

## NOTICE OF ALLEGATIONS

to the

Chancellor of the University of Mississippi

### A. Processing Level of Case.

Based on the information contained within the following allegations, the NCAA enforcement staff believes this case should be reviewed by a hearing panel of the NCAA Division I Committee on Infractions pursuant to procedures applicable to a severe breach of conduct (Level I violation).<sup>1</sup>

### B. Allegations.

#### Football.

1. [NCAA Division I Manual Bylaws 16.11.2.1 (2014-15 and 2015-16), 16.11.2.2-(a) (2014-15) and 16.11.2.2-(c) (2014-15 and 2015-16)]<sup>2</sup>

It is alleged that between August 2014 and August 2015, [REDACTED] a representative of the institution's athletics interests, provided football student-athletes [REDACTED] ([REDACTED]) and [REDACTED] ([REDACTED]) with impermissible extra benefits in the form of complimentary vehicle use. Additionally, in June 2015, [REDACTED] and [REDACTED] owner of [REDACTED] and representative of the institution's athletics interests, provided [REDACTED] with an impermissible loan. The total monetary value of these extra benefits was approximately \$7,495. Specifically:

- a. On at least two occasions in the summer of 2014, [REDACTED] took his personal vehicle to the [REDACTED] service department for repairs. During this time period, [REDACTED] loaned [REDACTED] a 2012 Nissan Titan at no cost pursuant to its loaner vehicle program available to service customers. On or around August 11, 2014, while [REDACTED] was in possession of the Titan, [REDACTED] and [REDACTED] decided to forego further repairs on [REDACTED]'s vehicle, which ended [REDACTED]'s status as a service customer. However, [REDACTED] kept the Titan until October 28, 2014. [REDACTED]'s possession of the Titan from at least August 28 to October 28 was outside the scope of [REDACTED] loaner vehicle program. The value of the extra benefit was approximately \$2,416. [NCAA Bylaws 16.11.2.1 and 16.11.2.2-(c) (2014-15)]

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<sup>1</sup> Pursuant to NCAA Bylaw 19.7.7.1 (2015-16), if violations from multiple levels are identified in the notice of allegations, the case shall be processed pursuant to procedures applicable to the most serious violations alleged.

<sup>2</sup> This allegation is the basis for Allegation No. 2.

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- b. In February 2015, [REDACTED] approached the [REDACTED] sales department regarding purchasing a used Dodge Challenger. On February 16, 2015, [REDACTED] loaned [REDACTED] a 2004 Chevrolet Tahoe at no cost. [REDACTED] possessed the Tahoe continuously from February 16 to May 11, 2015. On May 11, [REDACTED] loaned [REDACTED] a 2008 Nissan Armada at no cost because the Tahoe had been sold. [REDACTED] possessed the Armada continuously from May 11 to June 10, 2015. [REDACTED]'s possession of these two vehicles was outside the scope of [REDACTED] loaner vehicle program. The value of these extra benefits was approximately \$1,324. [NCAA Bylaws 16.11.2.1 and 16.11.2.2-(c) (2014-15)]
- c. In late April 2015, [REDACTED] took his personal vehicle to the [REDACTED] service department for repairs. Around this time, [REDACTED] loaned [REDACTED] a 2013 Chevrolet Impala at no cost pursuant to its loaner vehicle program available to service customers. As of July 7, 2015, while [REDACTED] was in possession of the Impala, the repairs to [REDACTED]'s personal vehicle had been completed and paid for, which ended [REDACTED]'s status as a service customer. However, [REDACTED] kept the Impala until August 10, 2015. [REDACTED]'s possession of the Impala from July 7 to August 10 was outside the scope of [REDACTED] loaner vehicle program. The value of the extra benefit was approximately \$755. [NCAA Bylaws 16.11.2.1 and 16.11.2.2-(c) (2014-15 and 2015-16)]
- d. On June 10, 2015, [REDACTED] purchased a 2010 Dodge Challenger from [REDACTED] and financed the purchase through the dealership. The financing agreement for the Challenger stated that [REDACTED] paid a \$3,000 cash down payment June 10; however, [REDACTED] did not make a down payment. Rather, [REDACTED] and [REDACTED] provided [REDACTED] a \$3,000 deferred-payment, interest-free loan toward the down payment. This loan is not generally available to car buyers of [REDACTED]. The value of the extra benefit was \$3,000. [NCAA Bylaws 16.11.2.1 and 16.11.2.2-(a) (2014-15)]

### **Level of Allegation No. 1:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 1 is a severe breach of conduct (Level I) because the alleged violations (a) seriously undermine or threaten the integrity of the NCAA Collegiate Model, (b) provided substantial or extensive impermissible benefits and (c) were not isolated or limited. [NCAA Bylaw 19.1.1 (2015-16)]

**Factual Information (FI) on which the enforcement staff relies for Allegation No. 1:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 1. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

2. [NCAA Constitution 2.8.1 (2014-15 and 2015-16) and NCAA Division I Manual Bylaw 12.11.1 (2014-15)]

It is alleged that the scope and nature of the violations detailed in Allegation No. 1 demonstrate that the institution violated the NCAA principles of rules compliance when it failed to monitor the activities of [REDACTED] a representative of its athletics interests.

Collectively, the institution's athletics administration, athletics compliance office and football program failed to monitor the activities of [REDACTED] and its loaning of vehicles at no cost to football student-athletes [REDACTED] and [REDACTED]. The institution failed to monitor that [REDACTED] received impermissible use of three loaner vehicles for a total of approximately six months between August 2014 and June 2015, and that [REDACTED] received impermissible use of a loaner vehicle for over one month between July and August 2015.

Additionally, in October 2014, the institution's athletics compliance office learned that [REDACTED] loaned a 2012 Nissan Titan to [REDACTED] during the fall of 2014. However, the compliance office failed to adequately inquire into the circumstances surrounding [REDACTED]'s acquisition and use of the vehicle, including the impact to [REDACTED]'s eligibility. As a result, [REDACTED] competed while ineligible in six contests during the 2014 season.

**Level of Allegation No. 2:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 2 is a significant breach of conduct (Level II) because the alleged violation involves a failure to monitor, which is presumptively a Level II violation. [NCAA Bylaw 19.1.2 (2015-16)]

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**Factual Information (FI) on which the enforcement staff relies for Allegation No. 2:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 2. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

3. [NCAA Division I Manual Bylaw 16.11.2.1 (2014-15)]

It is alleged that on or around August 22, 2014, [REDACTED] a representative of the institution's athletics interests, provided an impermissible extra benefit in the form of \$800 cash to [REDACTED], [REDACTED] to football student-athlete [REDACTED].

**Level of Allegation No. 3:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 3 is a severe breach of conduct (Level I) because the alleged violation (a) seriously undermines or threatens the integrity of the NCAA Collegiate Model, (b) provided a substantial or extensive impermissible benefit and (c) involves an intentional violation or showing reckless indifference to the NCAA constitution and bylaws. [NCAA Bylaw 19.1.1 (2015-16)]

**Factual Information (FI) on which the enforcement staff relies for Allegation No. 3:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 3. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

4. [NCAA Division I Manual Bylaw 16.11.2.1 (2012-13 and 2013-14)]

It is alleged that on 12 occasions between June 7, 2013, and May 27, 2014, [REDACTED] a representative of the institution's athletics interests, provided impermissible extra benefits in the form of free lodging in Oxford, Mississippi, to football student-athlete [REDACTED]'s [REDACTED], [REDACTED] ([REDACTED]), and [REDACTED], [REDACTED] ([REDACTED]). The total monetary value of the extra benefits was approximately \$2,253. Specifically:

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- a. Between June 7 and 8, 2013, [REDACTED] provided [REDACTED] and [REDACTED] with two nights' lodging at a [REDACTED] in Oxford [REDACTED]. The total value of the lodging was approximately \$280. [NCAA Bylaw 16.11.2.1 (2012-13)]
- b. Between October 26 and November 16, 2013, [REDACTED] provided [REDACTED] and [REDACTED] with three nights' lodging at the [REDACTED]. The total value of the lodging was approximately \$938. This lodging allowed [REDACTED] and [REDACTED] to travel to Oxford and watch [REDACTED] compete in three home football contests. [NCAA Bylaw 16.11.2.1 (2013-14)]
- c. On March 8, 2014, [REDACTED] provided [REDACTED] and [REDACTED] with one night's lodging at the [REDACTED]. The total value of the lodging was approximately \$128. [NCAA Bylaw 16.11.2.1 (2013-14)]
- d. Between April 4 and 5, 2014, [REDACTED] provided [REDACTED] and [REDACTED] with two nights' lodging at a residential rental property in Oxford. The total value of the lodging was approximately \$303. [NCAA Bylaw 16.11.2.1 (2013-14)]
- e. On May 10, 2014, [REDACTED] provided [REDACTED] and [REDACTED] with one night's lodging at the [REDACTED]. The total value of the lodging was approximately \$217. [NCAA Bylaw 16.11.2.1 (2013-14)]
- f. Between May 25 and 27, 2014, [REDACTED] provided [REDACTED] and [REDACTED] with three nights' hotel lodging at the [REDACTED]. The total value of the lodging was approximately \$386. [NCAA Bylaw 16.11.2.1 (2013-14)]

**Level of Allegation No. 4:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 4 is a severe breach of conduct (Level I) because the alleged violations (a) seriously undermine or threaten the integrity of the NCAA Collegiate Model, (b) provided substantial or extensive impermissible benefits and (c) were not isolated or limited. [NCAA Bylaw 19.1.1 (2015-16)]

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**Factual Information (FI) on which the enforcement staff relies for Allegation No. 4:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 4. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

5. [NCAA Division I Manual Bylaw 16.11.2.1 (2012-13)]

It is alleged that in the summer of 2013, Chris Kiffin, assistant football coach, provided football student-athlete [REDACTED] with two nights' lodging at his residence. The monetary value of the extra benefit was approximately \$33.

**Level of Allegation No. 5:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 5 is a breach of conduct (Level III) because the alleged violation provided no more than a minimal impermissible benefit. [NCAA Bylaw 19.1.3 (2015-16)]

**Factual Information (FI) on which the enforcement staff relies for Allegation No. 5:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 5. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

6. [NCAA Division I Manual Bylaws 13.2.1, 13.6.7.7 and 13.6.8 (2012-13)]

It is alleged that between January 25 and 27, 2013, Chris Kiffin (Kiffin), assistant football coach, arranged for three family members who were not parents or legal guardians of then football prospective student-athlete [REDACTED] ([REDACTED]) to receive impermissible recruiting inducements during his official paid visit. The total monetary value of the inducements was approximately \$1,027. Specifically:

- a. Kiffin arranged for [REDACTED] ([REDACTED]), [REDACTED] of [REDACTED]'s [REDACTED]; [REDACTED] ([REDACTED]), [REDACTED]'s wife; and [REDACTED], [REDACTED]'s [REDACTED], to receive complimentary meals during [REDACTED]'s official paid visit. The total value of the meals was approximately \$709. [NCAA Bylaws 13.2.1 and 13.6.7.7 (2012-13)]

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- b. Kiffin arranged for [REDACTED] and [REDACTED] to receive two nights' hotel lodging at The Inn at Ole Miss during [REDACTED]'s official paid visit. The total value of the lodging was approximately \$318. [NCAA Bylaws 13.2.1 and 13.6.8 (2012-13)]

**Level of Allegation No. 6:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 6 is a significant breach of conduct (Level II) because the alleged violations (a) provided or were intended to provide more than a minimal recruiting advantage, (b) include more than a minimal impermissible benefit and (c) are more serious than a Level III violation. [NCAA Bylaws 19.1.2 and 19.1.2-(a) (2015-16)]

**Factual Information (FI) on which the enforcement staff relies for Allegation No. 6:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 6. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

7. [NCAA Division I Manual Bylaw 13.1.1.1 (2013-14)]

It is alleged that on May 8, 2014, Chris Kiffin (Kiffin), assistant football coach, made impermissible, off-campus recruiting contact with then football prospective student-athletes [REDACTED] ([REDACTED]) and [REDACTED] ([REDACTED]) at [REDACTED] ([REDACTED]) in [REDACTED]. Specifically, Kiffin had a 10-minute recruiting conversation with [REDACTED] and [REDACTED] in a private office at [REDACTED] during the spring of 2014 evaluation period.

**Level of Allegation No. 7:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 7 is a breach of conduct (Level III) because the alleged violation (a) provided no more than a minimal recruiting advantage and (b) does not rise to a Level II violation. [NCAA Bylaw 19.1.3 (2015-16)]

**Factual Information (FI) on which the enforcement staff relies for Allegation No. 7:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 7. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

8. [NCAA Division I Manual Bylaws 11.7.2.2, 13.01.4, 13.1.2.1, 13.1.2.4-(a), 13.1.2.5, 13.1.3.5.1, 13.2.1, 13.2.1.1-(b), 13.2.1.1-(e), 13.5.3, 13.7.2.1 and 13.7.2.1.2 (2012-13)]

It is alleged that during the 2012-13 academic year, [REDACTED] a then representative of the institution's athletics interests, assisted the institution in its recruitment of four then football prospective student-athletes by engaging in recruiting activities that promoted the institution's football program. This included providing the prospects with various recruiting inducements. The total monetary value of the inducements [REDACTED] provided was approximately \$2,250.

Additionally, Maurice Harris (Harris), assistant football coach, knew of [REDACTED] association with the prospects and, at times, facilitated [REDACTED] involvement in their recruitment. Between January 18 and February 3, 2013, Harris arranged for two of the four prospects to receive impermissible recruiting inducements from the institution. The total monetary value of inducements in which Harris arranged was approximately \$485. Specifically:

- a. On October 13, 2012, [REDACTED] provided then football prospective student-athletes [REDACTED] ([REDACTED]), [REDACTED] ([REDACTED]) and [REDACTED] ([REDACTED]) with round-trip transportation between [REDACTED], and Oxford, Mississippi, (approximately [REDACTED] miles) for the prospects to attend an unofficial visit and home football contest at the institution. [REDACTED] also provided [REDACTED] with a meal on this occasion. The value of the transportation that [REDACTED], [REDACTED] and [REDACTED] received was approximately \$38. The value of the meal that [REDACTED] received was approximately \$5. [REDACTED] met Harris on this occasion. [REDACTED] also notified Harris; Hugh Freeze (Freeze), head football coach; and Matt Luke (Luke), assistant football coach, after the visit that he provided [REDACTED], [REDACTED] and [REDACTED] with transportation to the institution on this occasion. [NCAA Bylaws 13.01.4, 13.1.2.1 and 13.2.1(2012-13)]
- b. On November 10, 2012, [REDACTED] provided [REDACTED], [REDACTED] and [REDACTED] with round-trip transportation between [REDACTED] and Oxford for the



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prospects to attend an unofficial visit and home football contest at the institution [REDACTED] also provided [REDACTED] with a meal on this occasion. The value of the transportation [REDACTED], [REDACTED] and [REDACTED] received was approximately \$38. The value of the meal [REDACTED] received was approximately \$5. Further, [REDACTED] notified Harris prior to the visit that he was planning to drive [REDACTED] and [REDACTED] to the institution on this occasion. [NCAA Bylaws 13.01.4, 13.1.2.1 and 13.2.1 (2012-13)]

- c. On November 24, 2012, [REDACTED] provided then football prospective student-athlete [REDACTED] ([REDACTED]), [REDACTED] and [REDACTED] with round-trip transportation between [REDACTED] and Oxford for the prospects to attend an unofficial visit and home football contest at the institution. [REDACTED] also provided the prospects with meals on this occasion. The value of the transportation [REDACTED], [REDACTED] and [REDACTED] received was approximately \$38; the value of the meals they received was approximately \$45. Further, [REDACTED] notified Harris prior to the visit that he was planning to see Harris at the institution on this occasion. [NCAA Bylaws 13.01.4, 13.1.2.1 and 13.2.1 (2012-13)]
- d. Between November 28 and 30, 2012, [REDACTED] engaged in telephone communication with [REDACTED]' mother, at Harris' instruction, to arrange an off-campus recruiting contact with Luke. [NCAA Bylaws 13.01.4, 13.1.2.1, 13.1.2.4-(a) and 13.1.3.5.1 (2012-13)]
- e. On December 3, 2012, [REDACTED] attended an in-home recruiting visit by Harris and Freeze that occurred at [REDACTED]'s residence. Additionally, Harris knew that [REDACTED] was planning to attend the in-home visit and both he and Freeze interacted with [REDACTED] during the visit. Further, [REDACTED] provided food for this occasion. The value of the food [REDACTED] provided was approximately \$60. [NCAA Bylaws 13.01.4, 13.1.2.1 and 13.2.1 (2012-13)]
- f. In December 2012, [REDACTED] paid [REDACTED]'s cellular telephone bill, which had a value of approximately \$67. [NCAA Bylaws 13.2.1 and 13.2.1.1-(e) (2012-13)]
- g. In December 2012, [REDACTED] paid [REDACTED]'s mother's telephone bill, which had a y value of approximately \$120. [NCAA Bylaws 13.2.1 and 13.2.1.1-(e) (2012-13)]
- h. Between January 4 and 5, 2013, [REDACTED] provided [REDACTED] and [REDACTED] with round-trip transportation between [REDACTED] and [REDACTED]

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██████████ (approximately ██████ miles) as well as lodging, meals and game tickets for the prospects to attend the institution's bowl game. The value of the inducements ██████████ and ██████████ received was approximately \$350. Additionally, ██████████ notified Harris prior to the trip that he was planning to bring ██████████ and ██████████ to the bowl game.

Further, on January 4, Harris arranged an off-campus recruiting contact in ██████████ between ██████████ then graduate assistant football coach, and ██████████ and ██████████. The off-campus contact by ██████████ occurred at the team hotel. [NCAA Bylaws 11.7.2.2, 13.01.4, 13.1.2.1, 13.1.2.5 and 13.2.1 (2012-13)]

- i. Between January 14 and 15, 2013, ██████████ spoke by telephone with ██████████' mother, at Harris' direction, to arrange an off-campus recruiting contact between her and Harris. [NCAA Bylaws 13.01.4, 13.1.2.1 and 13.1.3.5.1 (2012-13)]
- j. Between January 18 and 20, 2013, ██████████ provided ██████████, ██████████, and ██████████'s mother and sister with round-trip transportation between ██████████ and Oxford in order for the two prospects and ██████████'s two family members to attend an unofficial visit to the institution.

Specifically, on January 18, 2013, ██████████ drove ██████████ and ██████████ from ██████████ to Oxford, and did the same for ██████████'s mother and sister January 20. On January 20, ██████████ drove ██████████, ██████████ and ██████████'s family members back to ██████████. The value of the transportation ██████████, ██████████ and ██████████'s family members received was approximately \$136. Further, ██████████ notified Harris that he was planning to bring ██████████ and ██████████ to the institution on this occasion and also notified Harris upon their arrival that he had driven ██████████'s mother and sister to the institution.

Additionally, on January 18 and 19, 2013, Harris arranged for ██████████ and ██████████ to stay overnight at no cost in the hotel room at The Inn at Ole Miss that the institution provided to ██████████, who was on campus for his official paid visit. The value of the lodging provided to ██████████ and ██████████ was approximately \$212.

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Further, on January 20, 2013, [REDACTED] provided [REDACTED] and [REDACTED] with round-trip transportation between their hotel and Freeze's residence (approximately 11 miles) in order for the prospects to attend a breakfast at Freeze's residence. The value of the transportation provided to [REDACTED] and [REDACTED] was approximately \$12.

Lastly, during the January 20 breakfast at Freeze's residence, [REDACTED], [REDACTED], and [REDACTED]'s mother and sister were provided with a catered breakfast. The value of their meals was approximately \$102. While at Freeze's residence, [REDACTED], [REDACTED] and [REDACTED]'s family members had contact with various members of the football staff, including [REDACTED] and Harris. Harris knew that [REDACTED] accompanied [REDACTED], [REDACTED] and [REDACTED]'s family members to Freeze's residence on this occasion. [NCAA Bylaws 11.7.2.2, 13.01.4, 13.1.2.1, 13.1.2.5, 13.2.1, 13.5.3 and 13.7.2.1.2 (2012-13)]

- k. On January 26, 2013, [REDACTED] provided [REDACTED] with one-way transportation from [REDACTED] to Oxford for [REDACTED] to attend an unofficial visit at the institution. The value of the transportation to Oxford that [REDACTED] received was approximately \$13. Additionally, [REDACTED] notified Harris prior to the visit that he was planning to drive [REDACTED] to the institution on this occasion. Further, on January 27, 2013, [REDACTED] a representative of the institution's athletics interests, provided [REDACTED] with one-way transportation from Oxford to [REDACTED]. The value of the transportation that [REDACTED] provided to [REDACTED] was approximately \$13. [NCAA Bylaws 13.01.4, 13.1.2.1 and 13.2.1 (2012-13)]
- l. On January 30, 2013, [REDACTED] hosted at his residence an off-campus recruiting contact by Harris that was attended by [REDACTED], [REDACTED], [REDACTED] and members of the prospects' families. [NCAA Bylaws 13.01.4 and 13.1.2.1 (2012-13)]
- m. Between February 2 and 3, 2013, [REDACTED] provided [REDACTED] and [REDACTED] with round-trip transportation between [REDACTED] and Oxford for the prospects to attend their respective unofficial and official paid visits to the institution. The value of the transportation [REDACTED] and [REDACTED] received was approximately \$43. [REDACTED] notified Harris prior to the visit that he would provide [REDACTED] and [REDACTED] with transportation on this occasion.

Additionally, on February 2, Harris arranged for [REDACTED] to stay overnight at no cost in his own hotel room, which was originally reserved for [REDACTED]' mother during [REDACTED]' official paid visit. The monetary value

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of the lodging [REDACTED] received was approximately \$159. On this occasion, Harris and Chris Kiffin, assistant football coach, were present when [REDACTED] and [REDACTED] arrived at the hotel and assisted them with checking into their rooms. [NCAA Bylaws 13.01.4, 13.1.2.1 and 13.2.1, and 13.7.2.1 (2012-13)]

- n. On March 24, 2013, [REDACTED] provided [REDACTED], [REDACTED] and [REDACTED] with round-trip transportation between [REDACTED] and Oxford, as well as tickets and concessions, for the prospects to attend a baseball game at the institution. The total monetary value of the inducements [REDACTED], [REDACTED] and [REDACTED] received was approximately \$126. [NCAA Bylaws 13.01.4, 13.1.2.1 and 13.2.1 (2012-13)]
- o. During the 2012-13 academic year, members of [REDACTED] family provided [REDACTED], [REDACTED] and [REDACTED] with academic tutoring assistance with their high school coursework and ACT exam preparation. The total monetary value of the assistance [REDACTED], [REDACTED] and [REDACTED] received was approximately \$647. Additionally, [REDACTED] informed Freeze and Harris that his son was providing [REDACTED] with academic assistance. [NCAA Bylaws 13.01.4, 13.1.2.1 and 13.2.1 (2012-13)]
- p. During the 2012-13 academic year, [REDACTED] purchased clothing and apparel bearing the institution's name and/or logo for [REDACTED], [REDACTED] and [REDACTED] during visits to the institution. The total monetary value of the inducements [REDACTED], [REDACTED] and [REDACTED] received was approximately \$510. [NCAA Bylaws 13.01.4, 13.1.2.1, 13.2.1 and 13.2.1.1-(b) (2012-13)]

**Level of Allegation No. 8:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 8 is a severe breach of conduct (Level I) because the alleged violations (a) seriously undermine or threaten the integrity of the NCAA Collegiate Model; (b) provided or were intended to provide a substantial or extensive recruiting advantage; (c) provided or were intended to provide substantial or extensive impermissible benefits; (d) include benefits provided by a representative of the institution's athletics interests intended to secure, or which resulted in, enrollment of prospects; (e) include third-party involvement in recruiting violations that institutional officials knew or should have known about; and (f) were not isolated or limited. [NCAA Bylaws 19.1.1, 19.1.1-(f) and 19.1.1-(g) (2015-16)]

**Factual Information (FI) on which the enforcement staff relies for Allegation No. 8:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 8. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

9. [NCAA Division I Manual Bylaws 13.4.1.5 and 13.6.7.9 (2012-13)]

It is alleged that during the weekends of January 18, January 25 and February 1, 2013, the institution's football program produced and/or played three personalized recruiting videos to numerous then football prospective student-athletes who were visiting the institution. Specifically, during the weekends of January 18, January 25 and February 1, the assistant director of sports video for football, under the direction of the head football coach, took photographs at the institution's football indoor practice facility of visiting prospects wearing official team equipment and/or apparel and edited the photographs into a commercial-style video. During the weekends of January 18 and January 25, the assistant director played the videos for the visiting prospects and their families; the video from the February 1 weekend was not played for the prospects.

**Level of Allegation No. 9:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 9 is a breach of conduct (Level III) because the alleged violations (a) provided no more than a minimal recruiting advantage and (b) were isolated or limited. [NCAA Bylaw 19.1.3 (2015-16)]

**Factual Information (FI) on which the enforcement staff relies for Allegation No. 9:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 9. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

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10. [NCAA Division I Manual Bylaws 10.01.1, 10.1, 10.1-(h) (2009-10); 14.1.2, 14.3.2.1, 14.3.2.1.1 and 15.01.5 (2010-11); 14.11.1 (2010-11 through 2012-13); and 14.10.1 (2013-14)]

It is alleged that between May and June 2010, David Saunders (Saunders), then administrative operations coordinator for football, and Chris Vaughn (Vaughn), then assistant football coach, violated the NCAA principles of ethical conduct when they engaged in fraudulence or misconduct in connection with the ACT exams of three then football prospective student-athletes. The fraudulent exam scores allowed the prospects to satisfy NCAA initial eligibility academic requirements. Specifically:

- a. Vaughn instructed then football prospective student-athletes [REDACTED], [REDACTED], [REDACTED] and [REDACTED] to take the June 2010 ACT exam at Wayne County High School (Wayne County) in Waynesboro, Mississippi, as well as instructed the three prospects prior to the exam to refrain from answering any exam questions to which they did not know the answer, in order to facilitate fraudulence or misconduct in connection with their exams. [NCAA Bylaws 10.01.1, 10.1 and 10.1-(h) (2009-10)]
- b. Saunders arranged for [REDACTED], [REDACTED] and [REDACTED] to take the June 2010 ACT exam at Wayne County and arranged for the then ACT testing supervisor at Wayne County to complete and/or alter their exam answer sheets in such a manner that they received fraudulent exam scores. [NCAA Bylaws 10.01.1, 10.1 and 10.1-(h) (2009-10)]

[REDACTED], [REDACTED] and [REDACTED]'s June 2010 ACT scores were used in their initial eligibility academic certifications; as a result, they practiced, competed and received athletically related financial aid from the institution while ineligible during the 2010-11 academic year; [REDACTED] also competed while ineligible during the 2011-12, 2012-13 and 2013-14 academic years. [NCAA Bylaws 14.1.2, 14.3.2.1, 14.3.2.1.1 and 15.01.5 (2010-11); 14.11.1 (2010-11 through 2012-13); and 14.10.1 (2013-14)]

**Level of Allegation No. 10:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 10 is a severe breach of conduct (Level I) because the alleged violations (a) seriously undermine or threaten the integrity of the NCAA Collegiate Model; (b) provided or were intended to provide a substantial recruiting, competitive or other advantage; and

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(c) involve individual unethical or dishonest conduct and (d) involve intentional violations or showing reckless indifference to the NCAA constitution and bylaws. [NCAA Bylaws 19.1.1, 19.1.1-(d) and 19.1.1-(h) (2015-16)]

**Factual Information (FI) on which the enforcement staff relies for Allegation No. 10:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 10. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

11. [NCAA Division I Manual Bylaws 10.01.1, 10.1, 10.1-(c), 13.01.4, 13.1.2.1, 13.2.1, 13.2.1.1-(h) and 13.15.1 (2009-10); 14.11.1 (2010-11 through 2012-13); and 14.10.1 (2013-14)]

It is alleged that during the summer of 2010, David Saunders (Saunders), then administrative operations coordinator for football, and Chris Vaughn (Vaughn), then assistant football coach, violated the NCAA principles of ethical conduct when they knowingly arranged for ██████████, a representative of the institution's athletics interests, to provide impermissible recruiting inducements in the form of housing, meals and/or transportation to five then football prospective student-athletes. Additionally, Saunders knowingly arranged for ██████████ to provide housing, meals and/or transportation to a sixth then football prospective student-athlete. ██████████ became a representative of the institution's athletics interests due to Saunders and Vaughn arranging for him to provide recruiting inducements to the prospects. Further, Derrick Nix (Nix), assistant football coach, was involved in arranging for the sixth prospect to receive housing, meals and/or transportation.

The total monetary value of impermissible housing, meals and/or transportation provided to the six prospects was approximately \$1,750. The housing, meals and/or transportation allowed the prospects to enroll in summer courses to satisfy NCAA initial eligibility academic requirements. Specifically:

- a. In the summer of 2010, Vaughn and Saunders knowingly arranged for ██████████ to provide housing, meals and/or transportation to then football prospective student-athletes ██████████ (██████████), ██████████ (██████████), ██████████ (██████████) and ██████████ (██████████) while they were enrolled at ██████████ (██████████) in ██████████, ██████████. The value of impermissible inducements provided to the five prospects was approximately \$1,460.

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████████, ██████, ██████ and ██████ each received approximately \$333 in housing, transportation and/or meals; ██████ received approximately \$131 in those same inducements. As a result, ██████, ██████ and ██████ competed while ineligible during the 2010-11 academic year; ██████ and ██████ also competed while ineligible during the 2011-12 and 2012-13 academic years. ██████ did not compete while ineligible. [NCAA Bylaws 10.01.1, 10.1, 10.1-(c), 13.01.4, 13.1.2.1, 13.2.1, 13.2.1.1-(h) and 13.15.1 (2009-10); and 14.11.1 (2010-11 through 2012-13)]

- b. In the summer of 2010, Saunders knowingly arranged for ██████ to provide housing, meals and/or transportation to then football prospective student-athlete ██████ (████████) while he was enrolled in a course at ██████. The value of impermissible inducements provided to ██████ was approximately \$290. Subsequently, ██████ competed while ineligible during the 2011-12 and 2012-13 academic years. [NCAA Bylaws 10.01.1, 10.1, 10.1-(c), 13.01.4, 13.1.2.1, 13.2.1, 13.2.1.1-(h) and 13.15.1 (2009-10); and 14.11.1 (2011-12 and 2012-13)]
- c. In the summer of 2010, Nix assisted in arranging for ██████ to receive housing, meals and/or transportation while enrolled at ██████ when he placed ██████ and/or ██████' family in contact with Saunders and/or ██████ to arrange housing, meals and/or transportation. [NCAA Bylaws 13.2.1, 13.2.1.1-(h) and 13.15.1 (2009-10)]

### **Level of Allegation No. 11:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 11 is a severe breach of conduct (Level I) because the alleged violations seriously undermine or threaten the integrity of the NCAA Collegiate Model and provided, or were intended to provide, a substantial recruiting, competitive or other advantage and a substantial or extensive impermissible benefit. In addition, the alleged violations involve (a) individual unethical conduct; (b) benefits provided by a representative of the institution's athletics interests that were intended to secure, or which resulted in, the enrollment of prospects; and (c) third-party involvement in recruiting violations in which institutional officials knew or should have known about. [NCAA Bylaws 19.1.1, 19.1.1-(d), 19.1.1-(f) and 19.1.1-(g) (2015-16)]



**Factual Information (FI) on which the enforcement staff relies for Allegation No. 11:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 11. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

12. [NCAA Division I Manual Bylaws 10.01.1, 10.1, 10.1-(d), 19.2.3 and 19.2.3.2 (2013-14)]

It is alleged that between August 14 and 31, 2013, Chris Vaughn (Vaughn), former assistant football coach, violated the NCAA cooperative principle when he communicated with witnesses of an NCAA enforcement investigation after being admonished on multiple occasions to refrain from having such communications. Additionally, on December 17, 2013, Vaughn violated the NCAA principles of ethical conduct when he knowingly provided false or misleading information to the institution and enforcement staff regarding his knowledge of and/or involvement in violations of NCAA legislation. Specifically:

- a. Between August 14 and 31, 2013, Vaughn engaged in multiple telephone calls and text message communications with witnesses of the enforcement staff's investigation regarding the violations detailed in Allegation Nos. 10 and 11, after being admonished on multiple occasions to refrain from having such communications in order to protect the integrity of the investigation. Additionally, during his August 19 and December 17, 2013, interviews with the institution and enforcement staff, Vaughn acknowledged that his purpose for engaging in the communications was to obtain information regarding the investigation. [NCAA Bylaws 19.2.3 and 19.2.3.2 (2013-14)]
- b. Vaughn denied during his December 17 interview that he (1) directed then football prospective student-athletes [REDACTED] ([REDACTED]), [REDACTED] ([REDACTED]) and [REDACTED] ([REDACTED]) to take the June 2010 ACT exam at Wayne County High School (Wayne County) in Waynesboro, Mississippi, and (2) instructed the three prospects to refrain from answering any exam questions to which they did not know the answer in order to facilitate fraudulence or misconduct in connection with their exams. However, the factual support for Allegation No. 10 shows that Vaughn directed [REDACTED], [REDACTED] and [REDACTED] to take the June 2010 ACT exam at Wayne County, and instructed them to refrain from answering any exam questions to which they did not know the answer, in order to facilitate fraudulence or

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misconduct in connection with their exams. [NCAA Bylaws 10.01.1, 10.1 and 10.1-(d) (2013-14)]

**Level of Allegation No. 12:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 12 is a severe breach of conduct (Level I) because the alleged violations seriously undermine or threaten the integrity of the NCAA Collegiate Model and they involve (a) a failure to cooperate in an enforcement investigation and (b) individual unethical or dishonest conduct. Further, the responsibility to cooperate is paramount to a full and complete investigation, which the membership has identified as critical to the common interests of the Association and preservation of the NCAA Collegiate Model. [NCAA Bylaws 19.01.1, 19.1.1 and 19.1.1-(d) (2015-16)]

**Factual Information (FI) on which the enforcement staff relies for Allegation No. 12:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 12. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

13. [NCAA Division I Manual Bylaws 10.01.1, 10.1 and 10.1-(d) (2013-14)]

It is alleged that on December 16, 2013, and February 25, 2014, David Saunders (Saunders), former administrative operations coordinator for football, violated the NCAA principles of ethical conduct when he knowingly provided false or misleading information regarding his knowledge of and/or involvement in violations of NCAA legislation.

Specifically, during his December 16, 2013, and February 25, 2014, interviews with the institution and NCAA enforcement staff, Saunders denied (a) that he arranged for then football prospective student-athletes [REDACTED] ([REDACTED]), [REDACTED] ([REDACTED]) and [REDACTED] ([REDACTED]) to take the June 2010 ACT exam at Wayne County High School (Wayne County) in Waynesboro, Mississippi, and (b) knowledge of and/or involvement in fraudulence or misconduct in connection with their exams.

However, the factual support for Allegation No. 10 shows that Saunders arranged for [REDACTED], [REDACTED] and [REDACTED] to take the June 2010 ACT exam at Wayne County and arranged for the then ACT testing supervisor at Wayne County to complete

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and/or alter their exam answer sheets in a such a manner that they received fraudulent exam scores. [NCAA Bylaws 10.01.1, 10.1 and 10.1-(d) (2013-14)]

**Level of Allegation No. 13:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 13 is a severe breach of conduct (Level I) because the alleged violations seriously undermine or threaten the integrity of the NCAA Collegiate Model and involve individual unethical or dishonest conduct. [NCAA Bylaws 19.1.1 and 19.1.1-(d) (2015-16)]

**Factual Information (FI) on which the enforcement staff relies for Allegation No. 13:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 13. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

Women's basketball.

14. [NCAA Division I Manual Bylaws 10.01.1, 10.1, 10.1-(b), 10.1-(c), 13.2.1, 13.2.1.1-(e) and 13.15.1 (2011-12); 14.1.2 and 15.01.5 (2011-12 and 2012-13)]<sup>3</sup>

It is alleged that between May and June 2012, Kenya Landers (K. Landers), then assistant women's basketball coach; Michael Landers (M. Landers), then women's basketball director of operations; and then women's basketball prospective student-athletes ██████████ (████████) and ██████████ (████████) violated the NCAA principles of ethical conduct when they knowingly engaged in arranging fraudulent academic credit with respect to summer online courses at two-year institutions in which ██████████ and ██████████ were enrolled. Additionally, K. Landers violated the principles of ethical conduct when she knowingly provided ██████████ with impermissible recruiting inducements in the form of paying for ██████████ two online summer courses.

In late May 2012, ██████████ enrolled in three online summer courses (math, coaching basketball and African-American literature) that were selected by K. Landers and M. Landers. On May 30, 2012, K. Landers enrolled ██████████ in two online summer courses (speech and American government) and paid for the courses using personal funds. The courses were required for ██████████ and ██████████

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<sup>3</sup> This allegation is the basis for Allegation No. 20.

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to complete their associate's degrees and satisfy NCAA two-year transfer eligibility requirements. Subsequently, K. Landers and M. Landers completed the online coursework on ██████'s and ██████' behalf. Specifically:

- a. K. Landers enrolled ██████ in summer online speech and American government courses and knowingly paid the costs for the courses. The total monetary value of the courses was approximately \$630. [NCAA Bylaws 10.01.1, 10.1, 10.1-(c), 13.2.1, 13.2.1.1-(e) and 13.15.1 (2011-12)]
- b. K. Landers and M. Landers completed all of ██████'s coursework and the vast majority of ██████' coursework in their online summer courses. However, ██████ personally completed the videotaped presentations for the speech course. The coursework that K. Landers and M. Landers completed for ██████ and ██████ included homework assignments, papers, quizzes and exams. [NCAA Bylaws 10.01.1, 10.1 and 10.1-(b) (2011-12)]

As a result, between July and October 2012, ██████ and ██████ received athletically related financial aid from the institution while ineligible. [NCAA Bylaws 14.1.2 and 15.01.5 (2011-12 and 2012-13)]

**Level of Allegation No. 14:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 14 is a severe breach of conduct (Level I) because the alleged violations (a) seriously undermine or threaten the integrity of the NCAA Collegiate Model; (b) provided or were intended to provide a substantial recruiting, competitive or other advantage. In addition, the alleged violations involve (a) academic misconduct, (b) individual unethical or dishonest conduct, (c) benefits provided by a coach intended to secure or which resulted in the enrollment of a prospect and (d) intentional violations or showing reckless indifference to the NCAA constitution and bylaws. [NCAA Bylaws 19.1.1, 19.1.1-(b), 19.1.1-(d), 19.1.1-(f) and 19.1.1-(h) (2015-16)]

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**Factual information (FI) on which the enforcement staff relies for Allegation No. 14:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 14. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

15. [NCAA Division I Manual Bylaws 10.01.1, 10.1, 10.1-(d), 19.01.3 and 32.1.4 (2012-13)]

It is alleged that in October 2012, Kenya Landers (K. Landers), then assistant women's basketball coach, violated the NCAA principles of ethical conduct and NCAA cooperative principle when she knowingly influenced then women's basketball student-athletes [REDACTED] ([REDACTED]) and [REDACTED] ([REDACTED]) to provide false or misleading information to, or conceal information from, the institution and NCAA enforcement staff regarding their knowledge of and/or involvement in violations of NCAA legislation. Additionally, K. Landers violated the principles of ethical conduct when she knowingly provided false or misleading information to the institution and enforcement staff regarding her knowledge of and/or involvement in violations of NCAA legislation. Specifically:

a. Regarding K. Landers violating the cooperative principle:

- (1) In October 2012, she knowingly instructed [REDACTED] to delete text messages that were relevant to the institution's and enforcement staff's investigation of the issues detailed in Allegation No. 14. [NCAA Bylaws 10.01.1, 10.1, 10.1-(d), 19.01.3 and 32.1.4 (2012-13)]
- (2) In October 2012, she knowingly instructed [REDACTED] and [REDACTED] to (a) deny to the institution and enforcement staff knowledge of and/or involvement in the arrangement of fraudulent academic credit as detailed in Allegation No. 14 and (b) falsely report to the institution and enforcement staff that they completed their own summer of 2012 online coursework. [NCAA Bylaws 10.01.1, 10.1, 10.1-(d), 19.01.3 and 32.1.4 (2012-13)]

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b. Regarding K. Landers knowingly providing false or misleading information:

- (1) During her October 2 and 19, 2012, interviews with the institution and/or enforcement staff, K. Landers (a) denied that she paid for ██████' two summer of 2012 online courses and (b) reported that ██████ paid for the courses with a prepaid debit card funded by her family.

However, ██████ admitted during her January 23, 2013, interview with the institution and enforcement staff that (a) she did not pay for her online courses with funds from her family and (b) K. Landers instructed her to report to the institution and enforcement staff a fabricated story that her mother's fiance paid for the courses with a prepaid debit card. Additionally, the purchase receipt and K. Landers' telephone records show that K. Landers placed telephone calls to ██████ on the date and time ██████' courses were purchased over the telephone. [NCAA Bylaws 10.01.1, 10.1 and 10.1-(d) (2012-13)]

- (2) During her October 2, 5 and 19, 2012, interviews with the institution and/or enforcement staff, K. Landers denied that she or Michael Landers (M. Landers), then women's basketball director of operations, completed ██████'s and ██████' summer of 2012 online coursework.

However, K. Landers admitted later in her October 19 interview that she completed ██████'s math coursework. Additionally, M. Landers admitted during his October 5 and 19, 2012, interviews that he completed coursework for ██████'s coaching and African-American literature courses and ██████' speech and American government courses. Additionally, ██████ and ██████ admitted during their January 2013 interviews that K. Landers and M. Landers completed their online coursework. Further, emails and other documentation show that K. Landers and M. Landers worked together to complete ██████'s and ██████' online coursework. [NCAA Bylaws 10.01.1, 10.1 and 10.1-(d) (2012-13)]

**Level of Allegation No. 15:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 15 is a severe

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breach of conduct (Level I) because the alleged violations seriously undermine or threaten the integrity of the NCAA Collegiate Model and involve (a) a failure to cooperate in an NCAA enforcement investigation and (b) individual unethical or dishonest conduct. Further, the responsibility to cooperate is paramount to a full and complete investigation, which the membership has identified as critical to the common interests of the Association and preservation of the NCAA Collegiate Model. [NCAA Bylaws 19.01.1, 19.1.1, 19.1.1-(c) and 19.1.1-(d) (2015-16)]

**Factual information (FI) on which the enforcement staff relies for Allegation No. 15:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 15. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

16. [NCAA Division I Manual Bylaws 10.01.1, 10.1, 10.1-(d), 19.01.3 and 32.1.4 (2012-13)]

It is alleged that in October 2012, Michael Landers (M. Landers), then women's basketball director of operations, violated the NCAA principles of ethical conduct and NCAA cooperative principle when he knowingly deleted documentation that was relevant to an investigation of violations of NCAA legislation. Additionally, M. Landers violated the principles of ethical conduct when he knowingly provided false or misleading information to the institution and NCAA enforcement staff regarding his knowledge of and/or involvement in violations of NCAA legislation. Specifically:

- a. Regarding M. Landers violating the cooperative principle, between October 2 and 3, 2013, M. Landers deleted emails that were relevant to the institution's and enforcement staff' investigation of the issues detailed in Allegation No. 14 after being admonished by the institution to preserve such documentation. [NCAA Bylaws 10.1, 10.1-(d), 19.01.3 and 32.1.4 (2012-13)]
- b. Regarding M. Landers knowingly providing false or misleading information:
  - (1) During his October 2 and 3, 2012, interviews with the institution, M. Landers denied that he completed any summer of 2012 online coursework for then women's basketball prospective student-athletes [REDACTED] ([REDACTED]) or [REDACTED] ([REDACTED]).

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However, M. Landers admitted during his October 5 and 19 interviews with the institution and/or enforcement staff that he completed coursework for ██████'s coaching and African-American literature courses and ██████' American government and speech courses. Additionally, ██████ and ██████ admitted during their January 2013 interviews that M. Landers and Kenya Landers (K. Landers), then assistant women's basketball coach, completed their online coursework. Further, emails and other documentation show that M. Landers and K. Landers worked together to complete ██████'s and ██████' online coursework. [NCAA Bylaws 10.01.1, 10.1 and 10.1-(d) (2012-13)]

- (2) During his October 3, 2012, interview with the institution, M. Landers denied that he deleted emails that were relevant to the institution's and enforcement staff's investigation. However, after the institution recovered the emails during the interview, M. Landers admitted that he deleted the emails. [NCAA Bylaws 10.01.1, 10.1 and 10.1-(d) (2012-13)]
- (3) During his October 19, 2012, interview with the institution and enforcement staff, M. Landers reported that K. Landers had no knowledge of and/or involvement in completing ██████'s and ██████' summer of 2012 online coursework. However, K. Landers admitted during her October 19 interview that she completed ██████'s online math coursework. Additionally, ██████ and ██████ reported during their January 2013 interviews that K. Landers and M. Landers were involved in completing their online coursework. Further, documentation shows that K. Landers and M. Landers worked together to complete ██████'s and ██████' online coursework. [NCAA Bylaws 10.01.1, 10.1 and 10.1-(d) (2012-13)]

**Level of Allegation No. 16:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 16 is a severe breach of conduct (Level I) because the alleged violations seriously undermine or threaten the integrity of the NCAA Collegiate Model and involve (a) a failure to cooperate in an NCAA enforcement investigation and (b) individual unethical or dishonest conduct. Further, the responsibility to cooperate is paramount to a full and complete investigation, which the membership has identified as critical to the



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common interests of the Association and preservation of the NCAA Collegiate Model. [NCAA Bylaws 19.01.1, 19.1.1, 19.1.1-(c) and 19.1.1-(d) (2015-16)]

**Factual information (FI) on which the enforcement staff relies for Allegation No. 16:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 16. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

17. [NCAA Division I Manual Bylaws 10.01.1, 10.1 and 10.1-(d) (2012-13)]

It is alleged that in October 2012, then women's basketball student-athlete ██████████ (██████████) violated the NCAA principles of ethical conduct when she knowingly provided false or misleading information to the institution and/or NCAA enforcement staff regarding her knowledge of and/or involvement in violations of NCAA legislation.

Specifically, during her October 2, 2012, interview with the institution and her October 9, 2012, interview with the institution and enforcement staff, ██████████ stated that she (a) personally completed the coursework for her two summer of 2012 online courses without improper assistance from Kenya Landers (K. Landers), then assistant women's basketball coach, or Michael Landers (M. Landers), then women's basketball director of operations, and (b) paid for her two courses with funds from her family.

However, during her January 23, 2013, interview with the institution and enforcement staff, ██████████ admitted that M. Landers completed her summer of 2012 online coursework with the exception of her videotaped speech presentations and that K. Landers paid for her two summer of 2012 online courses. Additionally, M. Landers admitted during his October 5 and 19 interviews that he completed ██████████' coursework. Further, emails and other documentation show that M. Landers completed ██████████' coursework and that K. Landers paid for ██████████' two online courses.

**Level of Allegation No. 17:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 17 is a severe breach of conduct (Level I) because the alleged violations seriously undermine or

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threaten the integrity of the NCAA Collegiate Model and involve individual unethical or dishonest conduct. [NCAA Bylaws 19.1.1 and 19.1.1-(d) (2015-16)]

**Factual information (FI) on which the enforcement staff relies for Allegation No. 17:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 17. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

18. [NCAA Division I Manual Bylaws 10.01.1, 10.1 and 10.1-(d) (2012-13)]

It is alleged that in October 2012, then women's basketball student-athlete ██████████ (██████████) violated the NCAA principles of ethical conduct when she knowingly provided false or misleading information to the institution regarding her knowledge of and involvement in violations of NCAA legislation.

Specifically, during her October 2 and October 8, 2012, interviews with the institution, ██████████ stated that she personally completed her summer of 2012 online coursework without improper assistance from Kenya Landers (K. Landers), then assistant women's basketball coach, and Michael Landers (M. Landers), then women's basketball director of operations.

However, during her January 22, 2013, interview with the institution and NCAA enforcement staff, ██████████ admitted that K. Landers and M. Landers completed all of her summer of 2012 online coursework. Additionally, during her October 19, 2012, interview with the institution and enforcement staff, K. Landers admitted that she completed ██████████'s math coursework. Further, during his October 5 and 19, 2012, interviews, M. Landers admitted that he completed coursework for ██████████'s coaching and African-American literature courses. Lastly, emails and other documentation show that K. Landers and M. Landers worked together to complete ██████████'s online coursework.

**Level of Allegation No. 18:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 18 is a severe breach of conduct (Level I) because the alleged violations seriously undermine or threaten the integrity of the NCAA Collegiate Model and involve individual unethical or dishonest conduct. [NCAA Bylaws 19.1.1 and 19.1.1-(d) (2015-16)]

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**Factual information (FI) on which the enforcement staff relies for Allegation No. 18:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 18. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

19. [NCAA Division I Manual Bylaws 13.1.3.1, 13.1.3.1.4, 13.1.3.4.1 and 13.4.1.2 (2011-12)]

It is alleged that between March 28 and July 24, 2012, Kenya Landers (K. Landers), then assistant women's basketball coach, and Michael Landers (M. Landers), then women's basketball director of operations, placed 62 impermissible telephone calls and sent 320 impermissible text messages combined to 13 then women's basketball prospective student-athletes. Specifically:

- a. Between March 28 and May 31, 2012, K. Landers placed and/or sent the following impermissible telephone calls and text messages to then women's basketball prospects:

Prospect's Name	No. of Texts	Date Range of Texts	No. of Calls	Date Range of Calls
[REDACTED]	18	March 30 - May 31	0	N/A
[REDACTED]	3	March 30 - April 4	0	N/A
[REDACTED]	2	March 30 - April 4	1	March 31
[REDACTED]	155	March 28 - May 30	51	March 31 - May 23
[REDACTED]	2	March 28 - March 30	5	March 29 - April 11
[REDACTED]	2	March 30 - April 4	0	N/A
[REDACTED]	3	March 30 - April 11	0	N/A
[REDACTED]	1	April 21	0	N/A
[REDACTED]	3	March 30 - April 4	0	N/A
[REDACTED]	3	March 30 - April 10	0	N/A
[REDACTED]	2	March 30 - April 4	0	N/A
[REDACTED]	2	April 11 - April 27	0	N/A

[NCAA Bylaws 13.1.3.1, 13.1.3.1.4 and 13.4.1.2 (2011-12)]

- b. Between March 30 and July 24, 2012, M. Landers placed and/or sent the following impermissible telephone calls and text messages to then women's basketball prospects:

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Prospect's Name	No. of Texts	Date Range of Texts	No. of Calls	Date Range of Calls
[REDACTED]	24	April 2 - May 9	0	N/A
[REDACTED]	7	April 16 - May 9	1	April 3
[REDACTED]	12	April 2 - May 9	1	May 14
[REDACTED]	2	April 8	0	N/A
[REDACTED]	13	April 16 - July 24	0	N/A
[REDACTED]	20	March 30 - May 9	0	N/A
[REDACTED]	2	March 30 - April 4	0	N/A
[REDACTED]	6	April 8 - April 16	0	N/A
[REDACTED]	8	April 16 - May 9	1	March 30
[REDACTED]	30	April 2 - May 20	2	April 8
[REDACTED]	2	May 9	0	N/A

[NCAA Bylaws 13.1.3.1, 13.1.3.1.4, 13.1.3.4.1 and 13.4.1.2 (2011-12)]

**Level of Allegation No. 19:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 19 is a significant breach of conduct (Level II) because the alleged violations (a) provided more than a minimal recruiting advantage, (b) are more serious than a Level III violation and (3) were not isolated or limited. [NCAA Bylaws 19.1.2 and 19.1.2-(a) (2015-16)]

**Factual information (FI) on which the enforcement staff relies for Allegation No. 19:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 19. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

20. [NCAA Division I Manual Bylaw 11.1.2.1 (2011-12)]

It is alleged that between May and June 2012, the scope and nature of the violations detailed in Allegation No. 14 demonstrate that Adrian Wiggins (Wiggins), then head women's basketball coach, did not fulfill the NCAA legislated responsibilities of a head coach when he failed to monitor the activities of members of the women's basketball staff.

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Specifically, Wiggins failed to monitor the activities of Kenya Landers, then assistant women's basketball coach, and Michael Landers, then women's basketball director of operations, with respect to their involvement in (a) registering then women's basketball prospective student-athlete [REDACTED] ([REDACTED]) in her two online courses and paying for the courses and (b) completing [REDACTED] and then women's basketball prospective student-athlete [REDACTED]'s online coursework.

**Level of Allegation No. 20:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 20 is a severe breach of conduct (Level I) because the alleged violation involves a head coach responsibility violation resulting from an underlying Level I violation committed by individuals within women's basketball program. [NCAA Bylaws 19.1.1 and 19.1.1-(e) (2015-16)]

**Factual information (FI) on which the enforcement staff relies for Allegation No. 20:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 20. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

Men's and women's track and field and cross country.

21. [NCAA Division I Manual Bylaws 13.1.1.3 and 13.4.1.2 (2011-12 and 2012-13)]<sup>4</sup>

It is alleged that from June 25 to July 11, 2012, Erin Dawson (Dawson), then assistant men's and women's track and field and cross country coach, made impermissible recruiting contact with a women's track and field student-athlete enrolled at another NCAA member institution. Additionally, during the fall of 2012, Lena Bettis (Bettis), then assistant men's and women's track and field coach, made impermissible recruiting contact with a different women's track and field student-athlete enrolled at another NCAA member institution. Specifically:

- a. Between June 25 and July 11, 2012, Dawson exchanged eight text messages and five telephone calls with [REDACTED] women's

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<sup>4</sup> This allegation is part of the basis for Allegation No. 27.

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track and field student-athlete ██████████ (██████████) for the purpose of recruiting ██████████ to the institution. Dawson used a noninstitutional cellular telephone to contact ██████████. [NCAA Bylaws 13.1.1.3 and 13.4.1.2 (2011-12)]

- b. During the fall of 2012, Bettis exchanged between 10 and 20 text messages with ██████████ women's track and field student-athlete ██████████ (██████████) for the purpose of recruiting ██████████ to the institution. Bettis used a messaging application that was undetectable by the institution to contact ██████████. [NCAA Bylaws 13.1.1.3 and 13.4.1.2 (2012-13)]

**Level of Allegation No. 21:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 21 is a significant breach of conduct (Level II) because the alleged violations (a) were intended to provide more than a minimal recruiting advantage, (b) are more serious than Level III violations and (3) are not isolated or limited. [NCAA Bylaws 19.1.2 and 19.1.2-(a) (2015-16)]

**Factual information (FI) on which the enforcement staff relies for Allegation No. 21:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 21. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

22. [NCAA Division I Manual Bylaws 16.11.2.1 and 16.11.2.3-(d) (2012-13)]<sup>5</sup>

It is alleged that on August 11, 2012, a then assistant men's and women's track and field coach provided then men's track and field student-athlete ██████████ ██████████ with impermissible transportation from the ██████████ International Airport to the institution (approximately 70 miles).

**Level of Allegation No. 22:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 22 is a breach of

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<sup>5</sup> This allegation is part of the basis for Allegation No. 27.

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conduct (Level III) because the alleged violations were isolated or limited and provided no more than a minimal impermissible benefit. [NCAA Bylaw 19.1.3 (2015-16)]

**Factual information (FI) on which the enforcement staff relies for Allegation No. 22:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 22. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

23. [NCAA Division I Manual Bylaws 13.11.1 and 13.11.2.3 (2012-13)]<sup>6</sup>

It is alleged that on approximately eight occasions between September 2012 and January 2013, Erin Dawson (Dawson), then assistant men's and women's track and field and cross country coach, conducted impermissible tryouts of numerous then women's track and field and cross country prospective student-athletes. Specifically, Dawson arranged for numerous prospects to attend official team practices during their official paid visits and observed the prospects as they ran together with then women's cross country student-athletes during the practices.

**Level of Allegation No. 23:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 23 is a significant breach of conduct (Level II) because the alleged violations (a) provided or were intended to provide more than a minimal recruiting or other advantage, (b) are more serious than a Level III violation and (c) are not isolated or limited. [NCAA Bylaws 19.1.2 and 19.1.2-(a) (2015-16)]

**Factual information (FI) on which the enforcement staff relies for Allegation No. 23:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 23. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

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<sup>6</sup> This allegation is part of the basis for Allegation No. 27.

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24. [NCAA Division I Manual Bylaws 13.2.1, 13.7.2.1 and 13.7.2.1.2 (2012-13)]<sup>7</sup>

It is alleged that between October 2012 and March 2013, the track and field program provided impermissible recruiting inducements to four then men's track and field prospective student-athletes during unofficial visits. Specifically:

- a. On October 12, 2012, then men's track and field prospective student-athlete [REDACTED] ([REDACTED]) received complimentary hotel lodging during an unofficial visit when he stayed overnight in the hotel room the institution provided to another then men's track and field prospect who was on an official paid visit. The total monetary value of the lodging [REDACTED] received was approximately \$96. [NCAA Bylaws 13.2.1 and 13.7.2.1 (2012-13)]
- b. Between February 17 and 18, 2013, then men's track and field prospective student-athlete [REDACTED] ([REDACTED]) received at least two complimentary meals during an unofficial visit. The total monetary value of the meals [REDACTED] received was approximately \$30. [NCAA Bylaws 13.2.1 and 13.7.2.1.2 (2012-13)]
- c. On March 17, 2013, then men's track and field prospective student-athletes [REDACTED] ([REDACTED]) and [REDACTED] ([REDACTED]) received complimentary hotel lodging during an unofficial visit when they stayed overnight in the hotel room the institution provided to another then men's track and field prospect who was on an official paid visit. The total monetary value of the hotel lodging [REDACTED] and [REDACTED] received was approximately \$43 each. [REDACTED] and [REDACTED] had taken official paid visits to the institution prior to March 17. [NCAA Bylaws 13.2.1 and 13.7.2.1 (2012-13)]

**Level of Allegation No. 24:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 24 is a significant breach of conduct (Level II) because the alleged violations (a) provided or were intended to provide more than a minimal recruiting advantage, (b) provided more than a minimal impermissible benefit, (c) are more serious than a Level III violation and (d) are not isolated or limited. [NCAA Bylaws 19.1.2 and 19.1.2-(a) (2015-16)]

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<sup>7</sup> This allegation is part of the basis for Allegation No. 27.



**Factual information (FI) on which the enforcement staff relies on for Allegation No. 24:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 24. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

25. [NCAA Division I Manual Bylaws 13.1.5.7 and 13.1.5.7.1 (2012-13)]<sup>8</sup>

It is alleged that on February 10, 2013, Brian O'Neal (O'Neal), then head men's and women's track and field coach, made off-campus recruiting contact with then women's track and field prospective student-athlete ██████████ (██████████) at ██████████'s residence for the purpose of ██████████ signing a National Letter of Intent (NLI) with the institution. Additionally, at the conclusion of the in-home visit, O'Neal left ██████████'s residence with her signed NLI and provided it to the institution.

**Level of Allegation No. 25:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 25 is a significant breach of conduct (Level II) because the alleged violation provided or was intended to provide more than a minimal recruiting advantage and is more serious than a Level III violation. [NCAA Bylaws 19.1.2 and 19.1.2-(a) (2015-16)]

**Factual information (FI) on which the enforcement staff relies for Allegation No. 25:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 25. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

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<sup>8</sup> This allegation is part of the basis for Allegation No. 27.

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26. [NCAA Division I Manual Bylaws 10.01.1, 10.1 and 10.1-(d) (2013-14)]

It is alleged that in February 2014, Erin Dawson (Dawson), then assistant men's and women's track and field coach, violated the NCAA principles of ethical conduct when she knowingly provided false or misleading information to the institution and NCAA enforcement staff regarding her knowledge of and/or involvement in violations of NCAA legislation.

Specifically, during her February 10 and February 20, 2014, interviews with the institution and enforcement staff, Dawson reported that on the occasions in which visiting women's track and field and cross country prospective student-athletes participated in team runs during cross country practice, she purposefully took steps to avoid violating NCAA tryout legislation by (a) separating the prospects from the student-athletes before starting the runs to prevent the two groups from running together and (b) placing herself in a position where she could not observe the prospects run.

However, the factual support shows (a) Dawson did not separate the prospects from the student-athletes prior to the runs, (b) the prospects and student-athletes ran together and (c) Dawson observed the prospects as they ran.

**Level of Allegation No. 26:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 26 is a severe breach of conduct (Level I) because the alleged violations seriously undermine or threaten the integrity of the NCAA Collegiate Model and involve individual unethical or dishonest conduct. [NCAA Bylaws 19.1.1 and 19.1.1-(d) (2015-16)]

**Factual information (FI) on which the enforcement staff relies for Allegation No. 26:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 26. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

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27. [NCAA Division I Manual Bylaw 11.1.2.1 (2011-12 and 2012-13)]<sup>9</sup>

It is alleged that between June 2012 and February 2013, Brian O'Neal (O'Neal), then head men's and women's track and field and cross country coach, did not fulfill the NCAA legislated responsibilities of a head coach when he failed to promote an atmosphere of compliance within the men's and women's track and field and cross country program and monitor the activities of a then assistant men's and women's track and field coach. Specifically:

a. Regarding O'Neal failing to promote an atmosphere of compliance:

- (1) O'Neal was aware that Erin Dawson (Dawson), then assistant women's track and field and cross country coach, was engaged in impermissible recruiting contact with [REDACTED] women's track and field student-athlete [REDACTED] as detailed in Allegation No. 21, and he failed to report the matter to the institution.

Additionally, O'Neal was aware of and/or encouraged Lena Bettis, then assistant women's track and field coach, to engage in impermissible recruiting contact with [REDACTED] women's track and field student-athlete [REDACTED] as detailed in Allegation No. 21. [NCAA Bylaw 11.1.2.1 (2011-12 and 2012-13)]

- (2) O'Neal approved for a then assistant men's track and field coach to provide the impermissible transportation to then men's track and field student-athlete [REDACTED] as detailed in Allegation No. 22. [NCAA Bylaw 11.1.2.1 (2012-13)]
- (3) O'Neal made off-campus recruiting contact with then women's track and field prospective student-athlete [REDACTED] ([REDACTED]) for the purpose of [REDACTED] signing a National Letter of Intent (NLI) with the institution, as detailed in Allegation No. 25. Additionally, O'Neal provided [REDACTED]'s signed NLI to the institution. [NCAA Bylaw 11.1.2.1 (2012-13)]

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<sup>9</sup> Division I Proposal 2012-15 was adopted and made effective October 30, 2012, and specified that a head coach is presumed responsible for the actions of all assistant coaches and administrators who report, directly or indirectly, to him or her. Consequently, the violations detailed in Allegation Nos. 21 and 23 through 25 that occurred on or after October 30, 2012, are presumptively O'Neal's responsibility and have been analyzed according to this standard.

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- b. Regarding O'Neal failing to monitor:
- (1) O'Neal failed to monitor that Dawson was conducting impermissible tryouts of numerous then women's track and field and cross country prospective student-athletes, as detailed in Allegation No. 23. [NCAA Bylaw 11.1.2.1 (2012-13)]
  - (2) O'Neal failed to monitor the track and field program's provision of impermissible hotel lodging and/or meals to then men's track and field prospective student-athletes during unofficial visits, as detailed in Allegation No. 24. [NCAA Bylaw 11.1.2.1 (2012-13)]

**Level of Allegation No. 27:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 27 is a significant breach of conduct (Level II) because the alleged violations involve a head coach responsibility violation resulting from underlying Level II violations by individuals within the men's and women's track and field and cross country program and are more serious than a Level III violation. [NCAA Bylaws 19.1.2, 19.1.2-(a) and 19.1.2-(e) (2015-16)]

**Factual information (FI) on which the enforcement staff relies for Allegation No. 27:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 27. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

28. [NCAA Division I Manual Bylaws 10.01.1, 10.1 and 10.1-(d) (2012-13 and 2013-14)]

It is alleged that on July 10 and December 12, 2013, Brian O'Neal (O'Neal), then head men's and women's track and field and cross country coach, violated the NCAA principles of ethical conduct when he knowingly provided the institution and NCAA enforcement staff false or misleading information regarding his knowledge of and/or involvement in violations of NCAA legislation. Specifically:

- a. During his July 10 and December 12, 2013, interviews with the institution and enforcement staff, O'Neal denied knowledge of and/or involvement in Erin Dawson (Dawson) and Lena Bettis (Bettis), then assistant men's and

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women's track and field coaches, making impermissible recruiting contact with [REDACTED] women's track and field student-athlete [REDACTED] ([REDACTED]) and [REDACTED] women's track and field student-athlete [REDACTED] ([REDACTED]), respectively. However, the factual support for Allegation No. 21 shows that O'Neal knew of Dawson's impermissible recruiting contact with [REDACTED] and that he knew of and/or encouraged Bettis to make impermissible recruiting contact with [REDACTED]. [NCAA Bylaws 10.01.1, 10.1 and 10.1-(d) (2012-13 and 2013-14)]

- b. During his July 10 interview, O'Neal denied that he approved for a then assistant men's and women's track and field coach to provide impermissible transportation to then men's track and field student-athlete [REDACTED] ([REDACTED]). However, the factual support for Allegation No. 22 shows that O'Neal approved at the time for the then assistant coach to provide [REDACTED] with the impermissible transportation. [NCAA Bylaws 10.01.1, 10.1 and 10.1-(d) (2012-13)]
- c. During his July 10 interview, O'Neal denied that he made off-campus recruiting contact with then women's track and field prospective student-athlete [REDACTED] ([REDACTED]) for the purpose of [REDACTED] signing a National Letter of Intent with the institution. However, the factual support for Allegation No. 25 shows that O'Neal made the off-campus contact with [REDACTED] for that purpose. [NCAA Bylaws 10.01.1, 10.1 and 10.1-(d) (2012-13)]

**Level of Allegation No. 28:**

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 28 is a severe breach of conduct (Level I) because the alleged violations seriously undermine or threaten the integrity of the NCAA Collegiate Model and involve individual unethical or dishonest conduct. [NCAA Bylaws 19.1.1 and 19.1.1-(d) (2015-16)]

**Factual information (FI) on which the enforcement staff relies for Allegation No. 28:**

The attached exhibits detail the factual information on which the enforcement staff relies for Allegation No. 28. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

**Specific to Allegation Nos. 1 through 28:**

- a. Please indicate whether the information contained within these allegations is substantially correct and whether the institution and involved individuals identified in these allegations believe violations of NCAA legislation occurred. Submit materials to support your response.
- b. If the institution and involved individuals believe NCAA violations occurred, please indicate whether there is substantial agreement on the level of the violation. Submit materials to support your response.
- c. Please indicate whether the factual information is substantially correct and whether the institution and involved individuals have additional pertinent information and/or facts. Submit facts in support of your response.

**C. Potential Aggravating and Mitigating Factors.**

Pursuant to NCAA Bylaw 19.7.1, the NCAA enforcement staff has identified the following potential aggravating and mitigating factors that the hearing panel may consider.

**1. Institution:**

a. Aggravating factors. [NCAA Bylaw 19.9.3 (2015-16)]

- (1) Multiple Level I and Level II violations by the institution or involved individuals. [NCAA Bylaws 19.9.3-(a) and 19.9.3-(g) (2015-16)]

The violations referenced in Allegation Nos. 1 through 4, 6, 8, 10 through 21 and 23 through 28 have been identified by the enforcement staff to be Level I or Level II violations.

- (2) One or more violations caused significant ineligibility or other substantial harm to a student-athlete or prospective student-athlete. [NCAA Bylaw 19.9.3-(i) (2015-16)]

The violations detailed in Allegation No. 1 resulted in football student-athletes [REDACTED] and [REDACTED] being declared ineligible and withheld from nine football contests combined.

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The violations detailed in Allegation No. 14 resulted in the institution declaring then women's basketball student-athletes ██████████ (████████) and ██████████ (████████) ineligible, which facilitated their withdrawal from the institution. Additionally, the violations inhibited ██████████'s and ██████████' ability to find athletics opportunities at other institutions.

- (3) A pattern of noncompliance within the sport programs involved. [NCAA Bylaw 19.9.3-(k) (2015-16)]

The violations detailed in Allegation Nos. 1 through 13 involve eight Level I and two Level II violations. These alleged violations occurred over a four-year time period and involve two different coaching staffs. Additionally, these alleged violations involve unethical conduct, fraudulence in connection with college entrance exams, substantial or extensive recruiting inducements and extra benefits and impermissible conduct by representatives of the institution's athletics interests.

The violations detailed in Allegation Nos. 14 and 19 began in May 2012, shortly after the institution hired Kenya Landers (K. Landers), former assistant women's basketball coach, and Michael Landers (M. Landers), former women's basketball director of operations, and they continued until the termination of K. Landers' and M. Landers' employment in October 2012. Therefore, there was not a period of time during K. Landers' and M. Landers' employment at the institution in which they conducted themselves in a compliant manner.

The violations detailed in Allegation Nos. 21 through 25 occurred over several months between the summer of 2012 and spring of 2013.

- b. Mitigating factors. [NCAA Bylaw 19.9.4 (2015-16)]

- (1) Prompt self-detection and self-disclosure of the violations. [NCAA Bylaw 19.9.4-(a) (2015-16)]

The institution self-detected the violations detailed in Allegation Nos. 6, 8 and 9 and promptly reported them to the enforcement staff.

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- (2) Prompt acknowledgement of the violations, acceptance of responsibility and imposition of meaningful corrective measures and/or penalties. [NCAA Bylaw 19.9.4-(b) (2015-16)]

The institution promptly acknowledged several violations in this investigation, accepted responsibility and imposed meaningful corrective measures, including termination of certain involved individuals, disassociation of a representative of its athletics interests, imposition of probation and a postseason ban in women's basketball, restricting coaches' recruiting activities and improving its athletics compliance rules education and monitoring systems.

- (3) Affirmative steps to expedite final resolution of the matter. [NCAA Bylaw 19.9.4-(c) (2015-16)]

The institution was actively engaged in this investigation and provided the enforcement staff with valuable assistance, which helped expedite the final resolution of this matter.

Regarding the violations detailed in Allegation No. 1, the institution identified documents and other information of which the enforcement staff was not aware that were essential in uncovering the violations involving the provision of impermissible loaner vehicles to two football student-athletes.

Regarding the violations detailed in Allegation No. 14, the institution identified documents and other information of which the enforcement staff was not aware that were essential in uncovering the violations of arranging fraudulent academic credit.

During the investigation, the institution learned of potential violations in its men's and women's track and field and cross country program and promptly notified the enforcement staff of the issues.

- (4) An established history of self-reporting Level III or secondary violations. [NCAA Bylaw 19.9.4-(d) (2015-16)]

From the 2010-11 through 2014-15 academic years, the institution reported 164 secondary/Level III violations to the enforcement staff.



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2. **Involved party [Maurice Harris (Harris), assistant football coach]:**

- a. Aggravating factor(s). [NCAA Division I Manual Bylaw 19.9.3 (2015-16)]

The enforcement staff has not identified any aggravating factors applicable to Harris.

- b. Mitigating factor(s). [NCAA Division I Manual Bylaw 19.9.4 (2015-16)]

The enforcement staff has not identified any mitigating factors applicable to Harris.

3. **Involved party [Chris Kiffin (Kiffin), assistant football coach]:**

- a. Aggravating factor(s). [NCAA Division I Manual Bylaw 19.9.3 (2015-16)]

The enforcement staff has not identified any aggravating factors applicable to Kiffin.

- b. Mitigating factor(s). [NCAA Division I Manual Bylaw 19.9.4 (2015-16)]

The enforcement staff has not identified any mitigating factors applicable to Kiffin.

4. **Involved party [Derrick Nix (Nix), assistant football coach]:**

- a. Aggravating factor(s). [NCAA Bylaw 19.9.3 (2015-16)]

The enforcement staff has not identified any aggravating factors applicable to Nix.

- b. Mitigating factor(s). [NCAA Bylaw 19.9.4 (2015-16)]

The enforcement staff has not identified any mitigating factors applicable to Nix.

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5. **Involved party [David Saunders (Saunders), former administrative operations coordinator for football]:**

a. Aggravating factors. [NCAA Bylaw 19.9.3 (2015-16)]

- (1) Multiple Level I violations by the institution or involved individuals. [NCAA Bylaw 19.9.3-(a) (2015-16)]

The violations detailed in Allegation Nos. 10, 11 and 13 have been identified by the enforcement staff to be Level I violations in which Saunders had direct knowledge and/or involvement.

- (2) Unethical conduct. [NCAA Bylaw 19.9.3-(e) (2015-16)]

The violations detailed in Allegation Nos. 10, 11 and 13 involve violations of the NCAA principles of ethical conduct.

- (3) Violations were premeditated, deliberate or committed after substantial planning. [NCAA Bylaw 19.9.3-(f) (2015-16)]

As detailed in Allegation No. 10, Saunders knowingly participated in an exam fraud scheme that involved three then football prospective student-athletes taking the June 2010 ACT exam in Waynesboro, Mississippi, including arranging for the then ACT testing supervisor to complete and/or alter the prospects' answer sheets in such a manner that they received fraudulent scores. Additionally, as detailed in Allegation No. 11, Saunders arranged for the provision of lodging, meals and/or transportation for six then football prospects during the summer of 2010. Saunders' actions required premeditation, deliberation and/or substantial planning.

- (4) Intentional, willful or blatant disregard for the NCAA constitution and bylaws. [NCAA Bylaw 19.9.3-(m) (2015-16)]

The violations detailed in Allegation No. 10 involve fraudulence or misconduct in connection with the ACT exams of three then football prospects, conduct that is antithetical to the NCAA constitution and bylaws.

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- b. Mitigating factor(s). [NCAA Bylaw 19.9.4 (2015-16)]

The enforcement staff has not identified any mitigating factors applicable to Saunders.

6. **Involved party [Chris Vaughn (Vaughn), former assistant football coach]:**

- a. Aggravating factors. [NCAA Bylaw 19.9.3 (2015-16)]

- (1) Multiple Level I violations by the institution or involved individuals. [NCAA Bylaw 19.9.3-(a) (2015-16)]

The violations detailed in Allegation Nos. 10, 11 and 12 have been identified by the enforcement staff to be Level I violations in which Vaughn had direct knowledge and/or involvement.

- (2) Unethical conduct and compromising the integrity of an investigation. [NCAA Bylaw 19.9.3-(e) (2015-16)]

The violations detailed in Allegation Nos. 10, 11 and 12 involve violations of the NCAA principles of ethical conduct. Additionally, Allegation No. 12 involves conduct that compromised the integrity of the enforcement staff's investigation in violation of the NCAA cooperative principle.

- (3) Violations were premeditated, deliberate or committed after substantial planning. [NCAA Bylaw 19.9.3-(f) (2015-16)]

As detailed in Allegation No. 10, Vaughn knowingly participated in an exam fraud scheme that involved three then football prospective student-athletes taking the June 2010 ACT exam in Waynesboro, Mississippi. Additionally, as detailed in Allegation No. 11, Vaughn arranged for the provision of lodging, meals and/or transportation for five then football prospects during the summer of 2010. Vaughn's actions required premeditation, deliberation and/or substantial planning.

- (4) Intentional, willful or blatant disregard for the NCAA constitution and bylaws. [NCAA Bylaw 19.9.3-(m) (2015-16)]

The violations detailed in Allegation No. 10 involve fraudulence or misconduct in connection with the ACT exams of three then

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football prospects, conduct that is antithetical to the NCAA constitution and bylaws. Therefore, the enforcement staff has identified this potential aggravating factor.

- b. Mitigating factor(s). [NCAA Bylaw 19.9.4 (2015-16)]

The enforcement staff has not identified any mitigating factors applicable to Vaughn.

7. **Involved party** [REDACTED] ([REDACTED]), **former women's basketball student-athlete**

- a. Aggravating factors. [NCAA Bylaw 19.9.3 (2015-16)]

- (1) Multiple Level I violations by the institution or involved individuals. [NCAA Bylaw 19.9.3-(a) (2015-16)]

The violations detailed in Allegation Nos. 14 and 18 have been identified by the enforcement staff to be Level I violations in which [REDACTED] had direct knowledge and/or involvement.

- (2) Unethical conduct. [NCAA Bylaw 19.9.3-(e) (2015-16)]

The violations detailed in Allegation Nos. 14 and 18 involve violations of the NCAA principles of ethical conduct.

- b. Mitigating factor. [NCAA Bylaw 19.9.4 (2015-16)]

Other facts warranting a lower penalty range. [NCAA Bylaw 19.9.4-(h) (2015-16)]

[REDACTED] admitted to committing the violations detailed in Allegation Nos. 14 and 18 during her final interview with the institution and enforcement staff. Her admissions further substantiated the violations detailed in Allegation No. 14. Additionally, the enforcement staff believes the factual information shows that K. Landers and M. Landers used their position to influence [REDACTED] to participate in their scheme.

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8. **Involved party [REDACTED] (REDACTED), former women's basketball student-athlete]**

a. Aggravating factors. [NCAA Bylaw 19.9.3 (2015-16)]

- (1) Multiple Level I violations by the institution or involved individuals. [NCAA Bylaw 19.9.3-(a) (2015-16)]

The violations detailed in Allegation Nos. 14 and 17 have been identified by the enforcement staff to be Level I violations in which [REDACTED] had direct knowledge and/or involvement.

- (2) Unethical conduct. [NCAA Bylaw 19.9.3-(e) (2015-16)]

The violations detailed in Allegation Nos. 14 and 17 involve violations of the NCAA principles of ethical conduct.

b. Mitigating factor. [NCAA Bylaw 19.9.4 (2015-16)]

Other facts warranting a lower penalty range. [NCAA Bylaw 19.9.4-(h) (2015-16)]

[REDACTED] admitted to committing the violations detailed in Allegation Nos. 14 and 17 during her final interview with the institution and enforcement staff. Her admissions further substantiated the violations detailed in Allegation No. 14. Additionally, the enforcement staff believes the factual information shows that K. Landers and M. Landers used their position to influence [REDACTED] to participate in their scheme.

9. **Involved party [K. Landers]:**

a. Aggravating factors. [NCAA Bylaw 19.9.3 (2015-16)]

- (1) Multiple Level I violations by the institution or involved individuals. [NCAA Bylaw 19.9.3-(a) (2015-16)]

The violations detailed in Allegation Nos. 14 and 15 have been identified by the enforcement staff to be Level I violations in which K. Landers had direct knowledge and involvement.

- (2) Obstructing an investigation or attempting to conceal the violations. [NCAA Bylaw 19.9.3-(d) (2015-16)]

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As detailed in Allegation No. 15, K. Landers obstructed the enforcement staff's investigation into, as well as attempted to conceal her knowledge of and involvement in, the violations detailed in Allegation No. 14.

- (3) Unethical conduct. [NCAA Bylaw 19.9.3-(e) (2015-16)]

The violations detailed in Allegation Nos. 14 and 15 involve violations of the NCAA principles of ethical conduct.

- (4) Violations were premeditated, deliberate or committed after substantial planning. [NCAA Bylaw 19.9.3-(f) (2015-16)]

As detailed in Allegation No. 14, K. Landers constructed a plan to arrange fraudulent academic credit for ██████ and ██████ and deliberately involved ██████ and ██████ in this scheme.

- (5) One or more violations caused significant ineligibility or other substantial harm to a student-athlete or prospective student-athlete. [NCAA Bylaw 19.9.3-(i) (2015-16)]

The violations detailed in Allegation No. 14 resulted in the institution declaring ██████ and ██████ ineligible, which facilitated their withdrawal from the institution. Additionally, the violations inhibited ██████ and ██████ from finding athletics opportunities at other institutions.

- (6) Intentional, willful and blatant disregard for the NCAA constitution and bylaws. [NCAA Bylaw 19.9.3-(m) (2015-16)]

The violations detailed in Allegation Nos. 14 and 15 involve arranging fraudulent academic credit, unethical conduct and compromising the integrity of the enforcement staff's investigation. These alleged violations are all antithetical to the NCAA constitution and bylaws.

- b. Mitigating factor(s). [NCAA Bylaw 19.9.4 (2015-16)]

The enforcement staff has not identified any mitigating factors applicable to K. Landers.

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10. **Involved party [M. Landers]:**

a. Aggravating factors. [NCAA Bylaw 19.9.3 (2015-16)]

- (1) Multiple Level I violations by the institution or involved individuals. [NCAA Bylaw 19.9.3-(a) (2015-16)]

The violations detailed in Allegation Nos. 14 and 16 have been identified by the enforcement staff to be Level I violations in which M. Landers had direct knowledge and involvement.

- (2) Obstructing an investigation or attempting to conceal the violations. [NCAA Bylaw 19.9.3-(d) (2015-16)]

As detailed in Allegation No. 16, M. Landers obstructed the enforcement staff's investigation into, as well as attempted to conceal his knowledge of and involvement in, the violations detailed in Allegation No. 14.

- (3) Unethical conduct. [NCAA Bylaw 19.9.3-(e) (2015-16)]

The violations detailed in Allegation Nos. 14 and 16 involve violations of the NCAA principles of ethical conduct.

- (4) Violations were premeditated, deliberate or committed after substantial planning. [NCAA Bylaw 19.9.3-(f) (2015-16)]

As detailed in Allegation No. 14, M. Landers constructed a plan to arrange fraudulent academic credit for ██████ and ██████ and deliberately involved ██████ and ██████ in this scheme.

- (5) One or more violations caused significant ineligibility or other substantial harm to a student-athlete or prospective student-athlete. [NCAA Bylaw 19.9.3-(i) (2015-16)]

The violations detailed in Allegation No. 14 resulted in the institution declaring ██████ and ██████ ineligible, which facilitated their withdrawal from the institution. Additionally, the violations inhibited ██████ and ██████ from finding athletics opportunities at other institutions.

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- (6) Intentional, willful and blatant disregard for the NCAA constitution and bylaws. [NCAA Bylaw 19.9.3-(m) (2015-16)]

The violations detailed in Allegation Nos. 14 and 16 involve academic misconduct, unethical conduct and compromising the integrity of the enforcement staff's investigation. These alleged violations are all antithetical to the NCAA constitution and bylaws.

- b. Mitigating factor(s). [NCAA Bylaw 19.9.4 (2015-16)]

The enforcement staff has not identified any mitigating factors applicable to M. Landers.

11. **Involved party [Adrian Wiggins (Wiggins), former head women's basketball coach]:**

- a. Aggravating factor(s). [NCAA Bylaw 19.9.3 (2015-16)]

The enforcement staff has not identified any aggravating factors applicable to Wiggins.

- b. Mitigating factor(s). [NCAA Bylaw 19.9.4 (2015-16)]

The enforcement staff has not identified any mitigating factors applicable to Wiggins.

12. **Involved party [Lena Bettis (Bettis), former men's and women's track and field coach]:**

- a. Aggravating factor(s). [NCAA Bylaw 19.9.3 (2015-16)]

The enforcement staff has not identified any aggravating factors applicable to Bettis.

- b. Mitigating factor. [NCAA Bylaw 19.9.4 (2015-16)]

Prompt acknowledgement of the violations, acceptance of responsibility and imposition of meaningful corrective measures and/or penalties. [NCAA Bylaw 19.9.4-(b) (2015-16)]

Bettis admitted committing the violations detailed in Allegation No. 21, which likely would not have been substantiated without her admission.



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13. **Involved party [Erin Dawson (Dawson), former assistant men's and women's track and field and cross country coach]:**

a. Aggravating factor. [NCAA Bylaw 19.9.3 (2015-16)]

Unethical conduct. [NCAA Bylaw 19.9.3-(e) (2015-16)]

The violations detailed in detailed in Allegation No. 26 involve violations of the NCAA principles of ethical conduct.

b. Mitigating factor(s). [NCAA Bylaw 19.9.4 (2015-16)]

The enforcement staff has not identified any mitigating factors applicable to Dawson.

14. **Involved party [Brian O'Neal (O'Neal), former head men's and women's track and field and cross country coach]:**

a. Aggravating factors. [NCAA Bylaw 19.9.3 (2015-16)]

(1) Unethical conduct. [NCAA Bylaw 19.9.3-(e) (2015-16)]

The violations detailed in Allegation No. 28 involve violations of the NCAA principles of ethical conduct.

(2) Persons of authority condoned, participated in or negligently disregarded the violations or wrongful conduct. [NCAA Bylaw 19.9.3-(h) (2015-16)]

O'Neal served as the head men's and women's track and field and cross country coach during the time period in which the violations detailed in Allegation Nos. 21, 22 and 25 occurred. O'Neal was aware of and/or encouraged the impermissible recruiting contact detailed in Allegation No. 21 and approved the impermissible transportation detailed in Allegation No. 22. Additionally, O'Neal made off-campus recruiting contact for the purpose of a then women's track and field prospective student-athlete signing a National Letter of Intent with the institution, as detailed in Allegation No. 25, knowing it was impermissible to do so.

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- b. Mitigating factor(s). [NCAA Bylaw 19.9.4 (2015-16)]

The enforcement staff has not identified any mitigating factors applicable to O'Neal.

**D. Request for Supplemental Information.**

1. Provide mailing and email addresses for all necessary parties to receive communications from the hearing panel of the NCAA Division I Committee on Infractions related to this matter.
2. Indicate how the violations were discovered.
3. Provide a detailed description of any corrective or punitive actions implemented by the institution as a result of the violations acknowledged in this inquiry. In that regard, explain the reasons the institution believes these actions to be appropriate and identify the violations on which the actions were based. Additionally, indicate the date that any corrective or punitive actions were implemented.
4. Provide a detailed description of all disciplinary actions taken against any current or former athletics department staff members as a result of violations acknowledged in this inquiry. In that regard, explain the reasons the institution believes these actions to be appropriate and identify the violations on which the actions were based. Additionally, indicate the date that any disciplinary actions were taken and submit copies of all correspondence from the institution to each individual describing these disciplinary actions.
5. Provide a short summary of every past Level I, Level II or major infractions case involving the institution or individuals named in this notice. In this summary, provide the date of the infractions report(s), a description of the violations found by the Committee on Infractions/hearing panel, the individuals involved, and the penalties and corrective actions. Additionally, provide a copy of any major infractions reports involving the institution or individuals named in this notice that were issued by the Committee on Infractions/hearing panel within the last 10 years.
6. Provide a chart depicting the institution's reporting history of Level III and secondary violations for the past five years. In this chart, please indicate for each academic year the number of total Level III and secondary violations reported involving the institution or individuals named in this notice. Also include the applicable bylaws for each violation, and then indicate the number of Level III

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and secondary violations involving just the sports team(s) named in this notice for the same five-year time period.

7. Provide the institution's overall conference affiliation, as well as the total enrollment on campus and the number of men's and women's sports sponsored.
8. Provide a statement describing the general organization and structure of the institution's intercollegiate athletics department, including the identities of those individuals in the athletics department who were responsible for the supervision of all sport programs during the previous four years.
9. State when the institution has conducted systematic reviews of NCAA and institutional regulations for its athletics department employees. Also, identify the agencies, individuals or committees responsible for these reviews and describe their responsibilities and functions.
10. Provide the following information concerning the sports program(s) identified in this inquiry:
  - The average number of initial and total grants-in-aid awarded during the past four academic years.
  - The number of initial and total grants-in-aid in effect for the current academic year (or upcoming academic year if the regular academic year is not in session) and the number anticipated for the following academic year.
  - The average number of official paid visits provided by the institution to prospective student-athletes during the past four years.
  - Copies of the institution's squad lists for the past four academic years.
  - Copies of the institution's media guides, either in hard copy or through electronic links, for the past four academic years.
  - A statement indicating whether the provisions of NCAA Bylaws 31.2.2.3 and 31.2.2.4 apply to the institution as a result of the involvement of student-athletes in violations noted in this inquiry.
  - A statement indicating whether the provisions of Bylaw 19.9.7-(g) apply to the institution as a result of the involvement of student-athletes in violations noted in this inquiry.

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11. Consistent with the Committee on Infractions IOP 4-16-2-1 (Total Budget for Sport Program) and 4-16-2-2 (Submission of Total Budget for Sport Program), please submit the three previous fiscal years' total budgets for all involved sport programs. At a minimum, a sport program's total budget shall include: (a) all contractual compensation including salaries, benefits and bonuses paid by the institution or related entities for coaching, operations, administrative and support staff tied to the sport program; (b) all recruiting expenses; (c) all team travel, entertainment and meals; (d) all expenses associated with equipment, uniforms and supplies; (e) game expenses and (f) any guarantees paid associated with the sport program.

Any additional information or comments regarding this case are welcome.