



## **Table of Contents**

### **Chapter 1 – Office of the Committees on Infractions**

- 1-1. Location**
- 1-2. Contact Information**
- 1-3. Hours of Operation**
- 1-4. Office Closings**
  - 1-4-1. Closings**
  - 1-4-2. Case Submissions and Scheduled Hearings**
- 1-5. Party Notification**
  - 1-5-1. Party Responsibility**
- 1-6. Document Submission**

### **Chapter 2 – Committee on Infractions**

- 2-1. Committee on Infractions (COI) Defined**
  - 2-1-1. COI Jurisdiction**
- 2-2. Office of the Committees on Infractions (OCOI) Defined**
- 2-3. Composition of COI**
  - 2-3-1. Commitment to Diversity**
- 2-4. Appointment of COI Members**
  - 2-4-1. Member Qualifications**
- 2.5. Terms of Appointment**
- 2.6. Key Members**
  - 2-6-1. Committee Chair**
  - 2-6-2. Vice Chair**
  - 2-6-3. Chief Hearing Officer**
  - 2-6-4. Appeals Advocate**
  - 2-6-5. Public Members, Conflicts of Interest and Disclosure**
  - 2-6-6. Appointment of Administrative Subcommittee**

### **Chapter 3 – Secure Filing System**

- 3.1. Secure Filing System**
  - 3-1-1. Points of Contact**
    - 3-1-1-1. Points of Contact in Cases Involving Negotiated Resolution**
  - 3-1-2. System Management**
  - 3-1-3. Hyperlinking to Record and Authority**
    - 3-1-3-1. Hyperlinked Key Record List**
    - 3-1-3-2. Hyperlinked Citations to Record and Authority**
  - 3-1-4. Cases with Record Segmented by Party**



## Chapter 4 – Pre-Hearing Procedures

- 4-1. Assignment and Hearings
  - 4-1-1. Dates and Locations
  - 4-1-2. Member Assignment by Hearing Panel Generator
    - 4-1-2-1. Three-Member Panels
  - 4-2. Notification of Panel Assignment, Hearing Date and Location
    - 4-2-1. Notification in Cases Involving Negotiated Resolution
  - 4-3. Conflicts of Interest
    - 4-3-1. Disqualification of Member by Recusal
    - 4-3-2. Disqualification by Party Recusal
  - 4-4. Panel Member Substitution
  - 4-5. Case
  - 4-6. Access to Pertinent Case Information
  - 4-7. Case Tracks
  - 4-8. Committee Determination of Level Change
    - 4-8-1. Determination Prior to Hearing
    - 4-8-2. Determination During Hearing
    - 4-8-3. Determination After Hearing
  - 4-9. Negotiated Resolution
    - 4-9-1. Negotiated Resolution Process
      - 4-9-1-1. Preliminary Assessment of Negotiated Resolution
        - 4-9-1-1-1. Review of Information
        - 4-9-1-1-2. Response to the Parties.
          - 4-9-1-2. Approval of Negotiated Resolution.
            - 4-9-1-2-1. Approval When Not All Participating Parties Agree on Resolution
          - 4-9-1-3. Rejection of Negotiated Resolution.
            - 4-9-1-3-1. Submission of Negotiated Resolution After Rejection
            - 4-9-1-4. Return of Negotiated Resolution to the Parties
      - 4-9-2. Effective Date of Agreed-Upon Penalties
    - 4-10. Summary Disposition
      - 4-10-1. Summary Disposition Preliminary Assessment
      - 4-10-2. Summary Disposition Reports (SDR)
        - 4-10-2-1. Parties' Agreements
          - 4-10-2-2. Acceptance of the SDR
            - 4-10-2-2-1. Additional Penalties and Expedited Hearing
            - 4-10-2-3. Rejection of the SDR
            - 4-10-2-4. Request for Additional Information or Clarification
        - 4-10-3. Reliance on Rejected Summary Disposition Report
        - 4-10-4. Changes to the Parties' Agreed Upon Facts and Violations
    - 4-11. Hearing Method
      - 4-11-1. Written Submissions Procedures
      - 4-11-2. Accelerated Hearing Procedures
      - 4-11-3. Video and Teleconference
    - 4-12. Resolution of Pre-Hearing Procedural Matters
      - 4-12-1. Initial Determination



- 4-13. Notice of Allegations**
- 4-13-1. Interviews Conducted After Notice of Allegations**
- 4-13-2. Withdrawal of Allegations**
- 4-13-3. Amendment to Notice of Allegations**
- 4-13-3-1. Response to Withdrawn or Amended Notice of Allegations**
- 4-13-3-2. Reopening Investigation and New Allegations**
- 4-14. Response to Notice of Allegations**
- 4-14-1. Extensions for Responses by Institutions and Involved Individuals**
- 4-14-2. Enforcement Reply and Statement of the Case**
- 4-14-3. Page Limitation**
- 4-14-3-1. Page Limitation Exception**
- 4-15. Statement of the Case**
- 4-16. Deadline for Submission of Written Materials**
- 4-17. Immediate Penalties During Investigation for Failure to Cooperate**
- 4-17-1. Authority**
- 4-17-2. Process**
- 4-17-2-1. Petition**
- 4-17-2-2. Response**
- 4-17-2-3. Reply**
- 4-17-2-4. Page Limitations**
- 4-17-2-5. Review**
- 4-17-2-5-1. Teleconference or Videoconference**
- 4-17-2-6. Resolution**
- 4-17-3. Review of Cases's Merits**
- 4-18. Limited Immunity**
- 4-18-1. Limited Immunity Purpose and Scope**
- 4-18-1-1. Effect of Limited Immunity**
- 4-18-1-2. Request and Review**
- 4-18-1-3. Revocation of Limited Immunity**
- 4-18-1-3-1. Process**
- 4-18-1-4. Recusal after Review**

**Chapter 5 – Hearing and Review Process**

- 5-1. Confidentiality**
- 5-1-1. Information**
- 5-1-2. Hearings**
- 5-2. Order of Proceedings**
- 5-3. Determination of Level**
- 5-4. The Record**
- 5-5. Ex Parte Communication to the COI**
- 5-6. Hearing Accommodations and Meeting Room Setup**
- 5-6-1. Special Accommodations**
- 5-7. Hearing Decorum**
- 5-8. Hearing Attendance**
- 5-8-1. Conference Representatives' Attendance**



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

- 5-8-2. Interested-Third-Party's-Institution's Attendance
- 5-9. Requested Academic & Membership Affairs (AMA) Services Interpretation
- 5-10. Hearing Procedural Matters
- 5-10-1. Continuation of Hearing
- 5-10-2. Postponement of Hearing
- 5-10-3. Dispositive Motions
- 5-10-4. Recordings of Proceedings
- 5-11. Audio Recordings of Hearings
- 5-11-1. Request for Audio Recordings of a Hearing
- 5-11-2. Requests for Transcripts
- 5-12. Additional Allegations and Findings by Panel – Bylaw 19.7.7.4
- 5-13. Quorum
- 5-14. Post Hearing Matters
- 5-14-1. Submissions Following Hearing of a Case
- 5-14-1-1. Amendment to Proposed or Self-Imposed Penalties
- 5-14-2. Deliberations
- 5-14-3. Attendance
- 5-14-4. Decisions
- 5-14-4-1. Drafting Decision
- 5-15. Penalties
- 5-15-1. Evaluation of Conduct Underlying Aggravating and Mitigating Factors
- 5-15-2. Sport-Specific Penalties
- 5-15-2-1. Involvement of Sport Programs in Violations
- 5-15-2-2. Level and Classification of Violations Committed within Program
- 5-15-3. Show-Cause Orders
- 5-15-3-1. General Show-Cause Orders
- 5-15-3-2. Specific Show-Cause Orders
- 5-15-4. Financial Penalty
- 5-15-4-1. Total Budget for Sport Program
- 5-15-4-2. Submission of Total Budget for Sport Program
- 5-15-4-3. Return of Tournament Distribution
- 5-15-4-4. Loss of Revenue Sharing in Postseason Competition
- 5-15-5. Scholarship Reductions
- 5-15-5-1. Institutional Compliance with Scholarship Reduction Penalty
- 5-15-5-2. Scholarships Awarded Prior to Penalty
- 5-15-5-3. Yearly Reductions
- 5-15-5-4. Initial Scholarship Reductions (Football)
- 5-15-6. Vacation of Wins and Records
- 5-15-7. Disassociation
- 5-16. Release of Decisions
- 5-16-1. Public Decision to Full COI
- 5-16-2. Amendment, Correction or Supplemental Decision
- 5-17. Reconsideration of a Decision
- 5-17-1. Parties' Written Request for Reconsideration
- 5-17-2. Granted Relief



**Chapter 6 – Appeals**

- 6-1. Appeals Advocate**
- 6-2. New Evidence Brought During Appeal**
- 6-3. Remanding Case Back to the COI**
- 6-4. Appeals to COI in Level III Case**

**Chapter 7 – Additional Matters**

- 7-1. Compliance Reports**
  - 7-1-1. General Purpose and Organization**
  - 7-1-2. Preliminary Reports**
  - 7-1-3. Annual Reports**
- 7-2. Compliance Review**
  - 7-2-1. Submission, Receipt and Preliminary Assessment**
  - 7-2-2. COI Leadership Review**
  - 7-2-3. Institution's Compliance Hearing**
  - 7-2-4. Individual's Noncompliance with Prescribed Penalties**
- 7-3. Drug Testing in Championship Events**
- 7-4. Maintenance of Infractions History Information**
  - 7-4-1. Infractions History for Individuals**
  - 7-4-2. Individual Infractions History Checks**
- 7-5. Document Retention**
- 7-6. Creating IOPs and Policies**
- 7-7. Conformity with IOPs**



## Introduction

These Internal Operating Procedures ("IOPs") are intended to memorialize the operational practices adopted by the NCAA Division I Committee on Infractions ("COI") and the Office of the Committees on Infractions ("OCOI") to move matters through the Division I Committee on Infractions efficiently and in conformity with the Division I constitution and bylaws. By describing in these IOPs how the COI processes cases, accepts submission of documents and conducts hearings, these IOPs function as guidelines to assist institutions, involved individuals and practitioners.

These IOPs do not constitute legal advice, do not have the force of law and do not confer any independent right, contractual or otherwise. The NCAA Division I constitution and bylaws remain the controlling authority governing infractions cases.

Because the IOPs are derived from the Division I constitution and bylaws and address the practical processing requirements for an infractions case, the IOPs will be amended from time to time, without prior notice, to accommodate changes to the constitution, the bylaws and the COI's and OCOI's evolving practices. An amendment is immediately effective. Any amendments will be presented to the NCAA Division I Board of Directors for approval. Editorial, formatting or typographical corrections that do not arise to the level of an amendment will be made as needed. To the extent that specific IOPs, bylaws or constitutional provisions are referenced in an IOP and the referenced IOP, bylaw or constitutional provision is renumbered or amended without material effect, the IOP in question remains applicable. (*Effective: 8/1/2013, Adopted: 8/8/2013, Revised: 2/7/2014, Adopted: 4/24/2014*)

Paper copies of the current IOPs may be obtained from the OCOI. The IOPs are also available electronically on the NCAA's website at:

<http://www.ncaa.org/division-i-committee-infractions-operating-procedures>

## Chapter 1 – Office of the Committees on Infractions

- 1-1. Location.** The physical location of the Office of the Division I Committee on Infractions is on the 1st floor of the Dempsey Building at the NCAA national office, 700 West Washington St., Indianapolis, Indiana 46204. The mailing address is P.O. Box 6222, Indianapolis, Indiana 46206-6222. (*Effective: 8/1/2013, Adopted: 8/8/2013, Revised: 2/1/2017*)
- 1-2. Contact Information.** The telephone number is (317) 917-6222. The facsimile number is (317) 917-6464. The email address is [coi@ncaa.org](mailto:coi@ncaa.org). (*Effective: 8/1/2013, Adopted: 8/8/2013*)
- 1-3. Hours of Operation.** The OCOI's hours of operation are between 8 a.m. to 5 p.m. (Eastern Time), Monday through Friday, except on holidays. (*Effective: 8/1/2013, Adopted: 8/8/2013*)



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

### 1-4. Office Closings.

**1-4-1. Closings.** If the office closes early or is closed, the national office's operations staff will activate a recording notifying anyone calling the NCAA's general number, (317) 917-6222, that the office is closed. Employees may dial (317) 917-6960 for updates on office closings. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**1-4-2. Case Submissions and Scheduled Hearings.** Regardless of whether the national office closes, submission of case material should be accomplished electronically and on time. If a hearing is scheduled at the national office and the office is closed, the OCOI staff will contact the parties regarding the status of the hearing. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**1-5. Party Notification.** The COI's and OCOI's involvement in an infractions case typically begins with the issuance of the notice of allegations. Upon the issuance of the notice of allegations and notification from the enforcement staff to the OCOI that a case is ready to be scheduled for hearing, an appearance letter is generated from the OCOI to the institution and involved parties (if applicable). The appearance letter notifies all parties, as well as the conference(s), of the date, time and location of the hearing. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**1-5-1. Party Responsibility.** After issuance of the notice of allegations, parties must ensure the OCOI has accurate information regarding current institutional or involved individual representatives and counsel, if any. Parties must inform and continually update the OCOI of any changes to counsel or representatives, including changes to contact information, as soon as practicable. (*Effective: 8/18/2016, Adopted: 9/29/2016*)

**1-6. Document Submission.** All communications and documents directed to the COI must be submitted electronically to the OCOI as instructed. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

## Chapter 2 – Committee on Infractions

**2-1. Committee on Infractions (COI) Defined.** The Division I Committee on Infractions is an independent administrative body charged with deciding infractions cases involving NCAA member institutions and their employees. Each committee is comprised of individuals serving as volunteers from NCAA member institutions and conferences and individuals from the general public who have legal training. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**2-1-1. COI Jurisdiction.** As authorized by the bylaws, the COI has authority to address prehearing procedural matters, set and conduct hearings or reviews, find facts, conclude violations of NCAA legislation, prescribe appropriate penalties and monitor institutions on probation to ensure compliance with penalties and terms of



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

probation, as well as conduct follow-up proceedings as may be necessary. The committee is also charged with hearing the appeals of individuals subject to a show-cause order in Level III cases (previously appeals of secondary violations), as well as other duties as authorized by the bylaws. *(Effective: 8/1/2013, Adopted: 8/8/2013)*

- 2-2. Office of the Committees on Infractions (OCOI) Defined.** The OCOI supports the three divisional Committees on Infractions by providing: administrative support; logistical coordination; research; analysis; training; drafting; strategic planning; and such other duties as assigned from time to time by the chair of the Division I Committee on Infractions. *(Effective: 8/1/2013, Adopted: 8/8/2013)*
- 2-3. Composition of COI.** In accordance with NCAA Bylaw 19.3.1, the COI membership shall include, where reasonably possible: current or former presidents, chancellors, directors of athletics; former coaches; representatives from conference offices; faculty/staff; athletics administrators with compliance experience; and general public members who have formal legal training but who are not associated with a collegiate institution, conference, or professional or similar sports organization and who do not represent coaches or athletes in any way. The identification in the bylaw of the above-mentioned categories for COI membership do not create a right, contractual or otherwise, to a given panel composition for hearing in any infractions case. *(Effective: 8/1/2013, Adopted: 8/8/2013)*
- 2-3-1. Commitment to Diversity.** In accordance with Bylaw 19.3.1 and the Association's commitment, the composition of the COI will be diverse and inclusive. Members are expected to bring a variety of attributes, backgrounds, identities and ideas to the work of the committee. In addition to gender and ethnic diversity, members will represent different positions or job functions on NCAA campuses and in the general public. Similarities and differences are essential in the Association's pursuit of fairness and consistency in athletics and are an integral part of higher education. *(Effective: 8/1/2013, Adopted: 8/8/2013)*
- 2-4. Appointment of COI Members.** Members of the NCAA Division I Board of Directors will appoint committee members of the Division I Committee ("committee") pursuant to an approved governance process to serve full or partial terms. The committee shall have no more than 24 members. To the extent reasonably possible, the COI shall include members from categories identified in Bylaw 19.3.1. When a vacancy on the committee exists, the Board of Directors may select an individual to fill the vacancy or finish the unexpired term of another member. The COI may identify and recommend potential candidates to the Board of Directors. *(Effective: 8/1/2013, Adopted: 8/8/2013)*
- 2-4-1. Member Qualifications.** An individual interested in serving on the COI should meet at least one of the categories set forth in Bylaw 19.3.1 and can carry out the duties and meet the expectations of a COI member. *(Effective: 8/1/2013, Adopted: 8/8/2013)*





## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

**2-5. Terms of Appointment.** An initial term of service for a COI member will commence on August 1 in the year in which the member was selected by the Board of Directors. Committee members may thereafter serve three-year terms, not to exceed nine years. Members are divided according to term schedules and those terms are staggered to ensure sufficient overlap and that significant numbers of committee members do not rotate off the committee simultaneously, thereby affecting the overall experience level of the COI. A COI member may be removed prior to the expiration of his or her term by the Board of Directors. *(Effective: 8/1/2013, Adopted 8/8/2013)*

### **2-6. Key Members.**

**2-6-1. Committee Chair.** The chair of the COI is responsible for administering and monitoring the work of the committee (at large) and COI hearing panels to ensure compliance with the COI's role under NCAA bylaws, efficiencies and quality work product. The chair may resolve procedural and docket management matters arising prior to hearing an infractions case and may grant or deny requests for immunity. The chair also functions as the key point of contact between the COI and OCOI. The committee chair appoints the chief hearing officer for each hearing panel. The chair is appointed by the Board of Directors upon the recommendation of the committee members. Generally, the term of the chair is limited to three years; however, the length of the term can be set or extended upon the vote of the committee and appointment by the Board of Directors. *(Effective: 8/1/2013, Adopted: 8/8/2013; Revised: 2/19/2016, Adopted: 3/21/2016)*

**2-6-2. Vice Chair.** The vice chair of the COI is responsible for administering the work of the committee in the absence of the chair and assumes the chair's authority for those purposes. The vice chair is appointed by the Board of Directors upon the recommendation of the committee members. The term of the vice chair is limited to three years. *(Effective: 8/1/2013, Adopted: 8/8/2013)*

**2-6-3. Chief Hearing Officer.** The chief hearing officer is responsible for the overall administration of hearing a Level I and Level II infractions case and an appeal from a Level III infractions matter. After assignment of an infractions case to a panel and designation as the chief hearing officer, the chief hearing officer may resolve procedural and docket management issues arising prior to hearing an infractions case, except as otherwise reserved by the chair. The chief hearing officer also functions as the key point of contact between the COI and the panel, except on issues otherwise reserved by the chair. The chief hearing officer selects a panel member to conduct a press call after the panel's decision is released. The chief hearing officer, in consultation with the chair, designates a panel member or other member of the committee to serve as an appeals advocate for any appeal arising from the panel's decision. *(Effective: 8/1/2013, Adopted: 8/8/2013)*

**2-6-4. Appeals Advocate.** The committee appeals advocate is typically a panel member selected by the chief hearing officer prior to the hearing and who represents the COI if a decision is appealed to the Infractions Appeals Committee (IAC). The



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

appeals advocate is responsible for all matters raised on appeal and is assisted by the OCOI. The appeals advocate on a panel participates fully in the hearing and during deliberations. If necessary, the chief hearing officer may select and add an appeals advocate from outside of the selected panel to accommodate scheduling and experience considerations necessary for handling an appeal. An appeals advocate selected from outside of the panel does not sit on the panel if the addition would cause the panel to exceed seven members. (*Effective: 8/1/2013, Adopted: 8/8/2013, Revised: 10/3/2013, Adopted: 10/30/2013*)

**2-6-5. Public Members, Conflicts of Interest and Disclosure.** Pursuant to Bylaw 19.3.1-(g), public members with formal legal training on the COI provide the infractions process with legitimacy, increase trust and offer different perspectives and experiences. Over time, the frequency in which member institutions use adjunct and visiting professors and individuals in consulting and other roles has changed. In order to prospectively clarify the COI's operating procedures for public membership, the COI shall use criteria under this IOP, consistent with Bylaw 19.3.1-(g). The limitation that public members not be "associated with a collegiate institution" under Bylaw 19.3.1-(g) means (1) full-time employment at a specific member institution; (2) regularly reoccurring part-time employment or consulting with a specific member institution that rises to the level of qualifying as or appearing to be an association inconsistent with public membership; or (3) or board or other leadership positions at a specific institution that impact that institution's campus or athletics department operations or policies.

After the effective date of this IOP, the COI chair and vice chair shall review the scope, duration and nature of public member candidates' activities on a case-by-case basis to determine whether an association is consistent with the bylaw and this IOP. Although not an automatic disqualification to COI membership, a public member candidate's adjunct or visiting professorship, consulting or board or leadership position warrants focus to determine whether the activity is consistent with the this IOP and the bylaw. The COI shall not recommend to the Division I Board of Directors a public member candidate whose membership is inconsistent with the bylaw or this IOP. For those public members appointed to the COI prior to the effective date of this IOP, the chair and vice chair shall review the scope, duration and nature of public member candidates' activities on a case-by-case basis to determine whether an association is consistent with the bylaw and this IOP. Ongoing activities inconsistent with the bylaw and this IOP may require a sitting member to step down from the COI. All other bylaws and IOPs relating to conflicts of interest also apply. (*Effective: 2/19/2016, Adopted: 3/21/2016*)

**2-6-6. Appointment of Administrative Subcommittee.** The COI may appoint an administrative subcommittee to approve operational policies and practices on behalf of the COI or when circumstances warrant may bring operational issues for full COI review. The administrative subcommittee shall include the chair and vice chair and three other members of the COI. The chair and vice chair shall serve for the duration of their COI leadership roles. The three other members will serve



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

staggered terms of no more than three years. (*Effective: 2/17/2017, Adopted: 4/6/2017*)

### Chapter 3 – Secure Filing System

**3-1. Secure Filing System.** The secure filing system is the principal platform for parties to electronically submit and access case information once a matter proceeds past investigation. Information in the system will constitute the electronic case file containing the record, submission history and official actions in an infractions case before the COI. The COI's expectation is for parties to use the system to submit information, make requests, access the case file and receive information from the COI. Unless good cause is shown, the parties shall not otherwise submit information to the COI via email, facsimile, other electronic medium or paper. (*Effective: 11/28/2017, Adopted 1/5/2018*)

**3-1-1. Points of Contact.** The enforcement staff shall be the principal point of contact for the system until the filing of a summary disposition report or notice of allegations. After either of those events, the OCOI is the principal point of contact until release of the infractions decision and conclusion of any probation reporting. If a case is appealed, staff supporting the appeals process are the principal point of contact until after conclusion of the appeal. The appeals process may use additional systems for file management. (*Effective: 11/28/2017, Adopted 1/5/2018*)

**3-1-1-1. Points of Contact in Cases Involving Negotiated Resolution.** If all parties participating in the case agree on a resolution of the case, the enforcement staff shall be the principal point of contact for the system until the filing of the agreement of negotiated resolution. The OCOI is then the principal point of contact until release of the infractions decision and conclusion of any probation reporting unless the panel rejects a negotiated resolution submitted prior to issuance of a summary disposition report or notice of allegations. In that event, the enforcement staff will be the principal point of contact until the filing of different agreement of negotiated resolution, the summary disposition report or the notice of allegations. (*Effective: 12/11/2018, Adopted: 2/20/2019*)

**3-1-2. System Management.** NCAA information technology staff may assist the national office staff involved in the infractions process in operating and troubleshooting the system. Although the system captures login and access information, enforcement investigators do not have the ability to view work product, strategies or mental impressions of a party or its counsel/representative. The COI does not have the ability to view access or login information. As the administrative office of the committee on infractions, the OCOI staff maintains the ability to view access and login information. Absent procedural issues requiring identification of that data, however, the OCOI will not review access or login information and will not provide such data to the COI. (*Effective: 11/28/2017, Adopted 1/5/2018*)



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

**3-1-3. Hyperlinking to Record and Authority.** The secure filing system facilitates the parties' ability to direct the COI to the most pertinent factual information and guiding authority in an infractions case. Unless good cause is shown, the COI's expectation is for parties to identify and hyperlink to the most relevant and material information and guiding authority in an infractions case. Without good cause shown, the COI will reject party submissions for failure to comply with the aforementioned requirements. The issue of resubmission will be addressed with the chair or chief hearing officer, if assigned. *(Effective: 11/28/2017, Adopted 1/5/2018)*

**3-1-3-1. Hyperlinked Key Record List.** At the beginning of a written submission, the parties shall identify the most relevant and material factual information in a key record list. The key record list shall be comprised of a key factual information list (i.e., the most persuasive factual information relied upon by the submitting party) and index of authorities (i.e., past cases and interpretations) with hyperlinks to the secure filing system and the Legislative Services Database (LSDBi). If a party intends to rely on supplemental factual information (that is, information not identified by the enforcement staff as factual information), that party shall identify such information in its key record list with a hyperlink. *(Effective: 11/28/2017, Adopted 1/5/2018; Revised 1/22/2018, Adopted 2/6/2018)*

**3-1-3-2. Hyperlinked Citations to Record and Authority.** Within the body of the written submission, the parties shall cite the most relevant and material factual information as identified in the key factual information list and index of authorities with hyperlinks to the secure filing system and the Legislative Services Database (LSDBi). *(Effective: 11/28/2017, Adopted 1/5/2018)*

**3-1-4. Cases with Record Segmented by Party.** In IOP 4-6, the COI encourages all parties to agree to sharing all information in an infractions case. Segmenting the record by party in a case may cause delay and impact technological efficiencies. Due to security protocols and technological constraints, in cases where the record is segmented by party, the COI will be able to use the hyperlinks contained in respective submissions; however, the hyperlinks will be inactive to any other party. *(Effective: 11/28/2017, Adopted 1/5/2018)*

### Chapter 4 – Pre-Hearing Procedures

**4-1. Assignment and Hearings.** Logistical, efficiency, economy and fairness considerations require the COI and the OCOI to manage the docket of cases being heard by the COI. All parties should in good faith endeavor to facilitate meeting the goal of a fair and efficient hearing process. *(Effective: 8/1/2013, Adopted: 8/8/2013)*



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

**4-1-1. Dates and Locations.** The OCOI regularly selects session dates and sites for conducting monthly infractions hearings and case reviews. Additional sessions may be generated as needed, and session dates and locations may be moved as necessary. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**4-1-2. Member Assignment by Hearing Panel Generator.** As cases become ready to be heard and reviewed, the OCOI tentatively schedules a case to a projected hearing session. Unless ordered otherwise by the chair, the OCOI will utilize a computer program to generate hearing panels consisting of not less than five and not more than seven members of the full Committee on Infractions, with alternates, to hear and review cases. When appropriate based upon the number and nature of allegations, the chair or vice chair may order that a panel of three members be generated. Committee members are selected based on their calendar availability, experience level and lack of a conflict of interest based on institutional or conference affiliations. Substitutes may also be added from a pool of former committee members. These panels are assigned to hear cases. Additional panels may be generated as needed. Panels may be modified due to availability and subsequently disclosed conflicts of interest. Cases may be rescheduled or reassigned to a different panel. All parties will be informed of the panel composition when practicable after the submission of the institution's and involved individuals' responses. (*Effective: 8/1/2013, Adopted: 8/8/2013, Revised: 2/7/2014, Adopted: 4/24/2014, Revised: 12/15/2016, Adopted: 2/1/2017*)

**4-1-2-1. Three-Member Panels.** When submitting a case for the COI's consideration, parties may identify whether they believe their case is suitable for a three-member panel and the reasons supporting their position. Parties will be notified of the size and composition of their panel. After notification in circumstances where the chair or vice chair has ordered a three-member panel, parties may submit a position when they disagree that a three-member panel is not appropriate within 14 days of receiving their panel notification letter. The final decision on panel size rests with the chair, vice chair or chief hearing officer, if assigned. (*Effective: 12/15/2016, Adopted: 2/1/2017*)

**4-2. Notification of Panel Assignment, Hearing Date and Location.** In an appearance letter, for cases being decided by a hearing and on written submissions, the OCOI will notify the parties in writing of the assigned panel, hearing date, time and location, when practicable after the response deadline. If involved parties or an institution have different response deadlines due to a granted extension, panel notification will occur, when practicable after the final response deadline. For summary disposition cases, the OCOI will notify the parties in writing of the assigned panel and likely review date when practicable after the parties' submission of summary disposition report. If a summary disposition case is rejected or the case proceeds to an expedited hearing after a panel has proposed additional penalties, the OCOI will notify the parties in writing of the assigned panel, hearing date, time and location, when practicable. (*Effective: 8/1/2013, Adopted: 8/8/2013*)



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

- 4-2-1. Notification in Cases Involving Negotiated Resolution.** For cases involving agreements of negotiated resolution submitted prior to issuance of the summary disposition report or notice of allegations, the OCOI will notify the parties in writing of the assigned panel and likely review date when practicable after the parties' submission of the agreement of negotiated resolution. For cases involving agreements of negotiated resolution submitted with a summary disposition report or notice of allegations, the hearing panel that resolves the case through hearing or summary disposition will be comprised of the same panel that reviews the negotiated resolution. *(Effective: 12/11/2018, Adopted: 2/20/2019)*
- 4-3. Conflicts of Interest.** The COI is committed to avoiding actual conflicts of interest or the appearance of a potential conflict of interest so that all parties remain confident of a fair and credible hearing process. *(Effective: 8/1/2013, Adopted: 8/8/2013)*
- 4-3-1. Disqualification of Member by Recusal.** Panel members are responsible for identifying actual or potential conflicts of interest. A panel member will initially decide whether recusal is necessary. If an actual conflict exists, the panel member is expected to step down. If the panel member determines that only a potential conflict or appearance of a potential conflict exists, the panel member shall inform the OCOI and consult with the chief hearing officer and chair. The chair has final authority to determine whether a conflict of interest exists and whether the panel member should be recused. If a panel member is recused, an alternate may be seated. *(Effective: 8/1/2013, Adopted: 8/8/2013)*
- 4-3-2. Disqualification by Party Recusal.** A party may seek to disqualify a panel member based on a conflict of interest. A party requesting a disqualification must submit in writing the basis for disqualification no later than seven days prior to the scheduled hearing. The chair shall determine whether a conflict of interest exists and whether the panel member shall be removed. The chair has the final authority to determine whether a conflict of interest exists. If a panel member is disqualified, an alternate may be seated. *(Effective: 8/1/2013, Adopted: 8/8/2013)*
- 4-4. Panel Member Substitution.** After generation of a panel, if it appears that one or more members of the panel will be unable to participate in the disposition of a case, alternates may be seated. If there are insufficient committee members available to form a panel, the chair may designate a former member or members of the COI to join a panel for purposes of consideration and disposition of that case. *(Effective: 8/1/2013, Adopted: 8/8/2013)*
- 4-5. Case.** In hearing an infractions matter, *case* includes but is not limited to: (1) the overall infractions case; (2) the case's overall processing level; (3) an individual party's violation level and penalty classification; and (4) when an institution's violations include multiple sports, the panel may, where the circumstances warrant, identify a sport-specific level and penalty classification. As it relates to penalty classification, pursuant to Bylaw 19.9.2, aggravating and mitigating factors are party specific. The same factors may apply to multiple parties based on the conduct. *(Effective: 10/3/2013, Adopted: 10/30/2013; Revised: 2/19/2016, Adopted 3/21/2016)*



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

- 4-6. Access to Pertinent Case Information.** All pertinent documents, submissions and information for a case maintained in the secure website should be accessible to all parties in a case. *Pertinent* is defined as documents, submissions and information that could reasonably affect an allegation or potential penalty against any party, or a potential defense for any party. Generally, the presumption is that all case information and submissions will be made available to all parties. All parties shall be provided notice or alerted to all filings.

The enforcement staff and a filing party shall ensure that all parties have notice and access to documents and information for a case maintained in the secure website that could reasonably affect an allegation or potential penalty against any party, or potential defense for any party. It is the responsibility of the enforcement staff to provide the committee and all parties with pertinent information. If the enforcement staff chooses not to provide the committee and all parties with information that may reasonable affect an allegation, potential penalty against, or potential defense in favor of any party, then the enforcement staff must provide written notice to the committee and any impacted parties in the case. The written notice shall generally describe the nature of the undisclosed information.

In unique circumstances where there is confidential or otherwise protected information, a party may petition the chair, or the chief hearing officer if assigned, for an in-camera review to determine whether the information should be made available to all parties. (*Effective: 8/1/2013, Adopted: 8/8/2013, Revised: 10/3/2013, Adopted: 10/30/2013, Revised: 2/27/2015, Adopted: 4/30/2015*)

- 4-7. Case Tracks.** No later than two business days after the determination is made consistent with bylaws and enforcement internal operating procedures, the enforcement staff shall inform the OCOI in writing of the level and track of the case and whether an in-person hearing is required.

Level I cases shall be resolved through a standard hearing, negotiated resolution or summary disposition process. Level II cases may be resolved through an accelerated hearing docket, a standard hearing, negotiated resolution, summary disposition process or written submission. An institution or involved party may request an expedited hearing to contest additional penalties prescribed by the COI in the summary disposition review process.

An institution or involved individual subject to a Level III penalty may appeal to the COI consistent with the bylaws. (*Effective: 8/1/2013, Adopted: 8/8/2013; Revised: 12/11/2018, Adopted 2/20/2019*)

- 4-8. Committee Determination of Level Change.** From time to time, situations may arise where the committee chair or the chief hearing officer, if assigned, determines that the case processing level in a case requires, or may require, a material change from the level identified by the enforcement staff. Similarly, situations may arise where the committee chair, the chief hearing officer, if assigned, or the panel, if at the hearing stage, determines that a violation level applicable to an institution or an involved individual requires or may



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

require, a material change from the level identified by the enforcement staff or the parties in the summary disposition case. (*Effective: 10/3/2013, Adopted: 10/30/2013*)

**4-8-1. Determination Prior to Hearing.** If upon review, the chair or the chief hearing officer, if assigned, determines that there is a likelihood of a change to the processing level, they will schedule a conference call with the parties and direct the parties to address the concerns in a supplemental written submission, if necessary, according to a reasonable schedule. If the chair, or chief hearing officer, if assigned, determines there is insufficient time for the parties to provide supplemental written submissions, the hearing date, if assigned, may be postponed. The chair or chief hearing officer, if assigned, may direct that the case proceed at a different level. If the chair directs the case to proceed at a different level, that determination will not be revisited prior to the hearing by the chief hearing officer, once assigned. However, ultimate decision regarding level rests with the panel. If a hearing is rescheduled for a later date, the same panel, where practicable, will preside over the hearing. (*Effective: 10/3/2013, Adopted: 10/30/2013*)

**4-8-2. Determination During Hearing.** If during the course of a hearing, the panel determines that the case requires a material change to a level, the panel shall determine an appropriate course of action, including but not limited to: divesting itself of jurisdiction when the panel believes the overall case processing level is a Level III and instructing the enforcement staff to process the violation(s) as a Level III; continuing with the hearing by seeking concurrence of the parties to proceed based on the panel's belief that a different level is appropriate and the panel requesting post-hearing supplemental written submissions, if necessary; postponing the hearing and requesting supplemental written responses before rescheduling a continued hearing. If a hearing is postponed, the same panel, where practicable, will preside over the hearing. (*Effective: 10/3/2013, Adopted: 10/30/2013*)

**4-8-3. Determination After Hearing.** If, after a hearing but before the issuance of an infractions decision, the panel determines that there is a material level change, the panel will grant the parties an opportunity to provide written supplemental submissions or to request to reconvene the hearing, solely to address issues related to the change in level. If a hearing is reconvened, the same panel, where practicable, will preside over the hearing. (*Effective: 10/3/2013, Adopted: 10/30/2013*)

### **4-9. Negotiated Resolution**

**4-9-1. Negotiated Resolution Process.** The negotiated resolution process is detailed in Bylaw 19.5.12 through Bylaw 19.5.12.6. An agreement of negotiated resolution is subject to approval by a hearing panel and must resolve all known violations for the parties included in the negotiated resolution. The panel will approve an agreement of negotiated resolution unless the resolution is not in the best interests of the Association or the agreed-upon penalties are manifestly unreasonable





## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

pursuant to Bylaw 19.9 and Figure 19-1. The preference is that all parties participating in the case agree to the negotiated resolution and submit their agreement of negotiated resolution to the COI in a timely manner to expedite resolution and conserve resources. (*Effective: 12/11/2018, Adopted: 2/20/2019*)

**4-9-1-1. Preliminary Assessment of Negotiated Resolution.** In accordance with Bylaw 19.5.12.3, the parties included in the negotiated resolution may request a panel of three COI members to preliminarily assess whether the agreed-upon penalties are manifestly unreasonable pursuant to Bylaw 19.9 and Figure 19-1. The COI chair may appoint a chief hearing officer for the panel. The assessment is not binding. (*Effective: 12/11/2018, Adopted: 2/20/2019*)

**4-9-1-1-1. Review of Information.** The parties included in the negotiated resolution shall provide the panel in writing with all necessary information for the panel to evaluate potential penalties, including but not limited to a description of the case and sufficient detail regarding the agreed-upon violations (e.g., number, scope and duration of the violations, any dollar amounts related to the violations, impact of the violations on student-athletes). The panel may ask the parties included in the negotiated resolution to provide additional information or clarification if necessary. If the panel requests additional information or clarification, the enforcement staff shall coordinate the response on behalf of the parties included in the negotiated resolution. (*Effective: 12/11/2018, Adopted: 2/20/2019*)

**4-9-1-1-2. Response to the Parties.** Unless the panel approves the negotiated resolution in conjunction with its preliminary assessment in accordance with Bylaw 19.5.12.4.2, the panel will prepare and issue a written assessment to the parties included in the negotiated resolution. The assessment will identify any issues related to the agreed-upon penalties that would preclude approval of the negotiated resolution. (*Effective: 12/11/2018, Adopted: 2/20/2019*)

**4-9-1-2. Approval of Negotiated Resolution.** If the panel approves the negotiated resolution, the panel may not alter the substance of the agreement. The panel, however, may make nonsubstantive or editorial revisions to the agreement. If the panel believes the revisions may affect the substance of the agreement, the panel will seek further information or clarification from the parties included in the negotiated resolution in accordance with Bylaw 19.5.12.5 and IOP 4-9-1-4. In approving the



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

negotiated resolution, the panel accepts the parties' agreed-upon facts, violations, violation levels, aggravating and mitigating factors, classification of violations and penalties, as presented. The approved agreement becomes the panel's decision. The panel will notify all parties in the case of the approval. Pursuant to Bylaw 19.5.12.4, the negotiated resolution, including the violations and penalties, has no precedential value and may not be appealed. (*Effective: 12/11/2018, Adopted: 2/20/2019*)

**4-9-1-2-1. Approval When Not All Participating Parties Agree on Resolution.** The COI recognizes that parties not included in a negotiated resolution may present information at a hearing that materially impacts elements of a negotiated resolution agreed to by other parties in the case. In accordance with Bylaw 19.5.12.4.1, if some, but not all, parties in the case agree on negotiated resolution, the panel will not approve the negotiated resolution until the panel resolves the remainder of the case. (*Effective: 12/11/2018, Adopted: 2/20/2019*)

**4-9-1-3. Rejection of Negotiated Resolution.** In accordance with Bylaw 19.5.12.5, a rejected negotiated resolution shall be processed pursuant to Bylaw 19.6 or Bylaw 19.7. The panel will not reject a negotiated resolution based solely on the fact that the panel might have reached a different reasonable conclusion than the parties. The panel will prepare and issue a written determination to all parties in the case that sets forth its rationale for rejection. (*Effective: 12/11/2018, Adopted: 2/20/2019*)

**4-9-1-3-1. Submission of Negotiated Resolution After Rejection.** Parties included in a rejected negotiated resolution may submit a different agreement of negotiated resolution after the rejection. (*Effective: 12/11/2018, Adopted: 2/20/2019*)

**4-9-1-4. Return of Negotiated Resolution to the Parties.** In accordance with Bylaw 19.5.12.5, the panel may return the negotiated resolution to the parties included in the negotiated resolution for additional information or clarification or to respond to issues that preclude approval of the negotiated resolution. If the requested additional information or clarification changes elements of the agreement, the parties shall submit an amended agreement to the panel. The enforcement staff shall coordinate the response on behalf of the parties included in the negotiated resolution. After receipt of the response or the amended agreement, the panel shall determine whether to approve or reject the negotiated resolution. (*Effective: 12/11/2018, Adopted: 2/20/2019*)



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

**4-9-2. Effective Date of Agreed-Upon Penalties.** If approved by the hearing panel, agreed-upon penalties will take effect upon submission of the agreement of negotiated resolution to the COI. (*Effective: 12/11/2018, Adopted: 2/20/2019*)

### 4-10. Summary Disposition

**4-10-1. Summary Disposition Preliminary Assessment.** If required as a condition of the agreement, the chair, or his or her designee, will conduct a preliminary assessment for appropriateness of the summary disposition process. The ultimate assessment of whether summary disposition is the appropriate process shall be determined by the panel. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**4-10-2. Summary Disposition Reports (SDR).** The summary disposition process is detailed in Bylaws 19.6.1 through 19.6.4.5. If the institution or an involved individual requests an expedited hearing to challenge additional penalties proposed by the panel, where practicable, the matter will be set for hearing before the panel that proposed the additional penalties. If a panel rejects the appropriateness of summary disposition and orders a hearing, where practicable, the hearing will be before the panel that rejected the summary disposition. (*Effective: 8/1/2013, Adopted: 8/8/2013, Revised: 12/15/2016, Adopted: 2/1/2017*)

**4-10-2-1. Parties' Agreements.** As fully set forth in Bylaw 19.6.2, the SDR shall state, among other things, the parties' agreed-upon facts, violations, case level, and aggravating and mitigating factors. Substantial disagreement regarding facts—even when the parties agree that violations occurred—may be cause for a panel to reject the SDR. With respect to aggravating and mitigating factors, the SDR should state whether the institution and any involved individuals agree or disagree with the factors identified by the enforcement staff. Positions of "partial agreement," "partial disagreement" or "no position" will not be considered and may factor into the panel's decision whether to accept the SDR. Likewise, the enforcement staff shall take a position on any additional factors proposed by the institution or involved individual when the staff's interaction with the parties will help inform the panel. All parties may provide additional context and rationale for their positions on aggravating and mitigating factors in the SDR. (*Effective: 3/26/2019, Adopted: TBD*)

**4-10-2-2. Acceptance of the SDR.** If the panel accepts the SDR, the panel may not alter the substance of the agreement. The panel may make editorial changes to the agreement as it appears or is discussed in the infractions decision. Because violations established through the summary disposition process constitute the parties' agreement, future panels may view the decision as less instructive than a decision reached after a contested hearing. (*Effective: 12/15/2016, Adopted: 2/1/2017; Revised 9/10/2018, Adopted: 10/18/2018*)



**4-10-2-2-1. Additional Penalties and Expedited Hearing.** If the panel accepts the SDR, it may propose additional penalties. Pursuant to Bylaw 19.6.4.5, the institution or participating individuals may challenge their respective penalties at an expedited hearing, to be heard by the same panel where practicable. Parties requesting an expedited hearing must do so via correspondence uploaded to the secure filing system. The request must identify in writing the specific penalties being challenged, the party's preferred mode of hearing (e.g., in-person, videoconference, written submission) and a preliminary basis for the challenge. Upon receipt of the request, the chief hearing officer will set a hearing date and determine the mode of hearing. The chief hearing officer will also set a deadline for parties to provide required written submissions of no more than 15 pages setting forth any information, arguments and authority with respect to the challenged penalties. (*Effective: 9/10/2018, Adopted: 10/18/2018*)

**4-10-2-3. Rejection of the SDR.** A rejected SDR shall be processed pursuant to Bylaw 19.7 when the panel believes the agreement reached by the parties on the face of the SDR is clearly erroneous (or manifestly unreasonable) due to lack of the necessary level agreement, application of the facts to the cited bylaws, the absence of a violation or when divestment of jurisdiction and referral back the enforcement staff pursuant to COI IOP 4-8-2 is appropriate because all of the violations are Level III. However, the panel shall not reject an SDR based solely on the fact that the panel might have reached a different reasonable conclusion than the parties. (*Effective: 12/15/2016, Adopted: 2/1/2017*)

**4-10-2-4. Request for Additional Information or Clarification.** In circumstances where the panel needs more information or clarification of information in the SDR to better understand the parties' agreement or to address specific issues, the panel may request additional information or clarification. The enforcement staff shall coordinate submitting the additional information or clarification from the other participating parties relating to the information pertinent to them. In some circumstances, the panel may request the parties to clarify whether the participating parties are willing to amend the SDR, relating to issues identified by the panel. The parties shall respond within the time established by the panel. All participating parties must agree to amendments pertinent to them. If there is agreement, the enforcement staff shall submit an amended SDR to the panel. If a party objects to the amendment, they shall provide the objection as directed by the panel. After receipt of additional information or a clarification,



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

the panel shall decide whether to accept or reject the SDR. (*Effective: 12/15/2016, Adopted: 2/1/2017*)

**4-10-3. Reliance on Rejected Summary Disposition Report.** A panel may reject the summary disposition report and order a full hearing. Any party may rely on a summary disposition report and its attachments at the hearing and the report shall be made part of the record. If the enforcement staff believes its position has materially changed from the summary disposition report, it shall indicate that change in the notice of allegations and, where necessary, in its reply brief. An institution or involved individual that believes its position has materially changed shall indicate how it has changed in its response. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**4-10-4. Changes to the Parties' Agreed Upon Facts and Violations.** Pursuant to Bylaw 19.6.4.3, after the panel reviews the parties' SDR, the panel may make changes to those facts and violations that appear in the infractions decision, so long as any change is nonsubstantive or editorial because it does not substantially alter the agreed-upon facts or violations. If the panel believes there may be changes that would affect the substance of the findings, the panel will seek further information or clarification under Bylaw 19.6.4.5. (*Effective: 8/13/2015*)

**4-11. Hearing Method.** In a Level I case, the following hearing modes are available: in-person, videoconference, teleconference, and other modes of distance communication or written submission. In a Level II case the following hearing modes are available: in-person, videoconference, teleconference, and other modes of distance communication or written submission. A video or telephone conference will be the presumed method for conducting a hearing in a Level II case consistent with the bylaw. Upon receipt of a request, the chair or the chief hearing officer (pursuant to Bylaw 19.7.6) will determine the appropriate mode of the hearing (video, teleconference, other mode of distance communication) after the parties' responses. The chair or the chief hearing officer may also determine that an in-person hearing is warranted. The chair or the chief hearing officer will communicate the determination to all parties. (*Effective: 8/1/2013, Adopted: 8/8/2013; Revised 5/10/2017, Adopted 7/11/2017*)

**4-11-1. Written Submissions Procedures.** As soon as practicable, if all participating parties agree, a request should be made to the chief hearing officer, or the chair if a chief hearing officer has not yet been designated, requesting that the case be submitted in writing without a hearing. The ultimate decision whether to grant or deny the request rests with the panel. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**4-11-2. Accelerated Hearing Procedures.** The timing and process for requesting an accelerated hearing is detailed in Bylaw 19.7.7.2. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**4-11-3. Video and Teleconference.** In a Level II case, the default hearing mode is telephone or video conference, unless the panel, institution, enforcement staff or



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

involved individual requests an in-person hearing. A request from the institution or an involved party should, at the latest, accompany the written response and for the enforcement staff the request should occur promptly after responses have been filed. On its own request, the hearing panel will make its determination for the need of an in-person hearing as soon as practicable. The ultimate decision whether to grant or deny the request rests with the panel. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

- 4-12. Resolution of Pre-Hearing Procedural Matters.** Consistent with the bylaws, the chair and chief hearing officer have the authority to resolve procedural matters that may arise prior to a hearing. If a case has been assigned to a panel, the chief hearing officer will resolve procedural matters in consultation with the chair. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**4-12-1. Initial Determination.** The chair, at his or her discretion, may make initial determinations regarding the infractions process, including but not limited to: appropriateness of using the summary disposition, case processing level, violations level, procedural and docket management issues. The chair's decision will be preliminary only and the authority to make a final determination rests with the hearing panel. (*Effective: 10/3/2013, Adopted: 10/30/2013*)

- 4-13. Notice of Allegations.** In appropriate cases, the enforcement staff shall draft and issue a notice of allegations consistent with the bylaws. At the time a notice of allegations is issued, the enforcement staff will notify and make it available to the OCOI. The OCOI will provide the notice of allegations to the assigned panel. The enforcement staff shall separately cite to the applicable bylaw and bylaw version, e.g., the NCAA Manual year, for each allegation. (*Effective: 8/1/2013, Adopted: 8/8/2013, Revised: 10/3/2013, Adopted: 10/30/2013*)

**4-13-1. Interviews Conducted After Notice of Allegations.** Following the issuance of the notice of allegations, any party that desires to conduct interviews of potential witnesses in the case, or interviews regarding information potentially germane to the case shall notify the chair, or the chief hearing officer if assigned, in writing of the need to conduct and record an interview. Unless the party can demonstrate good cause in the notification for precluding other parties from the interview, the party shall afford all other parties notice and a reasonable opportunity to be present at the interview. The committee may reject any information adduced from the interview if the interviewing party fails to comply with this procedure. Upon completion of the interview, it will be the responsibility of any party conducting additional interviews to transcribe the interviews in written format and request in writing that the chair, or the chief hearing officer, if assigned, add the interviews to the record. The chair, or chief hearing officer, if assigned, has the final authority to determine whether additional interviews will be added to the record. (*Effective: 8/1/2013, Adopted: 8/8/2013, Revised: 8/18/2016, Adopted: 9/29/2016*)



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

**4-13-2. Withdrawal of Allegations.** After the issuance of the notice of allegations, the enforcement staff may withdraw an allegation consistent with Bylaw 19.7.4. Prior to withdrawal of an allegation from the notice of allegations, the enforcement staff shall request in writing to schedule a conference call with the chief hearing officer and all affected parties to discuss the impact on the case and the parties. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**4-13-3. Amendment to Notice of Allegations.** After the issuance of the notice of allegations, the enforcement staff may amend an allegation, consistent with Bylaw 19.7.4. If the amendment is immaterial to the allegation and agreed to by all parties affected by the allegation, the enforcement staff shall submit an errata memorandum detailing the nature of the change and the amended pages from the notice of allegations to OCOI for submission to the assigned panel. If the proposed amendment reflects a material change to the allegation or the parties do not agree as to the materiality of the amendment, the enforcement staff shall send a written request to the OCOI to schedule a conference call with the chief hearing officer and all affected parties.

If the chief hearing officer determines that the proposed modification is material, an amended notice of allegations shall be filed. If the chief hearing officer determines in writing that the proposed amendment is immaterial, the enforcement staff shall issue the amended pages of the notice of allegations, without change to the case processing timelines. The affected involved individual and the institution may supplement their respective responses consistent with Bylaw 19.7.2. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**4-13-3-1. Response to Withdrawn or Amended Notice of Allegations.** An amended notice of allegations shall be issued containing any changes. If the amendment is immaterial and the parties agree, then a response is not needed. If the amendment is material, the institution or involved individuals may submit a response consistent with Bylaw 19.7.2. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**4-13-3-2. Reopening Investigation and New Allegations.** If the enforcement staff reopens an investigation after filing a notice of allegations, the enforcement staff shall file a notice setting forth its need for re-opening the investigation, whether it is possible to keep the hearing date, if assigned, and a statement that the enforcement staff has notified all parties as soon as practicable without compromising the re-opened investigation. If the case has assigned to a panel, the notice should be addressed to the chief hearing officer or if the case has not been assigned to a panel, the chair. The notice shall be served on all parties and provided to the OCOI. If the case was assigned to a panel prior to filing the notice, the case may or may not be heard by the same panel. For purposes of case and docket management, the COI considers the case as closed during reinvestigation. If further investigation leads to new



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

allegations, the enforcement staff shall comply with the bylaws and IOPs that flow from an amended or new notice of allegations. If no new or amended allegations arise from reopening the investigation, the enforcement staff shall promptly file a notice requesting the matter be scheduled for hearing or decision. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**4-14. Response to Notice of Allegations.** Institutions and involved individuals may submit a written response within the timeframes established in the bylaws. A response shall be organized in clearly identifiable sections with corresponding headings. The response shall state which factual assertions and allegations included in the notice of allegations, if any, are contested and which are uncontested. Arguments for why there was no violation shall contain citation, quotation, and application of applicable bylaws or constitutional provisions and shall refer the COI to any persuasive case authority. Reference or quotation of transcripts or other documents shall include a corresponding citation, factual information number reference, hyperlink to the document in the secure filing system and relevant page numbers. Pursuant to IOP 3-1-3-1, these citations should refer to those identified in the party's key factual information list. Quoted portions of transcripts or other documents shall include enough material to sufficiently portray context. The response shall state whether the party agrees or disagrees with aggravating and mitigating factors identified by the enforcement staff and may provide context and rationale for each position. Positions of "partial agreement," "partial disagreement" or "no position" will not be considered. Corrective actions and self-imposed penalties shall be set forth in a separate section at the conclusion of the response. All arguments that parties intend to make should be made in the response. Responses shall be made available in accordance with IOP 4-6. (*Effective: 8/1/2013, Adopted: 8/8/2013; Revised: 10/3/2013, Adopted: 10/30/2013; Revised: 11/28/2017, Adopted: 1/5/2018; Revised 3/26/2019, Adopted: TBD*)

**4-14-1. Extensions for Responses by Institutions and Involved Individuals.** The parties may request an extension of time to exceed the timeline established for responses in the bylaws to file a written submission; however, extensions are disfavored. The request shall be made in writing to the chief hearing officer, if assigned, and if not assigned, to the chair. Extensions to the time limits for filing responses may be granted for good cause shown. Prior to formally requesting an extension, the requesting party shall contact all other parties to determine if they object to the request and state those parties' positions in the request. The positions of all parties shall be taken into consideration prior to determining whether to grant the request. If an extension is granted, it shall apply to all parties. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**4-14-2. Enforcement Reply and Statement of the Case.** Consistent with the bylaws, the enforcement staff may file a written reply to the responses and must produce a statement of the case. The enforcement staff shall not include new allegations or a materially different factual basis underlying any allegation in its reply or in the statement of the case. In addressing aggravating and mitigating factors, the enforcement staff shall take a position on any factor where the staff's interaction





## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

with the party will help inform the panel. The enforcement staff's reply and the statement of the case shall be made available in accordance with IOP 4-6. (*Effective: 8/1/2013, Adopted: 8/8/2013; Revised: 10/3/2013, Adopted: 10/30/2013; Revised: 3/26/2019, Adopted: TBD*)

**4-14-3. Page Limitation.** An institution's response or an involved individual's response to a Notice of Allegations under IOP 4-13 or Amended Notice of Allegations under IOP 4-12-3 shall not exceed 50 pages, double-spaced with 11-point font. The enforcement staff's written reply and statement of the case under IOP 4-13-2 shall not exceed 35 pages, double-spaced with no smaller than 11-point font and one-inch margins. These page limits are exclusive of tables of contents, attachments, requested information in a NOA, or appendices. Parties should be aware that the committee already has access to all of the factual information in a particular case. Parties are cautioned not to abuse the use of attachments and relegate such submissions to only the key documents supporting their position. This IOP should be read harmoniously with the committee's Pre-Hearing Procedures. (*Effective: 2/27/2015, Adopted: 4/30/2015, Revised: 7/20/2015*)

**4-14-3-1. Page Limitation Exception.** The chief hearing officer, or the committee chair if a chief hearing officer has not yet been assigned, may grant leave for a party to file a submission exceeding these limits for good cause shown. Any party seeking to exceed the page limits established by this rule shall represent in their request whether any other party objects to the request. (*Effective: 2/27/2015, Adopted: 4/30/2015, Revised: 7/20/2015*)

**4-15. Statement of the Case.** The statement of the case operates as the final statement of the parties regarding areas of agreement and disagreement. The assigned panel will use the statement of the case to focus the scope of the hearing. It is generally expected that a party should not materially alter its position from the position taken in the statement of the case, except as a party may choose to admit a violation. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**4-16. Deadline for Submission of Written Materials.** Consistent with the bylaw, supplemental responses and other written material must be received by the hearing panel at least 30 days prior to the date the panel considers the case, unless good cause is shown for a later submission. The chair or the chief hearing officer, if the case has been assigned to a panel, shall determine whether good cause has been shown for submissions within 30 days of the hearing. A party cannot demonstrate good cause upon restatement of previously made arguments. An interview conducted within the 30 days prior to a hearing may not demonstrate good cause, unless all parties are afforded a reasonable opportunity to participate. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

### **4-17. Immediate Penalties During Investigation for Failure to Cooperate**

**4-17-1. Authority.** An institution's or individual's failure to cooperate with the enforcement staff during an investigation creates inefficiencies in and slows down the infractions



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

process. In accordance with Bylaw 19.2.3.2.3, the COI chair, hearing panel generated at the request of the chair to review whether an institution and/or individual failed to satisfy the responsibility to cooperate, chief hearing officer of a hearing panel assigned to review the case (if appointed by the chair) or the hearing panel (if requested by the chief hearing officer) may prescribe immediate penalties during the investigation for failure to cooperate. (*Effective: 3/26/2019, Adopted: TBD*)

### 4-17-2.Process.

- 4-17-2-1. Petition.** The enforcement staff shall submit a written petition through the secure filing system asserting that an institution and/or individual failed to satisfy the responsibility to cooperate pursuant to Bylaw 19.2.3 and requesting immediate penalties. The petition shall include all necessary information to review the petition appropriately, including sufficient detail regarding the circumstances related to the asserted failure to cooperate and any materials on which the enforcement staff may rely. (*Effective: 3/26/2019, Adopted: TBD*)
- 4-17-2-2. Response.** The institution and/or individual subject to the petition may respond to the petition in writing through the secure filing system pursuant to a deadline established by the COI chair, if he or she reviews the petition, or chief hearing officer. (*Effective: 3/26/2019, Adopted: TBD*)
- 4-17-2-3. Reply.** The enforcement staff may reply to the response in writing through the secure filing system pursuant to a deadline established by the COI chair, if he or she reviews the petition, or chief hearing officer. (*Effective: 3/26/2019, Adopted: TBD*)
- 4-17-2-4. Page Limitations.** Unless good cause is shown, the petition and any response shall not exceed twenty pages, double-spaced, with no smaller than 11-point font and one-inch margins. Likewise, unless good cause is shown, the reply shall not exceed ten pages, double-spaced, with no smaller than 11-point font and one-inch margins. The page limits are exclusive of any attachments or appendices. (*Effective: 3/26/2019, Adopted: TBD*)
- 4-17-2-5. Review.** The chair, chief hearing officer or hearing panel that reviews the petition may ask the enforcement staff and institution and/or individual subject to the petition to provide additional information or clarification. The chair, if he or she reviews the petition, or the chief hearing officer shall decide whether to resolve the petition on the basis of the written submissions or by teleconference, videoconference or other mode. (*Effective: 3/26/2019, Adopted: TBD*)



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

**4-17-2-5-1. Teleconference or Videoconference.** The chair, if he or she reviews the petition, or the chief hearing officer will manage the teleconference or videoconference to review the petition. Only the enforcement staff, institution and/or individual subject to the petition, and any other individual approved by the chair or chief hearing officer, may participate. The employing member institution of an individual subject to the petition may attend as a silent observer. The chair or chief hearing officer will set the order of proceedings. (*Effective: 3/26/2019, Adopted: TBD*)

**4-17-2-6. Resolution.** The resolution of the petition will be communicated in writing to all parties. The written communication will identify conclusions and any prescribed penalties. Any penalties available under Bylaw 19.9 may be prescribed. The resolution is final and not subject to appeal. (*Effective: 3/26/2019, Adopted: TBD*)

**4-17-3. Review of Case's Merits.** In the ultimate review of the case's merits, a hearing panel may consider any conclusion that an institution or individual failed to cooperate in accordance with Bylaw 19.2.3.2.3 in concluding whether a failure to cooperate violation pursuant to Bylaw 19.2.3 occurred. Likewise, the panel may consider any conclusion that an institution or individual failed to cooperate in accordance with Bylaw 19.2.3.2.3 in determining whether the aggravating factor at Bylaw 19.9.3-(e) was present in a case and the weight to assign the factor. The panel may also account for any penalties prescribed in accordance with Bylaw 19.2.3.2.3 in prescribing penalties pursuant to Bylaw 19.9 in its review of the case. (*Effective: 3/26/2019, Adopted: TBD*)

### **4-18. Limited Immunity**

**4-18-1. Limited Immunity Purpose and Scope.** Limited immunity is an investigative tool utilized by the enforcement staff to elicit complete and truthful information from individuals concerning their potential involvement in or knowledge of NCAA violations. The COI grants limited immunity to a current or former institutional employee, student-athlete or prospective student-athlete related to potential NCAA violations being investigated by the NCAA enforcement staff. Limited immunity is specific to the identified individual in the request and is in exchange for that individual providing complete and truthful information regarding identified potential violations and fully cooperating with the enforcement staff. (*Effective: 2/19/2016, Adopted: 3/21/2016*)

#### **4-18-1-1. Effect of Limited Immunity.**

(a) When the COI grants limited immunity, current or former institutional employees with responsibilities within athletics will not



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

be subject to disciplinary action under Bylaws 19.9.5.4 and 19.9.8-(i);

- (b) Student-athletes or prospective student-athletes will not be declared ineligible for future competition by the NCAA because they violated NCAA legislation, as long as the student-athlete(s) or prospective student-athlete(s) meet all other initial and continuing NCAA academic eligibility and certification criteria. However, a grant of limited immunity does not apply to an individual's involvement in other past violations not reported to the enforcement staff, to any future violations of NCAA legislation committed by the individual or to any action taken by the institution;
- (c) The limited immunity applies until the COI informs the individual that the immunity no longer applies. An individual's grant of limited immunity does not apply to an institution or another individual and does not limit another individual's or the institution's potential violations or penalties. *(Effective: 2/19/2016, Adopted: 3/21/2016)*

**4-18-1-2. Request and Review.** Pursuant to Bylaws 19.3.7-(c) and -(d), the chair considers requests from the enforcement staff for the COI to grant limited immunity. If the chair is unable to review the request due to recusal or other conflict, the vice chair or other designee on the COI may review the request. The enforcement staff presents a memorandum request, which details the general circumstances surrounding the request. The chair may either grant or deny the request. If the chair grants the request, the enforcement staff is provided a memorandum, which constitutes the sole and complete expression of the grant of limited immunity. If the chair rejects the request, the enforcement staff is provided with a written denial. *(Effective: 2/19/2016, Adopted: 3/21/2016)*

**4-18-1-3. Revocation of Limited Immunity.** If the enforcement staff has a reasonable belief that an individual granted limited immunity has not provided complete and truthful information during the investigation or at the hearing or fails to fully cooperate with the enforcement staff, the vice president of enforcement may request that the chair, vice chair or designee revoke the limited immunity by filing a written petition with the chair stating the basis for the revocation and shall be submitted to all involved parties. The chair may also independently act to revoke the limited immunity after the issuance of the notice of allegations, summary disposition report or agreement of negotiated resolution, or at the hearing if it appears on the record that the individual has not complied with the grant of limited immunity. *(Effective: 2/19/2016, Adopted: 3/21/2016; Revised: 12/11/2018, Adopted: 2/20/2019)*



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

**4-18-1-3-1. Process.** Upon the enforcement's staff's request to revoke an individual's limited immunity the enforcement staff shall provide notice to that individual and the institution of the request to ensure the individual has the opportunity to consult a representative or counsel if desired. Unless otherwise requested by the individual and granted by the chair, if the individual desires to respond to the request, any response shall be received within 14 days. When deemed necessary by the chair, the chair may schedule a call with the enforcement staff, the individual and the institution to discuss the request and response. The chair's decision whether to revoke the limited immunity, will be provided in writing to the enforcement staff, the individual and the institution. If limited immunity is revoked, the enforcement staff may bring allegations previously subject to the grant of immunity and allegations related to not providing complete and truthful information. *(Effective: 2/19/2016, Adopted: 3/21/2016)*

**4-18-1-4. Recusal after Review.** The chair, vice chair or designee who has reviewed the limited immunity request is not recused from sitting on a panel to hear the infractions case unless that person believes that the request has included information that has compromised their ability to objectively decide the infractions case. *(Effective: 2/19/2016, Adopted: 3/21/2016)*

### Chapter 5 - Hearing and Review Process

**5-1. Confidentiality.** All infractions related matters before the COI are confidential. *(Effective: 8/1/2013, Adopted: 8/8/2013)*

**5-1-1. Information.** Confidential information in an infractions case shall not be disclosed to those outside of the infractions process in contravention of applicable bylaws and IOPs. Confidential information includes, but is not limited to, filings, transcripts, records, documents, identifying information and information obtained during an infractions pre-hearing or hearing. *(Effective: 8/1/2013, Adopted: 8/8/2013)*

**5-1-2. Hearings.** Infractions hearings are confidential, closed proceedings not open to the public. Presence in the hearing room is limited to the hearing panel, select NCAA staff, the parties and their representatives, applicable conference representatives, a subsequent hiring institution of at-risk involved individual, the court reporter or recorder, NCAA-approved audio/visual support staff, and those otherwise approved by the chief hearing officer as necessary for conducting the hearing. The



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

chief hearing officer has the final authority to resolve questions of presence in the hearing room. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

- 5-2. Order of Proceedings.** The chief hearing officer has the final authority to set the order that the panel will hear the allegations and to address any other procedural issues that arise during the hearing. Where practicable, the OCOI staff will inform all parties in writing of the order of allegations in advance of the hearing. (*Effective: 8/1/2013, Adopted: 8/8/2013*)
- 5-3. Determination of Level.** The authority to determine the level and classification of a violation rests with the panel hearing the case. (*Effective: 8/1/2013, Adopted: 8/8/2013*)
- 5-4. The Record.** For infractions cases, the materials comprising the record are those contained in the file identified as "[InstitutionName]\_[CaseNumber]\_SecureWeb\_CaseRecord" within the secure filing system. For cases resolved through hearing, materials comprising the record also include any additional materials introduced at the hearing, the hearing transcript and the institution's and involved individuals' previous infractions history. For cases resolved through the negotiated resolution and summary disposition processes, the materials comprising the record are the agreement of negotiated resolution or summary disposition report with attachments or appendices and any supplemental information requested or accepted by the panel, which will be part of the case record file in the secure filing system, as well as the institution's and the involved individuals' previous infractions history. For cases resolved on written submissions, the materials comprising the record are the notice of allegations, the institution's and involved individuals' written submissions and attachments or appendices, the enforcement staff's reply with attachments or appendices, and any supplemental information requested or accepted by the panel, which will be part of the case record file in the secure filing system, as well as the institution's and involved individuals' previous infractions history. In all cases, any AMA interpretation must be in writing and added to the record to be considered by the panel. For cases resolved through any mode, the panel's findings of fact, determinations of violations and assessment of penalties shall be based on the record and information developed at a hearing. (*Effective: 8/1/2013, Adopted: 8/8/2013; Revised: 5/22/2018, Adopted: 5/29/2018; Revised: 12/11/2018, Adopted: 2/20/2019*)
- 5-5. Ex Parte Communication to the COI.** Outside of the established process and procedure for hearing and deciding cases, parties shall not communicate directly with committee members regarding investigations and pending cases. After the issuance of the notice of inquiry, all communications shall be directed to the Office of the Committee on Infractions, attention: OCOI Managing Director. Committee members receiving communications from the enforcement staff, an institution or involved individuals (or their counsel) concerning a case or other matter before the committee should direct that communication to the Chair of the COI and the OCOI Managing Director for further action. Administrative or ministerial matters may be directed by the parties or their counsel to the OCOI. (*Effective: 8/1/2013, Adopted: 8/8/2013*)
- 5-6. Hearing Accommodations and Meeting Room Setup.** The hearing room will be arranged to best accommodate the proceeding. Participants will be sent details before the



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

hearing regarding location and time. The OCOI staff coordinates reserving hotel room blocks. Rooms are individually billed to the parties. Other travel-related arrangements and expenses are the responsibility of the parties. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**5-6-1. Special Accommodations.** Individuals with disabilities are to be given an equal opportunity to access, use and fully participate in the infractions process and the infractions hearing. Whenever reasonable, policies, practices or procedures will be modified to make the infractions processes and infractions hearing readily accessible to and useable by, individuals with disabilities. Neither the NCAA nor the COI is required to make modifications that would fundamentally alter the infractions process or hearing or cause undue financial or administrative burden. Requests for accommodations must be submitted in writing or by alternative method, if a disability prevents a written request, to the OCOI 30 days before the scheduled infractions hearing, or as soon as practicable if the situation arises within 30 days before the scheduled hearing. Additional information may be requested. The OCOI will respond to all requests on behalf of the committee. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**5-7. Hearing Decorum.** Hearing attendees will dress in business attire (coat and tie for men, business attire for women). The chief hearing officer presides over the hearing and will direct the conduct of the proceeding. Only members of the panel are allowed to ask questions, unless there is a request from a party to do so. The chief hearing officer will rule on such requests. All parties will be allowed to fully address the issues in the case, but the chief hearing officer has the discretion to request brevity from the involved parties. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**5-8. Hearing Attendance.** In the event of an in-person hearing, all at-risk parties must personally attend the infractions hearing, unless otherwise approved by the chief hearing officer. Similarly, hearings conducted through video and telephone conference must include all at-risk parties. Letters will be sent to all parties, as well as the conference(s), notifying them of the date, time and location of the hearing. The chief hearing officer has the discretion to request the attendance of other individuals, including conference representatives. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**5-8-1. Conference Representatives' Attendance.** Conference representatives are always welcome to attend a hearing involving their member institutions, but, if their attendance is specifically requested by the chief hearing officer, conference representatives are expected to attend. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**5-8-2. Interested-Third-Party's-Institution's Attendance.** Institutions employing individuals at risk for at least one finding of a major violation in an infractions case involving a previous employer will, in a letter from the OCOI, be strongly encouraged to attend the infractions hearing involving the previous employer and the at-risk individual. (*Effective: 8/1/2013, Adopted: 8/8/2013*)



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

- 5-9. Requested Academic & Membership Affairs (AMA) Services Interpretation.** During scheduled hearing sessions, the panel may request to consult with a representative from AMA. Pursuant to Bylaw 19.7.8.2, a panel may also refer a question to AMA after a hearing. If the panel initiates a consultation, AMA shall reduce it to writing, so that it shall be added to the record. If the enforcement staff or any party intends to refer to an AMA interpretation, whether formal or informal, the request to AMA and AMA's interpretation must be in writing and made part of the record. *(Effective: 8/1/2013, Adopted: 8/8/2013)*
- 5-10. Hearing Procedural Matters.** From time to time, procedural matters may arise during the course of a hearing. Largely, those issues shall be addressed and resolved by the chief hearing officer. *(Effective: 8/1/2013, Adopted: 8/8/2013)*
- 5-10-1. Continuation of Hearing.** If an infractions hearing is not concluded in the time scheduled, the panel and involved parties will be reconvened at the earliest convenience of all parties. *(Effective: 8/1/2013, Adopted: 8/8/2013)*
- 5-10-2. Postponement of Hearing.** Postponing a scheduled hearing is discouraged. If for any reason a party requests to postpone a scheduled hearing, the request must be made in writing to the panel and served on all parties. Any party requesting a postponement must indicate that the party has contacted all other parties and detail those parties' positions on the request. Reopening investigations may cause a delay in a scheduled hearing, although the need for reopened investigations should be minimized where possible. The chief hearing officer shall decide whether to grant or deny a postponement. *(Effective: 8/1/2013, Adopted: 8/8/2013)*
- 5-10-3. Dispositive Motions.** The COI does not accept dispositive motions prior to a hearing. At the discretion of the chief hearing officer, a hearing panel may entertain a dispositive motion at the time the case is heard. *(Effective: 8/1/2013, Adopted: 8/8/2013)*
- 5-10-4. Recordings of Proceedings.** The proceedings of an infractions hearing shall be recorded by a court reporter. The COI will maintain custody of all transcripts. No other recording or transmittal of an infractions hearing is permitted. *(Effective: 8/1/2013, Adopted: 8/8/2013)*
- 5-11. Audio Recordings of Hearings.** Audio and any visual recording of hearings will take place by the COI. No additional recordings of the proceedings will be permitted by the COI. The COI will maintain custody of all audio and video recordings. *(Effective: 8/1/2013, Adopted: 8/8/2013)*
- 5-11-1. Request for Audio Recordings of a Hearing.** Audio or video recording of hearings are not provided. *(Effective: 8/1/2013, Adopted: 8/8/2013)*
- 5-11-2. Requests for Transcripts.** In the event of an appeal, the transcripts of hearing proceedings shall be reproduced and submitted to the IAC and made available for review through a secured website. *(Effective: 8/1/2013, Adopted: 8/8/2013)*





## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

**5-12. Additional Allegations and Findings by Panel.** Pursuant to Bylaw 19.7.7.4, the panel may make specific factual findings and conclusions of whether violations occurred based on information presented by the parties or at a hearing even if different from the notice of allegations. Additional factual findings and conclusions of whether violations occurred is most appropriate in circumstances where new findings or conclusions directly relate to the subject matter contained in the record or in situations where the panel has placed the parties on reasonable notice prior to the hearing. If, however, the panel believes additional allegations unrelated to the subject matter in the record are warranted based on information developed at the hearing, then it may issue notice of the additional allegations to all parties. If the panel issues a subsequent notice, the panel shall afford and schedule an opportunity for all parties to respond to additional allegations. Following review of any responses, the panel shall determine whether a hearing is necessary to address the additional allegations. The decision of whether a subsequent hearing is necessary rests with the panel. The parties will be notified of the date, time and location of any subsequent hearing. *(Effective: 8/1/2013, Adopted: 8/8/2013; Revised: 5/10/2017, Adopted: 7/11/2017)*

**5-13. Quorum.** At the commencement of a meeting or hearing of the COI, the presiding member (chair, chief hearing officer or designee) shall announce whether a quorum is present and a continued presence of a quorum is presumed, unless the presiding member makes a contrary announcement. A quorum for the whole COI to conduct general business is a majority of members present and voting on the COI. A quorum for a hearing panel consisting of five and not more than seven will be four. In cases with larger panels, the quorum will be a majority. The COI retains the flexibility to authorize a sub-group of COI members to perform other administrative functions. *(Effective: 8/1/2013, Adopted: 8/10/2013, Revised: 2/7/2014, Adopted: 4/24/2014)*

### **5-14. Post Hearing Matters.**

**5-14-1. Submissions Following Hearing of a Case.** The decision whether submissions following a hearing are accepted into the record for consideration by a panel rests with the chief hearing officer. Such request and submission must be served on all parties. Any submission not requested by the panel shall indicate that the party has contacted all other parties and detail those parties' positions on the request. The panel may direct the parties to submit additional information to be added to the record and considered by the panel. Any post-hearing submissions shall be made in accordance with IOP 4-6. *(Effective: 8/1/2013, Adopted: 8/8/2013, Revised: 2/27/2015)*

**5-14-1-1. Amendment to Proposed or Self-Imposed Penalties.** If an institution wishes to amend the penalties it proposed and/or self-imposed in its response to the notice of allegations, it must do so via written submission following the procedures set forth in IOP 5-14-1. An institution's verbal statement at the hearing shall not constitute sufficient notice of its intent to amend its proposed and/or self-imposed penalties. *(Effective: 5/22/2018, Adopted: 5/29/2018)*



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

**5-14-2. Deliberations.** Following the hearing of an infractions case, a panel engages in private and confidential deliberations to find facts, conclude whether violations occurred and to prescribe appropriate penalties. Deliberations can occur in person or through teleconference or video conference and remain open until the release of the infractions decision. *(Effective: 8/1/2013, Adopted: 8/8/2013; Revised: 2/19/2016, Adopted: 3/21/16)*

**5-14-3. Attendance.** Where practicable, each panel member present at the hearing will remain at the hearing site and participate in deliberations until they are concluded. At least one administrator from the OCOI will be present during deliberations. In the event the chief hearing officer (or chair) reconvenes the deliberations to a later date, each panel member will attempt to participate in the continued deliberations. In order to reconvene the panel for deliberations, a quorum must be present. *(Effective: 8/1/2013, Adopted: 8/8/2013)*

**5-14-4. Decisions.** A panel's infractions decision is the sole and final embodiment of a panel's decision as to findings of fact, conclusions whether violations occurred and prescribing of appropriate penalties based on the record and statements made at an infractions hearing or in a summary disposition report or agreement of negotiated resolution. From the COI's perspective, each case is unique and must be viewed on its own facts. The COI may find previous cases instructive but not binding. From a penalty perspective, cases decided before the penalty guidelines established in Figure 19-1 are of limited relevance. Further, because violations established through the summary disposition process constitute the parties' agreement, future panels may view the decision as less instructive than a decision reached after a contested process. In addition, violations established through the negotiated resolution process have no precedential value. The final infractions decision is the consensus decision of the panel and the decision of the entire COI. There will be no dissenting opinions. In accordance with the bylaws, the panel shall issue a public and confidential infractions decision. *(Effective: 8/1/2013, Adopted: 8/8/2013, Revised: 12/15/2016, Adopted: 2/1/2017; Revised: 12/11/2018, Adopted 2/20/2019)*

**5-14-4-1. Drafting Decision.** Prior to the hearing, a panelist will be assigned the initial draft of the opinion based upon the decisions made during deliberations. The OCOI assists with drafting. The initial draft will be reviewed and edited by selected panelists and approved by the panel. *(Effective: 8/1/2013, Adopted: 8/8/2013)*

**5-15. Penalties.** The panel shall apply the core penalties and applicable ranges after considering and assessing aggravating and mitigating factors by weight and number as set forth in the bylaws, except as it chooses to depart from the core penalty ranges due to extenuating circumstances. The panel may also prescribe terms of probation and other additional penalties as authorized by the bylaws, as well as other penalties specifically tailored to the violations in a case. *(Effective: 8/1/2013, Adopted: 8/8/2013; Revised: 3/26/2019, Adopted: TBD)*



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

**5-15-1. Evaluation of Conduct Underlying Aggravating and Mitigating Factors.** When assessing aggravating and mitigating factors pursuant to Bylaws 19.9.3 and 19.9.4, hearing panels may consider information relevant to the conduct underlying the factors. This includes consideration of whether the same conduct results in multiple aggravating and/or mitigating factors, the timing and duration of the conduct, the individual(s) involved in the conduct (e.g., institutional employee, representative of the institution's athletics interests or student-athlete) and the number of individuals involved in the conduct. (*Effective: 3/26/2019, Adopted: TBD*)

**5-15-2. Sport-Specific Penalties.** Pursuant to Bylaw 19.9.5 and COI IOP 4-5, hearing panels prescribe appropriate penalties for the institution's involved sport programs to address violations committed within those programs. (*Effective: 3/26/2019, Adopted: TBD*)

**5-15-2-1. Involvement of Sport Program in Violations.** Panels may consider the extent of a sport program's involvement in the violation(s) in prescribing penalties for that program. (*Effective: 3/26/2019, Adopted: TBD*)

**5-15-2-2. Level and Classification of Violations Committed within Program.** Panels may, where the circumstances warrant, identify a sport-specific level and penalty classification and prescribe penalties within the range of the level and classification of violations committed within that program. (*Effective: 3/26/2019, Adopted: TBD*)

**5-15-3. Show-Cause Orders.** Show-cause orders may be general in nature or have specific conditions attached to them. Show-cause orders run to an individual's conduct that violated NCAA legislation while on staff with a member institution. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**5-15-3-1. General Show-Cause Orders.** Consistent with Bylaws 19.9.5.4 and 19.9.9, general show-cause orders will, for a specified period of time, require the individual subject to the show cause, and any member institution retaining the individual in an athletically related capacity or any member institution seeking to subsequently employ the individual, to appear before a panel to show cause why restrictions in the individual's duties should not be prescribed if the individual is hired by the institution. Show-cause orders that are general in nature are typically prescribed regarding individuals who are no longer employed at a member institution and are often prescribed for individuals based on the number and seriousness of the violations. In an effort to hold the individual accountable over time, show-cause orders of a general nature will usually encompass a period of several years, consistent with the ranges identified in Figure 19-1. A panel may wish to discuss with the individual and a potential employer at a



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

show-cause hearing a wide range of restrictions that could be prescribed. Should the member institution fail to abide by restrictions determined by a panel as the result of a show-cause hearing, the institution may be subject to penalties. *(Effective: 8/1/2013, Adopted: 8/8/2013; Revised: 5/22/2018, Adopted: 5/29/2018)*

**5-15-3-2. Specific Show-Cause Orders.** Bylaw 19.9.5.4 and Figure 19-1 contemplate show-cause orders with specific conditions. Such show-cause orders are usually prescribed regarding individuals who either remain at the institution where the individual committed the violations or are already employed at another member institution. Show-cause orders with specific conditions are prescribed consistent with the ranges identified in Figure 19-1. Restrictions include, but are not limited to, recruiting activity, practice and game suspensions. Specific show-cause orders function similarly to a traditional penalty. If there is non-compliance with a specific show-cause penalty, additional penalties may be prescribed. *(Effective: 8/1/2013, Adopted: 8/8/2013; Revised: 5/22/2018, Adopted: 5/29/2018)*

**5-15-4. Financial Penalty.** Pursuant to Bylaws 19.9.5 and 19.9.5.2, consistent with Figure 19-1, absent extenuating circumstances under Bylaw 19.9.6 and after determining the appropriate classification based on any aggravating and mitigating factors, hearing panels shall prescribe financial penalties as a core penalty when a panel concludes that an institution or involved individual associated with a sport program committed one or more Level I or Level II violations. If those financial penalties include an additional percentage of the sport program's budget, that percentage will be applied to the average of the sport program's previous three total budgets. Based on the financial penalty prescribed, an institution shall be required to calculate and identify its total financial penalty in its preliminary compliance report. The OCOI will provide that total to the NCAA accounting office, which will provide the institution with an invoice. Institutions shall be required to pay the invoice within 30 days of receipt of the invoice. COI practice does not permit an institution to retain any portion of its financial penalty in lieu of paying the invoice. *(Effective: 2/27/2015, Adopted: 4/30/2015; Revised: 2/19/2016, Adopted: 3/21/2016; Revised: 3/26/2019, Adopted: TBD)*

**5-15-4-1. Total Budget for Sport Program.** At a minimum, a sport program's total budget shall include (1) 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; (2) all recruiting expenses; (3) all team travel, entertainment and meals; (4) all expenses associated with equipment, uniforms and supplies; (5) game expenses; and (6) any guarantees paid associated with the sport program. *(Effective: 2/27/2015, Adopted: 4/30/2015)*



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

**5-15-4-2. Submission of Total Budget for Sport Program.** Institutions that appear before a hearing panel will be required to submit the three previous fiscal years' total budgets for all involved sport programs with its response to the notice of allegations. *(Effective: 2/27/2015, Adopted: 4/30/2015)*

**5-15-4-3. Return of Tournament Distribution.** Bylaw 19.9.5.2 and Figure 19-1 establish the COI's authority to prescribe a financial penalty that includes return of revenue received from a specific athletic event or series of events. The COI recognizes revenue amounts, calculations and distributions vary across events and sports. Specifically, for revenue arising from the NCAA basketball tournament, the COI intends revenue to mean a disgorgement of the institution's portion of monies it brought into the conference based on its participation in the tournament, subdivided by the number of members in that institution's conference. The return of revenue applies to all monies to be paid out to the institution on a rolling distribution schedule for the institution's participation in the involved tournament year(s). *(Effective: 11/28/2017, Adopted 1/5/2018)*

**5-15-4-4. Loss of Revenue Sharing in Postseason Competition.** Bylaw 19.9.5.2 and Figure 19-1 establish the authority for hearing panels to prescribe for Level I-Aggravated violations the loss of all revenue sharing in postseason competition (including the NCAA Division I Men's Basketball Championship) for the entire period of a postseason ban. In prescribing the penalty, hearing panels may prohibit institutions from sharing in revenue from postseason competition for only the sport programs serving the postseason ban for the duration of the ban. *(Effective: 3/26/2019, Adopted: TBD)*

**5-15-5. Scholarship Reductions.** Pursuant to Bylaw 19.9.5.3, consistent with Figure 19-1, absent extenuating circumstances under Bylaw 19.9.6 and after determining the appropriate classification based on any aggravating and mitigating factors, hearing panels shall prescribe scholarship reductions as a core penalty when a panel concludes that an institution or involved individual committed one or more Level I or Level II violations. *(Effective: 2/27/2015, Adopted: 4/30/2015)*

**5-15-5-1. Institutional Compliance with Scholarship Reduction Penalty.** The committee expects that all scholarship reduction penalties will be met through normal attrition, graduation and the institution's offers of financial aid awards. The committee does not support institutions subject to scholarship reduction penalties meeting those penalties by engaging in the practice of not renewing previous scholarship student-athletes to make room for the prescribed scholarship limitation and newly offered financial aid awards. *(Effective: 2/27/2015, Adopted: 4/30/2015)*



**5-15-5-2. Scholarships Awarded Prior to Penalty.** Hearing panels prescribe appropriate penalties for past conduct that the panel concludes violated the NCAA Constitution and Bylaws and that, by the time of the infractions hearing, took place in the past. The committee recognizes that, on occasion, appropriate scholarship reductions could adversely affect prospective or current student-athletes who were not involved in the violations. Therefore, in situations where the panel prescribes scholarship reductions after an institution in good faith already has offered, and prospective student-athletes have accepted, a written offer of financial aid, then upon the institution's written request or presentation at an infractions hearing, the panel retains the authority to defer scholarship reduction penalties so as not to adversely impact prospective student-athletes who were not involved in violations. For example, a hearing panel may encounter a situation where through the normal recruitment process an institution has offered and prospective student-athletes have accepted the bylaw allotment for athletically related aid in a given sport. Subsequently, and before those prospective student-athletes arrive on campus, the institution goes through an infractions matter that results in a panel prescribing scholarship reductions in that sport, causing the institution to be unable to meet the panel's prescribed penalty. *(Effective: 2/27/2015, Adopted: 4/30/2015)*

**5-15-5-3. Yearly Reductions.** Pursuant to Bylaw 19.9.5, hearing panels will prescribe scholarship reductions as yearly reductions in financial aid ("yearly reductions"). For example, Figure 19-1 provides that, for Level I-Aggravated violations, a core penalty is a scholarship reduction by 10 to 25 percent. If, for example, a panel determines that a 10 percent reduction is warranted for a period of four years then the 10 percent reduction will be prescribed in each of the four years. Recognizing that some programs do not fully allocate the number of scholarships available under NCAA bylaws, the yearly reduction will be based on the average number of scholarships awarded by the program during the previous four academic years. However, when a panel deems it appropriate, it may prescribe that scholarship reductions be aggregated over the period of probation or another specified period of time. For example, if the panel deems appropriate, the panel could prescribe a reduction of ten scholarships over a four-year period, deferring to the institution to decide which academic years to take those scholarship reductions. In the event a panel departs from yearly reductions, the panel will specifically state its rationale for doing so in the infractions decision. *(Effective: 2/27/2015, Adopted: 4/30/2015; Revised: 3/26/2019, Adopted: TBD)*

**5-15-5-4. Initial Scholarship Reductions (Football).** In the sport of football, hearing panels will prescribe appropriate scholarship reductions on a case-by-case basis. In a typical case, a panel will prescribe an overall



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

scholarship reduction. However, the committee reserves the authority, where panels deems appropriate, for panels to prescribe (a) initial scholarship reductions only; (b) overall scholarship reductions only; or (c) initial and overall scholarship reductions. If a panel prescribes initial scholarship reductions as an alternative to, or along with, overall scholarship reductions, the panel will specifically state its rationale for doing so in the infractions decision. (*Effective: 2/27/2015, Adopted: 4/30/2015*)

**5-15-6. Vacation of Wins and Records.** Pursuant to Bylaw 19.9.7, hearing panels may prescribe vacations of wins and records when a panel concludes that student-athletes competed while ineligible. Vacation of wins is more appropriate when a case involves any of the following: academic violations, serious intentional violations, direct involvement of a coach or a high-ranking school administrator, a large number of violations, the institution has a recent history of Level I, Level II or major violations or when the panel concludes that a failure to monitor or lack of institutional control existed. (*Effective: 2/19/2016, Adopted: 3/21/2016*)

**5-15-7. Disassociation.** Pursuant to Bylaw 19.9.7-(i), the COI is authorized to prescribe a disassociation of relations with a representative of the institution's athletics interests. The COI limits the application of prescribed disassociation penalties, present and past, to not exceed 10 years from publication of the COI's infractions decision, the longest penalty contemplated by Bylaw 19. This provision, however, does not prohibit institutions from self-imposing longer periods of disassociation, including a lifetime disassociation. The COI will consider those restrictions to be institutional decisions, separate and apart from the COI's penalty. In those circumstances, the COI will neither monitor nor enforce disassociations exceeding ten years. (*Effective: 9/26/2017; Adopted: 10/5/2017*)

**5-16. Release of Decisions.** Release of an infractions decision will be in accordance with the bylaws, internal review processes and a release schedule coordinated by the NCAA's Public & Media Relations staff. The chief hearing officer shall appoint a member of the panel to conduct any media call in conjunction with a decision's release. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

**5-16-1. Public Decision to Full COI.** Approximately 24 hours prior to the public release of the infractions decision, the full COI will have access to the final public infractions decision. Only COI members who *do not* have a conflict of interest will be provided access to the final public infractions decision. COI members who are recused from the case due to a conflict of interest will not be provided access to the public infractions decision until the decision is made available to the public. (*Effective: 6/26/2017, Adopted 7/11/2017*)

**5-16-2. Amendment, Correction or Supplemental Decision.** If it is necessary to correct or amend an infractions decision, all parties will be notified of the amendment or correction, and be given an opportunity to object to the change. If the changes are



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

not extensive, the corrections/amendments will be made in the electronic versions of the decision and so noted at the top of the first page of the report. Any paper files will be updated with the amended decision. If the amendments and/or corrections are extensive and substantive a supplemental infractions decision will be produced. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

- 5-17. Reconsideration of a Decision.** Once the decision has been publicly announced and the time for appeal has expired, there shall be no reconsideration of the decision except as defined in Bylaw 19.8.2. Parties seeking reconsideration must submit a written request to the chair/chief hearing officer detailing their request for reconsideration in a manner consistent with IOP 5-17-1.

Where practicable, the same panel will review and decide the reconsideration request. The panel will determine whether the written request demonstrates/shows new evidence that is directly related to the decision or shows that there was prejudicial error, as defined in Bylaw 19.8.2.1. Upon a determination that a party has met the requirements in Bylaw 19.8.2.1, the panel will make a recommendation as to whether a party's request for reconsideration will be reviewed by paper submission or heard at a meeting (conducted in-person, via video or another mode of communication). As decided by the chair or designee, the same or different panel will hear or review the request and decide whether relief is warranted. (*Effective: 2/7/2014, Adopted: 4/24/2014*)

**5-17-1. Parties' Written Request for Reconsideration.** A written request for reconsideration must (a) demonstrate the existence of new evidence that is directly related to the decision or (b) show that there was prejudicial error in the procedure. Additionally, the request must state all relief sought. (*Effective: 2/7/2014, Adopted: 4/24/2014*)

**5-17-2. Granted Relief.** The panel may reduce or eliminate a penalty but may not prescribe any new penalty. (*Effective: 2/7/2014, Adopted: 4/24/2014*)

### Chapter 6 - Appeals

- 6-1. Appeals Advocate.** The appeals advocate represents the COI before the IAC when a party appeals a panel's infractions decision. With the assistance of the OCOI staff, the appeals advocate is principally responsible for framing the arguments and drafting the COI's written appeal response that is filed with the IAC. In cases where oral argument has been granted, the appeals advocate argues the COI's position before the IAC. (*Effective: 8/1/2013, Adopted: 8/8/2013*)
- 6-2. New Evidence Brought During Appeal.** If new evidence, as defined by Bylaw 19.02.2, arises during an appeal and the IAC remands the matter to the panel, the panel shall determine whether the new information affects its decision. The OCOI staff shall coordinate with the IAC staff to facilitate the resolution of all issues and to ensure the decision of the panel is conveyed to the IAC. (*Effective: 8/1/2013, Adopted: 8/8/2013*)





## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

- 6-3. Remanding Case Back to the COI.** If a panel's infractions decision is reversed in part and remanded by the IAC with instructions, a quorum of the same panel, where practicable, will reconvene to implement the IAC's remand and issue an amended infractions decision. Whether the infractions decision is treated as the same appeal depends on whether the IAC has retained jurisdiction. If the IAC has not retained jurisdiction, the COI would treat any disagreement by an appealing party as a new appeal. If a panel's infractions decision is reversed in part without a remand, the panel's infractions decision shall be amended to note and implement the reversal. The COI treats a vacation as a voiding of the panel's infractions decision for reasons other than the merits but allows the panel to take further action consistent with the IAC's comments, usually related to whether an issue was framed or addressed. The OCOI staff shall coordinate with the IAC staff to facilitate a resolution of all issues and to ensure the decision of the panel is conveyed to the IAC. (*Effective: 8/1/2013, Adopted: 8/8/2013*)
- 6-4. Appeals to COI in Level III Case.** If an institution or involved individual subject to a show-cause order disputes an action by the enforcement staff regarding a Level III violation, the institution or involved individual may appeal by submitting a written notice of appeal to the COI within 15 days after receipt of the enforcement staff's decision. An institution that self-reports a violation may appeal a penalty prescribed by the enforcement staff, but not the violation. An institution or involved individual subject to a show-cause order may request the opportunity to appear in person or by video or telephone conference. If no such request is made, or if the request is denied, a hearing panel of the committee will review the appeal on the basis of the written record. The panel shall not deny an involved individual's request to appear in person if a show-cause order was prescribed. (*Effective: 8/1/2013, Adopted: 8/8/2013*)

### Chapter 7 - Additional Matters

#### 7-1. Compliance Reports.

- 7-1-1. General Purpose and Organization.** As part of probation, the institution shall file periodic written reports detailing compliance with penalties and terms of probation set forth in the infractions decision. Reports shall conform to the Guidelines for Completing Preliminary and Annual Compliance Reports, available at <http://www.ncaa.org/governance/committees/division-i-committee-infractions> so as to succinctly and thoroughly convey the institution's actions to the COI. (*Effective: 2/19/2016, Adopted: 3/21/2016*)
- 7-1-2. Preliminary Reports.** Within 45 days after the release of the infractions decision, the institution shall file a preliminary compliance report consistent with IOP 7-1-1 that details the preliminary steps that the institution has taken and the future actions that the institution will take to comply. (*Effective: 2/19/2016, Adopted: 3/21/2016*)



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

**7-1-3. Annual Reports.** Each year of the probationary period, the institution shall provide an annual report consistent with IOP 7-1-1. Annual reports are typically due the same time each year, beginning approximately 11 months after release of the infractions decision. The reports shall detail the institution's compliance with the penalties adopted and prescribed by the panel, terms of probation and corrective actions. Annual reports shall contain a written certification from the director of athletics, confirming review of the institution's annual report and attachments. The institution's final report, submitted in anticipation of the institution completing the term of probation, shall also include a letter from the director of athletics and the institution's chief executive officer, certifying that the current athletics policies and procedures conform to all the requirements of NCAA legislation. The institution shall not be restored to full rights and privileges of membership until the certifying letters are received and the final report is approved. (*Effective: 2/19/2016, Adopted: 3/21/2016*)

### **7-2. Compliance Review.**

**7-2-1. Submission, Receipt and Preliminary Assessment.** After an institution submits a compliance report consistent with IOP 7-1 and the Guidelines for Completing Preliminary and Annual Compliance Reports, the OCOI will acknowledge receipt. Pursuant to Bylaw 19.9.5.7, the OCOI will review the athletics policies and practices of the institution and may contact the institution to clarify or seek additional information. If the OCOI does not identify any significant issues with the institution's report and determines that the report complies with the infractions decision's penalties and probationary requirements, the OCOI will approve of the report and notify the institution. If the OCOI determines there are potential substantive issues with the submission, the OCOI will provide its assessment and the institution's submission to the COI chair and vice chair (COI leadership team) for consideration. (*Effective: 2/19/2016, Adopted: 3/21/2016*)

**7-2-2. COI Leadership Review.** In situations where the OCOI does not initially approve the compliance report, the COI leadership team will review the OCOI's assessment and have the opportunity to access the compliance report. When necessary to complete its review, the leadership team may request additional information from an institution regarding its compliance report. Based on demonstration of compliance, the COI leadership team may approve the compliance report. If, however, the COI leadership team determines that the institution has not complied with the terms of probation, the COI leadership team may propose further action to the institution. Those proposals may include: modifying an existing penalty, proposing an additional penalty, modifying the terms of probation or referring the matter to the enforcement staff for investigation and processing. The OCOI shall provide an institution with written notice of the COI leadership team's decision regarding the compliance report. If, pursuant to Bylaw 19.3.6-(e) or 19.9.5.7, the COI leadership team's proposal includes a modification to an existing penalty, an additional penalty or modifying the terms of probation, the institution may accept the proposal or request a hearing pursuant to Bylaw 19.3.6-(e) and IOP 7-2-3 within



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

the time established in the final decision. (*Effective: 2/19/2016, Adopted: 3/21/2016*)

- 7-2-3. Institution's Compliance Hearing.** If an institution requests a hearing under IOP 7-2-2, the chair may direct the institution to file a further response prior to the hearing by an established deadline. The chair may assign the matter, where practicable, to the original panel or to another panel. Consistent with Bylaw 19, the panel conducting the noncompliance hearing shall issue a supplemental infractions decision detailing the compliance hearing and any COI action. (*Effective: 2/19/2016, Adopted: 3/21/2016*)
- 7-2-4. Individual's Noncompliance with Prescribed Penalties.** Based on the penalties authorized under the bylaws, prescribed in the infractions decision and IOP 5-15-1-1 and 5-15-1-2, an individual and hiring institution must comply with that individual's prescribed penalties and reporting obligations as set forth in that individual's show cause order. In circumstances where the OCOI has reason to believe that the individual or hiring institution has not complied with the penalties or reporting obligations, the OCOI will refer the matter to the COI leadership team for review under IOP 7-2-1. Any subsequent action will follow the general procedures set forth in IOP 7-2-2 and 7-2-3. (*Effective: 2/19/2016, Adopted: 3/21/2016*)
- 7-3. Drug Testing in Championship Events.** Under Bylaw 19, the COI has the sole authority to vacate championship events. In the event a student-athlete is rendered ineligible in a championship event as a result of a positive drug test, the positive drug test case is brought to the COI by the Committee on Competitive Safeguards and Medical Aspects of Sports (CSMAS) for a decision regarding the vacation of team and individual records as specified in Bylaw 19. In the event of a positive drug test, the COI may vacate individual records and performances, vacate team records and performances and require the return of individual and team awards to the Association. (*Effective: 8/1/2013, Adopted: 8/8/2013*)
- 7-4. Maintenance of Infractions History Information.** Pursuant to Bylaw 19.8.1, infractions decisions contain findings of fact, conclusions of violations, penalties, corrective actions and other requirements and conditions. Additionally, pursuant to Bylaw 19.3.6(h) and historical practice, the OCOI maintains historical information contained in infractions decisions. (*Effective: 2/7/2014, Adopted: 4/24/2014*)
- 7-4-1. Infractions History for Individuals.** The standard procedure for the OCOI is to maintain an individual infractions history for individuals for who the committee has concluded violated NCAA legislation in a Level I or Level II (formerly major) infractions case, regardless of whether a penalty was prescribed as a result of that violation. However, a panel may determine in its discretion that an individual will not have an individual history maintained due to the circumstances of the case. (*Effective: 2/7/2014, Adopted: 4/24/2014*)



## DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

- 7-4-2. Individual Infractions History Checks.** As a service to the NCAA membership, a member institution may contact the OCOI regarding whether an individual has a previous infractions history. The OCOI shall provide the member institution the pertinent infractions information regarding findings of fact, violations and penalties contained in any infractions decision for the identified individual. (*Effective: 2/7/2014, Adopted: 4/24/2014*)
- 7-5. Document Retention.** As a matter of business practice, the COI, its individual members and the OCOI do not maintain notes and preliminary drafts that arise from an infractions case, after finalizing an infractions decisions or other memorandum. The COI and OCOI maintain other records consistent with the NCAA records retention schedule. (*Effective: 8/1/2013, Adopted: 8/8/2013*)
- 7-6. Creating IOPs and Policies.** The COI shall formulate and revise IOPs pursuant to its authority in Bylaw 19.3.6(g). The IOPs shall include information necessary to guide institutions, the enforcement staff, involved individuals and practitioners regarding the processing of an infractions case. (*Effective: 8/1/2013, Adopted: 8/8/2013*)
- 7-7. Conformity with IOPs.** To ensure an orderly and fair hearing and decision process, all parties to infractions cases shall abide by these IOPs in the processing of NCAA infractions cases. The COI may exclude information submitted in violation of the IOPs. (*Effective: 8/1/2013, Adopted: 8/8/2013*)



**DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES**

**2013 IOP Renumbering**

<b>Formerly</b>	<b>Renumbered</b>
<b>3-5. Case Tracks</b>	<b>3-7. Case Tracks</b>
<b>3-6. Summary Disposition</b>	<b>3-9. Summary Disposition</b>
<b>3-6-1. Summary Disposition Preliminary Assessment</b>	<b>3-9-1. Summary Disposition Preliminary Assessment</b>
<b>3-6-2. Summary Disposition Reports (SDR)</b>	<b>3-9-2. Summary Disposition Reports (SDR)</b>
<b>3-6-3. Reliance on Rejected Summary Disposition Report</b>	<b>3-9-3. Reliance on Rejected Summary Disposition Report</b>
<b>3-7. Hearing Method</b>	<b>3-10. Hearing Method</b>
<b>3-7-1. Written Submissions Procedures</b>	<b>3-10-1. Written Submissions Procedures</b>
<b>3-7-2. Accelerated Hearing Procedures</b>	<b>3-10-2. Accelerated Hearing Procedures</b>
<b>3-7-3. Video and Teleconference</b>	<b>3-10-3. Video and Teleconference</b>
<b>3-8. Resolution of Pre-Hearing Procedural Matters</b>	<b>3-11. Resolution of Pre-Hearing Procedural Matters</b>
<b>3-9. Notice of Allegations</b>	<b>3-12. Notice of Allegations</b>
<b>3-9-1. Interviews Conducted After Notice of Allegations</b>	<b>3-12-1. Interviews Conducted After Notice of Allegations</b>
<b>3-9-2. Withdrawal of Allegations</b>	<b>3-12-2. Withdrawal of Allegations</b>
<b>3-9-3. Amendment of Notice of Allegations</b>	<b>3-12-3. Amendment to Notice of Allegations</b>
<b>3-9-3-1. Response to Withdrawn or Amended Notice of Allegations</b>	<b>3-12-3-1. Response to Withdrawn or Amended Notice of Allegations</b>
<b>3-9-3-2. Reopening Investigation and New Allegations</b>	<b>3-12-3-2. Reopening investigation and New Allegations</b>
<b>3-10. Response to Notice of Allegations</b>	<b>3-13. Response to Notice of Allegations</b>
<b>3-10-1. Extensions for Responses by Institutions and Involved Individuals</b>	<b>3-13-1. Extensions for Responses by Institutions and Involved Individuals</b>
<b>3-10-2. Enforcement Reply</b>	<b>3-13-2. Enforcement Reply and Statement of the Case</b>
<b>3-11. Statement of the Case</b>	<b>3-14. Statement of the Case</b>
<b>3-12. Deadline for Submission of Written Materials</b>	<b>3-15. Deadline for Submission of Written Materials</b>
<b>3-13. Access to the Record and Service</b>	<b>3-6. Access to Pertinent Case Information</b>

**2014 IOP Renumbering**

<b>Formerly</b>	<b>Renumbered</b>
<b>6-4. Individual Records Checks (Coach's Background Check)</b>	<b>6-4. Maintenance of Infractions History Information; 6-4-1. Infractions History for Individuals; 6-4-2. Individual Infractions History Checks</b>



**DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES**

**2017 IOP Renumbering (Phase One)**

<b>Formerly</b>	<b>Renumbered</b>
<b>4-9. Hearing Attendance</b>	<b>4-8. Hearing Attendance</b>
<b>4-9-1. Conference Representatives' Attendance</b>	<b>4-8-1. Conference Representatives' Attendance</b>
<b>4-9-2. Interested-Third-Party's-Institution's Attendance</b>	<b>4-8-2. Interested-Third-Party's-Institution's Attendance</b>
<b>4-10. Requested Academic &amp; Membership Affairs (AMA) Services Interpretation</b>	<b>4-9. Requested Academic &amp; Membership Affairs (AMA) Services Interpretation</b>
<b>4-11. Hearing Procedural Matters</b>	<b>4-10. Hearing Procedural Matters</b>
<b>4-11-1. Continuation of Hearing</b>	<b>4-10-1. Continuation of Hearing</b>
<b>4-11-2. Postponement of Hearing</b>	<b>4-10-2. Postponement of Hearing</b>
<b>4-11-3. Dispositive Motions</b>	<b>4-10-3. Dispositive Motions</b>
<b>4-11-4. Recordings of Proceedings</b>	<b>4-10-4. Recording of Proceedings</b>
<b>4-12. Audio Recordings of Hearings</b>	<b>4-11. Audio Recordings of Hearings</b>
<b>4-12-1. Request for Audio Recordings of a Hearing</b>	<b>4-11-1. Request for Audio Recordings of a Hearing</b>
<b>4-12-2. Requests for Transcripts</b>	<b>4-11-2. Requests for Transcripts</b>
<b>4-13. Additional Allegations and Findings by Panel – Bylaw 19.7.7.4</b>	<b>4-12. Additional Allegations and Findings by Panel – Bylaw 19.7.7.4</b>
<b>4-14. Quorum</b>	<b>4-13. Quorum</b>
<b>4-15. Post Hearing Matters</b>	<b>4-14. Post Hearing Matters</b>
<b>4-15-1. Submissions Following Hearing of a Case</b>	<b>4-14-1. Submissions Following Hearing of a Case</b>
<b>4-15-2. Deliberations</b>	<b>4-14-2. Deliberations</b>
<b>4-15-3. Attendance</b>	<b>4-14-3. Attendance</b>
<b>4-15-4. Decisions</b>	<b>4-14-4. Decisions</b>
<b>4-15-4-1. Drafting Decision</b>	<b>4-14-4-1. Drafting Decision</b>
<b>4-16. Penalties</b>	<b>4-15. Penalties</b>
<b>4-16-1. Show-Cause Orders</b>	<b>4-15-1. Show-Cause Orders</b>
<b>4-16-1-1. General Show-Cause Orders</b>	<b>4-15-1-1. General Show-Cause Orders</b>
<b>4-16-1-2. Specific Show-Cause Orders</b>	<b>4-15-1-2. Specific Show-Cause Orders</b>
<b>4-16-2. Financial Penalty</b>	<b>4-15-2. Financial Penalty</b>
<b>4-16-2-1. Total Budget for Sport Program</b>	<b>4-15-2-1. Total Budget for Sport Program</b>
<b>4-16-2-2. Submission of Total Budget for Sport Program</b>	<b>4-15-2-2. Submission of Total Budget for Sport Program</b>
<b>4-16-3. Scholarship Reductions</b>	<b>4-15-3. Scholarship Reductions</b>
<b>4-16-3-1. Institutional Compliance with Scholarship Reduction Penalty</b>	<b>4-15-3-1. Institutional Compliance with Scholarship Reduction Penalty</b>
<b>4-16-3-2. Scholarships Awarded Prior to Penalty</b>	<b>4-15-3-2. Scholarships Awarded Prior to Penalty</b>
<b>4-16-3-3. Sport-Specific Scholarship Reductions</b>	<b>4-15-3-3. Sport-Specific Scholarship Reductions</b>
<b>4-16-3-4. Yearly Reductions</b>	<b>4-15-3-4. Yearly Reductions</b>



**DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES**

<b>Formerly</b>	<b>Renumbered</b>
<b>4-16-3-5. Initial Scholarship Reductions (Football)</b>	<b>4-15-3-5. Initial Scholarship Reductions (Football)</b>
<b>4-16-4. Vacation of Wins and Records</b>	<b>4-15-4. Vacation of Wins and Records</b>
<b>4-17. Release of Decisions</b>	<b>4-16. Release of Decisions</b>
	<b>4-16-1. Public Decision to Full COI</b>
<b>4-17-1. Amendment, Correction or Supplemental Decision</b>	<b>4-16-2. Amendment, Correction or Supplemental Decision</b>
<b>4-18. Reconsideration of a Decision</b>	<b>4-17. Reconsideration of a Decision</b>
<b>4-18-1. Parties' Written Request for Reconsideration</b>	<b>4-17-1. Parties' Written Request for Reconsideration</b>
<b>4-18-2. Granted Relief</b>	<b>4-17-2. Granted Relief</b>

**2017 IOP Renumbering (Phase Two)**

<b>Formerly</b>	<b>Renumbered</b>
<b>3-1. Assignment and Hearings</b>	<b>4-1. Assignment and Hearings</b>
<b>3-1-1. Dates and Locations</b>	<b>4-1-1. Dates and Locations</b>
<b>3-1-2. Member Assignment by Hearing Panel Generator</b>	<b>4-1-2. Member Assignment by Hearing Panel Generator</b>
<b>3-1-2-1. Three-Member Panels</b>	<b>4-1-2-1. Three-Member Panels</b>
<b>3-2. Notification of Panel Assignment, Hearing Date and Location</b>	<b>4-2. Notification of Panel Assignment, Hearing Date and Location</b>
<b>3-3. Conflicts of Interest</b>	<b>4-3. Conflicts of Interest</b>
<b>3-3-1. Disqualification of Member by Recusal</b>	<b>4-3-1. Disqualification of Member by Recusal</b>
<b>3-3-2. Disqualification by Party Recusal</b>	<b>4-3-2. Disqualification by Party Recusal</b>
<b>3-4. Panel Member Substitution</b>	<b>4-4. Panel Member Substitution</b>
<b>3-5. Case</b>	<b>4-5. Case</b>
<b>3-6. Access to Pertinent Case Information</b>	<b>4-6. Access to Pertinent Case Information</b>
<b>3-7. Case Tracks</b>	<b>4-7. Case Tracks</b>
<b>3-8. Committee Determination of Level Change</b>	<b>4-8. Committee Determination of Level Change</b>
<b>3-8-1. Determination Prior to Hearing</b>	<b>4-8-1. Determination Prior to Hearing</b>
<b>3-8-2. Determination During Hearing</b>	<b>4-8-2. Determination During Hearing</b>
<b>3-8-3. Determination After Hearing</b>	<b>4-8-3. Determination After Hearing</b>
<b>3-9. Summary Disposition</b>	<b>4-9. Summary Disposition</b>
<b>3-9-1. Summary Disposition Preliminary Assessment</b>	<b>4-9-1. Summary Disposition Preliminary Assessment</b>
<b>3-9-2. Summary Disposition Reports (SDR)</b>	<b>4-9-2. Summary Disposition Reports (SDR)</b>
<b>3-9-2-1. Acceptance of the SDR</b>	<b>4-9-2-1. Acceptance of the SDR</b>
<b>3-9-2-2. Rejection of the SDR</b>	<b>4-9-2-2. Rejection of the SDR</b>
<b>3-9-2-3. Request for Additional Information or Clarification.</b>	<b>4-9-2-3. Request for Additional Information or Clarification</b>



**DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES**

<b>Formerly</b>	<b>Renumbered</b>
<b>3-9-3. Reliance on Rejected Summary Disposition Report</b>	<b>4-9-3. Reliance on Rejected Summary Disposition Report</b>
<b>3-9-4. Changes to the Parties' Agreed Upon Facts and Violations</b>	<b>4-9-4. Changes to the Parties' Agreed Upon Facts and Violations</b>
<b>3-10. Hearing Method</b>	<b>4-10. Hearing Method</b>
<b>3-10-1. Written Submissions Procedures</b>	<b>4-10-1. Written Submissions Procedures</b>
<b>3-10-2. Accelerated Hearing Procedures</b>	<b>4-10-2. Accelerated Hearing Procedures</b>
<b>3-10-3. Video and Teleconference</b>	<b>4-10-3. Video and Teleconference</b>
<b>3-11. Resolution of Pre-Hearing Procedural Matters</b>	<b>4-11. Resolution of Pre-Hearing Procedural Matters</b>
<b>3-11-1. Initial Determination</b>	<b>4-11-1. Initial Determination</b>
<b>3-12. Notice of Allegations</b>	<b>4-12. Notice of Allegations</b>
<b>3-12-1. Interviews Conducted After Notice of Allegations</b>	<b>4-12-1. Interviews Conducted After Notice of Allegations</b>
<b>3-12-2. Withdrawal of Allegations</b>	<b>4-12-2. Withdrawal of Allegations</b>
<b>3-12-3. Amendment to Notice of Allegations</b>	<b>4-12-3. Amendment to Notice of Allegations</b>
<b>3-12-3-1. Response to Withdrawn or Amended Notice of Allegations</b>	<b>4-12-3-1. Response to Withdrawn or Amended Notice of Allegations</b>
<b>3-12-3-2. Reopening Investigation and New Allegations</b>	<b>4-12-3-2. Reopening Investigation and New Allegations</b>
<b>3-13. Response to Notice of Allegations</b>	<b>4-13. Response to Notice of Allegations</b>
<b>3-13-1. Extensions for Responses by Institutions and Involved Individuals</b>	<b>4-13-1. Extensions for Responses by Institutions and Involved Individuals</b>
<b>3-13-2. Enforcement Reply and Statement of the Case</b>	<b>4-13-2. Enforcement Reply and Statement of the Case</b>
<b>3-13-3. Page Limitation</b>	<b>4-13-3. Page Limitation</b>
<b>3-13-3-1. Page Limitation Exception</b>	<b>4-13-3-1. Page Limitation Exception</b>
<b>3-14. Statement of the Case</b>	<b>4-14. Statement of the Case</b>
<b>3-15. Deadline for Submission of Written Materials</b>	<b>4-15. Deadline for Submission of Written Materials</b>
<b>3-16. Limited Immunity</b>	<b>4-16. Limited Immunity</b>
<b>3-16-1. Limited Immunity Purpose and Scope</b>	<b>4-16-1. Limited Immunity Purpose and Scope</b>
<b>3-16-1-1. Effect of Limited Immunity</b>	<b>4-16-1-1. Effect of Limited Immunity</b>
<b>3-16-1-2. Request and Review</b>	<b>4-16-1-2. Request and Review</b>
<b>3-16-1-3. Revocation of Limited Immunity</b>	<b>4-16-1-3. Revocation of Limited Immunity</b>
<b>3-16-1-3-1. Process</b>	<b>4-16-1-3-1. Process</b>
<b>3-16-1-4. Recusal after Review</b>	<b>4-16-1-4. Recusal after Review</b>
<b>4-1. Confidentiality</b>	<b>5-1. Confidentiality</b>
<b>4-1-1. Information</b>	<b>5-1-1. Information</b>
<b>4-1-2. Hearings</b>	<b>5-1-2. Hearings</b>
<b>4-2. Order of Proceedings</b>	<b>5-2. Order of Proceedings</b>





**DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES**

<b>Formerly</b>	<b>Renumbered</b>
<b>4-3. Determination of Level</b>	<b>5-3. Determination of Level</b>
<b>4-4. The Record</b>	<b>5-4. The Record</b>
<b>4-5. Ex Parte Communication to the COI</b>	<b>5-5. Ex Parte Communication to the COI</b>
<b>4-6. Hearing Accommodations and Meeting Room Setup</b>	<b>5-6. Hearing Accommodations and Meeting Room Setup</b>
<b>4-6-1. Special Accommodations</b>	<b>5-6-1. Special Accommodations</b>
<b>4-7. Hearing Decorum</b>	<b>5-7. Hearing Decorum</b>
<b>4-8. Hearing Attendance</b>	<b>5-8. Hearing Attendance</b>
<b>4-8-1. Conference Representatives' Attendance</b>	<b>5-8-1. Conference Representatives' Attendance</b>
<b>4-8-2. Interested-Third-Party's-Institution's Attendance</b>	<b>5-8-2. Interested-Third-Party's-Institution's Attendance</b>
<b>4-9. Requested Academic &amp; Membership Affairs (AMA) Services Interpretation</b>	<b>5-9. Requested Academic &amp; Membership Affairs (AMA) Services Interpretation</b>
<b>4-10. Hearing Procedural Matters</b>	<b>5-10. Hearing Procedural Matters</b>
<b>4-10-1. Continuation of Hearing</b>	<b>5-10-1. Continuation of Hearing</b>
<b>4-10-2. Postponement of Hearing</b>	<b>5-10-2. Postponement of Hearing</b>
<b>4-10-3. Dispositive Motions</b>	<b>5-10-3. Dispositive Motions</b>
<b>4-10-4. Recordings of Proceedings</b>	<b>5-10-4. Recordings of Proceedings</b>
<b>4-11. Audio Recordings of Hearings</b>	<b>5-11. Audio Recordings of Hearings</b>
<b>4-11-1. Request for Audio Recordings of a Hearing</b>	<b>5-11-1. Request for Audio Recordings of a Hearing</b>
<b>4-11-2. Requests for Transcripts</b>	<b>5-11-2. Requests for Transcripts</b>
<b>4-12. Additional Allegations and Findings by Panel – Bylaw 19.7.7.4</b>	<b>5-12. Additional Allegations and Findings by Panel – Bylaw 19.7.7.4</b>
<b>4-13. Quorum</b>	<b>5-13. Quorum</b>
<b>4-14. Post Hearing Matters</b>	<b>5-14. Post Hearing Matters</b>
<b>4-14-1. Submissions Following Hearing of a Case</b>	<b>5-14-1. Submissions Following Hearing of a Case</b>
<b>4-14-2. Deliberations</b>	<b>5-14-2. Deliberations</b>
<b>4-14-3. Attendance</b>	<b>5-14-3. Attendance</b>
<b>4-14-4. Decisions</b>	<b>5-14-4. Decisions</b>
<b>4-14-4-1. Drafting Decision</b>	<b>5-14-4-1. Drafting Decision</b>
<b>4-15. Penalties</b>	<b>5-15. Penalties</b>
<b>4-15-1. Show-Cause Orders</b>	<b>5-15-1. Show-Cause Orders</b>
<b>4-15-1-1. General Show-Cause Orders</b>	<b>5-15-1-1. General Show-Cause Orders</b>
<b>4-15-1-2. Specific Show-Cause Orders</b>	<b>5-15-1-2. Specific Show-Cause Orders</b>
<b>4-15-2. Financial Penalty</b>	<b>5-15-2. Financial Penalty</b>
<b>4-15-2-1. Total Budget for Sport Program</b>	<b>5-15-2-1. Total Budget for Sport Program</b>
<b>4-15-2-2. Submission of Total Budget for Sport Program</b>	<b>5-15-2-2. Submission of Total Budget for Sport Program</b>
<b>4-15-3. Scholarship Reductions</b>	<b>5-15-3. Scholarship Reductions</b>



DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

<b>Formerly</b>	<b>Renumbered</b>
<b>4-15-3-1. Institutional Compliance with Scholarship Reduction Penalty</b>	<b>5-15-3-1. Institutional Compliance with Scholarship Reduction Penalty</b>
<b>4-15-3-2. Scholarships Awarded Prior to Penalty</b>	<b>5-15-3-2. Scholarships Awarded Prior to Penalty</b>
<b>4-15-3-3. Sport-Specific Scholarship Reductions</b>	<b>5-15-3-3. Sport-Specific Scholarship Reductions</b>
<b>4-15-3-4. Yearly Reductions</b>	<b>5-15-3-4. Yearly Reductions</b>
<b>4-15-3-5. Initial Scholarship Reductions (Football)</b>	<b>5-15-3-5. Initial Scholarship Reductions (Football)</b>
<b>4-15-4. Vacation of Wins and Records</b>	<b>5-15-4. Vacation of Wins and Records</b>
<b>4-16. Release of Decisions</b>	<b>5-16. Release of Decisions</b>
<b>4-16-1. Public Decision to Full COI</b>	<b>5-16-1. Public Decision to Full COI</b>
<b>4-16-2. Amendment, Correction or Supplemental Decision</b>	<b>5-16-2. Amendment, Correction or Supplemental Decision</b>
<b>4-17. Reconsideration of a Decision</b>	<b>5-17. Reconsideration of a Decision</b>
<b>4-17-1. Parties' Written Request for Reconsideration</b>	<b>5-17-1. Parties' Written Request for Reconsideration</b>
<b>4-17-2. Granted Relief</b>	<b>5-17-2. Granted Relief</b>
<b>5-1. Appeals Advocate</b>	<b>6-1. Appeals Advocate</b>
<b>5-2. New Evidence Brought During Appeal</b>	<b>6-2. New Evidence Brought During Appeal</b>
<b>5-3. Remanding Case Back to the COI</b>	<b>6-3. Remanding Case Back to the COI</b>
<b>5-4. Appeals to COI in Level III Case</b>	<b>6-4. Appeals to COI in Level III Case</b>
<b>6-1. Compliance Reports</b>	<b>7-1. Compliance Reports</b>
<b>6-1-1. General Purpose and Organization</b>	<b>7-1-1. General Purpose and Organization</b>
<b>6-1-2. Preliminary Reports</b>	<b>7-1-2. Preliminary Reports</b>
<b>6-1-3. Annual Reports</b>	<b>7-1-3. Annual Reports</b>
<b>6-2. Compliance Review</b>	<b>7-2. Compliance Review</b>
<b>6-2-1. Submission, Receipt and Preliminary Assessment</b>	<b>7-2-1. Submission, Receipt and Preliminary Assessment</b>
<b>6-2-2. COI Leadership Review</b>	<b>7-2-2. COI Leadership Review</b>
<b>6-2-3. Institution's Compliance Hearing</b>	<b>7-2-3. Institution's Compliance Hearing</b>
<b>6-2-4. Individual's Noncompliance with Prescribed Penalties</b>	<b>7-2-4. Individual's Noncompliance with Prescribed Penalties</b>
<b>6-3. Drug Testing in Championship Events</b>	<b>7-3. Drug Testing in Championship Events</b>
<b>6-4. Maintenance of Infractions History for Individuals</b>	<b>7-4. Maintenance of Infractions History for Individuals</b>
<b>6-4-1. Infractions History for Individuals</b>	<b>7-4-1. Infractions History for Individuals</b>
<b>6-4-2. Individual Infractions History Checks</b>	<b>7-4-2. Individual Infractions History Checks</b>
<b>6-5. Document Retention</b>	<b>7-5. Document Retention</b>
<b>6-6. Creating IOPs and Policies</b>	<b>7-6. Creating IOPs and Policies</b>
<b>6-7. Conformity with IOPs</b>	<b>7-7. Conformity with IOPs</b>



DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

2019 IOP Renumbering

<b>Formerly</b>	<b>Renumbered</b>
<b>4-9. Summary Disposition</b>	<b>4-10. Summary Disposition</b>
<b>4-9-1. Summary Disposition Preliminary Assessment</b>	<b>4-10-1. Summary Disposition Preliminary Assessment.</b>
<b>4-9-2. Summary Disposition Reports (SDR)</b>	<b>4-10-2. Summary Disposition Reports (SDR)</b>
<b>4-9-2-1. Acceptance of the SDR</b>	<b>4-10-2-1. Acceptance of the SDR</b>
<b>4-9-2-1-1. Additional Penalties and Expedited Hearing.</b>	<b>4-10-2-1-1. Additional Penalties and Expedited Hearing.</b>
<b>4-9-2-2. Rejection of the SDR</b>	<b>4-10-2-2. Rejection of the SDR</b>
<b>4-9-2-3. Request for Additional Information or Clarification</b>	<b>4-10-2-3. Request for Additional Information or Clarification</b>
<b>4-9-3. Reliance on Rejected Summary Disposition Report</b>	<b>4-10-3. Reliance on Rejected Summary Disposition Report</b>
<b>4-9-4. Changes to the Parties' Agreed Upon Facts and Violations</b>	<b>4-10-4. Changes to the Parties' Agreed Upon Facts and Violations</b>
<b>4-10. Hearing Method</b>	<b>4-11. Hearing Method</b>
<b>4-10-1. Written Submissions Procedures</b>	<b>4-11-1. Written Submissions Procedures</b>
<b>4-10-2. Accelerated Hearing Procedures</b>	<b>4-11-2. Accelerated Hearing Procedures</b>
<b>4-10-3. Video and Teleconference</b>	<b>4-11-3. Video and Teleconference</b>
<b>4-11. Resolution of Pre-Hearing Procedural Matters</b>	<b>4-12. Resolution of Pre-Hearing Procedural Matters</b>
<b>4-11-1. Initial Determination</b>	<b>4-12-1. Initial Determination</b>
<b>4-12. Notice of Allegations</b>	<b>4-13. Notice of Allegations</b>
<b>4-12-1. Interviews Conducted After Notice of Allegations</b>	<b>4-13-1. Interviews Conducted After Notice of Allegations</b>
<b>4-12-2. Withdrawal of Allegations</b>	<b>4-13-2. Withdrawal of Allegations</b>
<b>4-12-3. Amendment to Notice of Allegations</b>	<b>4-13-2. Amendment to Notice of Allegations</b>
<b>4-12-3-1. Response to Withdrawn or Amended Notice of Allegations</b>	<b>4-13-3-1. Response to Withdrawn or Amended Notice of Allegations</b>
<b>4-12-3-2. Reopening Investigation and New Allegations</b>	<b>4-13-3-2. Reopening Investigation and New Allegations</b>
<b>4-13. Response to Notice of Allegations</b>	<b>4-14. Response to Notice of Allegations</b>
<b>4-13-1. Extensions for Responses by Institutions and Involved Individuals</b>	<b>4-14-1. Extensions for Responses by Institutions and Involved Individuals</b>
<b>4-13-2. Enforcement Reply and Statement of the Case</b>	<b>4-14-2. Enforcement Reply and Statement of the Case</b>
<b>4-13-3. Page Limitation</b>	<b>4-14-3. Page Limitation</b>
<b>4-13-3-1. Page Limitation Exception</b>	<b>4-14-3-1. Page Limitation Exception</b>
<b>4-14. Statement of the Case</b>	<b>4-15. Statement of the Case</b>
<b>4-15. Deadline for Submission of Written Materials</b>	<b>4-16. Deadline for Submission of Written Materials</b>



DIVISION I COMMITTEE ON INFRACTIONS: INTERNAL OPERATING PROCEDURES

<b>Formerly</b>	<b>Renumbered</b>
<b>4-16. Limited Immunity</b>	<b>4-17. Limited Immunity</b>
<b>4-16-1. Limited Immunity Purpose and Scope</b>	<b>4-17-1. Limited Immunity Purpose and Scope</b>
<b>4-16-1-1. Effect of Limited Immunity</b>	<b>4-17-1-1. Effect of Limited Immunity</b>
<b>4-16-1-2. Request and Review</b>	<b>4-17-1-2. Request and Review</b>
<b>4-16-1-3. Revocation of Limited Immunity</b>	<b>4-17-1-3. Revocation of Limited Immunity</b>
<b>4-16-1-3-1. Process</b>	<b>4-17-1-3-1. Process</b>
<b>4-16-1-4. Recusal and Review</b>	<b>4-17-1-4. Recusal and Review</b>
<b>4-10-2-1. Acceptance of the SDR.</b>	<b>4-10-2-2. Acceptance of the SDR</b>
<b>4-10-2-1-1. Additional Penalties and Expedited Hearing</b>	<b>4-10-2-2-1. Additional Penalties and Expedited Hearing</b>
<b>4-10-2-2. Rejection of the SDR</b>	<b>4-10-2-3. Rejection of the SDR</b>
<b>4-10-2-3. Request for Additional Information or Clarification</b>	<b>4-10-2-4. Request for Additional Information or Clarification</b>
<b>4-17. Limited Immunity</b>	<b>4-18. Limited Immunity</b>
<b>4-17-1. Limited Immunity Purpose and Scope</b>	<b>4-18-1. Limited Immunity Purpose and Scope</b>
<b>4-17-1-1. Effect of Limited Immunity</b>	<b>4-18-1-1. Effect of Limited Immunity</b>
<b>4-17-1-2. Request and Review</b>	<b>4-18-1-2. Request and Review</b>
<b>4-17-1-3. Revocation of Limited Immunity</b>	<b>4-18-1-3. Revocation of Limited Immunity</b>
<b>4-17-1-3-1. Process</b>	<b>4-18-1-3-1. Process</b>
<b>4-17-1-4. Recusal after Review</b>	<b>4-18-1-4. Recusal after Review</b>
<b>5-15-1. Show-Cause Orders</b>	<b>5-15-3. Show-Cause Orders</b>
<b>5-15-1-1. General Show-Cause Orders</b>	<b>5-15-3-1. General Show-Cause Orders</b>
<b>5-15-1-2. Specific Show-Cause Orders</b>	<b>5-15-3-2. Specific Show-Cause Orders</b>
<b>5-15-2. Financial Penalty</b>	<b>5-15-4. Financial Penalty</b>
<b>5-15-2-1. Total Budget for Sport Program</b>	<b>5-15-4-1. Total Budget for Sport Program</b>
<b>5-15-2-2. Submission of Total Budget for Sport Program</b>	<b>5-15-4-2. Submission of Total Budget for Sport Program</b>
<b>5-15-2-3. Return of Tournament Distribution</b>	<b>5-15-4-3. Return of Tournament Distribution</b>
<b>5-15-3. Scholarship Reductions</b>	<b>5-15-5. Scholarship Reductions</b>
<b>5-15-3-1. Institutional Compliance with Scholarship Reduction Penalty</b>	<b>5-15-5-1. Institutional Compliance with Scholarship Reduction Penalty</b>
<b>5-15-3-2. Scholarships Awarded Prior to Penalty</b>	<b>5-15-5-2. Scholarships Awarded Prior to Penalty</b>
<b>5-15-3-4. Yearly Reductions</b>	<b>5-15-5-3. Yearly Reductions</b>
<b>5-15-3-5. Initial Scholarship Reductions (Football)</b>	<b>5-15-5-4. Initial Scholarship Reductions (Football)</b>
<b>5-15-4. Vacation of Wins and Records</b>	<b>5-15-6. Vacation of Wins and Records</b>
<b>5-15-5. Disassociation</b>	<b>5-15-7. Disassociation.</b>