible.

This finding serves as part of the basis for the lack of institutional control violation.

5. **NCAA Division II Manual Bylaws 14.01.1, 14.5.4.2, 14.5.4.2.3, 14.11.1 and 16.8.1.2 (2008-09 and 2009-10)**

During the 2008-09 and 2009-10 academic years, the institution failed to properly certify student-athlete eligibility based on incoming transfer academic eligibility requirements. As a result, the institution permitted three men's basketball two-year college transfer student-athletes to receive impermissible athletics financial aid, practice, compete and/or receive travel expenses without first completing an academic year in residence.

This finding serves as part of the basis for the lack of institutional control violation.

6. **NCAA Divisions I and II Manual Constitutions 2.1.1, 2.8.1 and 6.01.1 (2007-08, 2008-09, 2009-10, 2010-11 and 2011-12)**

From 2007 through 2012, the scope and nature of the violations, including the violations set forth in Finding Nos. 1 through 5, demonstrate that the institution failed to exercise institutional control and monitoring in the conduct and administration of its athletics programs in that it (a) failed to establish a proper system to ensure compliance with NCAA eligibility legislation; (b) failed to provide appropriate NCAA rules education; and (c) did not devote sufficient resources or personnel to monitor and certify student-athlete academic eligibility. Specifically:

- a. From 2007 through 2012, the institution did not have an adequate compliance system in place to ensure proper certification of eligibility for transfer, continuing and pre-major student-athletes. The institution did not properly certify student-athletes based on two-year college transfer, progress-toward-degree, degree credit-hour or admission status requirements. As a result, the violations detailed in Finding Nos. 1 through 5 occurred.
- b. From 2007 through 2011, the institution failed to provide adequate NCAA rules education regarding eligibility certification requirements to institutional personnel and staff outside of the athletics department who were responsible for the certification of student-athletes' academic eligibility.
- c. From 2008 through the summer of 2011, the institution identified and was aware that its compliance systems for certifying student-athlete eligibility based on transfer and continuing academic requirements were inadequate. The institution failed to take appropriate action to improve its systems or devote sufficient resources and personnel to ensure proper certification of student-athlete academic eligibility.

**B. PARTIES' AGREED-UPON AGGRAVATING AND MITIGATING FACTORS**

Pursuant to NCAA Division I Bylaw 19.6.2-(g), the enforcement staff and institution have agreed on the following aggravating and mitigating factors:

1. Agreed-upon aggravating and mitigating factors. [NCAA Bylaws 19.9.3 and 19.9.4]

a. Aggravating factors.

- (1) Multiple Level I violations by the institution. [NCAA Bylaw 19.9.3-(a)]

Finding Nos. 1, 2 and 6 constitute Level I violations. Specifically, from the 2007-08 to the 2010-11 academic years, the institution permitted a total of nine men's ice hockey student-athletes to represent the institution in 174 contests and receive travel expenses for 88 contests while academically ineligible, as set forth in Finding Nos. 1 and 2. In addition, the institution demonstrated a lack of institutional control in regard to academic eligibility certification, as set forth in Finding No. 6.

- (2) Lack of institutional control. [NCAA Bylaw 19.9.3-(c)]

The institution demonstrated a lack of institutional control in regard to eligibility certification, as set forth in Finding No. 6.

b. Mitigating factors.

- (1) Prompt acknowledgement of the violation, acceptance of responsibility and (for an institution) imposition of meaningful corrective measures and/or penalties. [NCAA Bylaw 19.9.4-(b)]

The institution identified a subset of the academic eligibility violations contained in Finding No. 1 in May 2011 and immediately reported the violations to its conference in late May or early June 2011. Subsequently, the institution filed its first self-report regarding the violations June 23, 2011. In conjunction with its self-report, the institution implemented corrective measures, including implementing an official eligibility certification policy, designating personnel in the registrar's office to review and certify transfer and continuing student-athlete academic eligibility, hiring a full-time student-athlete academic advisor, designating a secondary student-athlete

academic advisor and changing institutional reporting lines so that the director of athletics reports directly to the chancellor. Penalties imposed included recertifying compliance with NCAA rules and regulations, serving on a two-year probation and providing annual reports to the NCAA regarding academic eligibility compliance and decisions, and implementing a one scholarship reduction for men's ice hockey in the 2012-13 and the 2013-14 academic years.

In regard to the institution's pre-major enrollment status and the violations identified in Finding No. 2, the institution self-reported the violations in November 2012, just days after receiving an official interpretation from the NCAA. As a corrective measure, the institution implemented a process between the registrar's office and the athletics department to identify and prevent pre-major athletics participation.

Since self-reporting the associated violations, the institution has promptly acknowledged, accepted responsibility for and agreed to all additional violations identified, including Finding No. 6, a lack of institutional control.

- (2) An established history of self-reporting Level III or secondary violations. [NCAA Bylaw 19.9.4-(d)]

From the 2007-08 to 2012-13 academic years, the institution submitted approximately 44 self-reports of Level III or secondary violations, averaging approximately seven self-reports per year. Of the total self-reports, nine or approximately two per year concerned Division I men's ice hockey, and 37 or approximately six per year concerned Division II sport programs (two of the self-reports concerned both Divisions I and II). Of the 44 total self-reports, 11 are included in this case.

Institution's position regarding aggravating and mitigating factors not agreed-upon. [NCAA Bylaws 19.9.3 and 19.9.4]

None.

Involved individual's position regarding aggravating and mitigating factors not agreed-upon. [NCAA Bylaws 19.9.3 and 19.9.4]

Not applicable.

Enforcement staff's position regarding aggravating and mitigating factors not agreed-upon. [NCAA Bylaws 19.9.3 and 19.9.4]

None.

### **C. SECONDARY VIOLATION**

#### **DIVISION II MANUAL BYLAWS 14.01.1, 14.01.2, 14.1.7.1, 14.11.1 and 16.8.1.2 (2012-13)**

During the 2012-13 academic year, the institution permitted one women's volleyball student-athlete to complete and receive travel expenses while enrolled in less than a full-time program of studies. The student-athlete travelled to, and competed in, one contest while ineligible.

### **IV. REVIEW OF CASE**

The submitted SDR fully details the parties' positions in the infractions case and includes the agreed-upon primary facts, violations, violation levels and aggravating and mitigating circumstances. After reviewing the parties' principal factual agreements and the respective explanations surrounding those agreements, the panel and committee accept the facts and violations agreed to in the parties' SDR. The panel concludes that the facts constituting the Division I portion of the case establish Level I violations. The Level I violations represent a severe breach of conduct because they resulted in a substantial or extensive competitive advantage and contributed to a lack of institutional control. The committee concludes that the facts regarding the violations in the Division II sports establish major violations and a secondary violation.

This case centers on the institution's failure to ensure that only eligible student-athletes were allowed to participate in NCAA competition and receive competition-related travel expenses and athletically related financial aid. In doing so, the institution violated a number of NCAA Division I and Division II rules regarding continuing, transfer and initial eligibility and demonstrated a lack of control and monitoring of its department of athletics.

*The Men's Ice Hockey Violations*

Nine of the ineligible student-athletes competed in the Division I sport of men's ice hockey over the course of the academic years 2007-08 through 2011-12. Four of them enrolled initially at the institution as "pre-majors," meaning that they had not met the institution's minimum requirements for admission into a baccalaureate degree program. As pre-majors, they were required by institutional policy to complete a certain number of credits with a certain grade point average before the institution reclassified them as "majors." Further, while classified as "pre-majors," students at the institution are not considered to be regularly enrolled degree-seeking students, which NCAA bylaws require prior to student-athletes representing an institution in competition and receiving competition-related expenses. At various times from the 2008-09 through the 2011-12 academic years, the institution allowed all four of the pre-major men's ice hockey student-athletes to compete and/or receive travel expenses prior to them being reclassified from "pre-major" to "major." In doing so, the institution violated NCAA Division I Bylaws 14.01.1, 14.1.7.1, 14.10.1 and 16.8.1.2.<sup>5</sup>

NCAA bylaws also require continuing and transfer student-athletes to meet certain academic criteria before they are allowed to compete and receive expenses when traveling to away-from-home contests. The institution allowed one of the four men's ice hockey "pre-majors" and five other men's ice hockey student-athletes to participate in athletic competition and receive travel expenses from 2007-08 through 2010-11 even though they had failed to meet certain continuing and/or transfer academic requirements. Five of the student-athletes, including the "pre-major," lost their eligibility in the years following their initial enrollment because they failed to complete the minimum required percentage of degree requirements necessary to retain eligibility.<sup>6</sup> The sixth men's ice hockey student-athlete lost his eligibility when he failed to designate a degree program of studies by the start of his third year of collegiate enrollment, as required by the bylaws. All nine of the men's ice hockey student-athletes represented the institution in competition at times they were ineligible. Also, eight of the nine received competition-related travel expenses while ineligible, which the bylaws prohibit. In total, the institution permitted the nine men's ice hockey student-athletes to participate on 248 occasions and receive impermissible travel expenses 125 times while ineligible.<sup>7</sup> Because the student-athletes were ineligible to compete and/or receive the travel expenses, the institution violated numerous NCAA Division I bylaws relating to satisfactory progress, continuing eligibility and transfer eligibility. The complete list of Division I bylaws violated is set forth in Appendix Two.

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<sup>5</sup> All of these bylaws were in effect and remained unchanged during all academic years in which these violations occurred.

<sup>6</sup> The "pre-major" in this group had regained his eligibility after being accepted into a baccalaureate program, but lost it again two years later for failing to satisfy the "percentage" requirement. Additionally, he failed to complete 18 hours in the regular spring and fall semesters of an academic year.

<sup>7</sup> Because more than one student-athlete competed in certain contests, the actual number of contests in which ineligible student-athletes participated was 174. The ineligible student-athletes received travel expenses for 88 contests.

*The Division II Violations*

Many of the violations in the Division II sports were similar to those in men's ice hockey.<sup>8</sup> Applicable Division II bylaws at the time of the violations required student-athletes to be enrolled as full-time students taking degree-countable credits, complete an average of 12 semester hours or 24 total hours in the previous two semesters, declare a degree program by the beginning of the third year of full-time collegiate enrollment, complete at least six semester hours of academic credit in the preceding academic term of enrollment and complete a certain percentage of degree-applicable credits per academic year. From the academic years 2007-08 through 2011-12, the institution allowed one of the 31 Division II student-athletes to represent the institution in athletics contests and receive competition-related travel expenses even though he was enrolled in a two-year non-baccalaureate degree program. Twelve of the 31 student-athletes competed and received travel expenses in spite of failing to complete an average of 12 semester hours during the previous academic terms or 24 hours during the previous two semesters. The institution allowed another three of the 31 student-athletes to compete and receive travel expenses even though they had not declared a degree program by the start of their third year of full-time collegiate enrollment. It allowed one of the student-athletes to compete and receive travel expenses even though that student-athlete had not completed the necessary number of degree-applicable credits based on years of enrollment. Further, the institution allowed 10 student-athletes to compete even though they had not completed six hours of academic credit in their preceding term of full-time academic enrollment. When it allowed the student-athletes to compete and receive travel expenses even though they had not completed the required number of degree credits or declared a degree program by the beginning of their third year of full-time enrollment, the institution violated a number of NCAA Division II bylaws pertaining to satisfactory academic progress and eligibility.

NCAA Division II transfer regulations prohibit student-athletes who were nonqualifiers upon high school graduation from receiving athletically related aid, practicing and competing during their first year of residency at a four-year institution unless they have (1) attended the two-year institution as full-time students for a certain period of time; and (2) either graduated from the two-year institution or completed an average of 12 hours of transferable degree credit with at least a 2.0 grade-point average for each semester attended at the two-year institution. In 2008-09 (one student-athlete) and 2009-10 (two student-athletes), the institution certified a total of three two-year college transfer student-athletes who had not met this criteria as immediately eligible for athletically

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<sup>8</sup> The eight Division II sports affected were men's and women's rifle, men's basketball, men's cross country, men's skiing, women's basketball, women's skiing, women's swimming and women's volleyball. Some of the ineligible student-athletes participated in more than one sport, some became ineligible for more than one reason and some were ineligible for different reasons at different times during their enrollment.

related financial aid, practice, competition.<sup>9</sup> The institution then awarded athletically related financial aid to all three and allowed them to practice and compete without spending a year in residence. Finally, as with four of the nine ineligible men's ice hockey student-athletes, the institution allowed 10 of the Division II student-athletes to compete even though they were designated as "pre-majors." One of the "pre-majors" also competed while enrolled in less than a full-time program of studies.

In total, the 31 Division II student-athletes competed 294 times while ineligible, received impermissible travel expenses on 136 occasions and received over \$38,000 in impermissible financial aid from 2007-08 through 2011-12.<sup>10</sup> The complete list of bylaws the institution violated when it allowed the ineligible Division II student-athletes to practice, compete and receive athletically related aid and/or travel expenses is found in Appendix Two.

*Lack of Institutional Control and Failure to Monitor*

Constitutional provisions 2.1.1, 2.8.1 and 6.01.1 in both the NCAA Division I and II manuals require member institutions to exercise control and monitoring in the administration of their departments of athletics.<sup>11</sup> As demonstrated by the agreed-upon facts and violations, the institution did not have a system in place to ensure the correct certification of initial-enrolling, continuing and transfer student-athletes. The deficient system was due in part to the institution's failure to provide formal rules education to institutional personnel outside of the department of athletics who were responsible for the certification of student-athlete academic eligibility.<sup>12</sup> The failure of the department of athletics to have a viable rules education system in place from 2007-08 through 2011-12 violated NCAA Constitution 2.1.1, 2.8.1 and 6.01.1.<sup>13</sup>

Another significant factor in the lack of institutional control and failure to monitor was the institution's failure to act when it became aware that its system for certifying athletics eligibility was deficient. At the expedited hearing, the institution acknowledged that it did not heed warnings that the certification system was deficient and that it failed to "follow through" when personnel suggested that the system be improved. As set forth in

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<sup>9</sup> The SDR did not specifically state that the three transfers were nonqualifiers coming out of high school. However, NCAA Division II Bylaw 14.5.4.2.3 (2008-09 and 2009-10), cited in support of the violation, applies to nonqualifiers. Because all parties agreed that the bylaw is applicable, the committee reasonably concluded that the three transfer student-athletes were nonqualifiers.

<sup>10</sup> One or more ineligible student-athletes appeared in 244 contests and received travel expenses for 114 contests.

<sup>11</sup> The Division II committee made the final conclusion regarding the violations of failure to monitor and lack of institutional control. In drawing its conclusion, the committee considered the men's ice hockey violations, along with the violations involving the institution's Division II sports.

<sup>12</sup> Athletics staff members occasionally and sporadically discussed NCAA rules with other institutional staff.

<sup>13</sup> These bylaws remained unchanged in both the Division I and Division II manuals throughout the relevant time frame.

the SDR, an institutional academic advisor ("academic advisor") attended a conference of the National Association of Academic Advisors in 2008. Upon her return to campus, and based on information she received at the conference, the academic advisor recommended changes in the certification process. In June 2008 she sent an email memorandum to the vice provost, the vice chancellor for university advancement, the athletics compliance director ("compliance director 2") and two members of the academic advising staff urging that the certification process be moved from the athletics compliance office (which was conducting certifications at the time) to the Office of the Registrar. The academic advisor also suggested that the institution create an eligibility team.

Approximately a month later, compliance director 2 sent a draft of a new eligibility certification policy by email to the director of athletics, the faculty athletics representative and the academic advisor. In the email, compliance director 2 detailed her reasons for believing the policy was needed. In particular, she pointed out that the process in place at the time provided "no cross check or institutional control which is the basis for the NCAA bylaws." She asked for assistance in implementing the new policy with a hope that it be in place by the fall of 2008.

On August 8, 2008, compliance director 2 forwarded her proposed new policy to the vice chancellor, stating that the policy was needed as (1) the number of transfer student-athletes to campus was increasing; (2) the registrar and admissions offices, not the athletic department, were qualified to determine transferable credits; (3) the current process was a "conflict of interest"; and (4) she needed help instituting the new policy. She reminded the vice chancellor that he would need to sign off on any new policy.

The institution did not act on compliance director 2's email request. By May 2009, after the institution had undergone a self-study, the director of athletics submitted a memo to the chancellor reiterating the need to devote personnel from admissions and the registrar to the athletics certification process. However, the institution did not increase the resources devoted to the certification process, including the addition of trained personnel, until the violations in this case were detected in 2011.

Had the institution implemented a viable athletics certification process when it first became aware of the deficiencies in its certification system, many of the violations in this case may have been avoided. The institution's failure from 2008 to 2011 to act on the recommendations that it strengthen its certification system contributed to the violations of NCAA Constitutional provisions 2.1.1, 2.8.1 and 6.01.1. These failures were also significant factors in the panel's and committee's determinations that postseason bans in affected sports and reductions in athletics grants-in-aids are warranted (See Section VI, Penalties, below).

*Contested Penalties – Division I*

The institution did not agree with the Division I's panel's proposed penalty of a one-year postseason ban for the men's ice hockey program. The institution asserted that many of the violations were "technical" in nature, that is, the result of administrative "paper" failures that caused student-athletes who otherwise would have been in good academic standing to fall short of NCAA eligibility requirements. The institution pointed out that some of the men's ice hockey student-athletes involved in the violations were ineligible only because the institution failed to remove their "pre-major" designations or failed to ensure that the student-athletes had either declared a major or filed the necessary paperwork when they changed majors. Other student-athletes who were strong students got bad advice from institutional personnel who did not tell them to take enough credits toward their majors, thereby falling short of progress-toward-degree requirements.

This situation is similar to that faced by the Division I Committee on Infractions in *Hobart College*, Case No. M315 (2011).<sup>14</sup> Like the present case, *Hobart* involved an institution in another division of the NCAA that sponsored one Division I sport. Over the course of 14 years, the institution failed to certify the student-athletes in its Division I sport and define roles for administrators regarding the certification process. However, because the institution's academic requirements exceeded those of the NCAA, only one Division I student-athlete was found to have competed while ineligible over the 14 years. Nonetheless, because the institution failed to meet its obligations with respect to the sport it chose to compete in on the Division I level, the committee prescribed a one-year postseason ban for that sport. Likewise, this institution failed to meet its legislative responsibilities with respect to the sport it chose to compete in at the Division I level, even after having information that its certification system was inadequate. Therefore, a postseason ban is warranted.

*Contested Penalties – Division II*

The institution also contested certain penalties proposed by the Division II committee. Specifically, it objected to proposed equivalency award cuts in the sports of men's and women's basketball and one-year postseason bans for the women's basketball, women's skiing and women's swimming teams. Consistent with its position concerning the men's ice hockey violations, the institution asserted that many of the Division II violations involved "paper" or "technical" violations. The committee concluded after the institution's presentation at the expedited hearing that the postseason ban for women's skiing was not warranted. However, the committee noted that, of the six women's basketball student-athletes who competed while ineligible, five lost their eligibility due to a failure to meet progress-toward-degree requirements. Of the five ineligible swimming student-athletes, three were ineligible for the same reason. These are not "technical" violations. Regardless of whether the student-athletes were otherwise good students who

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<sup>14</sup> *Hobart* was decided by the full Division I Committee on Infractions prior to the committee being expanded and cases being considered by panels of the committee.

received bad advice, the institution allowed them to compete even though the student-athletes had failed to meet long-standing, fundamental academic progress rules.<sup>15</sup> Regarding the aid reductions, this institution did not award the maximum number of equivalencies in either men's or women's basketball.<sup>16</sup> As the institution correctly pointed out at the expedited penalty hearing, in such cases the committee has historically required that institutions awarding less than the maximum number of equivalencies reduce the number of awards by a certain percentage of the average awarded over a period of years. Conversely, the committee has historically required a cut of a specific number of equivalencies in cases in which institutions award the maximum number. *See, e.g., Texas A&M University-Kingsville*, Case No. M156 (2000); *Kentucky Wesleyan University*, Case No. M235 (2006); *University of Central Oklahoma*, Case No. M262 (2008).<sup>17</sup> This institution assured the committee at the expedited hearing that it intended to award the full allotment of equivalencies in both men's and women's basketball going forward. Therefore, the committee prescribes equivalency cuts in those sports as directed in Penalty V-7 and V-8 below.

Regarding the proposed one-year postseason bans for the Division II sports of women's basketball and women's swimming, NCAA Bylaw 19.5.2-(d) provides that a postseason ban is particularly justified when, among other circumstances, the violations indicate lack of institutional control or failure to monitor. The violations in these two sports were part of the basis for the agreed-upon lack of institutional control and failure to monitor violation set forth above in Section II-A-6. Further, the violations bear some similarities to the violations in *Lincoln University, Pennsylvania*, Case No. M322 (2010).<sup>18</sup> The institution in that case allowed 27 ineligible student-athletes to practice, compete and receive travel-related expenses over a span of six academic years due to an inadequate system of eligibility certification. The student-athletes were ineligible for many of the same reasons as the student-athletes in this case. The violations resulted in the committee concluding that the institution lacked control over and failed to monitor the athletics program. Among other penalties, the committee prescribed postseason bans for the men's basketball and men's track and field teams, programs in which many of the violations had occurred.

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<sup>15</sup> At the expedited hearing, the institution acknowledged that the violations concerning men's basketball "should not happen." For that reason, it did not contest the committee's proposed one-year postseason ban for men's basketball.

<sup>16</sup> The maximum allowed for each sport is 10.0.

<sup>17</sup> But see *Southwest Baptist University*, Case No. M376 (2012) and *Abilene Christian University*, Case No. M290 (2009). In both cases, the institutions awarded close to their full allotments of equivalencies. The committee in those cases directed cuts of specific equivalencies, not averages.

<sup>18</sup> *Lincoln* was initially considered by the NCAA Division III Committee on Infractions, as the institution was in Division III when the violations occurred. As the case was being processed, the institution transitioned to Division II. The Division II committee monitored the institution during the period of probation.

The committee acknowledges that *Lincoln* involved unethical conduct that is not present in this case. However, of more significance in both that case and the present matter was the presence of lack of institutional control and failure to monitor, which are articulated in NCAA Bylaw 19.5.2-(d) as factors to be considered by the committee when determining whether a postseason ban shall be prescribed. Of particular relevance to the committee in this case was that the institution failed to heed information that the eligibility certification system was deficient. This factor was not present in *Lincoln*. For all of these reasons, the postseason bans are warranted.

## V. PENALTIES

For the reasons set forth in Sections II, III and IV of this report, the panel and committee conclude that this case involved violations of NCAA legislation. The Division II violations constitute major infractions. The parties agreed, and the panel concludes, that the Division I violations regarding the men's ice hockey program constituted Level I violations. Because the case involved lack of institutional control and multiple violations over four academic years, the panel further concludes that this is a Level I – standard case. Because this case is being processed after August 1, 2013, the Division I portion of it is being processed in accordance with the new version of NCAA Bylaw 19, as required by NCAA Bylaw 19.9.1.

The panel then conducted a separate analysis and made a separate determination as to whether to prescribe penalties under the former or current NCAA Bylaw 19 penalty guidelines. Because the Division I violations occurred before the effective date of the new penalty structure (October 30, 2012), the panel reviewed whether the new penalty guidelines were more lenient and concluded they were not in this case. When reviewing cases under the penalty guidelines, the panel assesses aggravating and mitigating factors by weight and number. Considering that the Division I portion of this case involved Level I violations, severe breaches of conduct that carry mandatory minimum penalties, the panel determined that former NCAA Bylaw 19 provided the institution with more lenient penalties.<sup>19</sup>

The institution agreed to the facts, violations and a majority of the penalties. However, it contested the postseason bans for men's ice hockey, women's basketball and women's swimming. It further contested the equivalency reductions for men's and women's basketball. Because it did not agree to the men's ice hockey postseason ban, the institution has the opportunity to appeal that penalty to the NCAA Division I Infractions Appeals Committee. For the same reason, it also has the opportunity to appeal the postseason bans for women's basketball and women's swimming, and the equivalency

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<sup>19</sup> Specifically, for Level I – standard violations, men's ice hockey scholarships and recruiting visit opportunities would have been impacted significantly under the penalty matrix of the current NCAA Bylaw 19.

reductions for men's and women's basketball, to the NCAA Division II Infractions Appeals Committee.

All of the men's ice hockey penalties prescribed in this case are independent of and supplemental to any action that has been or may be taken by the Committee on Academic Performance through its assessment of postseason ineligibility, historical penalties or other penalties. After considering all information relevant to the case, the panel and committee prescribe the following:

**General Administrative Penalties Imposed on the Institution**

1. Public reprimand and censure.
2. Three years of probation from November 5, 2014, through November 4, 2017. (the institution proposed a two-year term of probation).<sup>20</sup>
3. The institution shall pay a financial penalty of \$30,000 to the NCAA.
4. During the 2014-15 academic year, the institution's men's ice hockey, men's basketball, women's basketball and women's swimming teams shall end their seasons with the playing of their last regularly-scheduled in-season contest and shall not be eligible to participate in any postseason competition, including conference tournaments, NCAA championships, foreign tours or any exceptions to the limitation on the number of contests that are provided in NCAA Bylaw 17.
5. Pursuant to NCAA Bylaw 15.5.7, the institution shall award no more than 17.00 men's ice hockey financial aid equivalencies for the three academic years encompassing the period of probation (2014-15, 2015-16 and 2016-17). However, the institution may credit the reductions of one equivalency self-imposed in both the 2012-13 and 2013-14 academic years to this penalty; therefore, it shall reduce men's ice hockey equivalencies by 1.0 (to no more than 17.00) for the 2014-15 academic year. If all 18 equivalencies have already been committed for 2014-15, this penalty may be delayed until the 2015-16 academic year.
6. The women's skiing program lost one equivalency for the 2012-13 academic year (institution imposed).
7. The institution shall award no more than 9.0 financial aid equivalencies in the sport of women's basketball for the three academic years encompassing the period

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<sup>20</sup> Institutions may propose probationary periods, but the authority to prescribe NCAA probation rests solely with the committee. Periods of probation always commence with the release of the infractions decision.

of probation, 2014-15, 2015-16 and 2016-17. The institution reported that it reduced one equivalency from the maximum allowable for the 2012-13 and 2013-14 academic years. However, the institution had not previously been awarding the maximum allowable number of equivalencies. Therefore, even with the reductions, the number of equivalencies awarded in 2012-13 was only .085 of one equivalency less than the average awarded over the previous four years. Similarly, the number of equivalencies awarded in 2013-14 was only .325 of one equivalency less than the average awarded over those same four years. These reductions were not significant, and the institution may not credit them toward this penalty.

8. The institution shall award no more than 9.0 financial aid equivalencies in the sport of men's basketball for the three academic years encompassing the period of probation, 2014-15, 2015-16 and 2016-17. The institution reported that it reduced one equivalency from the maximum allowable for the 2012-13 and 2013-14 academic years. However, the institution had not been awarding the maximum number of equivalencies, therefore, the number of equivalencies it awarded in 2012-13 and 2013-14 was actually higher than the average number awarded in the previous four years, despite the purported reductions. The institution may not credit the "reductions" of 2012-13 and 2013-14 toward this penalty.
9. The institution shall reduce by one the number of financial aid equivalencies awarded in the sport of women's swimming for the first two academic years encompassing the period of probation (2014-15 and 2015-16). The reduction shall be from the average of the number of equivalencies awarded for the four years 2009-10 through 2012-13, which was 7.57, meaning that the institution shall not award more than 6.57 women's swimming equivalencies for the 2014-15 and 2015-16 academic years. If the institution has already committed more than 6.57 equivalencies for 2014-15, this penalty may be delayed for one year. (the institution imposed a reduction of one equivalency for 2013-14 and proposed that it lose another equivalency in 2014-15).
10. Pursuant to Division I Bylaws 19.9.7-(g) and 31.2.2.3 and Division II Bylaws 19.5.2-(g) and 31.2.2.4, the institution shall vacate all wins from the regular season and conference tournaments for men's ice hockey, men's basketball and women's basketball in which student-athletes participated while ineligible. Further, the institution shall vacate the points scored by women's skiing and women's swimming student-athletes during all regular season and conference competitions in which they competed while ineligible. For all sports, any NCAA Championship competition in which student-athletes competed while ineligible shall also be vacated. Finally, the individual records of the affected men's ice

hockey student-athletes shall also be vacated from all competitions in which they competed while ineligible.

The institution's records regarding men's ice hockey, men's basketball, women's basketball, women's skiing and women's swimming will reflect the vacated results and will be recorded in all publications in which institutional athletes records are recorded, including, but not limited to, institutional media guides, recruiting materials, electronic and digital media plus institutional conferences and NCAA archives. The career records of the head coaches in the involved sports will reflect the vacated contests as well. Any institution employing the head coaches of any of these sports whose records are affected by the vacations shall similarly reflect the vacated wins in his/her 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 100<sup>th</sup>, 200<sup>th</sup> or 500<sup>th</sup> career victories. Any public reference to the vacated contests shall be removed from athletics department stationary, banner displayed in public areas and any other forum in which they may appear.

The sports information director (or other designee as assigned by the director of athletics) must contact the NCAA associate director of media coordination and statistics and appropriate conference officials to identify the specific contests impacted by the penalties. In addition, the institution must provide the NCAA media coordination and statistics staff a written report that confirms the affected contest records and how those records will specifically change. This written report must be delivered to the NCAA media coordination and statistics staff no later than 45 days following the release of this report, with a copy provided to the Office of the Committees on Infractions at that time. The institution must confirm in its first annual compliance report that it has taken all required actions relating to changed records.

### **Other Administrative Penalties and Measures**

12. During this period of probation, the institution 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 the certification of student-athletes' eligibility for admission, financial aid, practice or competition;

- b. Submit a preliminary report to the Office of the Committees on Infractions by January 15, 2015, setting forth a schedule for establishing this compliance and educational program; and
  - c. File with the Office of the Committees on Infractions an annual compliance report indicating the progress made with this program on August 1 during each year of probation. Particular emphasis shall be placed on establishing systems to certify initial, continuing and transfer eligibility. As part of the first annual compliance report, the institution shall include a copy of the report issued by the outside auditor following the April 2012 compliance review and a statement regarding the institution's compliance with any recommendations made by the reviewer. The annual compliance reports must include documentation of the institution's compliance with the penalties adopted and prescribed by the committee and the panel. The committee and the panel will review the report of the outside auditor, the preliminary compliance report and the annual compliance reports to assure that the institution is abiding by all recommendations made by the outside auditor, the self-imposed and prescribed penalties and the institution's own corrective actions.
13. During the period of probation, the institution shall:
- a. Inform prospective student-athletes in men's ice hockey, men's basketball, women's basketball, women's skiing and women's swimming that the institution is on probation for three years and detail the violations committed. If a prospective men's ice hockey 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 men's ice hockey prospective student-athletes sign a National Letter of Intent. For Division II prospective student-athletes, the information must be provided no later than when the NCAA Eligibility Center provides the prospective student-athlete with the institution's academic data (See NCAA Division II Bylaw 13.3.1.2).
  - b. 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 webpage. The institution's statement must: (i) clearly describe the infractions; (ii) include the length of the probationary period associated with the major infractions case; and (iii) give members of the general public a clear indication of what happened in the major infractions

case to allow the public (particularly prospective student-athletes and their families) to make informed, knowledgeable decisions. A statement that refers only to the probationary period with nothing more is not sufficient.

14. At the conclusion of the probationary period, the institution's president shall provide a letter to the committee and panel affirming that the institution's current athletics policies and practices conform to all requirements of NCAA regulations.
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The panel and committee advise the institution that it should take every precaution to ensure that the terms of the penalties are observed. The NCAA Division II Committee will monitor the penalties during their effective periods. Any action by the institution contrary to the terms of any of the penalties or any additional violations shall be considered grounds for extending the institution's probationary period or imposing more severe sanctions or may result in additional allegations and findings of violations.

#### NCAA DIVISION I COMMITTEE ON INFRACTIONS PANEL

Melissa Conboy  
Thomas Hill  
Roscoe Howard  
Joel Maturi  
Greg Sankey (Chief Hearing Officer)

#### NCAA DIVISION II COMMITTEE ON INFRACTIONS

Jean Paul Bradshaw (Acting Chair)  
Bridget E. Lyons  
Carey J. Snyder  
Harry O. Stinson III  
Jane Teixeira

**APPENDIX ONE**  
**CORRECTIVE ACTIONS AS IDENTIFIED IN THE JANUARY 30, 2014, AMENDED**  
**SUMMARY DISPOSITION REPORT**

1. **Per 2011 self-report:** The Registrar's Office has designated the assistant director of admissions, to certify the eligibility of all incoming transfer student-athletes and its two graduation coordinators to conduct all future continuing eligibility certifications for student-athletes. These certifications will be done in writing and maintained for review.

All of the certification officers will report to the assistant registrar who in turn reports to the registrar. The registrar reports to the vice chancellor for students. As a result, certification of student-athletes will be conducted entirely outside the athletics department.

**Current:** The curriculum & graduation services manager, and a graduation coordinator, have been designated to certify the continuing eligibility of student-athletes. They report to the registrar. After the certifications are completed, the assistant athletic director for compliance, and the athletics academic advisor, review the certification to ensure the eligibility of student-athletes. This process provides checks and balances to the process. The assistant registrar: military and transfer services, certifies the eligibility of incoming transfer student-athletes. A transfer certification form is submitted to the assistant registrar prior to the start of the first full-time semester at the institution by the incoming transfer student-athlete. She completes the form and forwards it to the curriculum & graduation services manager, the graduation coordinator, the assistant athletic director for compliance and the athletics academic advisor. The form contains details explaining if the student-athlete eligible or not. This information is then forwarded to that coaching staff by the assistant athletic director for compliance.

The graduation services manager will be sent to regional rules seminar on an annual basis. Other members will be sent to regional rules seminar based on need and available funding.

2. **Per 2011 self-report:** A staff member in the Academic Advising Center, has been designated to work with all student-athletes. Her advising duties relating to other students will be reduced to allow her to dedicate the time necessary to provide student-athletes with advice regarding course registrations and degree requirements while also putting the student-athlete in a position to satisfy applicable progress-toward-degree requirements if they complete their courses successfully. Additionally, her employment contract has been extended from nine months each year to a full 12 months each year. She received certification as an athletic advisor from the N4A (National Association of Academic Advisors for Athletics) in June 2011. She then attended the N4A Conference in June 2011 so that she could earn continuing education credits.

During the upcoming year, she will also complete an eight-week online course sponsored by the National Academic Advising Association (NACADA) and entitled NCAA Academic Success and the Student-Athlete. In order to stay current regarding NCAA progress-toward-degree requirements, she will attend a NCAA Regional Rules seminar every year and will also attend the N4A conference biannually.

Moreover, a second staff member in the Academic Advising Center has been designated as a secondary athletic advisor to serve as back-up for the first staff member. The designee, will complete the N4A certification and the eight-week online NCAA Academic Success and the Student-Athlete course. The newly-designated athletic advisors report to the director of the academic advising center who in turn reports to the vice provost. The vice provost reports to the provost. As a result, advising of student-athletes is conducted entirely outside the Department of Athletics.

**Current:** As of the fall 2012 semester, an individual was hired as the athletics academic advisor. She advises all student-athletes through their career at the university. She is located within the institution's regular practice facility to increase the availability for student-athletes. She is on a 12-month contract. She will attend the NCAA's Regional Rules Seminar on a bi-annual basis, the N4A National Conference on an annual basis, and the N4A Regional Conference on an annual basis. She is in the process of completing the N4A New Practitioner training through the Professional Development Institute of N4A.

Beginning in the spring 2013 semester, an individual was given the role as the secondary athletics academic advisor for the department. He will attend the NCAA's Regional Rules Seminar, the N4A National Conference, and the N4A regional Conference on a bi-annual basis.

**Academic Hold:** Student athletes have an additional hold on their account, which can only be removed by the academic advisor or compliance officer. This hold requires them to meet with our certified athletic academic advisor who assures the credits the student-athletes intend on registering for count as progress-toward-degree credits. Once the credits are found to have met the student's progress-toward-degree requirements for the semester, a contract is created which is signed by the athletic advisor and the student-athlete, spelling out which classes count as progress toward degree and which don't. The athletic academic advisor then lifts the hold on the student-athlete's account so they can register for classes together in her office. When registration is complete, the hold is immediately reinstated on the student-athlete's record, so they are unable to make changes after leaving her office. The athletic academic advisor must approve all changes to a student-athlete's registration, whether they are adding or dropping classes.

3. **Per 2011 self-report:** The academic officials involved in the eligibility certification process (the certifying officials in the registrar's office and the primary athletic advisor)

will receive intensive training regarding applicable NCAA rules. Further, the university commits to provide the resources necessary for those academic officials to receive the continuing education necessary to stay current on NCAA legislation and best practices and techniques.

**Current:** The athletics academic advisor and the assistant athletics director for compliance lead progress-toward-degree certification training sessions, which are held monthly with the eligibility certification team members. The institution commits the necessary resources for the eligibility certification team members to receive continuing education on NCAA legislation and best practices and techniques, including attendance at Regional Rules Seminars and N4A conferences, provided in sections 1 and 2.

4. **Per 2011 self-report:** Now that members of the registrar's office and Academic Advising Center have been assigned responsibilities regarding student-athlete eligibility, the designees from each office will work with the associate athletic director for compliance and the faculty athletic representative to finalize an Eligibility Certification Policy for the chancellor to sign. A draft policy already exists; it just needs to be reviewed and revised if necessary, finalized, and signed. **Policy was signed March 19, 2012.**
5. **Per 2011 self-report:** Effective June 22, 2011, the athletic director reports directly to the chancellor. Previously, the athletic director reported to the vice chancellor for advancement who in turn reported directly to the chancellor. This change in reporting structure affords the athletic director an opportunity to attend Chancellor's Cabinet meetings and address athletics issues there when appropriate without having to go through an intermediary.
6. **Pre-major process, effective spring 2013 semester:** Prior to a student-athlete being added to the roster or receive an offer of athletic aid, the compliance officer will contact the registrar office to receive confirmation on the degree-seeking status of that student-athlete. The compliance officer will then notify the coaching staff of the student-athlete's status. Prior to a student-athlete beginning classes as a full-time student at the institution, the coaching staff, compliance, and the athletic academic advisor are aware of student-athlete's status. The coaching staff will understand the student-athlete can't compete for that semester. The athletic academic advisor will advise the student-athlete to enroll in courses that will allow him or her to become a degree-seeking student after the semester. The compliance officer will monitor the academic progress of the student-athlete to confirm he or she has become a degree-seeking student, as well as making sure the student-athlete does not compete.
7. **Transfer Certification Process, effective fall 2012 semester:** When a coach is interested in offering a roster spot to a transfer student-athlete, they are encouraged to submit a transfer prospect information form. This form asks for information about the

student-athlete and requires an academic transcript from each institution the student-athlete has attended. The form and transcript are then forwarded to transfer services for review. Transfer services will provide the current amount of transferrable credits, the corresponding grade point average, and if necessary, the amount of transferrable math and English credits. Once the form is complete by transfer services, it is loaded into the program and forwarded to compliance. Compliance makes a copy for its records and forwards a copy with to the coaching staff.

8. An exhibit contains pdf's of an excel spreadsheet which we use as a tracking tool to monitor the credits attempted, credits earned, progress-toward-degree credits earned, semester grade-point average, and cumulative grade point average for each student-athlete. Along with these numbers are eligibility categories such as meeting the requirement of six progress-toward degree credits a semester, if a 2.0 was earned for the semester, if a 2.0 is earned as the cumulative, and if the student-athlete is eligible upon completion of the semester. Having this spreadsheet provides compliance and the athletic academic advisor with a file that contains data from each of the certifications documents that are used. More details about each category are maintained in the eligibility documents we keep for each student-athlete. A copy of each team's spreadsheet is forwarded to the coaching staff, with a narrative if any student-athlete is ineligible. A follow-up phone call or face-to-face meeting is formed in order to make sure the coach understands why the student-athlete is ineligible and what the student-athlete can do to become eligible in the future.
9. Documents included in an exhibit are tools that are used to determine the student-athletes eligibility throughout the semester.

When a student-athlete registers for a course, a "Course Review with a Certified Athletic Advisor" is complete by both the advisor and the student-athlete. At this time, the student-athlete understands how each course they are enrolled in will count toward their progress-toward-degree requirements. If any course does not count as progress-toward-degree credits, the athletic advisor will specifically note it on the document. If a student-athlete makes a change to their schedule prior to the semester, the advisor will make note of it on a new course review document, and have the student-athlete sign again.

At any time throughout a semester, if a student-athlete wishes to add or drop a course, they must complete the "Student-Athlete Course Change Request Form". This form is used to inform student-athletes of the impact on their eligibility when dropping a course. The advisor will explain any details related to the change of their schedule and the potential impact it has. If the student-athlete knows they will become ineligible at the end of the semester as a result of their decision, the coach will be notified (only occurs in progress-toward-degree situations). When a student-athlete is coming to the final semester of eligibility with a requirement of less than 12 hours to graduate, the student-athlete will complete the "Final Semester of Academic Program". Completing this form

makes sure that athletic advisor, the compliance officer, the student-athlete, and the head coach understand why the student-athlete is enrolled below 12 credits for the semester.

Upon completion of the fall and spring semesters, a "Progress-Toward-Degree Eligibility Certification" form is completed by the eligibility certification team. The certification process was stated above in corrective action 1. This document is signed by both the graduation services manager and the compliance officer. An eligibility certification document will be completed for each student-athlete that enrolls in a summer course.

For any incoming two-year transfer, a "Division II Transfer Documentation" form is completed by transfer services. The transfer certification process is explained above corrective action 7.

## **APPENDIX TWO**

### **Bylaw Citations**

#### **Division I 2007-08 Manual**

**14.01.1 Institutional Responsibility.** An institution shall not permit a student-athlete to represent it in intercollegiate athletics competition unless the student-athlete meets all applicable eligibility requirements, and the institution has certified the student-athlete's eligibility.

**14.4.3.1.5 Designation of Degree Program.** A student-athlete shall designate a program of studies leading toward a specific baccalaureate degree at the certifying institution by the beginning of the third year of enrollment (fifth semester or seventh quarter) and thereafter shall make progress toward that specific degree. This provision shall be applicable to the eligibility not only of a continuing student, but also of a transfer student from a four-year or two-year collegiate institution who is entering his or her third year of collegiate enrollment, even if the student has not yet completed an academic year in residence or used a season of eligibility in a sport at the certifying institution. Designation of a specific baccalaureate degree program may be accomplished by:

- (a) Formal enrollment by the student-athlete in a specific baccalaureate degree program; and
- (b) Approval by an appropriate academic official (who must not be an academic adviser/counselor employed by the athletics department) of the program leading to the specific baccalaureate degree that the student-athlete is pursuing.

**14.10.1 Institutional Responsibility for Eligibility Certification.** The president or chancellor is responsible for approving the procedures for certifying the eligibility of an institution's student-athletes under NCAA legislation. The president or chancellor may designate an individual on the institution's staff to administer proper certification of eligibility. Certification of eligibility must occur prior to allowing a student-athlete to represent the institution in intercollegiate competition (see Bylaw 14.01.1). (*Revised: 3/8/06*)

#### **Division I 2008-09 Manual**

**14.01.1 Institutional Responsibility.** An institution shall not permit a student-athlete to represent it in intercollegiate athletics competition unless the student-athlete meets all applicable eligibility requirements, and the institution has certified the student-athlete's eligibility. A violation of this bylaw in which the institution fails to certify the student-athlete's eligibility prior to allowing him or her to represent the institution in intercollegiate competition shall be considered an institutional violation per Constitution 2.8.1; however, such a violation shall not affect the student-athlete's eligibility, provided all the necessary information to certify the student-athlete's eligibility was available to the institution and the student-athlete otherwise would have been eligible for competition. (*Revised: 1/14/08*)

**14.1.7.1 Admission.** A student-athlete shall not represent an institution in intercollegiate athletics competition unless the student has been admitted as a regularly enrolled, degree-seeking student in accordance with the regular, published entrance requirements of that institution.

**14.4.3.1.6 Designation of Degree Program.** A student-athlete shall designate a program of studies leading toward a specific baccalaureate degree at the certifying institution prior to participating in competition that occurs during or immediately before the third year of enrollment (fifth semester or seventh quarter) and thereafter shall make progress toward that specific degree. This provision shall be applicable to the eligibility not only of a continuing student, but also of a transfer student from a four-year or two-year collegiate institution who is entering his or her third year of collegiate enrollment, even if the student has not yet completed an academic year in residence or used a season of eligibility in a sport at the certifying institution. Designation of a specific baccalaureate degree program may be accomplished by:  
(Revised 2/27/08)

- (a) Formal enrollment by the student-athlete in a specific baccalaureate degree program; or
- (b) Approval by an appropriate academic official (who must not be an academic advisor/counselor employed by the athletics department) of the program leading to the specific baccalaureate degree that the student-athlete is pursuing.

**14.10.1 Institutional Responsibility for Eligibility Certification.** The president or chancellor is responsible for approving the procedures for certifying the eligibility of an institution's student-athletes under NCAA legislation. The president or chancellor may designate an individual on the institution's staff to administer proper certification of eligibility. Certification of eligibility must occur prior to allowing a student-athlete to represent the institution in intercollegiate competition (see Bylaw 14.01.1). A violation of this bylaw in which the institution fails to certify a student-athlete's eligibility prior to allowing him or her to represent the institution in intercollegiate competition shall be considered an institutional violation per Constitution 2.8.1; however, such a violation shall not affect the student-athlete's eligibility, provided all the necessary information to certify the student-athlete's eligibility was available to the institution and the student-athlete otherwise would have been eligible for competition.  
(Revised: 3/8/06, 1/14/08)

**16.8.1.2 Competition While Representing Institution.** An institution may provide actual and necessary travel expenses (e.g., transportation, lodging and meals) to a student-athlete for participation in athletics competition, provided the student-athlete is representing the institution (competes in the uniform of the institution) and is eligible for intercollegiate competition. Violations of this bylaw shall be considered an institutional violation per Constitution 2.8.1; however, they shall not affect the student-athlete's eligibility. Such competition includes:  
(Revised: 1/10/92, 10/28/97, 11/1/01)

- (a) Regularly scheduled intercollegiate athletics events;
- (b) NCAA championship events and NGB championship events in an emerging sport; (Revised: 1/14/97)

- (c) A licensed postseason football game (see Bylaws 18.7 and 30.9 for conditions required for licensing); *(Revised: 2/1/05)*
- (d) Nonintercollegiate open, amateur competition; *(Adopted: 1/10/92)*
- (e) Other institutional competition permissible under NCAA legislation, including postseason events; and
- (f) Fundraising activities that an institution counts against its maximum contest limitations per Bylaw 17. *(Adopted: 4/2/03 effective 8/1/03)*

### **Division I 2009-10 Manual**

**14.01.1 Institutional Responsibility.** An institution shall not permit a student-athlete to represent it in intercollegiate athletics competition unless the student-athlete meets all applicable eligibility requirements, and the institution has certified the student-athlete's eligibility. A violation of this bylaw in which the institution fails to certify the student-athlete's eligibility prior to allowing him or her to represent the institution in intercollegiate competition shall be considered an institutional violation per Constitution 2.8.1; however, such a violation shall not affect the student-athlete's eligibility, provided all the necessary information to certify the student-athlete's eligibility was available to the institution and the student-athlete otherwise would have been eligible for competition. *(Revised: 1/14/08)*

**14.1.7.1 Admission.** A student-athlete shall not represent an institution in intercollegiate athletics competition unless the student has been admitted as a regularly enrolled, degree-seeking student in accordance with the regular, published entrance requirements of that institution.

**14.4.3.2 Fulfillment of Percentage of Degree Requirements.** A student-athlete who is entering his or her third year of collegiate enrollment shall have completed successfully at least 40 percent of the course requirements in the student's specific degree program. A student-athlete who is entering his or her fourth year of collegiate enrollment shall have completed successfully at least 60 percent of the course requirements in the student's specific degree program. A student-athlete who is entering his or her fifth year of collegiate enrollment shall have completed successfully at least 80 percent of the course requirements in the student's specific degree program. The course requirements must be in the student's specific degree program (as opposed to the student's major). *(Adopted: 1/10/92 effective 8/1/92, Revised: 1/9/96, 10/31/02 effective 8/1/03, for those student-athletes first entering a collegiate institution full time on or after 8/1/03)*

**14.10.1 Institutional Responsibility for Eligibility Certification.** The president or chancellor is responsible for approving the procedures for certifying the eligibility of an institution's student-athletes under NCAA legislation. The president or chancellor may designate an individual on the institution's staff to administer proper certification of eligibility. Certification of eligibility must occur prior to allowing a student-athlete to represent the institution in intercollegiate competition (see Bylaw 14.01.1). A violation of this bylaw in which the institution fails to certify a student-athlete's eligibility prior to allowing him or her to represent

the institution in intercollegiate competition shall be considered an institutional violation per Constitution 2.8.1; however, such a violation shall not affect the student-athlete's eligibility, provided all the necessary information to certify the student-athlete's eligibility was available to the institution and the student-athlete otherwise would have been eligible for competition. *(Revised: 3/8/06, 1/14/08)*

**16.8.1.2 Competition While Representing Institution.** An institution may provide actual and necessary travel expenses (e.g., transportation, lodging and meals) to a student-athlete for participation in athletics competition, provided the student-athlete is representing the institution (competes in the uniform of the institution) and is eligible for intercollegiate competition. Violations of this bylaw shall be considered an institutional violation per Constitution 2.8.1; however, they shall not affect the student-athlete's eligibility. Such competition includes: *(Revised: 1/10/92, 10/28/97, 11/1/01)*

- (a) Regularly scheduled intercollegiate athletics events;
- (b) NCAA championship events and NGB championship events in an emerging sport; *(Revised: 1/14/97)*
- (c) A licensed postseason football game (see Bylaws 18.7 and 30.9 for conditions required for licensing); *(Revised: 2/1/05)*
- (d) Non-intercollegiate open, amateur competition; *(Adopted: 1/10/92)*
- (e) Other institutional competition permissible under NCAA legislation, including postseason events; and
- (f) Fundraising activities that an institution counts against its maximum contest limitations per Bylaw 17. *(Adopted: 4/2/03 effective 8/1/03)*

## **Division I 2010-11 Manual**

**14.01.1 Institutional Responsibility.** An institution shall not permit a student-athlete to represent it in intercollegiate athletics competition unless the student-athlete meets all applicable eligibility requirements, and the institution has certified the student-athlete's eligibility. A violation of this bylaw in which the institution fails to certify the student-athlete's eligibility prior to allowing him or her to represent the institution in intercollegiate competition shall be considered an institutional violation per Constitution 2.8.1; however, such a violation shall not affect the student-athlete's eligibility, provided all the necessary information to certify the student-athlete's eligibility was available to the institution and the student-athlete otherwise would have been eligible for competition. *(Revised: 1/14/08)*

**14.1.7.1 Admission.** A student-athlete shall not represent an institution in intercollegiate athletics competition unless the student has been admitted as a regularly enrolled, degree-seeking student in accordance with the regular, published entrance requirements of that institution.

**14.4.3.1.1 Regular Academic Year.** For purposes of Bylaw 14.4.3.1, the regular academic year shall be defined as the time beginning with the opening of the institution's fall term and

concluding with the institution's spring commencement exercises. (*Adopted: 4/2/03 effective 8/1/03, Revised: 6/1/06*)

**14.4.3.1.7 Hours Earned or Accepted for Degree Credit.** The provision that the calculation of credit hours under the progress-toward-degree regulation shall be based on hours earned or accepted for degree credit at the certifying institution in a student-athlete's specific baccalaureate degree program (see Bylaw 14.4.3.1) shall be met as follows:

- (a) During the first two years of enrollment, a student-athlete may use credits acceptable toward any of the institution's degree programs; (*Revised: 1/9/06 effective 8/1/06*)
- (b) By the beginning of the third year of enrollment (fifth semester or seventh quarter), a student-athlete shall be required to have designated a program of studies leading toward a specific baccalaureate degree. From that point, the credits used to meet the progress-toward-degree requirements must be degree credit toward the student's designated degree program;
- (c) A student-athlete who changes his or her designated degree program may comply with the progress-toward-degree requirements if:
  - (1) The change in programs is documented appropriately by the institution's academic authorities;
  - (2) The credits earned prior to the change are acceptable toward degree previously sought; and
  - (3) The credits earned from the time of the change are acceptable toward the new desired degree.
- (d) A student-athlete who has designated a specific degree program with an identified major may not use a course to fulfill the credit-hour requirement for meeting progress toward degree even if the course fulfills an elective component of the student-athlete's degree program, if the student ultimately must repeat the course to fulfill the requirements of the student's major. (*Adopted: 1/14/97*)

**14.4.3.2 Fulfillment of Percentage of Degree Requirements.** A student-athlete who is entering his or her third year of collegiate enrollment shall have completed successfully at least 40 percent of the course requirements in the student's specific degree program. A student-athlete who is entering his or her fourth year of collegiate enrollment shall have completed successfully at least 60 percent of the course requirements in the student's specific degree program. A student-athlete who is entering his or her fifth year of collegiate enrollment shall have completed successfully at least 80 percent of the course requirements in the student's specific degree program. The course requirements must be in the student's specific degree program (as opposed to the student's major). (*Adopted: 1/10/92 effective 8/1/92, Revised: 1/9/96, 10/31/02 effective 8/1/03 for those student-athletes first entering a collegiate institution full time on or after 8/1/03*)

**14.4.3.2.2 Application of Rule to Transfer Student.** The provisions of Bylaw 14.4.3.2 shall be applicable to the eligibility of a transfer student from a two-year or four-year collegiate institution, even if the student has not yet completed an academic year in residence or used a

season of eligibility in a sport at the certifying institution. (*Adopted: 1/10/92 effective 8/1/92 for student-athletes first entering a collegiate institution on or after 8/1/92*)

**14.10.1 Institutional Responsibility for Eligibility Certification.** The president or chancellor is responsible for approving the procedures for certifying the eligibility of an institution's student-athletes under NCAA legislation. The president or chancellor may designate an individual on the institution's staff to administer proper certification of eligibility. Certification of eligibility must occur prior to allowing a student-athlete to represent the institution in intercollegiate competition (see Bylaw 14.01.1). A violation of this bylaw in which the institution fails to certify a student-athlete's eligibility prior to allowing him or her to represent the institution in intercollegiate competition shall be considered an institutional violation per Constitution 2.8.1; however, such a violation shall not affect the student-athlete's eligibility, provided all the necessary information to certify the student-athlete's eligibility was available to the institution and the student-athlete otherwise would have been eligible for competition. (*Revised: 3/8/06, 1/14/08*)

**16.8.1.2 Competition While Representing Institution.** An institution may provide actual and necessary travel expenses (e.g., transportation, lodging and meals) to a student-athlete for participation in athletics competition, provided the student-athlete is representing the institution (competes in the uniform of the institution) and is eligible for intercollegiate competition. Violations of this bylaw shall be considered an institutional violation per Constitution 2.8.1; however, they shall not affect the student-athlete's eligibility. Such competition includes: (*Revised: 1/10/92, 10/28/97, 11/1/01*)

- (a) Regularly scheduled intercollegiate athletics events;
- (b) NCAA championship events and NGB championship events in an emerging sport; (*Revised: 1/14/97*)
- (c) A licensed postseason football game (see Bylaw 18.7 for conditions required for licensing); (*Revised: 2/1/05*)
- (d) Nonintercollegiate open, amateur competition; (*Adopted: 1/10/92*)
- (e) Other institutional competition permissible under NCAA legislation, including postseason events; and
- (f) Fundraising activities that an institution counts against its maximum contest limitations per Bylaw 17. (*Adopted: 4/2/03 effective 8/1/03*)

## **Division I Manual 2011-12**

**14.01.1 Institutional Responsibility.** An institution shall not permit a student-athlete to represent it in intercollegiate athletics competition unless the student-athlete meets all applicable eligibility requirements, and the institution has certified the student-athlete's eligibility. A violation of this bylaw in which the institution fails to certify the student-athlete's eligibility prior to allowing him or her to represent the institution in intercollegiate competition shall be considered an institutional violation per Constitution 2.8.1; however, such a violation shall not affect the student-athlete's eligibility, provided all the necessary information to certify the

student-athlete's eligibility was available to the institution and the student-athlete otherwise would have been eligible for competition. (*Revised: 1/14/08*)

**14.1.7.1 Admission.** A student-athlete shall not represent an institution in intercollegiate athletics competition unless the student has been admitted as a regularly enrolled, degree-seeking student in accordance with the regular, published entrance requirements of that institution.

**16.8.1.2 Competition While Representing Institution.** An institution may provide actual and necessary travel expenses (e.g., transportation, lodging and meals) to a student-athlete for participation in athletics competition, provided the student-athlete is representing the institution (competes in the uniform of the institution) and is eligible for intercollegiate competition. Such competition includes: **[D]** (*Revised: 1/10/92, 10/28/97, 11/1/01*)

- (a) Regularly scheduled intercollegiate athletics events;
- (b) NCAA championship events and national governing body championship events in an emerging sport; (*Revised: 1/14/97*)
- (c) A licensed postseason football game (see Bylaw 18.7 for conditions required for licensing); (*Revised: 2/1/05*)
- (d) Nonintercollegiate open, amateur competition; (*Adopted: 1/10/92*)
- (e) Other institutional competition permissible under NCAA legislation, including postseason events; and
- (f) Fundraising activities that an institution counts against its maximum contest limitations per Bylaw 17. (*Adopted: 4/2/03 effective 8/1/03*)

## **Division II 2007-08 Manual**

**14.01.1 Institutional Responsibility.** An institution shall not permit a student-athlete to represent it in intercollegiate athletics competition, unless the student-athlete meets all applicable eligibility requirements and the institution has certified the student-athlete's eligibility. (*Revised: 1/14/02*)

**14.01.2 Academic Status.** To be eligible to represent an institution in intercollegiate athletics competition, a student-athlete shall be enrolled in at least a minimum full-time program of studies, be in good academic standing and maintain progress toward a baccalaureate or equivalent degree. A waiver of the minimum full-time enrollment requirement may be granted for a student enrolled in the final term of the baccalaureate program (see Bylaw 14.1.8.1.8.3). Also, a student may represent the institution while enrolled as a graduate or professional student or while enrolled and seeking a second baccalaureate degree at the same institution (see Bylaw 14.1.9).

**14.1.8.1 Requirement for Practice or Competition.** To be eligible for practice or competition, a student-athlete shall be enrolled in at least a minimum full-time program of studies leading to a baccalaureate or equivalent degree as defined by the institution, which for purposes of this bylaw and its subsections shall not be less than 12-semester or -quarter hours, regardless of the

institution's definition of a minimum full-time program of studies. For practice only, a violation of this bylaw shall be considered an institutional violation per Constitution 2.8.1; however, it shall not affect the student-athlete's eligibility. (*Adopted: 1/13/03 effective 8/1/03*)

**14.4.3.1 Fulfillment of Credit-Hour Requirements.** Eligibility for competition shall be based on the following requirements: (*Revised: 1/10/92*)

- (a) Satisfactory completion of six-semester or six-quarter hours of academic credit the preceding regular academic term in which the student-athlete has been enrolled full time at any collegiate institution; and (*Adopted: 1/12/04 effective immediately following the institution's 2005 fall term; thus, applicable to hours earned during the 2005 fall term*)
- (b) For a midyear transfer student-athlete, for a student-athlete following the student-athlete's first academic year in residence or after the student-athlete has used one season of eligibility in any sport at the certifying institution, the certification shall be determined by the student-athlete's academic record in existence at the beginning of the fall term or at the beginning of any other regular term of that academic year, based on:
  - (1) Satisfactory completion before each fall term of a cumulative total of academic semester or quarter hours equivalent to an average of at least 12 semester or quarter hours during each of the previous academic terms in academic years in which the student-athlete has been enrolled in a term or terms; or
  - (2) Satisfactory completion of 24 semester or 36 quarter hours of academic credit since the beginning of the previous fall term or since the beginning of the certifying institution's preceding regular two semesters or three quarters.

**14.4.3.1.5-(b) Hours Earned or Accepted for Degree Credit.** The provision that the calculation of credit hours under the progress-toward-degree regulation shall be based on hours earned or accepted for degree credit at the certifying institution in a student-athlete's specific baccalaureate degree program (see Bylaw 14.4.3.1.4) shall be met as follows:

- (b) By the beginning of the third year of enrollment (fifth semester or seventh quarter), a student-athlete shall be required to have designated a program of studies leading toward a specific baccalaureate degree. From that point, the credits used to meet progress-toward-degree requirements must be degree credit toward the student's designated degree program.

**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.

**16.8.1.2 Competition While Representing Institution.** An institution may provide actual and necessary travel expenses (e.g., transportation, lodging and meals) to a student-athlete for participation in athletics competition, provided the student-athlete is representing the institution (competes in the uniform of the institution) and is eligible for intercollegiate competition. Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, they shall not affect the student-athlete's eligibility. Such competition includes:

*(Revised: 1/10/92, 1/13/98)*

- (a) Regularly scheduled intercollegiate athletics events;
- (b) NCAA championship events and NGB championship events in an emerging sport; *(Revised: 1/14/97)*
- (c) A certified postseason football game (see Bylaw 18.7 for conditions required for certification);
- (d) Non-intercollegiate open, amateur competition; and *(Adopted: 1/10/92)*
- (e) Other institutional competition permissible under NCAA legislation, including postseason events.

## **Division II 2008-09 Manual**

**14.01.1 Institutional Responsibility.** An institution shall not permit a student-athlete to represent it in intercollegiate athletics competition, unless the student-athlete meets all applicable eligibility requirements and the institution has certified the student-athlete's eligibility. A violation of this bylaw in which the institution fails to certify the student-athlete's eligibility prior to allowing him or her to represent the institution in intercollegiate competition shall be considered an institutional violation per Constitution 2.8.1; however, such a violation shall not affect the student-athlete's eligibility, provided all necessary information to certify the student-athlete's eligibility was available to the institution and the student-athlete otherwise would have been eligible for competition. *(Revised: 1/14/02, 10/23/07)*

**14.1.7.1 Admission.** A student-athlete shall not represent an institution in intercollegiate athletics competition, unless the student-athlete has been admitted as a regularly enrolled, degree-seeking student in accordance with the regular, published entrance requirements of that institution.

**14.4.3.1 Fulfillment of Credit-Hour Requirements.** Eligibility for competition shall be based on the following requirements: *(Revised: 1/10/92)*

- (a) Satisfactory completion of six-semester or six-quarter hours of academic credit the preceding regular academic term in which the student-athlete has been enrolled full time at any collegiate institution; and *(Adopted: 1/12/04 effective immediately following the institution's 2005 fall term; thus, applicable to hours earned during the 2005 fall term)*

- (b) For a midyear transfer student-athlete, for a student-athlete following the student-athlete's first academic year in residence or after the student-athlete has used one season of eligibility in any sport at the certifying institution, the certification shall be determined by the student-athlete's academic record in existence at the beginning of the fall term or at the beginning of any other regular term of that academic year, based on:
  - (1) Satisfactory completion before each fall term of a cumulative total of academic semester or quarter hours equivalent to an average of at least 12 semester or quarter hours during each of the previous academic terms in academic years in which the student-athlete has been enrolled in a term or terms; or
  - (2) Satisfactory completion of 24 semester or 36 quarter hours of academic credit since the beginning of the previous fall term or since the beginning of the certifying institution's preceding regular two semesters or three quarters.

**14.4.3.1.6-(b) Hours Earned or Accepted for Degree Credit.** The provision that the calculation of credit hours under the progress-toward-degree regulation shall be based on hours earned or accepted for degree credit at the certifying institution in a student-athlete's specific baccalaureate degree program (see Bylaw 14.4.3.1.4) shall be met as follows:

- (b) By the beginning of the third year of enrollment (fifth semester or seventh quarter), a student-athlete shall be required to have designated a program of studies leading toward a specific baccalaureate degree. From that point, the credits used to meet progress-toward-degree requirements must be degree credit toward the student's designated degree program.

**14.5.4.2 Eligibility for Competition, Practice and Athletics Aid—All Other Qualifiers, Partial Qualifiers and Nonqualifiers.** A transfer student from a two-year college is eligible for competition, practice and athletics aid during the first academic year in residence at the certifying institution, provided: (*Adopted: 1/13/03 effective 8/1/03, Revised: 1/12/04 effective 8/1/04, 1/10/05, 1/8/07 effective 8/1/07*)

- (a) The student-athlete has attended the two-year college as a full-time student for at least two semesters or three quarters (excluding summer sessions); and (*Revised: 1/12/04 effective 8/1/04, 1/10/05*)
- (b) The student-athlete has satisfied one of the following provisions: (*Revised: 1/12/04 effective 8/1/04, 1/10/05*)
  - (1) Graduated from the two-year college. At least 25 percent of the credit hours used to fulfill the student's academic degree requirements must be earned at the two-year college that awards the degree per Bylaw 14.5.4.4.4; or (*Revised: 1/12/04 effective 8/1/04, 1/10/05*)
  - (2) Satisfactorily completed an average of at least 12-semester or 12-quarter hours of transferable-degree credit acceptable toward any baccalaureate degree program at the certifying institution for each academic term of full-

time attendance with a cumulative minimum grade-point average of 2.000 (see Bylaw 14.5.4.4.3.2). (*Revised: 1/12/04 effective 8/1/04, 1/10/05*)

**14.5.4.2.3 Nonqualifiers.** Nonqualifiers who do not meet the requirements set forth in Bylaw 14.5.4.2, may receive nonathletics aid (but may not compete, practice or receive any athletics aid) at the certifying institution during their first academic year in residence. (*Adopted: 1/13/03 effective 8/1/03*)

**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.

**16.8.1.2 Competition While Representing Institution.** An institution may provide actual and necessary travel expenses (e.g., transportation, lodging and meals) to a student-athlete for participation in athletics competition, provided the student-athlete is representing the institution (competes in the uniform of the institution) and is eligible for intercollegiate competition. Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, they shall not affect the student-athlete's eligibility. Such competition includes: (*Revised: 1/10/92, 1/13/98*)

- (a) Regularly scheduled intercollegiate athletics events;
- (b) NCAA championship events and NGB championship events in an emerging sport; (*Revised: 1/14/97*)
- (c) A certified postseason football game (see Bylaw 18.7 for conditions required for certification);
- (d) Nonintercollegiate open, amateur competition; and (*Adopted: 1/10/92*)
- (e) Other institutional competition permissible under NCAA legislation, including postseason events.

## **Division II 2009-10 Manual**

**14.01.1 Institutional Responsibility.** An institution shall not permit a student-athlete to represent it in intercollegiate athletics competition, unless the student-athlete meets all applicable eligibility requirements and the institution has certified the student-athlete's eligibility. A violation of this bylaw in which the institution fails to certify the student-athlete's eligibility prior to allowing him or her to represent the institution in intercollegiate competition shall be considered an institutional violation per Constitution 2.8.1; however, such a violation shall not affect the student-athlete's eligibility, provided all necessary information to certify the student-athlete's eligibility was available to the institution and the student-athlete otherwise would have been eligible for competition. (*Revised: 1/14/02, 10/23/07*)

**14.1.8.1 Requirement for Practice or Competition.** To be eligible for practice or competition, a student-athlete shall be enrolled in at least a minimum full-time program of studies leading to a baccalaureate or equivalent degree as defined by the institution, which for purposes of this bylaw and its subsections shall not be less than 12-semester or -quarter hours, regardless of the institution's definition of a minimum full-time program of studies. For practice only, a violation of this bylaw shall be considered an institutional violation per Constitution 2.8.1; however, it shall not affect the student-athlete's eligibility. (*Adopted: 1/13/03 effective 8/1/03*)

**14.4.3.1 Fulfillment of Credit-Hour Requirements.** Eligibility for competition shall be based on the following requirements: (*Revised: 1/10/92*)

- (a) Satisfactory completion of six-semester or six-quarter hours of academic credit the preceding regular academic term in which the student-athlete has been enrolled full time at any collegiate institution; and (*Adopted: 1/12/04 effective immediately following the institution's 2005 fall term; thus, applicable to hours earned during the 2005 fall term*)
- (b) For a midyear transfer student-athlete, for a student-athlete following the student-athlete's first academic year in residence or after the student-athlete has used one season of eligibility in any sport at the certifying institution, the certification shall be determined by the student-athlete's academic record in existence at the beginning of the fall term or at the beginning of any other regular term of that academic year, based on:
  - (1) Satisfactory completion before each fall term of a cumulative total of academic semester or quarter hours equivalent to an average of at least 12 semester or quarter hours during each of the previous academic terms in academic years in which the student-athlete has been enrolled in a term or terms; or
  - (2) Satisfactory completion of 24 semester or 36 quarter hours of academic credit since the beginning of the previous fall term or since the beginning of the certifying institution's preceding regular two semesters or three quarters.

**14.4.3.1.5 Designation of Degree Program.** A student-athlete shall designate a program of studies leading toward a specific baccalaureate degree at the certifying institution by the beginning of the third year of enrollment (fifth semester or seventh quarter) and thereafter shall make progress toward that specific degree. This provision shall be applicable to the eligibility not only of a continuing student, but also of a transfer student from a four-year or two-year collegiate institution who is entering his or her third year of collegiate enrollment, even if the student has not yet completed an academic year in residence or used a season of eligibility in a sport at the certifying institution. Designation of a specific baccalaureate degree program may be accomplished by:

- (a) Formal enrollment by the student-athlete in a specific baccalaureate degree program; or

- (b) Approval by an appropriate academic official (who must not be an academic adviser/counselor employed by the athletics department) of the program leading to the specific baccalaureate degree that the student-athlete is pursuing.

**14.4.3.1.6-(b) Hours Earned or Accepted for Degree Credit.** The provision that the calculation of credit hours under the progress-toward-degree regulation shall be based on hours earned or accepted for degree credit at the certifying institution in a student-athlete's specific baccalaureate degree program (see Bylaw 14.4.3.1.4) shall be met as follows:

- (b) By the beginning of the third year of enrollment (fifth semester or seventh quarter), a student-athlete shall be required to have designated a program of studies leading toward a specific baccalaureate degree. From that point, the credits used to meet progress-toward-degree requirements must be degree credit toward the student's designated degree program.

**14.5.4.2 Eligibility for Competition, Practice and Athletics Aid—All Other Qualifiers, Partial Qualifiers and Nonqualifiers.** A transfer student from a two-year college is eligible for competition, practice and athletics aid during the first academic year in residence at the certifying institution, provided: (*Adopted: 1/13/03 effective 8/1/03, Revised: 1/12/04 effective 8/1/04, 1/10/05, 1/8/07 effective 8/1/07*)

- (a) The student-athlete has attended the two-year college as a full-time student for at least two semesters or three quarters (excluding summer sessions); and (*Revised: 1/12/04 effective 8/1/04, 1/10/05*)
- (b) The student-athlete has satisfied one of the following provisions: (*Revised: 1/12/04 effective 8/1/04, 1/10/05*)
  - (1) Graduated from the two-year college. At least 25 percent of the credit hours used to fulfill the student's academic degree requirements must be earned at the two-year college that awards the degree per Bylaw 14.5.4.4.4; or (*Revised: 1/12/04 effective 8/1/04, 1/10/05*)
  - (2) Satisfactorily completed an average of at least 12-semester or 12-quarter hours of transferable-degree credit acceptable toward any baccalaureate degree program at the certifying institution for each academic term of full-time attendance with a cumulative minimum grade-point average of 2.000 (see Bylaw 14.5.4.4.3.2). (*Revised: 1/12/04 effective 8/1/04, 1/10/05*)

**14.5.4.2.3 Nonqualifiers.** Nonqualifiers who do not meet the requirements set forth in Bylaw 14.5.4.2, may receive nonathletics aid (but may not compete, practice or receive any athletics aid) at the certifying institution during their first academic year in residence. (*Adopted: 1/13/03 effective 8/1/03*)

**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.

**16.8.1.2 Competition While Representing Institution.** An institution may provide actual and necessary travel expenses (e.g., transportation, lodging and meals) to a student-athlete for participation in athletics competition, provided the student-athlete is representing the institution (competes in the uniform of the institution) and is eligible for intercollegiate competition. Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, they shall not affect the student-athlete's eligibility. Such competition includes: *(Revised: 1/10/92, 1/13/98)*

- (a) Regularly scheduled intercollegiate athletics events;
- (b) NCAA championship events and national governing body (NGB) championship events in an emerging sport; *(Revised: 1/14/97)*
- (c) A certified postseason football game (see Bylaw 18.7 for conditions required for certification);
- (d) Nonintercollegiate open, amateur competition; and *(Adopted: 1/10/92)*
- (e) Other institutional competition permissible under NCAA legislation, including postseason events.

## **Division II 2010-11 Manual**

**14.01.1 Institutional Responsibility.** An institution shall not permit a student-athlete to represent it in intercollegiate athletics competition, unless the student-athlete meets all applicable eligibility requirements and the institution has certified the student-athlete's eligibility. A violation of this bylaw in which the institution fails to certify the student-athlete's eligibility prior to allowing him or her to represent the institution in intercollegiate competition shall be considered an institutional violation per Constitution 2.8.1; however, such a violation shall not affect the student-athlete's eligibility, provided all necessary information to certify the student-athlete's eligibility was available to the institution and the student-athlete otherwise would have been eligible for competition. *(Revised: 1/14/02, 10/23/07)*

**14.01.2 Academic Status.** To be eligible to represent an institution in intercollegiate athletics competition, a student-athlete shall be enrolled in at least a minimum full-time program of studies, be in good academic standing and maintain progress toward a baccalaureate or equivalent degree. *(Revised: 5/12/09)*

**14.1.7.1 Admission.** A student-athlete shall not represent an institution in intercollegiate athletics competition, unless the student-athlete has been admitted as a regularly enrolled, degree-seeking student in accordance with the regular, published entrance requirements of that institution.

**14.1.8.1 Requirement for Practice or Competition.** To be eligible for practice or competition, a student-athlete shall be enrolled in at least a minimum full-time program of studies leading to a baccalaureate or equivalent degree as defined by the institution, which for purposes of this bylaw and its subsections shall not be less than 12-semester or -quarter hours, regardless of the institution's definition of a minimum full-time program of studies. For practice only, a violation of this bylaw shall be considered an institutional violation per Constitution 2.8.1; however, it shall not affect the student-athlete's eligibility. (*Adopted: 1/13/03 effective 8/1/03*)

**14.4.3.1 Fulfillment of Credit-Hour Requirements.** Eligibility for competition shall be based on the following requirements: (*Revised: 1/10/92*)

- (a) Satisfactory completion of six-semester or six-quarter hours of academic credit the preceding regular academic term in which the student-athlete has been enrolled full time at any collegiate institution; and (*Adopted: 1/12/04 effective immediately following the institution's 2005 fall term; thus, applicable to hours earned during the 2005 fall term*)
- (b) For a midyear transfer student-athlete, for a student-athlete following the student-athlete's first academic year in residence or after the student-athlete has used one season of eligibility in any sport at the certifying institution, the certification shall be determined by the student-athlete's academic record in existence at the beginning of the fall term or at the beginning of any other regular term of that academic year, based on:
  - (1) Satisfactory completion before each fall term of a cumulative total of academic semester or quarter hours equivalent to an average of at least 12 semester or quarter hours during each of the previous academic terms in academic years in which the student-athlete has been enrolled in a term or terms; or
  - (2) Satisfactory completion of 24 semester or 36 quarter hours of academic credit since the beginning of the previous fall term or since the beginning of the certifying institution's preceding regular two semesters or three quarters.

**14.4.3.1.5 Designation of Degree Program.** A student-athlete shall designate a program of studies leading toward a specific baccalaureate degree at the certifying institution by the beginning of the third year of enrollment (fifth semester or seventh quarter) and thereafter shall make progress toward that specific degree. This provision shall be applicable to the eligibility not only of a continuing student, but also of a transfer student from a four-year or two-year collegiate institution who is entering his or her third year of collegiate enrollment, even if the student has not yet completed an academic year in residence or used a season of eligibility in a sport at the certifying institution. Designation of a specific baccalaureate degree program may be accomplished by:

- (a) Formal enrollment by the student-athlete in a specific baccalaureate degree program; or

- (b) Approval by an appropriate academic official (who must not be an academic adviser/counselor employed by the athletics department) of the program leading to the specific baccalaureate degree that the student-athlete is pursuing.

**14.4.3.1.6-(b) Hours Earned or Accepted for Degree Credit.** The provision that the calculation of credit hours under the progress-toward-degree regulation shall be based on hours earned or accepted for degree credit at the certifying institution in a student-athlete's specific baccalaureate degree program (see Bylaw 14.4.3.1.4) shall be met as follows:

- (b) By the beginning of the third year of enrollment (fifth semester or seventh quarter), a student-athlete shall be required to have designated a program of studies leading toward a specific baccalaureate degree. From that point, the credits used to meet progress-toward-degree requirements must be degree credit toward the student's designated degree program.

**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.

**16.8.1.2 Competition While Representing Institution.** An institution may provide actual and necessary travel expenses (e.g., transportation, lodging and meals) to a student-athlete for participation in athletics competition, provided the student-athlete is representing the institution (competes in the uniform of the institution) and is eligible for intercollegiate competition. Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, they shall not affect the student-athlete's eligibility. Such competition includes: *(Revised: 1/10/92, 1/13/98)*

- (a) Regularly scheduled intercollegiate athletics events;
- (b) NCAA championship events and national governing body (NGB) championship events in an emerging sport; *(Revised: 1/14/97)*
- (c) A certified postseason football game (see Bylaw 18.7 for conditions required for certification);
- (d) Nonintercollegiate open, amateur competition; and *(Adopted: 1/10/92)*
- (e) Other institutional competition permissible under NCAA legislation, including postseason events.

**Division II 2011-12 Manual**

**14.01.1 Institutional Responsibility.** An institution shall not permit a student-athlete to represent it in intercollegiate athletics competition, unless the student-athlete meets all applicable eligibility requirements and the institution has certified the student-athlete's eligibility. A

violation of this bylaw in which the institution fails to certify the student-athlete's eligibility prior to allowing him or her to represent the institution in intercollegiate competition shall be considered an institutional violation per Constitution 2.8.1; however, such a violation shall not affect the student-athlete's eligibility, provided all necessary information to certify the student-athlete's eligibility was available to the institution and the student-athlete otherwise would have been eligible for competition. (*Revised: 1/14/02, 10/23/07*)

**14.1.7.1 Admission.** A student-athlete shall not represent an institution in intercollegiate athletics competition, unless the student-athlete has been admitted as a regularly enrolled, degree-seeking student in accordance with the regular, published entrance requirements of that institution.

**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.

**16.8.1.2 Competition While Representing Institution.** An institution may provide actual and necessary travel expenses (e.g., transportation, lodging and meals) to a student-athlete for participation in athletics competition, provided the student-athlete is representing the institution (competes in the uniform of the institution) and is eligible for intercollegiate competition. Such competition includes: **[D]** (*Revised: 1/10/92, 1/13/98, 6/22/11*)

- (a) Regularly scheduled intercollegiate athletics events;
- (b) NCAA championship events and national governing body championship events in an emerging sport; (*Revised: 1/14/97*)
- (c) A certified postseason football game (see Bylaw 18.7 for conditions required for certification);
- (d) Nonintercollegiate open, amateur competition; and (*Adopted: 1/10/92*)
- (e) Other institutional competition permissible under NCAA legislation, including postseason events.

**Division II 2012-13 Manual**

**14.01.1 Institutional Responsibility.** An institution shall not permit a student-athlete to represent it in intercollegiate athletics competition, unless the student-athlete meets all applicable eligibility requirements and the institution has certified the student-athlete's eligibility. A violation of this bylaw in which the institution fails to certify the student-athlete's eligibility prior to allowing him or her to represent the institution in intercollegiate competition shall be considered an institutional violation per Constitution 2.8.1; however, such a violation shall

not affect the student-athlete's eligibility, provided all necessary information to certify the student-athlete's eligibility was available to the institution and the student-athlete otherwise would have been eligible for competition. (*Revised: 1/14/02, 10/23/07*)

**14.01.2 Academic Status.** To be eligible to represent an institution in intercollegiate athletics competition, a student-athlete shall be enrolled in at least a minimum full-time program of studies, be in good academic standing and maintain progress toward a baccalaureate or equivalent degree. (*Revised: 5/12/09*)

**14.1.7.1 Requirement for Practice or Competition.** To be eligible for practice or competition, a student-athlete shall be enrolled in at least a minimum full-time program of studies leading to a baccalaureate or equivalent degree as defined by the institution, which for purposes of this bylaw and its subsections shall not be less than 12-semester or -quarter hours, regardless of the institution's definition of a minimum full-time program of studies. **[D for practice only]** (*Adopted: 1/13/03 effective 8/1/03, Revised: 6/22/11*)

**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.

**16.8.1.2 Competition While Representing Institution.** An institution may provide actual and necessary travel expenses (e.g., transportation, lodging and meals) to a student-athlete for participation in athletics competition, provided the student-athlete is representing the institution (competes in the uniform of the institution) and is eligible for intercollegiate competition. Such competition includes: **[D]** (*Revised: 1/10/92, 1/13/98, 6/22/11*)

- (a) Regularly scheduled intercollegiate athletics events;
- (b) NCAA championship events and national governing body championship events in an emerging sport; (*Revised: 1/14/97*)
- (c) A certified postseason football game (see Bylaw 18.7 for conditions required for certification);
- (d) Nonintercollegiate open, amateur competition; and (*Adopted: 1/10/92*)
- (e) Other institutional competition permissible under NCAA legislation, including postseason events.

## **Division I Constitutional Provisions (2007-08, 2008-09, 2009-10, 2010-11, 2011-12) Manuals**

**NCAA Constitution 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. *(Revised: 3/8/06)*

**NCAA Constitution 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.

**NCAA Constitution 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.

## **Division II Constitutional Provisions (2007-08, 2008-09, 2009-10, 2010-11, 2011-12) Manuals**

**NCAA Constitution 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. *(Revised: 10/3/05)*

**NCAA Constitution 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.

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