



**SAGINAW VALLEY STATE UNIVERSITY  
PUBLIC INFRACTIONS DECISION**

February 7, 2019

**I. INTRODUCTION**

The NCAA Division II Committee on Infractions (COI) is an independent administrative body comprised of individuals from the NCAA Division II membership and the public charged with deciding infractions cases involving member institutions and their staffs. This case centered on improper eligibility certification of numerous student-athletes over a five-year period at Saginaw Valley State University (SVSU).<sup>1</sup> Because of the scope of the eligibility certification violations, the parties agreed that SVSU lacked institutional control. The COI considered this case through the cooperative summary disposition process, in which all parties agreed to the primary facts and violations as fully set forth in the summary disposition report (SDR). Because SVSU agreed to the violations and proposed penalties, it has no opportunity to appeal.

Weaknesses in SVSU's athletics compliance program caused a breakdown in SVSU's eligibility certification process over a multiyear period resulting in numerous student-athletes being erroneously certified. Between the academic years of 2013-14 through 2017-18, several factors, including frequent turnover, communication breakdowns and a lack of time combined to weaken SVSU's eligibility certification process. As a result of these weaknesses, SVSU improperly certified 130 student-athletes in 15 sports, resulting in 137 violations of amateurism and eligibility certification, in addition to one violation of seasons of competition legislation. All 130 student-athletes competed and received actual and necessary expenses while ineligible or not certified. Additionally, the institution failed to withhold 80 student-athletes from competition during subsequent academic years before their eligibility was reinstated. As a result of this extensive eligibility certification failure, SVSU and the enforcement staff agreed the institution lacked control over its athletics program. The underlying infractions constituted major violations in the areas of amateurism, eligibility extra benefits and institutional control legislation.

The COI accepts the parties' factual agreements and concludes that major violations occurred. Utilizing NCAA bylaws authorizing penalties, the COI adopts and prescribes the following penalties: public reprimand and censure, four years of probation, a financial penalty, a vacation of wins and records resulting from ineligible competition and an outside audit of SVSU's athletics compliance program. The penalty section of this decision details these and other penalties.

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<sup>1</sup> A member of the Great Lakes Intercollegiate Athletic Conference, SVSU's total enrollment is approximately 8,500. The institution sponsors 10 women's sports and nine men's sports. This is SVSU's first major infractions case.

## **II. CASE HISTORY**

In early September 2017, SVSU's then associate athletics director for compliance (associate athletics director) discovered that several former and current student-athletes never received final amateurism certification before traveling, practicing, competing and receiving athletics aid. On September 6, 2017, the associate athletics director reported these certification failures to the NCAA enforcement staff. The enforcement staff sent a Notice of Inquiry to the institution on September 20, 2017. In mid-December 2017, the institution discovered and self-reported academic certification errors. SVSU and the enforcement staff conducted on-campus interviews in January and June 2018. During 2018, SVSU also initiated a complete review of its certification, process, including the certification of transfer student-athletes. SVSU submitted a report of this review to the enforcement staff in late July 2018.

The parties submitted the SDR to the COI on December 6, 2018.<sup>2</sup> The COI reviewed the SDR on December 18, 2018, and accepted the parties' agreed-upon violations. However, the COI proposed additional penalties, which the institution accepted on January 4, 2019.

## **III. PARTIES' AGREEMENTS**

### **PARTIES' AGREED-UPON FACTUAL BASIS, VIOLATIONS OF NCAA LEGISLATION AND TYPE OF VIOLATIONS**

The parties jointly submitted an SDR that identified an agreed-upon factual basis, violations and type of violations.<sup>3</sup> The SDR identified:

- 1. [NCAA Division II Manual Bylaws 12.1.1.1, 12.1.1.1.3, 12.1.1.1.3.1, 14.01.1, 14.3.1, 14.3.1.1, 14.3.5.1, 14.5.4, 14.5.5.1, 14.5.4.1 and 14.10.1 (2013-14 through 2016-17); 16.8.1 (2013-14 through 2017-18); 14.5.4.2 (2014-15); 14.3.1.1.2.1 (2014-15 through 2016-17); 12.1.1.1, 12.1.1.1.3, 12.1.1.1.3.1, 14.4.3.2.1 and 14.5.4.3 (2016-17); and 14.2, 14.2.2 and 14.11.1 (2017-18)]**

SVSU and the enforcement staff agree that between the academic years of 2013-14 through 2017-18, the institution improperly certified 130 student-athletes in 15 sports as eligible for competition, resulting in 137 violations of academic/amateurism certification legislation and one violation of seasons of

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<sup>2</sup> Pursuant to COI Internal Operating Procedure (IOP) 4-7-2-1, the COI in future cases may view this decision as less instructive than a decision reached after a contested hearing because violations established through the summary disposition process constitute the parties' agreements.

<sup>3</sup> This decision provides the agreed-upon factual basis, violations and type of violations exactly as stated in the SDR, except for shortening references to the institution.

competition legislation. As a result, 130 student-athletes competed and received actual and necessary expenses while ineligible or not certified. Additionally, the institution failed to withhold 80 student-athletes from competition during subsequent academic years before their eligibility was reinstated. Specifically:

- a. From the 2013-14 through 2016-17 academic years, 69 student-athletes across multiple sports practiced and competed prior to receiving certification of their amateur status. [NCAA Bylaw 12.1.1.1, 12.1.1.1.3, 12.1.1.1.3.1, 14.10.1 and 16.8.1 (2013-14 through 2016-17)]
- b. From the 2014-15 through 2016-17 academic years, 13 student-athletes across multiple sports were certified as early academic qualifiers; however, the institution failed to submit a final high school transcript to the NCAA Eligibility Center by November 15 following the student-athlete's initial full-time enrollment. [NCAA Bylaw 14.3.1.1.2.1, 14.10.1 and 16.8.1 (2014-15 through 2016-17)]
- c. From the 2013-14 through 2016-17 academic years, 14 four-year college transfer student-athletes from multiple sports were allowed to compete in their first year of enrollment at the institution without fulfilling the residence requirement of one full academic year at the institution or meeting an exception to this requirement. [NCAA Bylaw 14.5.5.1, 14.10.1 and 16.8.1 (2013-14 through 2016-17)]
- d. In the 2016-17 academic year, four two-year college transfer student-athletes from multiple sports were allowed to compete, practice and receive athletics aid in their first year of enrollment at the institution without meeting the eligibility requirements of a graduate from a two-year college or an exception to this requirement. [NCAA Bylaw 14.5.4, 14.5.4.1, 14.10.1 and 16.8.1 (2016-17)]
- e. From the 2013-14 through 2016-17 academic years, 16 two-year college transfer student-athletes who were partial qualifiers or nonqualifiers from multiple sports were allowed to practice, compete and receive athletics aid without meeting eligibility requirements. [NCAA Bylaws 14.10.1 and 16.8.1 (2013-14 through 2016-17); 14.5.4.2 (2014-15); and 14.5.4.3 (2016-17)]
- f. From the 2013-14 through 2016-17 academic years, 18 student-athletes from multiple sports, who enrolled at the institution as entering freshman, were allowed to compete, practice and receive athletics aid in their first year of enrollment at the institution without meeting the academic

requirements to be deemed a qualifier by the Eligibility Center. [NCAA Bylaw 14.3.1, 14.3.5.1, 14.10.1 and 16.8.1 (2013-14 through 2016-17)]

- g. In the 2016-17 academic year, two transfer student-athletes in the sports of football and men's soccer were allowed to practice, compete and receive athletics aid without meeting the requirement of having earned nine-semester hours of transferable degree credit in order to certify their eligibility. [NCAA Bylaw 14.4.3.2.1, 14.10.1 and 16.8.1 (2016-17)]
- h. In the 2017-18 academic year, one football student-athlete was allowed to compete beyond the first 10 semesters in which he was enrolled at the institution. [NCAA Bylaws 14.2, 14.2.2, 14.11.1 and 16.8.1(2017-18)]

**2. [NCAA [(NCAA Division II Manual Constitution 2.1.1, 2.8.1 and 6.01.1 (2013-14 through 2017-18)]**

The institution and enforcement staff agree that the scope and nature of the violations set forth in Violation No. 1 demonstrate that from the 2013-14 through 2017-18 academic years, the institution failed to exercise institutional control and monitor the conduct and administration of its athletics programs. Specifically, for multiple years the institution failed to check and/or ensure the amateurism and academic eligibility of incoming student-athletes on the Eligibility Center website. Additionally, the institution failed to ensure its staff was correctly certifying transfer student-athlete eligibility.

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

The SDR fully detailed the parties' positions in the infractions case and included the agreed-upon primary facts and violations. After reviewing the parties' principal factual agreements and respective explanations surrounding those agreements, the COI accepts the parties' SDR and concludes that the facts constitute major violations of NCAA legislation.

Over five academic years, frequent turnover in compliance staff, communication breakdown and lack of time for compliance staff weakened SVSU's compliance program, leading to extensive failures to properly certify the eligibility of numerous student-athletes. These weaknesses resulted in SVSU committing violations of Bylaws 12, 14 and 16. Because of these failures, SVSU improperly certified 130 student-athletes, all of whom competed and received actual and necessary expenses while ineligible or not certified. SVSU's widespread eligibility certification failures established that it failed to exercise institutional control and monitor the conduct and administration of its athletics program in violation of Constitution 2.1.1, 2.8.1 and 6.01.1.<sup>4</sup>

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<sup>4</sup> The full text of all bylaws violated in this case at Appendix Two.

## **Improper Certification**

SVSU either failed to certify, or improperly certified, 130 student-athletes in 15 of its 19 sports and allowed them to ineligibly practice, compete and/or receive expenses. These certification failures lead to numerous violations of Bylaws 12 and 14. SVSU allowed the ineligible student-athletes to compete without having their amateurism status and/or initial eligibility status certified, not meeting early academic certification requirements and failing to satisfy various two and four-year transfer bylaws. One student-athlete competed past the first 10 semesters in which he was enrolled at SVSU. Finally, SVSU violated Bylaw 16 when it provided expenses associated with competition to ineligible student-athletes.

Bylaw 12 governs amateurism. This bylaw requires student-athletes to obtain certification of their amateur status from the NCAA Eligibility Center. It is the responsibility of the institution to use the Eligibility Center to determine the validity of the information on which the amateurism status of student-athletes is based.

In addition to amateurism violations, SVSU violated numerous provisions relating to eligibility certification under Bylaw 14. This bylaw requires member institutions to certify student-athletes' eligibility before allowing them to represent the institution in intercollegiate competition. Subparts of the bylaw allow a student-athlete to be certified as an early academic qualifier if the student-athlete attains a minimum grade point average and meets core course requirements. However, for official certification of academic eligibility, institutions must submit a final high school transcript to the NCAA Eligibility Center by a specific date.

Bylaw 14 also sets forth the academic and residence requirements that transfer student-athletes must meet for eligibility purposes. Included in this bylaw is the requirement that all transfer student-athletes have nine-semester or eight-quarter hours of transferable degree credit in order to be eligible. Bylaw 14 also requires transfers from four-year institutions to spend a full academic year in residency before competing unless they meet an exception to this requirement. Transfers from two-year institutions must have graduated from the two-year college or meet an exception to this requirement. Further, transfers from two-year colleges who are non-qualifiers or partial qualifiers must meet certain eligibility requirements to practice, compete and receive athletics aid. Bylaw 14 also limits student-athletes to completing their four seasons of athletics participation during their first 10 semesters of full-time collegiate enrollment.

After certification under the requirements set forth in Bylaw 14, student-athletes may receive certain expenses under Bylaw 16, which governs awards and benefits. Specifically, Bylaw 16.8.1 allows institutions to provide actual and necessary expenses associated with practice and competition, such as food and lodging. However, before student-athletes can receive these expenses, they must be eligible to compete.

SVSU agreed that it violated eligibility certification legislation under Bylaws 12, amateurism and 14, eligibility. Specific to amateurism, SVSU allowed 69 student-athletes to compete and/or

practice without final amateurism certification from the NCAA Eligibility Center in violation of Bylaw 12.

The institution violated numerous provisions of Bylaw 14 relating to academic and general eligibility requirements, including transfer regulations. Among these violations were SVSU certifying 13 student-athletes as early academic qualifiers but failing to meet the requirement to submit a final high school transcript to the Eligibility Center by November 15 following the student-athletes' initial full-time enrollment. SVSU also allowed 18 entering freshman to compete, practice and receive athletics aid in their first year of enrollment without meeting the academic requirements to be deemed a qualifier by the Eligibility Center.

SVSU also ran afoul of two-year and four-year transfer eligibility requirements. Specifically, the institution allowed 14 four-year college transfer student-athletes to compete in their first year of enrollment without fulfilling the residence requirement of one full academic year at the institution or meeting an exception to this requirement. Further, SVSU allowed four two-year college transfer student-athletes to compete, practice and receive athletics aid in their first year of enrollment without meeting the eligibility requirements of a graduate from a two-year college or an exception to this requirement. SVSU also permitted 16 two-year college transfer student-athletes, who were partial qualifiers or nonqualifiers, to practice, compete and receive athletics aid without meeting eligibility requirements. Additional violations of transfer requirements occurred when SVSU allowed two transfer student-athletes to practice, compete and receive athletics aid without meeting the requirement of having earned nine-semester hours of transferable degree credit in order to certify their eligibility. Unrelated to initial or transfer eligibility, but a violation of Bylaw 14 nonetheless, SVSU allowed a football student-athlete to compete past the first 10 semesters in which he was enrolled at the institution.

All of the Bylaw 12 and 14 violations also involved violations of Bylaw 16.8.1 because the student-athletes received expenses related to their athletics participation while ineligible to practice or compete. Institutions may only provide expenses for travel and other activities associated with practice or competition to eligible student-athletes. When SVSU provided such expenses to the ineligible student-athletes, it violated Bylaw 16.8.1.

These agreed-upon violations are similar to several past cases in which major violations occurred when institutional certification errors involving numerous student-athletes took place over multiple years. *See Central State University* (2016) (concluding that the institution committed major violations when, over a five-year period, it failed to verify the amateurism status for 106 student-athletes and the proper eligibility certification of three additional student-athletes); *Eastern New Mexico University* (2015) (concluding that the institution committed major violations when, over a five-year period, it permitted 132 ineligible student-athletes to practice and/or compete and receive travel expenses and/or athletically related financial aid); and *University of Alaska, Fairbanks* (2014) (concluding that the institution committed major violations when, over a five-year period, it erroneously certified the eligibility of 40 initial-enrolling, continuing and transfer student-athletes). When institutions erroneously certify the eligibility of student-athletes, they gain an extensive competitive advantage over institutions that

comply with their eligibility certification obligations. In doing so, they commit a major violation pursuant to Bylaw 19.02.2.2.

### **Lack of Institutional Control**

SVSU agreed that it did not exercise institutional control and monitor the conduct and administration of its athletics programs. The institution agreed that, from the 2013-14 through 2017-18 academic years, it failed to check and/or ensure the amateurism and academic eligibility of incoming student-athletes on the Eligibility Center website. Additionally, the institution failed to ensure its staff was correctly certifying transfer student-athlete eligibility. As with the underlying violations, SVSU committed a major violation when it failed to meet its Constitution 2 and 6 institutional control responsibilities.

Constitution 2.1.1 requires member institutions to control their intercollegiate athletics programs in compliance with the rules and regulations of the Association. Constitution 2.8.1 requires institutions to monitor their athletics programs to assure compliance and to identify and report to the NCAA instances in which institutions were not in compliance. Relatedly, Constitution 6.01.1 establishes that institutions must exercise control and responsibility for the conduct of intercollegiate athletics.

SVSU agrees that, as the result of three factors, it lacked control of its eligibility certification process from the 2013-14 through 2017-18 academic years. One primary reason for the breakdown of the certification processes was the persistent turnover in the compliance administrator position. During the four-year period prior to the discovery of the violations in fall 2017, four different individuals filled the role of associate director of athletics for compliance. This constant churn in the compliance office greatly hindered the institution's ability to implement, maintain and monitor its certification program. Further, due to this turnover, communication broke down between the compliance office and coaches, especially regarding the expectations of the coaches in the certification processes. In addition to repeated turnover in compliance personnel, SVSU failed to hire enough staff members to fulfill compliance responsibilities and functions, including eligibility certification. Exacerbating this situation was the institution's assignment of additional responsibilities and duties to the compliance administrator. These additional duties detracted from the compliance administrator's ability to fulfill compliance responsibilities, most notably, eligibility certification. Because of inadequate staffing, the compliance administrator simply lacked the time to properly certify student-athletes.

The institution failed to provide sufficient resources and compliance staffing stability to ensure the successful implementation of a reliable and comprehensive compliance program. Consequently, these failures led to a breakdown in the eligibility certification process and demonstrated that SVSU lacked control of its athletics program in violation of Constitution 2.1.1, 2.8.1 and 6.01.1.

In previous certification cases of a similar scope and nature involving many student-athletes over multiple years, the COI has concluded that institutions lacked control of their athletics program.

*See Central State* (concluding that, during a five-year period, the institution's failure to verify the amateurism status for 106 student-athletes and the proper eligibility certification of three additional student-athletes demonstrated a lack of institutional control); *Eastern New Mexico* (concluding that the institution lacked control of its athletics program when, over a five-year period, it permitted 132 student-athletes in 12 sports programs to practice and/or compete and receive travel expenses and/or athletically related financial aid while ineligible); and *Alaska, Fairbanks* (concluding that the institution lacked control of its athletics program when it erroneously certified the eligibility of 40 initial-enrolling, continuing and transfer student-athletes over a five-year period). Similar to these cases, SVSU's administration of its certification system was inadequate to ensure the proper eligibility certification of its student-athletes, demonstrating that SVSU lacked control of its athletics program. Pursuant to Constitution 2, in addition to Bylaws 19.02.2.1 and 19.02.2.2, the COI concludes that the lack of institutional control is a major violation because it is a fundamental obligation of all member institutions to uphold the principles of institutional control.

This case highlights the need for institutions to ensure stability in compliance staffing, facilitate communications between the compliance staff and coaches, and devote adequate resources and time to the athletics compliance effort, particularly in the area of eligibility certification. In this case, frequent turnover in the compliance administrator position had a cascading negative effect, resulting in a lack of communication between compliance and the coaching staff which culminated in a breakdown of the eligibility certification process. The lack of communication, combined with the overwhelming workload of the compliance administrator, combined to create an environment in which failure of the eligibility certification process was inevitable. This led to numerous certification errors over a five-year period in the areas of amateurism, as well as incoming and transfer eligibility certification.

This case demonstrates the need for Division II institutions to devote sufficient resources to the compliance effort so as to avoid circumstances that led to the violations seen in this case. *See Brigham Young University – Hawaii* (2009) (noting that competing as a member of Division II includes a responsibility to commit sufficient resources to the rules compliance effort); *University of Central Oklahoma* (2008) (concluding that a deficient compliance effort contributed to numerous major violations); and *Lane College* (2008) (noting that the institution's failure to devote the necessary resources to a campus-wide compliance effort led to major violations of Bylaw 14 legislation).

The COI is cognizant of the financial challenges faced by many Division II member institutions. However, this case illustrates the need for all Division II institutions to ensure that they devote the necessary funds and staffing to establish an effective and reliable compliance program that, at a minimum, can fulfill basic and fundamental responsibilities of membership, including eligibility certification, as exemplified in this case.



## V. PENALTIES

For the reasons set forth in Sections III and IV of this decision, the COI concludes this case involved major violations of NCAA legislation. As set forth in Bylaw 19.02.2.2, major violations are not inadvertent, provide or are intended to provide more than a minimal advantage and/or include significant impermissible benefits. SVSU gained more than a minimal advantage when it allowed 130 student-athletes to participate and receive participation-related expenses while ineligible.

Because SVSU agreed to the facts, violation and additional proposed penalties, it has no opportunity to appeal. In prescribing penalties, the COI considered SVSU's cooperation. Cooperation during the infractions process is addressed by Bylaws 19.01.3 and 32.1.3. The COI concludes that the cooperation exhibited by SVSU met its obligations under the Bylaws. The COI also considered SVSU's self-imposed penalties, which are specifically identified below, and its corrective actions, which are set forth in Appendix One. After considering all information relevant to the case, the COI prescribes the following penalties:

### **Penalties for Major Violations (Bylaw 19.5.2)**

1. Public reprimand and censure through the release of the public infractions decision.
2. Probation: Four years of probation from February 7, 2019, through February 6, 2023.<sup>5</sup>
3. Financial penalty: The institution shall pay a fine of \$5,000.
4. Vacation of records. SVSU acknowledged that ineligible participation occurred as a result of the violations in this case. Therefore, pursuant to Bylaws 19.5.2-(g), 31.2.2.4 and 31.2.2.5, SVSU shall vacate all regular season and conference tournament records and participation in which ineligible student-athletes detailed in this case competed from the time they became ineligible through the time they were reinstated as eligible for competition. This order of vacation includes all regular season competition and conference tournaments. Further, if the ineligible student-athletes participated in NCAA postseason competition at any time they were ineligible, the institution's participation in the postseason shall be vacated. The individual records of the ineligible student-athletes shall also be vacated.<sup>6</sup> However, the individual finishes and any awards for all eligible student-athletes shall be retained. Further, the institution's records regarding its athletics programs, as well as the records of the head

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<sup>5</sup> SVSU proposed a three-year probationary period. Institutions may propose probationary periods, but the authority to prescribe NCAA probation rests solely with the COI. Periods of probation always commence with the release of the infractions decision.

<sup>6</sup> Among other examples, the COI has indicated that a vacation of records is particularly appropriate when cases involve ineligible competition and either a failure to monitor or lack of institutional control violations. Further, the COI has consistently prescribed a vacation of records in cases that involved student-athletes competing when they failed to meet amateurism and eligibility requirements. See *Central State, Eastern New Mexico* and *Cheney University of Pennsylvania* (2014).

coaches, shall reflect the vacated records and shall be recorded in all publications in which such records are reported, including, but not limited to, institutional media guides, recruiting material, electronic and digital media plus institutional, conference and NCAA archives. Any institution that may subsequently hire the affected head coaches shall similarly reflect the vacated wins in their career records documented in media guides and other publications cited above. Head coaches with vacated wins on their records may not count the vacated wins toward specific honors or victory "milestones" such as 100th, 200th or 500th career victories. Any public reference to the vacated contests shall be removed from the athletics department stationary, banners displayed in public areas and any other forum in which they may appear. Any trophies awarded by the NCAA in these sports shall be returned to the Association.

Finally, to ensure that all institutional and student-athlete vacations, statistics and records are accurately reflected in official NCAA publications and archives, the sports information director (or other designee as assigned by the director of athletics) must contact the NCAA Media Coordination and Statistics office and appropriate conference officials to identify the specific student-athletes and contests impacted by the penalties. In addition, the institution must provide the NCAA Media Coordination and Statistics office with a written report detailing those discussions. This document will be maintained in the permanent files of the NCAA Media Coordination and Statistics office. This written report must be delivered to the office no later than 45 days following the release of this decision or, if the vacation penalty is appealed, at the conclusion of the appeals process. The sports information director (or designee) must also inform the Office of the Committees on Infractions (OCOI) of this submission to the NCAA Media Coordination and Statistics office.

5. SVSU is ineligible to host NCAA championship competition in any sport during the spring semester of the 2018-19 academic year.
6. SVSU shall undergo an independent audit of the compliance department operations during the 2018-19 academic year. (self-imposed.) In addition, SVSU shall have a similar audit during its final year of probation. SVSU shall implement and abide by all recommendations made by the reviewer(s). Results of the audits shall be included in the institution's first and final annual compliance reports.
7. During each year of the period of probation, all individuals involved in the eligibility certification process shall attend an NCAA Regional Rules Seminar. Further, at least once during the probationary period, the associate athletics director for compliance shall attend the National Association for Athletics Compliance (NAAC) annual convention. The institution shall provide in its annual compliance reports a list of the sessions each administrator attends at these seminars and similar information documenting attendance at the NAAC convention by the associate athletics director for compliance.

8. During this period of probation, SVSU shall:
  - a. Continue to develop and implement a comprehensive and educational program on NCAA legislation to instruct coaches, the faculty athletics representative, all athletics department personnel and all institutional staff members with responsibility for NCAA recruiting and certification legislation;
  - b. Submit a preliminary report to the OCOI by March 31, 2019, setting forth a schedule for establishing this compliance and educational program and compliance with prescribed penalties;
  - c. File with the OCOI annual compliance reports indicating the progress made with this program by January 15 during each year of probation. Particular emphasis shall be placed on Saginaw Valley's development and implementation of written policies and procedures for certifying student-athletes' eligibility, in addition to education and monitoring programs;
  - d. In writing, inform prospects in the 15 involved sport programs that Saginaw Valley is on probation for four years and detail the violations committed. If a prospect takes an official paid visit, the information regarding violations, penalties and terms of probation must be provided in advance of the visit. Otherwise, the information must be provided before a prospect signs an NLI; and
  - e. Publicize specific and understandable information concerning the nature of the violations by providing, at a minimum, a statement to include the types of violations and the affected sports programs and a direct, conspicuous link to the public infractions decision located on the athletic department's main webpage "landing page" and in the media guides for the affected sport programs. Saginaw Valley's statement must: (i) clearly describe the violations, (ii) include the length of the probationary period associated with the case; and (iii) give members of the general public a clear indication of what happened in the case to allow the public (particularly prospects and their families) to make informed, knowledgeable decisions. A statement that refers only to the probationary period with nothing more is not sufficient.
9. Following the receipt of the final compliance report and prior to the conclusion of probation, SVSU's president shall provide a letter to the COI affirming that the institution's current athletics policies and practices conform to all requirements of NCAA regulations.

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As required by NCAA legislation for any institution involved in a major infractions case, YHC shall be subject to the provisions of Bylaw 19.5.2.3 concerning repeat violators for a five-year period beginning on the effective date of the penalties in this case, February 7, 2019. The COI further advises SVSU that it should take every precaution to ensure that it observes the terms of the penalties. The COI will monitor the penalties during their effective periods. Any action by

SVSU contrary to the terms of any of the penalties or any additional violations shall be considered grounds for prescribing more severe penalties or may result in additional allegations and violations.

NCAA DIVISION II COMMITTEE ON INFRACTIONS

John David Lackey

Richard Loosbrock

Melissa Reilly

Jane Teixeira, Vice/Acting Chair

Christie Ward

**APPENDIX ONE**

**SAGINAW VALLEY STATE UNIVERSITY'S CORRECTIVE ACTIONS AS IDENTIFIED IN THE DECEMBER 3, 2018, SUMMARY DISPOSITION REPORT**

1. Current actions.

- (a) The incoming and returning student eligibility process for the 2018-19 academic year was supervised by the Associate Athletic Director of Compliance. The Associate AD compiled the eligibility information which was thoroughly reviewed and vetted by the head coach, the Registrar, and the Director of Athletics. The Registrar verified academic information and the head coach verified seasons of eligibility used and full-time semesters used. The final eligibility checklists were signed off on by the Associate Athletic Director, head coach, Registrar and Athletic Director prior to student-athletes competing, and the eligibility checklists were ultimately sent to the GLIAC Conference Office prior to outside competition occurring. Addendums that were made to the eligibility checklists followed the same process as above.
- (b) As a result of the NCAA investigation, we had numerous Student-Athlete Reinstatement (SAR) request cases that had to be processed. In conjunction with the SAR Team, the Associate Athletic Director processed the Student-Athlete Reinstatements.
- (c) Following the resignation of the previous compliance officer, who worked at the Institution from November 2016 to September 2017, the Institution hired a new Associate Athletic Director of Compliance, who had more than 7 years of past NCAA compliance experience.
- (d) The Athletic Director retired at the end of December 2017. Following the departure of the Athletic Director, the University's General Counsel was assigned as Interim Athletic Director to provide additional oversight for the Department. Several months later the Institution appointed the General Counsel as the full-time Athletic Director.
- (e) In January 2018, a part-time athletics academic advisor was added. Currently, this position is transitioning to a full-time position which will include some compliance responsibility.
- (f) The Academic Practice Coordinator does have some regular compliance office responsibilities.
- (g) The Coordinator of Compliance Programs, who has assisted with athletics department duties during the past two years has continued to provide assistance to the Athletics Compliance Office.

The rationale for the above current actions are to assure that all current student-athletes have been properly certified for amateurism, academic and transfer eligibility and to support the departments' overall compliance program. The above positions will assist in easing the burden of the day-to-day operations involving over 500 student-athletes.

2. Future actions.

- (a) The Compliance Advisory Committee is being reinstated and its charge is being redefined. The Institution departments that will be included on the Committee will be the Registrar's Office, Admissions Office, the Institutional Academic Advising Office, the Office of Financial Aid, Housing Operations and the Faculty Athletic Representative.
- (b) An independent audit will be conducted during the 2018-2019 academic year of the compliance department operations.
- (c) We are in the process of researching compliance software programs with the goal to implement by the start of the 2019-2020 academic year.
- (d) Attendance at NCAA Regional Rules Seminars by appropriate employees of the Institution.
- (e) The process of Implementing a comprehensive Compliance Manual will commence during the 2018-2019 which will include policies, procedures and compliance forms directly relating to each NCAA working Bylaw.
- (f) Revamping the compliance department processes, procedures and policies.
- (g) The Institution will apply for a Compliance Blueprint Review.

**APPENDIX TWO**  
**Bylaw Citations**

**2013-14 Division II Manual**

**2.1.1 Responsibility for Control.** It is the responsibility of each member institution to control its intercollegiate athletics program in compliance with the rules and regulations of the Association. The institution's president or chancellor is responsible for the administration of all aspects of the athletics program, including approval of the budget and audit of all expenditures.

**2.8.1 Responsibility of Institution.** Each institution shall comply with all applicable rules and regulations of the Association in the conduct of its intercollegiate athletics programs. It shall monitor its programs to assure compliance and to identify and report to the Association instances in which compliance has not been achieved. In any such instance, the institution shall cooperate fully with the Association and shall take appropriate corrective actions. Members of an institution's staff, student-athletes, and other individuals and groups representing the institution's athletics interests shall comply with the applicable Association rules, and the member institution shall be responsible for such compliance.

**6.01.1 Institutional Control.** The control and responsibility for the conduct of intercollegiate athletics shall be exercised by the institution itself and by the conference(s), if any, of which it is a member. Administrative control or faculty control, or a combination of the two, shall constitute institutional control.

**12.1.1.1 Amateurism Certification Process.** An institution shall use an eligibility center approved by the Board of Governors to determine the validity of the information on which the amateur status of a student-athlete is based.

**12.1.1.1.3 Eligibility for Practice and Competition.** Prior to engaging in practice or competition, a student-athlete shall receive a certification of amateur status for activities that occur prior to the certification.

**12.1.1.1.3.1 Participation Before Certification—Recruited and Nonrecruited Student-Athlete.** If a recruited or nonrecruited student-athlete reports for athletics participation before the student-athlete's amateur status has been certified, the student-athlete may practice, but not compete, for a maximum of 45 days, provided the student-athlete is enrolled full time or has been accepted for enrollment as a regular full-time student. After this 45-day period, the student shall have established minimum requirements as an amateur (as certified by the NCAA Eligibility Center) to continue practicing or to compete.

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

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

**14.3.1 Eligibility for Financial Aid, Practice and Competition.** A student-athlete who enrolls in a Division II institution as an entering freshman with no previous full-time college attendance shall meet the following academic requirements, as certified by the NCAA Eligibility Center, and approved by the Board of Governors, and any applicable institutional and conference regulations, to be considered a qualifier and thus be eligible for financial aid, practice and competition during the first academic year in residence.

**14.3.1.1 Qualifier.** A qualifier is defined as one who is a high school graduate and who presented the following minimum academic qualifications:

(a) A minimum cumulative grade-point average of 2.000 (based on a maximum 4.000) in a successfully completed core curriculum of at least 16 academic courses per Bylaw 14.3.1.2, including the following:

English 3 years

Mathematics 2 years

Natural or physical science (including at least one laboratory course if offered by the high school) 2 years

Additional courses in English, mathematics or natural or physical science 3 years

Social science 2 years

Additional academic courses [in any of the above areas or foreign language, philosophy or non-doctrinal religion (e.g., comparative religion) courses] 4 years

The record of the above courses and course grades must be certified by the NCAA Eligibility Center using an official high school transcript forwarded directly from the high school or on a high school transcript forwarded by an institution's admissions office; and

(b) A minimum combined score on the SAT verbal/critical reasoning and math sections of 820 or a minimum sum score of 68 on the ACT. The required SAT or ACT score must be achieved under national testing conditions on a national testing date [i.e., no residual (campus) testing or regional testing dates (see Bylaw 14.3.1.3)].

**14.3.5.1 Participation Before Certification—Recruited and Nonrecruited Student-Athlete.**

If a recruited or nonrecruited student-athlete reports for athletics participation before the high school core-curriculum grade-point average and test score have been certified, the student-athlete may practice, but not compete, for a maximum of 45 days, provided the student-athlete is enrolled full time or has been accepted for enrollment as a regular full-time student. After this 45-day period, the student shall have established minimum requirements as a qualifier (as certified by the NCAA Eligibility Center) to continue practicing or to compete, or the minimum requirements as a partial qualifier to continue practicing.



**14.5.4 Two-Year College Transfers.** A student who transfers to a member institution from a two-year college or from a branch school that conducts an intercollegiate athletics program must complete an academic year of residence (see Bylaw 14.02.11), unless the student meets the following eligibility requirements applicable to the division of which the certifying institution is a member. (See Bylaw 14.4 for progress-toward-degree requirements for transfer student-athletes.)

**14.5.4.1 Eligibility for Competition, Practice and Athletics Aid—Qualifier With No Previous Attendance at a Four-Year Collegiate Institution.** A transfer student from a two-year college who was a qualifier (per Bylaw 14.3.1.1) and who has not previously attended a four-year collegiate institution, is eligible for competition, practice and athletics aid during the first academic year in residence at the certifying institution, provided:

(a) The student-athlete has attended the two-year college as a full-time student for at least one full-time semester or one full-time quarter (excluding summer sessions);

(b) The student-athlete has satisfactorily completed an average of at least 12-semester or 12-quarter hours of transferable credit acceptable toward any baccalaureate degree program at the certifying institution for each full-time academic term of attendance at the two-year college; and

(c) The student-athlete has presented a cumulative minimum grade-point average of 2.000 (see Bylaw 14.5.4.4.3.2).

**14.5.5.1 General Rule.** A transfer student from a four-year institution shall not be eligible for intercollegiate competition at a member institution until the student has fulfilled a residence requirement of one full academic year (two full semesters or three full quarters) at the certifying institution (see Bylaw 14.02.11).

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

**16.8.1 Permissible (expenses).** An institution may provide actual and necessary expenses to a student-athlete to represent the institution in practice and competition (including expenses for activities/travel that are incidental to practice or competition). In order to receive competition-related expenses, the student-athlete must be eligible for competition.

### **2014-15 Division II Manual**

**2.1.1 Responsibility for Control.** It is the responsibility of each member institution to control its intercollegiate athletics program in compliance with the rules and regulations of the Association. The institution's president or chancellor is responsible for the administration of all aspects of the athletics program, including approval of the budget and audit of all expenditures.

**2.8.1 Responsibility of Institution.** Each institution shall comply with all applicable rules and regulations of the Association in the conduct of its intercollegiate athletics programs. It shall monitor its programs to assure compliance and to identify and report to the Association instances in which compliance has not been achieved. In any such instance, the institution shall cooperate fully with the Association and shall take appropriate corrective actions. Members of an institution's staff, student-athletes, and other individuals and groups representing the institution's athletics interests shall comply with the applicable Association rules, and the member institution shall be responsible for such compliance.

**6.01.1 Institutional Control.** The control and responsibility for the conduct of intercollegiate athletics shall be exercised by the institution itself and by the conference(s), if any, of which it is a member. Administrative control or faculty control, or a combination of the two, shall constitute institutional control.

**12.1.1.1 Amateurism Certification Process.** An institution shall use an eligibility center approved by the Board of Governors to determine the validity of the information on which the amateur status of a student-athlete is based.

**12.1.1.1.3 Eligibility for Practice and Competition.** Prior to engaging in practice or competition, a student-athlete shall receive a certification of amateur status for activities that occur prior to the certification

**12.1.1.1.3.1 Participation Before Certification—Recruited and Nonrecruited Student-Athlete.** If a recruited or nonrecruited student-athlete reports for athletics participation before the student-athlete's amateur status has been certified, the student-athlete may practice, but not compete, for a maximum of 45 days, provided the student-athlete is enrolled full time or has been accepted for enrollment as a regular full-time student. After this 45-day period, the student shall have established minimum requirements as an amateur (as certified by the NCAA Eligibility Center) to continue practicing or to compete.

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

athlete's eligibility was available to the institution and the student-athlete otherwise would have been eligible for competition.

**14.3.1 Eligibility for Financial Aid, Practice and Competition.** A student-athlete who enrolls in a Division II institution as an entering freshman with no previous full-time college attendance shall meet the following academic requirements, as certified by the NCAA Eligibility Center, and approved by the Board of Governors, and any applicable institutional and conference regulations, to be considered a qualifier and thus be eligible for financial aid, practice and competition during the first academic year in residence.

**14.3.1.1 Qualifier.** A qualifier is defined as one who is a high school graduate and who presented the following minimum academic qualifications:

(a) A minimum cumulative grade-point average of 2.000 (based on a maximum 4.000) in a successfully completed core curriculum of at least 16 academic courses per Bylaw 14.3.1.2, including the following:

English 3 years

Mathematics 2 years

Natural or physical science (including at least one laboratory course if offered by the high school) 2 years

Additional courses in English, mathematics or natural or physical science 3 years

Social science 2 years

Additional academic courses [in any of the above areas or foreign language, philosophy or non-doctrinal religion (e.g., comparative religion) courses] 4 years

The record of the above courses and course grades must be certified by the NCAA Eligibility Center using an official high school transcript forwarded directly from the high school or on a high school transcript forwarded by an institution's admissions office; and

(b) A minimum combined score on the SAT verbal/critical reasoning and math sections of 820 or a minimum sum score of 68 on the ACT. The required SAT or ACT score must be achieved under national testing conditions on a national testing date [i.e., no residual (campus) testing or regional testing dates (see Bylaw 14.3.1.3)].

**14.3.1.1.2.1 Submission of Final Transcript(s).** An institution must submit a final high school transcript(s) (official or unofficial) to the NCAA Eligibility Center by November 15 following a student-athlete's initial full-time enrollment for any student-athlete who is certified as a qualifier pursuant to the early academic certification exception.

**14.3.5.1 Participation Before Certification—Recruited and Nonrecruited Student-Athlete.** If a recruited or nonrecruited student-athlete reports for athletics participation before the high school core-curriculum grade-point average and test score have been certified, the student-athlete may practice, but not compete, for a maximum of 45 days, provided the student-athlete is enrolled full time or has been accepted for enrollment as a regular full-time student. After this 45-day period, the student shall have established minimum requirements as a qualifier (as

certified by the NCAA Eligibility Center) to continue practicing or to compete, or the minimum requirements as a partial qualifier to continue practicing.

**14.5.4 Two-Year College Transfers.** A student who transfers to a member institution from a two-year college or from a branch school that conducts an intercollegiate athletics program must complete an academic year of residence (see Bylaw 14.02.11), unless the student meets the following eligibility requirements applicable to the division of which the certifying institution is a member.

**14.5.4.1 Eligibility for Competition, Practice and Athletics Aid—Qualifier With No Previous Attendance at a Four-Year Collegiate Institution.** A transfer student from a two-year college who was a qualifier (per Bylaw 14.3.1.1) and who has not previously attended a four-year collegiate institution, is eligible for competition, practice and athletics aid during the first academic year in residence at the certifying institution, provided:

- (a) The student-athlete has attended the two-year college as a full-time student for at least one full-time semester or one full-time quarter (excluding summer sessions);
- (b) The student-athlete has satisfactorily completed an average of at least 12-semester or 12-quarter hours of transferable credit acceptable toward any baccalaureate degree program at the certifying institution for each full-time academic term of attendance at the two-year college; and
- (c) The student-athlete has presented a cumulative minimum grade-point average of 2.000 (see Bylaw 14.5.4.4.3.2).

**14.5.4.2 Eligibility for Competition, Practice and Athletics Aid—All Other Qualifiers, Partial Qualifiers and Nonqualifiers.** A transfer student from a two-year college is eligible for competition, practice and athletics aid during the first academic year in residence at the certifying institution, provided:

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

**14.5.5.1 General Rule.** A transfer student from a four-year institution shall not be eligible for intercollegiate competition at a member institution until the student has fulfilled a residence requirement of one full academic year (two full semesters or three full quarters) at the certifying institution (see Bylaw 14.02.11).

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

**16.8.1 Permissible (expenses).** An institution may provide actual and necessary expenses to a student-athlete to represent the institution in practice and competition (including expenses for activities/travel that are incidental to practice or competition). In order to receive competition-related expenses, the student-athlete must be eligible for competition.

## **2015-16 Division II Manual**

**2.1.1 Responsibility for Control.** It is the responsibility of each member institution to control its intercollegiate athletics program in compliance with the rules and regulations of the Association. The institution's president or chancellor is responsible for the administration of all aspects of the athletics program, including approval of the budget and audit of all expenditures.

**2.8.1 Responsibility of Institution.** Each institution shall comply with all applicable rules and regulations of the Association in the conduct of its intercollegiate athletics programs. It shall monitor its programs to assure compliance and to identify and report to the Association instances in which compliance has not been achieved. In any such instance, the institution shall cooperate fully with the Association and shall take appropriate corrective actions. Members of an institution's staff, student-athletes, and other individuals and groups representing the institution's athletics interests shall comply with the applicable Association rules, and the member institution shall be responsible for such compliance.

**6.01.1 Institutional Control.** The control and responsibility for the conduct of intercollegiate athletics shall be exercised by the institution itself and by the conference(s), if any, of which it is a member. Administrative control or faculty control, or a combination of the two, shall constitute institutional control.

**12.1.1.1 Amateurism Certification Process.** An institution shall use an eligibility center approved by the Board of Governors to determine the validity of the information on which the amateur status of a student-athlete is based.

**12.1.1.1.3 Eligibility for Practice and Competition.** Prior to engaging in practice or competition, a student-athlete shall receive a certification of amateur status for activities that occur prior to the certification

**12.1.1.1.3.1 Participation Before Certification—Recruited and Nonrecruited Student-Athlete.** If a recruited or nonrecruited student-athlete reports for athletics participation before the student-athlete's amateur status has been certified, the student-athlete may practice, but not compete, for a maximum of 45 days, provided the student-athlete is enrolled full time or has been accepted for enrollment as a regular full-time student. After this 45-day period, the student shall have established minimum requirements as an amateur (as certified by the NCAA Eligibility Center) to continue practicing or to compete.

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

**14.3.1 Eligibility for Financial Aid, Practice and Competition.** A student-athlete who enrolls in a Division II institution as an entering freshman with no previous full-time college attendance shall meet the following academic requirements, as certified by the NCAA Eligibility Center, and approved by the Board of Governors, and any applicable institutional and conference regulations, to be considered a qualifier and thus be eligible for financial aid, practice and competition during the first academic year in residence.

**14.3.1.1 Qualifier.** A qualifier is defined as one who is a high school graduate and who presented the following minimum academic qualifications:

(a) A minimum cumulative grade-point average of 2.000 (based on a maximum 4.000) in a successfully completed core curriculum of at least 16 academic courses per Bylaw 14.3.1.2, including the following:

English 3 years

Mathematics 2 years

Natural or physical science (including at least one laboratory course if offered by the high school) 2 years

Additional courses in English, mathematics or natural or physical science 3 years

Social science 2 years

Additional academic courses [in any of the above areas or foreign language, philosophy or non-doctrinal religion (e.g., comparative religion) courses] 4 years

The record of the above courses and course grades must be certified by the NCAA Eligibility Center using an official high school transcript forwarded directly from the high school or on a high school transcript forwarded by an institution's admissions office; and

- (b) A minimum combined score on the SAT verbal/critical reasoning and math sections of 820 or a minimum sum score of 68 on the ACT. The required SAT or ACT score must be achieved under national testing conditions on a national testing date [i.e., no residual (campus) testing or regional testing dates (see Bylaw 14.3.1.3)].

**14.3.1.1.2.1 Submission of Final Transcript(s).** An institution must submit a final high school transcript(s) (official or unofficial) to the NCAA Eligibility Center by November 15 following a student-athlete's initial full-time enrollment for any student-athlete who is certified as a qualifier pursuant to the early academic certification exception.

**14.3.5.1 Participation Before Certification—Recruited and Nonrecruited Student-Athlete.** If a recruited or nonrecruited student-athlete reports for athletics participation before the high school core-curriculum grade-point average and test score have been certified, the student-athlete may practice, but not compete, for a maximum of 45 days, provided the student-athlete is enrolled full time or has been accepted for enrollment as a regular full-time student. After this 45-day period, the student shall have established minimum requirements as a qualifier (as certified by the NCAA Eligibility Center) to continue practicing or to compete, or the minimum requirements as a partial qualifier to continue practicing.

**14.5.4 Two-Year College Transfers.** A student who transfers to a member institution from a two-year college or from a branch school that conducts an intercollegiate athletics program must complete an academic year of residence (see Bylaw 14.02.11), unless the student meets the following eligibility requirements applicable to the division of which the certifying institution is a member. (See Bylaw 14.4 for progress-toward-degree requirements for transfer student-athletes.)

**14.5.4.1 Eligibility for Competition, Practice and Athletics Aid—Qualifier With No Previous Attendance at a Four-Year Collegiate Institution.** A transfer student from a two-year college who was a qualifier (per Bylaw 14.3.1.1) and who has not previously attended a four-year collegiate institution, is eligible for competition, practice and athletics aid during the first academic year in residence at the certifying institution, provided:

- (a) The student-athlete has attended the two-year college as a full-time student for at least one full-time semester or one full-time quarter (excluding summer sessions);
- (b) The student-athlete has satisfactorily completed an average of at least 12-semester or 12-quarter hours of transferable credit acceptable toward any baccalaureate degree program at the certifying institution for each full-time academic term of attendance at the two-year college; and
- (c) The student-athlete has presented a cumulative minimum grade-point average of 2.000 (see Bylaw 14.5.4.4.3.2).

**14.5.5.1 General Rule.** A transfer student from a four-year institution shall not be eligible for intercollegiate competition at a member institution until the student has fulfilled a residence requirement of one full academic year (two full semesters or three full quarters) at the certifying institution (see Bylaw 14.02.11).

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

**16.8.1 Permissible** (expenses). An institution may provide actual and necessary expenses to a student-athlete to represent the institution in practice and competition (including expenses for activities/travel that are incidental to practice or competition). In order to receive competition-related expenses, the student-athlete must be eligible for competition.

## **2016-17 Division II Manual**

**2.1.1 Responsibility for Control.** It is the responsibility of each member institution to control its intercollegiate athletics program in compliance with the rules and regulations of the Association. The institution's president or chancellor is responsible for the administration of all aspects of the athletics program, including approval of the budget and audit of all expenditures.

**2.8.1 Responsibility of Institution.** Each institution shall comply with all applicable rules and regulations of the Association in the conduct of its intercollegiate athletics programs. It shall monitor its programs to assure compliance and to identify and report to the Association instances in which compliance has not been achieved. In any such instance, the institution shall cooperate fully with the Association and shall take appropriate corrective actions. Members of an institution's staff, student-athletes, and other individuals and groups representing the institution's athletics interests shall comply with the applicable Association rules, and the member institution shall be responsible for such compliance.

**6.01.1 Institutional Control.** The control and responsibility for the conduct of intercollegiate athletics shall be exercised by the institution itself and by the conference(s), if any, of which it is a member. Administrative control or faculty control, or a combination of the two, shall constitute institutional control.



**12.1.1.1 Amateurism Certification Process.** An institution shall use an eligibility center approved by the Board of Governors to determine the validity of the information on which the amateur status of a student-athlete is based.

**12.1.1.1.3 Eligibility for Practice and Competition.** Prior to engaging in practice or competition, a student-athlete shall receive a certification of amateur status for activities that occur prior to the certification

**12.1.1.1.3.1 Participation Before Certification—Recruited and Nonrecruited Student-Athlete.** If a recruited or nonrecruited student-athlete reports for athletics participation before the student-athlete's amateur status has been certified, the student-athlete may practice, but not compete, for a maximum of 45 days, provided the student-athlete is enrolled full time or has been accepted for enrollment as a regular full-time student. After this 45-day period, the student shall have established minimum requirements as an amateur (as certified by the NCAA Eligibility Center) to continue practicing or to compete.

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

**14.3.1 Eligibility for Financial Aid, Practice and Competition.** A student-athlete who enrolls in a Division II institution as an entering freshman with no previous full-time college attendance shall meet the following academic requirements, as certified by the NCAA Eligibility Center, and approved by the Board of Governors, and any applicable institutional and conference regulations, to be considered a qualifier and thus be eligible for financial aid, practice and competition during the first academic year in residence.

**14.3.1.1 Qualifier.** A qualifier is defined as one who is a high school graduate and who presented the following minimum academic qualifications:

(a) A minimum cumulative grade-point average of 2.000 (based on a maximum 4.000) in a successfully completed core curriculum of at least 16 academic courses per Bylaw 14.3.1.2, including the following:

English 3 years

Mathematics 2 years

Natural or physical science (including at least one laboratory course if offered by the high

school) 2 years

Additional courses in English, mathematics or natural or physical science 3 years

Social science 2 years

Additional academic courses [in any of the above areas or foreign language, philosophy or nondoctrinal religion (e.g., comparative religion) courses] 4 years

The record of the above courses and course grades must be certified by the NCAA Eligibility Center using an official high school transcript forwarded directly from the high school or on a high school transcript forwarded by an institution's admissions office; and

(b) A minimum combined score on the SAT verbal/critical reasoning and math sections of 820 or a minimum sum score of 68 on the ACT. The required SAT or ACT score must be achieved under national testing conditions on a national testing date [i.e., no residual (campus) testing or regional testing dates (see Bylaw 14.3.1.3)]. The minimum combined SAT score of 820 applies to tests taken prior to March 1, 2016. The minimum combined SAT score required for tests taken on or after March 1, 2016, will be evaluated based on the concordance established by the College Board.

**14.3.1.1.2.1 Submission of Final Transcript(s).** An institution must submit a final high school transcript(s) (official or unofficial) to the NCAA Eligibility Center by November 15 following a student-athlete's initial full-time enrollment for any student-athlete who is certified as a qualifier pursuant to the early academic certification exception.

**14.3.5.1 Participation Before Certification—Recruited and Nonrecruited Student-Athlete.** If a recruited or nonrecruited student-athlete reports for athletics participation before the high school core-curriculum grade-point average and test score have been certified, the student-athlete may practice, but not compete, for a maximum of 45 days, provided the student-athlete is enrolled full time or has been accepted for enrollment as a regular full-time student. After this 45-day period, the student shall have established minimum requirements as a qualifier (as certified by the NCAA Eligibility Center) to continue practicing or to compete, or the minimum requirements as a partial qualifier to continue practicing.

**14.4.3.2.1 Application of Rule to Transfer Student.** For purposes of certifying eligibility for a transfer student from a two-year or four-year collegiate institution per Bylaw 14.4.3.2, the nine-semester or eight-quarter hours must be transferable degree credit.

**14.5.4 Two-Year College Transfers.** A student who transfers to a member institution from a two-year college or from a branch school that conducts an intercollegiate athletics program must complete an academic year of residence (see Bylaw 14.02.11), unless the student meets the following eligibility requirements applicable to the division of which the certifying institution is a member.

**14.5.4.1 Eligibility for Competition, Practice and Athletics Aid—Graduation from Two-Year College.** A transfer student from a two-year college who has graduated from the two-year college is eligible for competition, practice and athletics aid during the first academic year in residence, provided:

- (a) The student-athlete has completed at least two semesters or three quarters (excluding summer sessions) of enrollment as a full-time student at the two-year college; and
- (b) At least 25 percent of the credit hours used to fulfill the student's academic degree requirements are earned at the two-year college that awards the degree per Bylaw 14.5.4.5.4 (see Bylaw 14.4 for progress-toward-degree requirements for transfer student-athletes).

**14.5.4.3 Eligibility for Competition, Practice and Athletics Aid—All Other Qualifiers, Partial Qualifiers and Nonqualifiers.** A transfer student from a two-year college is eligible for competition, practice and athletics aid during the first academic year in residence at the certifying institution, provided:

- (a) The student-athlete has completed at least two semesters or three quarters (excluding summer sessions) of enrollment as a full-time student at the two-year college;
- (b) The student-athlete has satisfactorily completed an average of at least 12-semester or 12-quarter hours of transferable credit acceptable toward any baccalaureate degree program at the certifying institution for each full-time academic term of attendance at the two-year college;
- (c) The student-athlete has satisfactorily completed the following transferable credit-hour requirements:
  - (1) Six semester or eight quarter hours of English;
  - (2) Three semester or four quarter hours of math; and
  - (3) Three semester or four quarter hours of natural or physical science;Remedial credit hours may not be used to satisfy these requirements. A transfer student may use transferable English, math and science credits earned while enrolled full time at a previous two-year or four-year institution to satisfy these requirements.
- (d) The student-athlete has presented a cumulative minimum grade-point average of 2.200 (see Bylaw 14.5.4.3.2).

**14.5.5.1 General Rule.** A transfer student from a four-year institution shall not be eligible for intercollegiate competition at a member institution until the student has fulfilled a residence requirement of one full academic year (two full semesters or three full quarters) at the certifying institution (see Bylaw 14.02.11).

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

necessary information to certify the student-athlete's eligibility was available to the institution and the student-athlete otherwise would have been eligible for competition.

**16.8.1 Permissible** (expenses). An institution may provide actual and necessary expenses to a student-athlete to represent the institution in practice and competition (including expenses for activities/travel that are incidental to practice or competition). In order to receive competition-related expenses, the student-athlete must be eligible for competition.

### **2017-18 Division II Manual**

**2.1.1 Responsibility for Control.** It is the responsibility of each member institution to control its intercollegiate athletics program in compliance with the rules and regulations of the Association. The institution's president or chancellor is responsible for the administration of all aspects of the athletics program, including approval of the budget and audit of all expenditures.

**2.8.1 Responsibility of Institution.** Each institution shall comply with all applicable rules and regulations of the Association in the conduct of its intercollegiate athletics programs. It shall monitor its programs to assure compliance and to identify and report to the Association instances in which compliance has not been achieved. In any such instance, the institution shall cooperate fully with the Association and shall take appropriate corrective actions. Members of an institution's staff, student-athletes, and other individuals and groups representing the institution's athletics interests shall comply with the applicable Association rules, and the member institution shall be responsible for such compliance.

**6.01.1 Institutional Control.** The control and responsibility for the conduct of intercollegiate athletics shall be exercised by the institution itself and by the conference(s), if any, of which it is a member. Administrative control or faculty control, or a combination of the two, shall constitute institutional control.

**14.2 Seasons of Competition: 10-Semester/15-Quarter Rule.** A student-athlete shall not engage in more than four seasons of intercollegiate competition in any one sport

**14.2.2 Ten-Semester/15-Quarter Rule.** A student-athlete shall complete his or her seasons of participation during the first 10 semesters or 15 quarters in which the student is enrolled in a collegiate institution in at least a minimum full-time program of studies, as determined by the regulations of that institution. For an institution that conducts registration other than on a traditional semester or quarter basis, the Academic Requirements Committee shall determine an equivalent enrollment period.

**14.11.1 Institutional Responsibility for Eligibility Certification.** The president or chancellor is responsible for approving the procedures for certifying the eligibility of an institution's student athletes under NCAA legislation. The president or chancellor may designate an individual on the institution's staff to administer proper certification of eligibility. Certification of eligibility must occur prior to allowing a student-athlete to represent the institution in intercollegiate

competition (see Bylaw 14.01.1). A violation of this bylaw in which the institution fails to certify a student-athlete's eligibility prior to allowing him or her to represent the institution in intercollegiate competition shall be considered an institutional violation per Constitution 2.8.1; however, such a violation shall not affect the student-athlete's eligibility, provided all the necessary information to certify the student-athlete's eligibility was available to the institution and the student-athlete otherwise would have been eligible for competition.

**16.8.1 Permissible** (expenses). An institution may provide actual and necessary expenses to a student-athlete to represent the institution in practice and competition (including expenses for activities/travel that are incidental to practice or competition). In order to receive competition-related expenses, the student-athlete must be eligible for competition.