

THE UNIVERSITY OF MISSISSIPPI

Athletics Compliance Assessment Report

September 8, 2016

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ATHLETICS COMPLIANCE ASSESSMENT REPORT

September 8, 2016

I. INTRODUCTION

This is a report of a summer 2016 athletics compliance assessment of the National Collegiate Athletic Association (NCAA) rules compliance program at The University of Mississippi (Ole Miss, Mississippi or the University). At the request of the University, the assessment was conducted by the Collegiate Sports Practice Group of Bond, Schoeneck & King, PLLC (the Bond firm).¹

The objectives of the compliance assessment were to:

- ✓ Evaluate the institution's existing athletics compliance systems;
- ✓ Subject specific areas of the University's rules compliance program to evaluation by an authority outside the athletics department;²
- ✓ Gauge the University's level of control over its athletics program and measure its commitment to compliance with NCAA, Southeastern Conference (SEC) and institutional regulations; and
- ✓ Provide recommendations to the University to enhance its overall athletics compliance program.

The primary methodologies used in this assessment were pre-campus visit surveys, the review of requested documentation, and in-person interviews conducted on the institution's campus. Information gathered through this process was then utilized to formulate findings and enhancement recommendations for the athletics compliance program.

This Report does not provide great detail on athletics compliance operations that are active and working properly. As detailed herein, the findings identified in this Report indicate that the vast majority of the systems function well. Instead, this Report focuses more on those operational systems that are either not functioning at the appropriate level or, while functioning, could nonetheless be enhanced. The recommendations for changes, improvements or additions made herein cover the spectrum of importance, from substantial issues to relatively minor

¹ The substance of the Report is based on information provided by University employees concerning the University's efforts to achieve compliance with NCAA rules and the systems it has established in that regard. The Bond firm's findings and recommendations are intended to assist the University in evaluating the effectiveness of the University's current athletics compliance systems and the suitability of those systems for preventing/detecting NCAA rules violations.

² Prior to August 1, 2014, NCAA Bylaw 22.2.1.2-(e) (Governance and Commitment to Rules Compliance) required that such an evaluation be performed once every four years. With the adoption of NCAA Proposal 2014-4, the legislated requirements of Bylaw 22.2.1.2 are no longer applicable. The Bond firm believes that, as a best practice, an institution should continue to invite periodic outside evaluation of its rules compliance program.

matters. Accordingly, the volume of recommendations in and of itself should not be viewed as an indicator of the overall quality of the current athletics compliance program.

Institutional decisions related to the implementation of the Report's recommendations should involve the Chancellor (or designee); the director of athletics; the faculty athletics representative (FAR) and other University and athletics department administrators, as necessary. Prompt decisions and regularly scheduled post-review evaluations of progress are keys to successful implementation. Additionally, the University may find it helpful to consult with the Bond firm as it embarks on this task.

II. ATHLETICS PROGRAM BACKGROUND

The University is an NCAA Division I Football Bowl Subdivision (FBS) member institution and is also a member of the SEC for all sports. Mississippi employs a total of 48 coaches (including volunteer coaches) and 197 additional professional/administrative members of the athletics administrative staff. The institution sponsors seven men's and nine women's intercollegiate athletics teams and has a total student-athlete population in excess of 400.

The institution utilizes Assistant Coach System's (ACS) compliance package to automate various components of the athletics compliance program – particularly the monitoring of playing and practice seasons, complimentary tickets, athletics equipment inventory, on- and off-campus recruiting records and a large portion of the athletics compliance office's forms. Ross Bjork is the director of athletics and Matt Ball is the University's primary athletics compliance administrator.³ Bjork and Ball report directly to the Chancellor. Ball also has a "dotted line" reporting relationship to Bjork.

The University's last outside assessment of its athletics compliance program was conducted by the Bond firm in July 2011 as a part of the SEC's program to conduct athletics compliance assessments for its member schools. As this Report reflects, significant improvements have been made to the overall athletics compliance program since 2011.

III. INDIVIDUALS INTERVIEWED

The following individuals were interviewed as part of the athletics compliance assessment during the Bond firm's in-person visit to the University's Oxford, Mississippi, campus. The interviews were conducted on June 7-9, 2016.

Kristin Arquilla, Assistant Director for Compliance
Matt Ball, Senior Associate Athletics Director for Compliance
Mark Beyers, Head Women's Tennis Coach
Ross Bjork, Director of Athletics
Keith Carter, Senior Associate Athletics Director for Development/Athletics Foundation
Executive Director
Drew Clinton, Associate Director, FedEx Student-Athlete Success Center

³ Recently, there have been discussions and movement within the University governance structure toward adding the title of Vice Chancellor to Bjork's current title of director of athletics. Such titling is consistent with national trends that have been observed at the FBS level in terms of recognizing the significant responsibilities of such a senior level University administrator. We encourage the University to move in this direction.

Derek Cowherd, Senior Associate Athletics Director for Academic Support
 Ken Crain, Head Equipment Manager
 Laura Diven-Brown, Director of Financial Aid
 Aubrey Edie, Women's Volleyball Student-Athlete
 Hugh Freeze, Head Football Coach
 Toby Hansson, Head Men's Tennis Coach
 Lisa Hartman, Athletic Travel Coordinator
 Matt Insell, Head Women's Basketball Coach
 Paul Jackson, Head Football Strength & Conditioning Coach
 Pat Jernigan, Assistant Athletics Director – Football
 Will Kava, Assistant Director for Compliance
 Kyra Kendrick, Academic Counselor
 Michael Klaus, Academic Counselor
 Kristin Kunitz, Assistant Director for Compliance
 Jason List, Assistant Athletics Director for Marketing and Fan Experience
 Cindy May, Associate Director of Financial Aid
 Brianna Murphy, Learning Specialist
 Julie Owen, Associate Athletics Director for Compliance
 Wesley Owen, Associate Athletics Director for Ticket Operations
 Charlotte Pegues, Assistant Provost & Registrar
 Jessica Rizzi, Coordinator of Student-Athlete Development
 Angela Robinson, Associate Athletics Director for Financial Operations
 Brett Russell, Assistant Director for Compliance
 Ron Rychlak, Faculty Athletics Representative
 Alex Simmons, Assistant Women's Basketball Coach
 Erika Sisk, Women's Basketball Student-Athlete

IV. MATERIALS REVIEWED

The following materials were reviewed as part of the athletics compliance assessment:

- A. Assessment interviews and group discussion notations;
- B. Bond firm's July 8, 2011 Athletics Compliance Review Report;
- C. FedEx Student-Athlete Support Center Tutorial Support Services Manual (2016-17);
- D. Mississippi Athletics Compliance Forms;
- E. Mississippi Department of Intercollegiate Athletics Policies and Procedures Manual (August 2013);
- F. Mississippi Department of Intercollegiate Athletics website;
- G. Mississippi Institutional Compliance Committee Annual Reports (2015-16 and 2014-15);
- H. Mississippi Institutional Compliance Committee Meeting Agendas (April 12, 2016, February 10, 2016, September 16, 2015, May 20, 2015, April 7, 2015, January 29, 2015, November 14, 2014, and September 16, 2014);
- I. Mississippi Intercollegiate Athletics Committee Annual Reports (2015-16 and 2014-15);
- J. Mississippi Intercollegiate Athletics Committee Meeting Minutes (April 8, 2016, February 19, 2016, November 20, 2015, September 4, 2015, March 27, 2015, January 23, 2015, November 7, 2014, and August 22, 2014); and
- K. Ole Miss Student-Athlete Handbook (2015-16).

V. ASSESSMENT FINDINGS AND RECOMMENDATIONS

The following sets forth specific findings for the assessment of the key components of the athletics compliance program at The University of Mississippi. This section of the Report includes findings related to the institution's current rules compliance practices in 13 primary areas, as well as recommendations to be implemented or considered by the University to strengthen the areas under review. The statement of findings reflects activities that were either observed (through in-person examination), described (during interviews or group discussions) or verified (via document review) during the assessment. The statement of recommendations addresses issues identified during assessment interviews, group discussions or document review.

In order to arrive at the findings listed in this Report, a series of questions was developed for each area and the responses to those questions were evaluated. The questions were developed based on the Bond firm's experience with institutional athletics compliance programs and infractions cases at NCAA member institutions.

A. Governance and Organization

1. Finding:

The assessment revealed that the University has upgraded its overall athletics compliance program and operational systems since last reviewed by the Bond firm in July 2011. In particular, it was evident from this assessment that rules compliance is a collective responsibility for the entire institution as opposed to one that is exclusively a function of the department of intercollegiate athletics.

While it is understood that the compliance responsibilities of the athletics department (and in particular, the institution's chief compliance officer) are wide-ranging, the University recognizes the important role that other departments and administrators across campus play in this collective effort. In short, it is readily apparent that the University has established the internal structure necessary to share athletics compliance responsibilities and maintain institutional control.

Among the aspects of this area that were tested as part of this assessment were whether Mississippi:

a. Assigns senior-level institutional administrators to leadership roles in establishing institutional commitment to compliance initiatives? **Yes** **No**

b. Coordinates an institution-wide rules compliance program? **Yes** **No**

c. Develops systems and procedures exemplifying that athletics compliance is a shared responsibility that requires involvement outside the athletics department? **Yes** **No**

-
- d. Defines the roles of key compliance personnel (i.e., Chancellor, director of athletics, FAR, compliance administrator, athletics committee)? **Yes** **No**
-
- e. Has the director of athletics report directly to the Chancellor of the institution? **Yes** **No**
-
- f. Allows the athletics compliance administrator to have access to the Chancellor to discuss the matters pertaining to institutional compliance with NCAA (and SEC) rules? **Yes** **No**
-
- g. Appoints at least one member of the faculty (or an administrator who holds a faculty rank) as FAR? **Yes** **No**
-
- h. Provides the FAR with extra resources (e.g., release time, stipend, administrative support) to support his/her active involvement in carrying out his/her responsibilities? **Yes** **No**
-
- i. Has the FAR periodically consult the faculty, as a whole or through some representative body (e.g., faculty senate), regarding institutional policies and practices affecting the operation of intercollegiate athletics? **Yes** **No**
-
- j. Ensures that compliance responsibilities are documented in job descriptions, letters of appointment and contracts? **Yes** **No**
-
- k. Requires senior-level administrators to approve compliance policies and procedures? **Yes** **No**
-
- l. Ensures that institutional staff members (inside and outside of the athletics department) are evaluated periodically on their rules compliance responsibilities? **Yes** **No**
-
- m. Takes steps to have an institutional authority outside the athletics department periodically review the rules compliance program? **Yes** **No**
-
- n. Has an athletics advisory board/committee? [It is noted that per Constitution 6.1.2, such a board/committee is not required.] **Yes** **No**
-
- o. Requires that members of the faculty and administration comprise a majority of the members of an institutional committee or board according to Constitution 6.1.2? **Yes** **No**
-
- p. Has a student-athlete advisory committee and does it provide input on rules compliance related issues (e.g., practice hours)? **Yes** **No**
-

2. Recommendations:

a. **Explore Whether Involving Another Faculty Member in the Leadership of the Intercollegiate Athletics Committee Would be Beneficial.**

Faculty advisory group(s) are important to the overall establishment of institutional control. Equally important is the notion that these groups not have delineated “power(s)” over decisions involving operational matters of the athletics department. The traditional role of these groups should include review and evaluation of matters related to the academic progress of student-athletes, student-athlete welfare and, in some cases, issues related to institutional control.

In the Bond firm’s 2011 athletics compliance assessment review, a potential refinement of the functions of the Intercollegiate Athletics Committee was recommended. It is apparent that those refinements have occurred and that this group is informed on athletics matters and is in a position to provide the necessary feedback to the Chancellor and the director of athletics.

One of the trends we have seen across the Division I landscape, which would further refine this area and enhance overall institutional control, is to engage another faculty member other than the FAR in the “chairship” of important groups like the Athletics Committee or the Institutional Compliance Committee. This would not only expose a second faculty member to athletics governance issues, but also serve as a training ground for a potential FAR candidate once the current FAR reaches the end of his term. In no way is the recommendation any sort of condemnation of the current FAR’s stewardship of these important groups and such a change would still have the FAR as a member of the Committee itself.

b. **Explore the Composition of the Compliance Committee to Make it More of a “Working Group”.**

The current Compliance Committee is a good companion to the Intercollegiate Athletics Committee in terms of overall institutional control; however, its roster is filled primarily with senior-level campus administrators. One way to enhance this area would be to consider altering the composition of the Compliance Committee to design it more as a “working group” that would foster good communication between the athletics department and non-athletics campus units (e.g., financial aid, housing, registrar, admissions). In exploring the composition of such a group, it is recommended that the University select the “point people” in vital areas to the Compliance Committee and that the group meet regularly during the academic year to ensure that all units are fully informed of compliance-related issues.

B. Eligibility Certification (Initial, Continuing and Transfer)

1. Finding:

The systems and procedures in this area were found to be engaged and functioning. The continuing eligibility-certification process currently relies on the work of the athletics

compliance office, the Office of the Registrar and, to a limited extent, the FedEx Student-Athlete Success Center (SASC) staff.

While the current system of certifying continuing eligibility appropriately involves the SASC staff on degree-progress decisions for Ole Miss student-athletes, that involvement is only cursory. Requiring the SASC staff to more formally engage in this process (e.g., run a parallel progress-toward-degree check) would further strengthen this vital task.

Among the features of this area that were verified as part of this assessment were whether Mississippi:

- | | | | | |
|---|-------------------------------------|-----|--------------------------|----|
| a. Has written policies in place for verifying and monitoring the eligibility (initial, continuing and transfer) of all student-athletes? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| b. Mandates that all decisions regarding the admission of student-athletes made by institutional personnel who have authority for these matters for students generally and who are not affiliated with the athletics program? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| c. Has a copy of the institution's published entrance requirements (including provisions under which students may be admitted by special exception to the institution's standard or normal entrance requirements)? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| d. Has an established system for verifying and monitoring the eligibility of all student-athletes? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| e. Requires that all determinations of eligibility (e.g., progress-toward-degree requirements, transfer regulations) be made or reviewed by institutional personnel who are not affiliated with the athletics program? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| f. Ensures the use of the NCAA Eligibility Center to determine the validity of the information on which the initial-eligibility status of a student-athlete is based? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| g. Has systems in place to ensure the accuracy and acceptability of any credits and grades earned from other educational institutions (including credits/grades earned in summer school and/or through correspondence courses)? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| h. Has an official outside of athletics (e.g., office of the registrar) validate good academic standing and progress-toward-degree requirements (including the six-hour rule)? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |

i. "Flags" or codes student-athletes in its mainframe computing system to ensure that course "drops" below full-time enrollment that might adversely affect eligibility are immediately brought to the attention of the athletics compliance and academic support staff? Yes No

j. Has written policies and procedures regarding team travel and the eligibility of student-athletes therein? Yes No

2. Recommendations:

a. **Require the SASC Staff to Be More Involved in the Eligibility-Certification Process.**

The institution, pursuant to NCAA institutional control principles, charges an individual(s) outside the athletics department with the ultimate responsibility for certifying student-athletes' overall eligibility ("chief certification officer") and actively involves individuals inside and outside of athletics in the eligibility-certification process. What is problematic with the current system is that the information and data gathered in the process (and listed on eligibility forms) is not manually verified (through spot-checks) by more than one institutional staff member (i.e., the Registrar).

For example, under the current process, the Office of the Registrar operates, updates, verifies and maintains the data related to eligibility-certification decisions. Neither the SASC staff, faculty athletics representative, athletics compliance or other signatories are required to manually verify the eligibility-certification decisions. The formal lines of communication established that protect the integrity and accuracy of continuing eligibility-certification decisions need to be opened in that the process is currently "too Registrar centric" and needs to be one that is looked at as a shared institutional responsibility. In order to accomplish this, the SASC staff needs to be the group that provides the "double check" to the work of the Registrar by performing a parallel certification of their own and then comparing data at the time each team is certified for the ensuing academic term.

The current lack of verification creates an opportunity for an unintentional mistake to slip through the process without detection. In addition, the registrar staff members who have athletics compliance responsibilities in the eligibility-certification process should be evaluated on their participation in rules-education programs and their knowledge and application of NCAA rules. Although general processes are in writing, the institution should develop written procedures documenting the eligibility-certification process and outlining individuals' responsibilities.

b. **Increase Timeliness of Transfer Student Transcript Evaluation.**

This area was identified by the coaches interviewed in this assessment as problematic inasmuch as it impacts the recruiting process. The parties involved need to focus efforts to increase the speed of the turnaround time with these evaluations.

C. Academic Support for Student-Athletes & Academic Performance Program

1. Findings:

Mississippi's SASC (the academic support program for student-athletes) is clearly incorporated with the University's overall efforts to maintain institutional control. The unit has operational independence from the department of athletics as it reports directly to the Office of the Provost. The SASC staff members interviewed as part of this assessment understood their role within the overall institutional framework. The SASC staff receives frequent education on applicable NCAA legislation and recent infractions cases dealing with academic misconduct and/or academic fraud. The SASC's written policies and procedures mandate that all tutors annually read and sign a written statement reflecting that they have undergone training on protocol within the FedEx Student-Athlete Success Center as well as applicable NCAA and SEC rules. Specifically, tutors affirm in writing that they understand the application of NCAA rules to situations in which they may find themselves (e.g., academic misconduct, academic fraud). Given recent infractions cases involving academic misconduct, the University pays particular and careful attention to its tutors and their relationships with student-athletes (e.g., discussing how to properly engage with student-athletes on their academic work, expressly prohibiting a tutor's receipt of complimentary tickets from a student-athlete or providing a student-athlete with local transportation).

Further, there is appropriate oversight for the data collection and reporting process for the Academic Performance Rate (APR) and Graduation Success Rate (GSR). The institution has designated the athletics certifying officer and SASC staff members with duties and responsibilities related to the procedures needed to fulfill the essential elements of the Academic Performance Program (APP), including: (1) calculating the APR and GSR; (2) submitting the APR and GSR data online; (3) evaluating and analyzing APR, GSR and retention rate data (including, but not limited to, evaluating the reasons, and developing plans for improvement, if the APR drops below the NCAA minimum standard of 930); (4) maintaining a process to develop and implement plans of improvement relating to the Academic Performance Program (APP); and (5) Sharing APP data with coaches/athletics staff as well as the Chancellor and FAR.

This area was one that was not operating smoothly when the University underwent its July 2011 assessment.

Among the features of this area that were verified as part of this assessment were whether Mississippi:

a. Has an academic support staff established to provide services exclusively to the student-athlete population? **Yes** **No**

b. Periodically reviews the support services offered to student-athletes (e.g., at least every two years) by institutional officials not reporting to the athletics program or an outside entity? **Yes** **No**

c. Possesses written policies and procedures related to the academic support program for student-athletes, APP and APR monitoring?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
d. Retains written policies for, and provides training to, tutors assisting student-athletes?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
e. Periodically reviews course and major selections by student-athletes to address any potential issues related to “clustering?”	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
f. Possesses written policies for the enrollment and completion of nontraditional coursework?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
g. Provides training and education designed to detect, deter and prevent academic fraud and misconduct among the student-athlete population?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
h. Possesses written policies and procedures related to student academic disciplinary procedures?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
i. Has in place a written policy stating that coaching staff members may not contact faculty to discuss matters related to the academic performance of their student-athletes?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
j. Mandates that the academic support program for student-athletes maintains an organizational reporting line outside of athletics?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

2. Recommendations:

a. **Subject the Academic Support Program to External Evaluation.**

The institution should develop (and include in the athletics compliance manual) a written policy and procedure requiring that all academic support services provided to student-athletes be subject to a comprehensive, written evaluation and approval by appropriate academic authorities outside athletics who do not have day-to-day responsibilities in the academic support services area (e.g., faculty members, degree program advisors, academic administrators of the institution, non-institutional academic support specialists, outside consultant). **[NOTE: The previous standard in this area was defined by the then NCAA athletics-certification standards — Operating Principle 2.2 (Measurable Standard No. 8) – those standards required the academic evaluation to occur at least once every four years. We recommend that the institution consider conducting these evaluations on a more frequent basis (e.g., annual, biennial)].**

Increasing the frequency of academic evaluations will serve to:

- i. Reinforce and strengthen institutional control over the athletics academic services provided to student-athletes;
 - ii. Identify key areas of improvement sooner; and
 - iii. Place greater emphasis and focus on a smaller body of academic services per evaluation.
- b. **Enhance the Monitoring of “Nontraditional Coursework” and Potential “Clustering” Within Degree Programs.**

The institution should develop policies and procedures which (1) will allow for the monitoring of completion of nontraditional coursework (e.g., online, independent study) and (2) continue Mississippi’s practice of monitoring whether there are patterns of “clustering” by student-athletes within specific degree programs. Currently, these two areas are ones in which risk has been identified on a national level.

D. Financial Aid Administration

1. Finding:

The necessary procedures exist for the accurate and timely completion and monitoring of the NCAA financial aid squad list for each intercollegiate sport at Ole Miss. The University has assigned key tasks and responsibilities to the individuals involved in the financial-aid process. Further, formal lines of communication have been established that help to protect the integrity and accuracy of financial-aid decisions.

Among the features of this area that were verified as part of this assessment were whether the University:

- | | | | | |
|--|-------------------------------------|------------|--------------------------|-----------|
| a. Charges institutional personnel who are not affiliated with the athletics program to make decisions regarding the awarding of financial aid for student-athletes? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| b. Has an established system for verifying and monitoring the awarding of financial aid for all student-athletes? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| c. Mandates that all financial aid agreements are signed by financial aid authorities, rather than athletics personnel? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| d. Ensures that Divisional minimum financial aid limitations (as specified in Bylaw 20.9.3.2) are satisfied? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| e. Confirms that total financial aid limitations for each sport (as specified in Bylaw 15.5) are not exceeded? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |

f. Ensures that financial aid limitations for individual student-athletes are not exceeded?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
g. Conducts periodic monitoring of the extent of actual compliance with institutional policies and procedures and NCAA regulations regarding the awarding of athletics grants-in-aid?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
h. Has an established grievance process for the reduction or cancellation of individual student-athlete's grants-in-aid?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
i. Provides each student-athlete who is receiving athletics aid with a financial aid agreement stating the amount, duration, conditions and terms of the award, as required in Bylaw 15.3.2.2?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

1. Recommendation:

The assessment revealed the need for no recommendations in this area.

E. Recruiting

1. Finding:

The Bond firm is aware that there is a pending infractions case with the NCAA Division I Committee on Infractions and that the case includes allegations of violations of NCAA recruiting rules. For this assessment, our review was limited to the existing systems and practices within this area and we did not engage in an evaluation of the historical issues identified in the infractions case. Further, it is our understanding that University counsel is continuing to work with the athletics compliance office to address the issues discovered in the infractions case.

As it relates to the current systems in this area, the assessment shows that key tasks and responsibilities in the recruitment-monitoring process have been identified and assigned to the athletics compliance staff, coaches and other institutional staff members. The institution's systems related to on- and off-campus recruiting are monitored electronically by the athletics compliance staff utilizing the ACS software package and through the use of selected paper compliance forms. Further, formal lines of communication have been established and maintained between the athletics department and the admissions and financial aid offices related to the recruitment of prospective student-athletes.

Among the aspects of the recruiting area that were verified as part of this assessment were whether Mississippi:

- a. Has written policies and procedures governing the recruitment of prospective student-athletes? Yes No
-
- b. Monitors that only those coaches who have been certified in accordance with NCAA Bylaw 11.5 (Certification to Recruit Off Campus) may contact or evaluate prospective student-athletes off campus? Yes No
-
- c. Prohibits contact with prospective student-athletes by athletics program boosters (i.e., representatives of athletics interests)? Yes No
-
- d. Requires that NCAA rules regarding acceptable and prohibited recruiting practices be explained at least annually to all recognized booster organizations? Yes No
-
- e. Ensures that all athletics program personnel who may be involved in recruiting student-athletes participate in annual (or more frequent) continuing education regarding NCAA (and conference, if applicable) recruiting rules and the intent of those rules? Yes No
-
- f. Conducts periodic monitoring of compliance with recruiting policies and procedures and periodic review of recruitment-monitoring documents by a senior-level administrator (e.g., compliance official, faculty athletics representative, director of athletics)? Yes No
-
- g. Requires that all expenses associated with the recruitment of student-athletes are reviewed on a timely basis by an institutional official who is not associated with the athletics program (e.g., business office)? Yes No
-

2. Recommendation:

Continue to More Closely Monitor Unofficial Visits.

While the University has enhanced its compliance policies and procedures with respect to unofficial visits, this area has become one of increased scrutiny from the NCAA enforcement staff. The institution should continue to improve the rules education and documentation of activities during unofficial visits to the campus by prospective student-athletes (as well as the individuals who accompany the prospect) by keeping up with national trends in this area and asking pertinent questions of those involved in the visit. This increased scrutiny relates directly to the arrangements (if any) that were made in conjunction with the visit (e.g., hotel rooms, meals, complimentary tickets) for both the prospect and anyone who accompanies the prospect.

F. Camps and Clinics

1. Finding:

The University's policies and procedures in the camps and clinics area meet industry standards and "best practices".

Among the aspects of this area that were verified as part of this assessment were whether Mississippi:

- | | | | | |
|---|-------------------------------------|------------|-------------------------------------|-----------|
| a. Has written policies and procedures that govern the operation of camps and clinics? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| b. Allows coaching staff members to "own" institutional camps and clinics? | <input type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No |
| c. Ensures that the written policies and procedures in this area require that those to be employed by the camp or clinic are identified prior to the camp or clinic? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| d. Necessitates that the owner/operator of an institutional camp or clinic detail the expenses and revenue associated with the conduct of the camp or clinic? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| e. Requires that the financial information related to the "camp store" is included in the camp's financial documents, which can be audited? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| f. Has procedures in place related to campers attending portions of camps (e.g., half-day, "menu" pricing) and paying a prorated camp fee? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| g. Specifies that camps or clinics owned by members of the coaching staff that are held off campus are monitored consistent with University policies and applicable NCAA legislation? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |

2. Recommendation:

The assessment revealed the need for no recommendations in this area.

G. Investigations and Self-Reporting of Rules Violations

1. Finding:

The institution has a written protocol concerning the investigation and self-reporting of NCAA rules violations. The University's system for self-reporting and investigating

violations appears to be effective and understood by all athletics staff members and individuals external to athletics who have responsibilities for an area of athletics oversight. There is a clear understanding that violations and irregularities must be reported.

Among the aspects of this area that were verified as part of this assessment were whether Mississippi:

a. Has written policies and procedures for investigating and reporting violations of NCAA (and conference, if applicable) rules? **Yes** **No**

b. Demonstrates a history of self-reporting Level III and Level IV violations? **Yes** **No**

c. Ensures that appropriate University personnel are copied on all Level III and Level IV violations (e.g. FAR, director of athletics, sport supervisor). **Yes** **No**

d. Safeguards that the University Chancellor is provided with regular updates regarding the University's monitoring efforts and self-reports submitted to the NCAA. **Yes** **No**

2. Recommendation:

The assessment revealed the need for no recommendations in this area.

H. Rules Education

1. Finding:

The rules education component of the Mississippi athletics compliance program is engaged and meets industry standards. The University effectively communicates its written athletics compliance policies and procedures and provides comprehensive rules education on a consistent basis to Mississippi athletics staff and individuals outside the department of athletics who have athletics compliance responsibilities. This is completed through regular email messages, meetings/workshops, written materials, outside speakers, monthly newsletters, monthly compliance meetings with coaches and staff, and other techniques. The current practices meet industry standards but, as with any NCAA rules-education program, greater attention could be provided in this critical area.

Among the aspects of this area that were verified as part of this assessment were whether Mississippi:

- a. Has an ongoing educational program for all individuals associated with the athletics program including boosters, institutional staff members, student-athletes and athletics department staff? Yes No
-
- b. Describes, in writing, its rules education program, including the frequency of all routinely scheduled meetings and a description of the groups in attendance at those meetings? Yes No
-
- c. Provides education and a system for the University's head coaches to document control of their program consistent with Bylaw 11.1.1.1? Yes No
-

2. Recommendations:

a. **Increase the Frequency and Scope of Booster Education.**

The rules education to alums and athletics booster organizations (i.e., Ole Miss Athletics Foundation) should be increased and printed materials designed to educate this important group should be updated.

As an example, a one-page primer (covering applicable NCAA rules on extra benefits, contact with student-athletes and recruiting) should be created for boosters accompanying Mississippi teams on away-from-home trips (e.g., travel for football and men's and women's basketball). These trips create an optimal environment for the one-on-one education of some of the University's most important boosters.

Further, the University should continue its current practice of having a representative of the athletics compliance staff travel to away-from-home football contests and selected away-from-home men's basketball contests. The presence of an athletics compliance staff member will assist with the rules education in this area, as well as relationship building with the football and men's basketball staffs, student-athletes and boosters. This is particularly appropriate given the number of football and men's basketball student-athletes who currently are projected as top draft picks in those sports and will allow the athletics compliance staff to monitor their activities and interactions with potential agents/runners.

b. **Rules-Education Activities and Techniques.**

The institution's rules-education program utilizes various methods and written materials to convey pertinent NCAA athletics compliance information including, but not limited to, workshops/seminars, student-athlete handbook, athletics compliance manual, compliance website, brochures, electronic materials, examinations, videos and small group discussions. While it is not noted as a deficiency within the current rules-education program, the University needs to ensure that outside consultants utilized in the athletics department (e.g., yoga instructors, nutritionists, strength coaches), as well as individuals from offices such as the Registrar and Financial Aid, are included in rules-education opportunities, including Conference or regional

professional association meetings and NCAA Regional Rules Seminars, and in receiving frequent written updates.

During the course of the campus visit associated with this assessment, the notion of utilizing scoreboards/message boards at Vaught-Hemingway Stadium and The Pavilion at Ole Miss for rules education was raised. The University should explore the feasibility of this concept for enhancing its rules-education efforts.

I. Extra Benefits and Awards

1. Finding:

As with Section V.E of this Report dealing with recruiting, the Bond firm is aware that there is a pending infractions case with the NCAA Division I Committee on Infractions and that the case includes allegations of violations of NCAA extra-benefit rules. For this assessment, our review was limited to the existing systems and practices within this area and we did not engage in an evaluation of the historical issues identified in the infractions case. Further, it is our understanding that University counsel is continuing to work with the athletics compliance office to address the issues discovered in the infractions case.

The athletics compliance systems for monitoring the receipt of impermissible benefits by student-athletes are well-constructed and actively engaged. The University has established systems of control to monitor the area of awards and benefits (e.g., travel expenses, awards, equipment and apparel, complimentary admissions, occasional meals, student-athlete opportunity fund, etc.). In this regard: (1) the institution has an "Elite Athlete" monitoring program wherein it subjects predetermined student-athletes with professional athletics opportunities to enhanced monitoring; (2) the institution monitors complimentary admissions for student-athletes; (3) the institution monitors permissible and non-permissible expenses for practice and competition (e.g., travel expenses); and (4) the institution monitors the receipt of permissible and impermissible benefits, expenses, gifts and services by student-athletes (e.g., telephone calls, travel expenses, trips home).

The primary aspects of this area that were verified as part of this assessment were whether the University:

a. Has written policies and procedures in place to monitor extra benefits and awards provided to student-athletes? **Yes** **No**

b. Has controls in place to monitor and account for athletic equipment and apparel for student-athletes? **Yes** **No**

c. Ensures that all ordering and receiving of athletic equipment is centralized within the department (e.g., coaches do not order and/or receive equipment directly from the manufacturer)? **Yes** **No**

d. Monitors complimentary admissions provided to student-athletes?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
e. Ensures that student-athlete vehicles are monitored?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
f. Has policies and procedures designed to monitor team travel expenses and activities?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
g. Ensures that there is a written policy for complimentary admissions provided by coaches, sport-specific personnel, administrators and other athletics staff?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

2. Recommendations:

a. **Monitor the Usage and Recipients of Tickets That Mississippi Coaching Staff Members May Have Access to as a Result of a Contractual Benefit.**

Recent NCAA Committee on Infractions' decisions have shown institutions are held to a "should have known" standard if the recipient of one of these complimentary admissions acts contrary to NCAA legislation (e.g., individual provides extra benefits to a student-athlete). The University should review all recipients of tickets from coaching staff members, and consider identifying guests in writing in advance of each event. The institution should also consider having each recipient of a complimentary admission sign a pass list upon entrance to the facility.

b. **Pay Attention to Existing Compliance Systems Designed to Monitor Off-Campus Housing.**

The University should pay close attention to its current systems designed to monitor student-athletes' off-campus living arrangements to see if it needs to be expanded. Currently, those student-athletes the institution has selected for its "Elite Athlete" monitoring program are subjected to an in-depth analysis of their off-campus living arrangements (i.e., requiring the student-athlete to provide a copy of the lease/rental agreement in addition to the name and contact information for their landlord and the monthly rent for their housing). It may be necessary for the University to consider a similar requirement for other higher risk scenarios involving student-athlete's off-campus housing arrangements (e.g., student-athlete living in local apartments, a group of student-athletes living in an individually owned home).

c. **Centralize Athletic Equipment Operations.**

Currently, athletics equipment and apparel issuance and retrieval systems are decentralized within the athletics department and only involve the football program. The University needs to evaluate the current procedures for issuance and retrieval of athletic equipment and apparel to determine whether greater standardization of procedures, forms, or the use of a common inventory system (e.g., computerization) could be utilized to enhance the University's ability to ensure and monitor compliance with applicable NCAA legislation in this area. In order to maintain institutional control, all athletic equipment procedures should be centralized and monitored by an

equipment administrator. There should not be scenarios wherein individual sports staffs order equipment or apparel directly from a manufacturer. Currently, individual coaches supervise equipment functions (e.g., ordering, receiving) for their team(s) and this practice has a high level of risk associated with it.

J. Playing and Practice Seasons

1. Finding:

Mississippi monitors countable athletically related activities, contest limitations and requires days off for each student-athlete during the playing season and outside the playing season. The athletics compliance office has implemented systems to monitor adherence to playing and practice season declarations, dates of competition/contest limitations, and daily/weekly countable athletically related activities (CARA) restrictions.

Among the primary aspects of this area that were verified as part of this assessment were whether Mississippi:

- a. Regularly monitors the extent to which the time devoted by student-athletes to athletics pursuits intrudes on the time required for their academic progress or limits their opportunity to participate in campus life? **Yes** **No**

- b. Has written policies related to the scheduling of intercollegiate athletics competition to help minimize the number of classes missed? **Yes** **No**

- c. Educates student-athletes and coaching staff members on voluntary activities? **Yes** **No**

- d. Mandates that each intercollegiate sport's playing season be declared, in writing, prior to the beginning of each academic year? **Yes** **No**

- e. Requires that each intercollegiate sport's competition schedule be declared, in writing, prior to the beginning of each academic year? **Yes** **No**

2. Recommendation:

On-The-Field Monitoring Activities.

The institution should continue its ongoing practice of conducting on-the-field monitoring activities of the practices and contests of all sports teams. The athletics compliance staff should establish a consistent approach for the conduct of all monitoring activities including, but not limited to: monitoring practices, locker rooms and sidelines (during contests); and checking transportation prior to a sports team's travel to an off-campus

athletics event. Further, the athletics compliance staff should maintain a comprehensive record of all its monitoring activities.

K. Student-Athlete Employment

1. Finding:

The University has adequate systems and procedures related to monitoring student-athlete employment. There currently is not a large population of student-athletes at Mississippi who work during the academic year and, therefore, the systems themselves seldom get utilized. The aspects of this area that were verified as part of this assessment were whether the University:

a. Has written policies and procedures for both student-athletes and employers regarding the employment of student-athletes? **Yes** **No**

b. Makes site visits to employers/job locations known to employ student-athletes? **Yes** **No**

2. Recommendation:

The assessment revealed the need for no recommendations in this area.

L. Amateurism

1. Finding:

Mississippi's athletics compliance systems ensure that prospective student-athletes are registered with the NCAA Eligibility Center and have completed the required information regarding their amateurism. The monitoring of a prospect's amateur status and the required documentation necessary to make such a determination is completed accurately and in a timely manner.

The primary aspects of this area that were verified as part of this assessment were whether the University:

a. Requires the use of the NCAA Eligibility Center to determine the validity of the information on which the amateur status of a student-athlete is based? **Yes** **No**

b. Ensures the accuracy and completeness of the prior athletics competition record on which determinations of amateurism are based? **Yes** **No**

2. Recommendation:

The assessment revealed the need for no recommendations in this area.

M. Commitment of Personnel to Rules Compliance Activities

1. Finding:

There is a demonstrated commitment to rules compliance present at Mississippi. The commitment to rules compliance at the University is substantial and is confirmed in multiple ways.

The primary aspects of this area that were verified as part of this assessment were whether the University:

a. Has procedures in place both within and outside of the athletics department (e.g., did the registrar understand his/her role in the NCAA certification process)? Are these procedures being used? Yes No

b. Demonstrates that during the past year, all institutional personnel with formal compliance responsibilities received a written notification of their specific oversight responsibilities? Yes No

c. Provides information on the importance of rules compliance in all of the following: contracts or letters of appointment, performance evaluations, and job descriptions for all administrative staff and coaches associated with athletics? Yes No

d. Demonstrates that during the past year, all institutional personnel with formal compliance responsibilities received continuing education to reinforce their understanding of existing NCAA (and Conference, if applicable) rules? Yes No

e. Actively monitors its athletics compliance systems? Similar to above, this monitoring would include monitoring within and outside of the athletics department and within and outside of the institution? Yes No

f. Develops processes for institutional authority outside the athletics department to periodically review the rules compliance program? Yes No

g. Documents athletics compliance policies and procedures in writing and make those materials available to staff? Yes No

-
- h. Maintains supporting documentation to substantiate compliance with policies and procedures? **Yes** **No**
-
- i. Requires that candidates for employment (especially coaching staff members) be asked (or the NCAA enforcement staff contacted) whether they have been involved in past NCAA rules violations? **Yes** **No**
-
- j. Formally assigns responsibilities for overseeing all aspects of institutional compliance with NCAA (and Conference, if applicable) rules? **Yes** **No**
-
- k. Has the Chancellor (or a designated representative) annually review with all athletics department staff members the rules and regulations of the NCAA as they apply to the administration and conduct of intercollegiate athletics? **Yes** **No**
-
- l. Ensures that the director of athletics explicitly stresses to all athletics program personnel the necessity to self-report possible NCAA (and conference, if applicable) rules violations? **Yes** **No**
-
- m. Possesses employment agreements for all athletics program personnel stipulating that the violation of NCAA (and conference, if applicable) rules is prohibited and may result in disciplinary action up to and including termination of employment? **Yes** **No**
-
- n. Mandates that institutional policies require that all coaches participate in annual (or more frequent) continuing-education programs regarding NCAA (and conference, if applicable) rules? **Yes** **No**
-
- o. Continually reminds head coaches of their responsibility to promote an atmosphere of compliance within their programs and to monitor the activities regarding compliance of all assistant coaches and other administrators involved with the program who report directly or indirectly to the coach? **Yes** **No**
-
- p. Establishes clear standards and appropriate disciplinary processes (including grievance procedures) related to the conduct of its student-athletes? **Yes** **No**
-
- q. Defines disciplinary processes for misconduct by student-athletes outside of athletics competition the same (or more stringent) than those in place for the student body in general? **Yes** **No**
-

r. Has institutional policies explicitly prohibiting athletics department staff members from maintaining funds or accounts that are not subject to institutional control and/or review? Yes No

s. Utilizes any computer software programs (other than the NCAA CAI) to monitor compliance with NCAA legislation? Yes No

2. Recommendations:

a. **Enhance the University's Athletics Compliance Forms.**

The University should continue to take steps to revise and enhance the existing comprehensive written outlines of the procedures for monitoring and certifying compliance with NCAA legislation (e.g., certification of initial and continuing eligibility, monitoring recruiting limitations, monitoring financial aid, and monitoring institutional sports camps and clinics) and the related compliance forms. In order to ensure that the most recent forms are being utilized, a date and identifying code should be incorporated into each Ole Miss compliance form and written policy or procedure so that it can readily be determined when and by whom the document was last revised.

b. **Ensure that the Office of Athletics Compliance Reviews Transaction Requests from Ole Miss Sport's Foundation Accounts.**

Currently, each Ole Miss athletics program has a foundation account established in addition to its line-item budget. Each coach can request funds to directly pay vendors for various services. While the examples of these expenditures were described during the review as mundane (e.g., flowers for a funeral, team banquets), it is important to establish safeguards to prevent the direct payment of expenditures that might benefit student-athletes without the Athletics Compliance Office's knowledge and/or approval.

VI. CONCLUSIONS

The intercollegiate athletics department of The University of Mississippi is committed to complying with both the spirit and the letter of SEC, NCAA, University and applicable Federal guidelines. In order to demonstrate this commitment, Ole Miss has established a number of individual compliance systems and procedures designed to provide rules education for and monitoring of the activities of the University's intercollegiate athletics program.

This assessment has shown that the athletics compliance office of the University has an overall athletics compliance program in place that is comprehensive, engaged and exceeds industry standards for institutions of its size and Divisional affiliation. This conclusion is based on the interviews conducted and materials reviewed. As is the case with outside assessments such as this, while we conclude that the University's athletics compliance program is comprehensive in nature, the review did identify areas where a particular system is not as robust or complete as possible (e.g., certification of continuing eligibility) and that not addressing the identified issues

could pose an institutional risk. While there are issues that were identified during the course of this review that must be resolved in order for the athletics compliance program to operate more effectively, none of them individually is an indication of an ineffective athletics compliance program. It is our conclusion that the overall athletics compliance program at The University of Mississippi is very effective.

From the non-athletics side of campus, there is evidence present that demonstrates a “culture of compliance” across the University. This message has been strongly advocated by both the Chancellor and the director of athletics. Together, they have made this culture profound and it came through during the assessment with all University staff and student-athletes interviewed. Throughout its recent history, which includes the current infractions case, the University has been proactive in identifying and responding to compliance issues.

The overall organization and structure of the athletics compliance program has been established in a manner that should sufficiently monitor each respective area evaluated within this Report and displays a high level of commitment from the institution at all levels of the administration. The recommendations noted in this Report should be taken into consideration to improve the current systems and to help foster an even greater awareness and understanding regarding the importance of rules compliance at an NCAA Division I institution. While the Chancellor and director of athletics are ultimately responsible for the operation of the athletics department and its compliance, it is imperative that each individual involved with the athletics compliance program continue to accept and understand his or her role as a shared responsibility to the institution’s overall commitment to rules compliance.

For Ole Miss to continue to enhance its governance and institutional control, it is recommended that senior-level institutional administrators review this Report and coordinate, support and monitor the activities of institutional personnel who will implement an action plan that addresses the Report’s recommendations. The action plan should specify both the timetables and individuals responsible for implementing the strategies, corrective measures, policies and procedures that relate to the Report’s recommendations. It is suggested that the University prepare status reports (for internal use) at regular intervals (e.g., monthly) that summarize the institution’s progress in implementing the action plan.

The Bond firm remains available to assist the University by:

- Reviewing the institution's action plan and/or progress reports for implementing the strategies or corrective measures that relate to this Report's recommendations;
- Evaluating policies and procedures developed by the institution;
- Providing ongoing support of the institution’s athletics compliance activities; or
- Answering any questions or concerns pertaining to Mississippi’s intercollegiate athletics program or this Report.