



NCAA Enforcement Interview Best Practices

The following items and statements serve as best practices to cover during interviews regarding potential NCAA rules violations.

Cover the following with interviewees:

- Note the time, date and place.
- "For the purpose of voice identification, I would like to ask each person in the room to state his or her name and title."
- "Do I have your permission to record this interview?" [Note: If the answer is no, discontinue recording.]
- Ask all parties whether they will be recording the interview. [Note: It is not necessary to ask if you are already aware that a party will record the interview.] If others are recording, obtain their verbal or written agreement to keep the recording confidential pursuant to Division I Bylaw 19.5.8 or Division II/III Bylaw 32.3.9.1.4 and that they agree to not share the recording with any third parties.
- If there is a court reporter, obtain agreement to get the transcript per Division I Bylaw 19.5.7 or Division II/III Bylaw 32.3.9.1.3.

Cover the following with prospective student-athletes, student-athletes and institutional staff members (both current and former):

- "Prior to going on the record, I handed you a form entitled NCAA Interview Notices. Did you have a chance to read this?"
- "Do you understand that the purpose of this interview is to determine whether you have any knowledge of or involvement in any violations of NCAA legislation?"
- "Do you understand that you may be represented by personal legal counsel during this interview?"
- If the individual is not represented by counsel, "Are you okay with proceeding without counsel?" [Note: If the answer is no, discontinue the interview.]
- "Do you understand that NCAA Bylaw 10.1 obligates you to provide truthful and complete information in this interview?"
- "Do you understand that if it is ever determined that you provided false or misleading information or withheld information in this interview, then this could constitute a violation of the NCAA Principles of Ethical Conduct and could impact your eligibility as a student-athlete or your athletically related duties as a staff member at an NCAA institution?"
- "Do you understand that information provided during this interview may be shared with the NCAA Eligibility Center?"
- "Do you have any questions regarding any part of this interview notice form?"

- "Did you sign and date this form?"
- If the interviewee refused to sign the form, note this on the record and that the interviewee read and understood the form.

Cover the following with interviewees:

- Obtain background information on the interviewee, including his or her contact information.

If you stop the recording during the interview for any reason, cover the following:

- Just before you stop the recorder: "I will note for the record that we are stopping this recording at ____ o'clock so that (state reason)."
- Once you resume the interview and begin recording again, "I will note for the record that we are recording again and it is ____ o'clock. We turned off the recording so that (state reason and any other relevant remarks); is that correct (state the names of the interview participants)?"
- Note any substantive events that occurred while the recording was turned off (e.g., outside counsel asked to review a document previously shown to the interviewee) and obtain assent from all parties that you have stated those facts accurately and completely.
- Resume your interview.

Prior to the concluding interviews, cover the following:

- "Before we conclude, do you have anything else to add or to clarify?"
- "The last thing I need to tell you is that NCAA legislation requires that you help protect the integrity of this investigation. Therefore, as this investigation continues, you are not permitted to speak with others about what we discussed today or any related information, except that you may speak with your personal legal counsel, others present in this room (where applicable and appropriate) and me. Failure to protect the integrity of this investigation could result in an allegation that you violated the Principles of Ethical Conduct and/or the Cooperative Principle. Do you understand?"
- "After the NCAA investigation concludes, if an involved individual in this case and/or their attorney requests to interview you about matters related to this case, we encourage you to speak with them just as you have agreed to speak with us today. However, this guidance does not apply to members of the media, who you may not speak with. If you have questions about who you can talk to, please contact me (or the institutional representative - where applicable and appropriate)."
- "Do you have any final questions?"
- "Then I will note for the record that this interview concluded at _____ o'clock. Thank you."
- Immediately turn off recorder.
- If you need to restart the interview, make sure you give notice that you are turning the recorder back on.



NCAA Interview Notice (Division I)

You are about to be interviewed by a representative of the NCAA enforcement staff. You may be represented by personal legal counsel during this interview. Information obtained during this interview may be shared with the NCAA Eligibility Center. Prior to this interview, the NCAA would like to notify you of the following bylaws:

19.5.5.1 Disclosure of Purpose of Interview. When an enforcement staff member requests information that could be detrimental to the interests of the student-athlete or institutional employee being questioned, that individual shall be advised that the purpose of the interview is to determine whether the individual has knowledge of or has been involved directly or indirectly in any violation of the NCAA constitution and bylaws. *(Adopted: 10/30/12 effective 8/1/13)*

19.2.3 Responsibility to Cooperate. Current and former institutional staff members or prospective or enrolled student-athletes of member institutions have an affirmative obligation to cooperate fully with and assist the NCAA enforcement staff, the Committee on Infractions and the Infractions Appeals Committee to further the objectives of the Association and its infractions program. Full cooperation includes, but is not limited to: *(Adopted: 11/1/07 effective 8/1/08, Revised: 10/30/12 effective 8/1/13, 7/31/14, 8/8/18)*

- (a) Affirmatively reporting instances of noncompliance to the Association in a timely manner and assisting in developing full information to determine whether a possible violation has occurred and the details thereof;
- (b) Timely participation in interviews and providing complete and truthful responses;
- (c) Making a full and complete disclosure of relevant information, including timely production of materials or information requested, and in the format requested;
- (d) Disclosing and providing access to all electronic devices used in any way for business purposes;
- (e) Providing access to all social media, messaging and other applications that are or may be relevant to the investigation; and
- (f) Preserving the integrity of an investigation and abiding by all applicable confidentiality rules and instructions.

19.2.3.2 Failure to Cooperate. Failing to satisfy the responsibility to cooperate may result in an independent allegation and/or be considered an aggravating factor for purposes of determining a penalty. Institutional representatives and the involved individual may be requested to appear before a hearing panel of the Committee on Infractions at the time the allegation is considered. *(Adopted: 10/30/12 effective 8/1/13)*

10.1 Unethical Conduct. Unethical conduct by a prospective or enrolled student-athlete or a current or former institutional staff member, which includes any individual who performs work for the institution or the athletics department even if he or she does not receive compensation for such work, may include, but is not limited to, the following: *(Revised: 1/10/90, 1/9/96, 2/22/01, 8/4/05, 4/27/06, 1/8/07, 5/9/07, 10/23/07, 5/6/08, 1/16/10, 10/5/10, 4/28/16 effective 8/1/16)*

- (a) Refusal to furnish information relevant to an investigation of a possible violation of an NCAA regulation when requested to do so by the NCAA or the individual's institution;
- (b) Knowing involvement in offering or providing a prospective or an enrolled student-athlete an improper inducement or extra benefit or improper financial aid;
- (c) Knowingly furnishing or knowingly influencing others to furnish the NCAA or the individual's institution false or misleading information concerning an individual's involvement in or knowledge of matters relevant to a possible violation of an NCAA regulation;
- (d) Receipt of benefits by an institutional staff member for facilitating or arranging a meeting between a student-athlete and an agent, financial advisor or a representative of an agent or advisor (e.g., "runner");
- (e) Knowing involvement in providing a banned substance or impermissible supplement to student-athletes, or knowingly providing medications to student-athletes contrary to medical licensure, commonly accepted standards of care in sports medicine practice, or state and federal law. This provision shall not apply to banned substances for which the student-athlete has received a medical exception per Bylaw 31.2.3.2; however, the substance must be provided in accordance with medical licensure, commonly accepted standards of care and state or federal law;
- (f) Engaging in any athletics competition under an assumed name or with intent to otherwise deceive; or
- (g) Failure to provide complete and accurate information to the NCAA, the NCAA Eligibility Center or the institution's athletics department regarding an individual's amateur status.

I have reviewed and understand this form and the notices contained therein.

Printed name

Signature

Date



NCAA Interview Notice (Division II)

You are about to be interviewed by a representative of the NCAA enforcement staff. You may be represented by personal legal counsel during this interview. Information obtained during this interview may be shared with the NCAA Eligibility Center. Prior to this interview, the NCAA would like to notify you of the following bylaws:

32.3.7.1 Disclosure of Purpose of Interview. When an enforcement staff representative requests information that could be detrimental to the interests of the student-athlete or institutional employee being interviewed, that individual shall be advised that the purpose of the interview is to determine whether the individual has knowledge of or has been involved directly or indirectly in any violation of NCAA legislation. *(Revised: 1/12/04, 4/11/06)*

32.3.7.2 Responsibility to Cooperate. At the beginning of an interview arranged or initiated by the enforcement staff, a current or former student-athlete or institutional employee shall be advised that refusing to furnish information or providing false or misleading information to the NCAA, conference or institution may result in an allegation that the individual has violated NCAA ethical-conduct legislation (see Bylaw 10.1). *(Adopted: 4/11/06)*

10.1 Unethical Conduct. Unethical conduct by a prospective or enrolled student-athlete or a current or former institutional staff member, which includes any individual who performs work for the institution or the athletics department even if he or she does not receive compensation for such work, may include, but is not limited to, the following: *(Revised: 1/10/90, 1/9/96, 7/20/10, 2/24/11)*

- (a) Refusal to furnish information relevant to an investigation of a possible violation of an NCAA regulation when requested to do so by the NCAA or the individual's institution;
- (b) Knowing involvement in arranging for fraudulent academic credit or false transcripts for a prospective or an enrolled student-athlete;
- (c) Knowing involvement in offering or providing a prospective or an enrolled student-athlete an improper inducement or extra benefit or improper financial aid; *(Revised: 1/9/96)*
- (d) Knowingly furnishing or knowingly influencing others to furnish the NCAA or the individual's institution false or misleading information concerning an individual's involvement in or knowledge of matters relevant to a possible violation of an NCAA regulation; *(Revised 1/13/10)*
- (e) Receipt of benefits by an institutional staff member for facilitating or arranging a meeting between a student-athlete and an agent, financial advisor or a representative of an agent or advisor (e.g., "runner"); *(Adopted: 1/9/96, Revised:4/26/06)*
- (f) Knowing involvement in providing a banned substance or impermissible supplement to student-athletes, or knowingly providing medications to student-athletes contrary to medical licensure, commonly accepted standards of care in sports medicine practice, or state or federal law. This provision shall not apply to banned substances for which the student-athlete has received a medical exception per Bylaw 31.2.3.2; however, the substance must be provided in accordance with medical licensure, commonly accepted standards of care and state or federal law; *(Adopted: 1/9/06 , Revised: 4/26/06, 5/29/08, 10/19/10)*
- (g) Failure to provide complete and accurate information to the NCAA, the NCAA Eligibility Center or an institution's admissions office regarding an individual's academic record (e.g., schools attended, completion of coursework, grades, test scores); *(Revised: 4/26/06, 3/3/10)*
- (h) Fraudulence or misconduct in connection with entrance or placement examinations; *(Revised: 4/26/06, 1/5/07)*
- (i) Engaging in any athletics competition under an assumed name or with intent otherwise to deceive; or *(Revised: 4/26/06, 1/5/07)*
- (j) Failure to provide complete and accurate information to the NCAA, the NCAA Eligibility Center or the institution's athletics department regarding an individual's amateur status. *(Adopted: 1/5/07)*

I have reviewed and understand this form and the notices contained therein.

Printed name

Signature

Date



NCAA Interview Notice (Division III)

You are about to be interviewed by a representative of the NCAA enforcement staff. You may be represented by personal legal counsel during this interview. Prior to this interview, the NCAA would like to notify you of the following bylaws:

32.3.7.1 Disclosure of Purpose of Interview. When an enforcement representative requests information that could be detrimental to the interests of the student-athlete or institutional employee being interviewed, that individual shall be advised that the purpose of the interview is to determine whether the individual has knowledge of or has been involved directly or indirectly in any violation of NCAA legislation. *(Revised: 1/12/04, 4/11/06)*

32.3.7.2 Responsibility to Cooperate. At the beginning of an interview arranged or initiated by the enforcement staff, a current or former student-athlete or institutional employee shall be advised that refusing to furnish information or providing false or misleading information to the NCAA, conference or institution may result in an allegation that the individual has violated NCAA ethical-conduct legislation (see Bylaw 10.1). *(Adopted: 4/11/06)*

10.1 Unethical Conduct. Unethical conduct by a prospective or enrolled student-athlete or a current or former institutional staff member, which includes any individual who performs work for the institution or the athletics department even if he or she does not receive compensation for such work, may include, but is not limited to, the following: *(Revised: 1/10/90, 1/9/96, 7/20/10)*

- (a) Refusal to furnish information relevant to an investigation of a possible violation of an NCAA regulation when requested to do so by the NCAA or the individual's institution;
- (b) Knowing involvement in arranging for fraudulent academic credit or false transcripts for a prospective or an enrolled student-athlete;
- (c) Knowing involvement in offering or providing a prospective or an enrolled student-athlete an improper inducement or extra benefit or improper financial aid; *(Revised: 1/9/96)*
- (d) Knowingly furnishing or knowingly influencing others to furnish the NCAA or the individual's institution false or misleading information concerning an individual's involvement in or knowledge of matters relevant to a possible violation of an NCAA regulation; *(Revised: 1/13/10)*
- (e) Receipt of benefits by an institutional staff member for facilitating or arranging a meeting between a student-athlete and an agent, financial advisor or a representative of an agent or advisor (e.g., "runner"); *(Adopted: 1/9/96)*
- (f) Knowing involvement in providing a banned substance or impermissible supplement to student-athletes, or knowingly providing medications to student-athletes contrary to medical licensure, commonly accepted standards of care in sports medicine practice, or state or federal law. This provision shall not apply to banned substances for which the student-athlete has received a medical exception per Bylaw 31.2.3.3; however, the substance must be provided in accordance with medical licensure, commonly accepted standards of care and state or federal law. *(Adopted: 1/9/06, Revised: 5/23/08, 5/30/08)*
- (g) Failure to provide complete and accurate information to the NCAA, the NCAA Eligibility Center or an institution's admissions office regarding an individual's academic record (e.g., schools attended, completion of coursework, grades and test scores); *(Revised: 7/20/10)*
- (h) Fraudulence or misconduct in connection with entrance or placement examinations; *(Revised: 7/20/10)*
- (i) Engaging in any athletics competition under an assumed name or with intent to otherwise deceive; or *(Revised: 7/20/10)*
- (j) Failure to provide complete and accurate information to the NCAA, the NCAA Eligibility Center or the institution's athletics department regarding an individual's amateur status. *(Revised: 7/20/10)*

I have reviewed and understand this form and the notices contained therein.

Printed Name

Signature

Date