



LYNN UNIVERSITY
PUBLIC INFRACTIONS DECISION
February 1, 2019

I. INTRODUCTION

The NCAA Division II Committee on Infractions (COI) is an independent administrative body of the NCAA comprised of individuals from the Division II membership and public. The COI is charged with deciding infractions cases involving member institutions and their staffs. This case involved Lynn University (Lynn) certifying ineligible student-athletes as eligible and allowing them to participate in practice and/or competition and receive related expenses.¹ The case also involved unethical conduct by the institution's compliance officer and an institutional failure to monitor. 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). The COI proposed further penalties to the institution and to the compliance officer. Lynn agreed to the additional penalties and the compliance officer did not participate. Neither party has an opportunity to appeal.

The violations in this case occurred over two academic years when Lynn allowed 51 student-athletes in 14 sports to participate prior to meeting all eligibility requirements. It is a fundamental tenet of membership that institutions only allow eligible student-athletes to practice, compete and receive related expenses. Lynn allowed the student-athletes to participate without obtaining, completing or retaining required documents and without confirming that student-athletes met academic and/or transfer requirements. The violations were caused in part by the compliance officer's lack of experience and resources.

In four instances, ineligible student-athletes competed because the compliance officer intentionally reported to coaches and/or the certification officer that they were eligible. Her actions constituted unethical conduct. Later, during the investigation, she engaged in further unethical conduct when she did not cooperate in the investigation. Finally, the certification errors demonstrated that Lynn failed to monitor the effectiveness of its compliance methods and certification process.

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

¹ A member of the Sunshine State Conference, Lynn has an enrollment of approximately 3,000 and sponsors nine men's sports and 10 women's sports. This is Lynn's second major infractions case. It had a previous case in 2007 involving softball.

penalties: two years of probation with reporting requirements, a \$5,000 fine, vacation of records and a show-cause order for the compliance officer.

II. CASE HISTORY

In early February 2018, Lynn's athletics certification coordinator met with the director of athletics, senior woman administrator and registrar because she was concerned that the institution's then-director of compliance (compliance officer) had permitted student-athletes to compete without being properly certified. Shortly thereafter, Lynn placed the compliance officer on administrative leave and initiated an investigation. Lynn retained an outside auditor, conducted interviews and contacted the NCAA enforcement staff.

After reviewing the certification of student-athletes from the 2016-17 and 2017-18 academic years, Lynn submitted a self-report of violations to the enforcement staff on May 17, 2018. On June 19, 2018, the enforcement staff issued a verbal notice of inquiry to the institution. The institution and enforcement staff agreed to process the case through summary disposition and submitted the SDR to the COI on December 7, 2018.² The compliance officer chose not to participate in interviews, otherwise provide information regarding the violations or be involved in the SDR process. The COI reviewed the SDR on December 19, 2018, and proposed penalties to the institution additional to those self-imposed. The COI also proposed a show-cause penalty to the compliance officer. On January 10, 2019, Lynn informed the COI that it accepted the proposed additional penalties.

III. PARTIES' AGREEMENTS

A. PARTIES' AGREED-UPON FACTUAL BASIS, VIOLATIONS OF NCAA LEGISLATION AND TYPE OF VIOLATIONS

The participating parties jointly submitted an SDR that identifies an agreed-upon factual basis, violations of NCAA legislation and type of violations.³ The SDR identified:

- 1. [NCAA Division II Manual Bylaws 12.1.1.1.3, 12.1.1.1.3.1, 14.01.1, 14.1.3.1, 14.1.4.1, 14.2.2, 14.3.2.1, 14.3.2.1.1, 14.3.5.1, 14.4.3.2.1, 14.4.3.4, 14.5.4.3-(b), 14.5.5.1 and 16.8.1 (2016-17 and 2017-18); 14.10.1, 14.10.2.1-(b) and 14.11.1 (2016-17); 14.11.1, 14.11.2, 14.11.2.1-(b), 14.11.2.1-(d), 14.11.2.1-(e) and 14.12.1 (2017-18)]**

² 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.

³ This decision provides the agreed-upon factual basis, violations and type of violations as exactly stated in the SDR, except for shortening references to the parties and student-athletes.

For the 2016-17 and 2017-18 academic years, the institution improperly certified or did not certify 51 student-athletes in 14 sports, which resulted in the student-athletes competing and receiving actual and necessary expenses and/or practicing while ineligible. Specifically:

- a. During the 2016-17 and 2017-18 academic years, 19 student-athletes in 10 sports competed and/or practiced prior to completing the NCAA Student-Athlete Statement and/or the NCAA Drug-Testing Consent form. [NCAA Bylaws 14.10.2 and 14.10.2.1-(b) (2016-17); 14.1.3.1 and 14.1.4.1 (2016-17 and 2017-18); and 14.11.2 and 14.11.2.1-(b) (2017-18)]
- b. During the 2016 fall semester and 2017-18 academic year, six student-athletes in five sports competed and/or practiced prior to having their amateurism certified. Additionally, Lynn failed to withhold two of the six student-athletes from competition during the 2018 spring semester before their eligibility was reinstated. [NCAA Bylaws 14.11.1 (2016-17); 12.1.1.1.3, 12.1.1.1.3.1 and 16.8.1 (2016-17 and 2017-18); and 14.12.1 (2017-18)]
- c. During the 2017 spring semester and 2017-18 academic year, 15 student-athletes in 11 sports competed and/or practiced prior to having their initial academic status certified. [NCAA Bylaws 14.3.1, 14.3.2.1.1, 14.3.5.1 and 16.8.1 (2016-17 and 2017-18)]
- d. During the 2017 fall semester, a women's volleyball student-athlete competed prior to fulfilling a reinstatement condition of repayment as a result of an amateurism violation. [NCAA Bylaw 14.12.1 (2017-18)]
- e. During the 2017-18 academic year, five student-athletes in three sports competed prior to the institution's athletics certification coordinator having the appropriate documentation to certify the student-athletes. [NCAA Bylaws 14.01.1 and 14.11.1 (2017-18)]
- f. During the 2017-18 academic year, a men's golf student-athlete competed without completing 24-semester hours of academic credit prior to the 2017 fall semester. [NCAA Bylaws 14.4.3.4 and 16.8.1 (2017-18)]
- g. During the 2017-18 academic year, a women's basketball student-athlete competed without satisfying the applicable 4-4 transfer requirements.⁴ [NCAA Bylaws 14.5.5.1 and 16.8.1 (2017-18)]

⁴ On February 19, 2018, the institution submitted a secondary case report that detailed the women's basketball student-athlete competing while ineligible in 15 contests. On February 21, 2018, the secondary enforcement staff initially processed this case as a secondary violation as it was unaware the institution was conducting further review of other potential certification violations. On February 22, 2018, the institution retained an outside consultant to investigate the scope of the certification violations and,

- h. During the 2017-18 academic year, a women's cross-country student-athlete, a men's baseball student-athlete and a men's soccer student-athlete competed prior to the institution including the student-athletes' names on eligibility lists. Additionally, Lynn failed to have the director of athletics and/or head coach sign the eligibility list for seven sports programs prior to the first date of competition. [NCAA Bylaws 14.11.2, 14.11.2.1-(d) and 14.11.2.1-(e) (2017-18)]
- i. During the 2018 spring semester, a men's baseball student-athlete competed without satisfying the applicable 2-4 transfer and progress-toward-degree requirements. [NCAA Bylaws 14.01.1, 14.4.3.2.1 and 14.5.4.3-(b) (2017-18)]
- j. During the 2018 spring semester, a men's baseball student-athlete competed during his 11th semester of full-time enrollment. [NCAA Bylaws 14.01.1, 14.2.2 and 16.8.1 (2017-18)]

2. [NCAA Division II Manual Bylaws 10.01.1, 10.1, 10.1-(a) and 19.01.3 (2017-18 and 2018-19)]

From September 22, 2017, and continuing to the present, the compliance officer violated the NCAA principles of ethical conduct when she furnished the institution with false information and failed to cooperate with the institution and enforcement staff when she refused to participate in an interview regarding her knowledge of or involvement in violations of NCAA legislation despite being requested to do so on multiple occasions. Specifically:

- a. Between September 2017 and February 2018, the compliance officer violated the principles of ethical conduct when she furnished Lynn with false information regarding four student-athletes' eligibility. Specifically:
 - (1) On September 22, 2017, and on or around October 18, 2017, the compliance officer falsely instructed the head women's volleyball coach that a women's volleyball student-athlete had been reinstated by the SAR staff without any conditions and was therefore eligible to participate. Instead, the SAR staff had informed the compliance officer that the student-athlete's reinstatement conditions included a repayment plan of \$1000 to a charity, which she had not completed.⁵ As a result, the student-athlete participated while

on February 28, 2018, the institution notified the managing director of enforcement for investigations and processing that the institution would be submitting a self-report regarding multiple certification violations. Additionally, on February 28, 2018, the institution submitted its online credit card payment for the \$2,500 fine for the previous secondary case report.

⁵ On September 22, 2017, the SAR staff reinstated the women's volleyball student-athlete with the conditions that the institution withhold her from the "next 10 percent of regularly scheduled contests" and have her repay \$1000 to a charity. Because the institution withheld her from competition prior to September 22, 2017, the SAR staff verbally informed the institution that she fulfilled the withholding condition as of September 22, 2017. The compliance officer informed that SAR staff that the student-

ineligible, as outlined in Violation No. 1-d. [NCAA Bylaws 10.01.1 and 10.1 (2017-18)]

- (2) On or around December 17, 2017, the compliance officer falsely instructed the head women's basketball coach that a student-athlete was eligible to compete even though she was ineligible due to not meeting applicable 4-4 transfer requirements. Additionally, on January 3, 2018, the compliance officer falsely instructed the institution's athletics certification coordinator that the student-athlete had received an NCAA waiver of applicable 4-4 transfer requirements and the institution subsequently certified her as eligible to compete for the 2018 spring semester. As a result, the student-athlete participated while ineligible, as outlined in Violation No. 1-g. [NCAA Bylaws 10.01.1 and 10.1 (2017-18)]
 - (3) On February 2, 2018, the compliance officer provided the institution's athletics certification coordinator with a falsified NCAA Division II two-year college transfer waiver for a baseball student-athlete. As a result, the institution certified the student-athlete and he competed while ineligible, as detailed in Violation No. 1-i. [NCAA Bylaws 10.01.1 and 10.1 (2017-18)]
 - (4) On February 2, 2018, the compliance officer provided the institution's athletics certification coordinator with a falsified NCAA extension of eligibility waiver for a baseball student-athlete. As a result, the institution certified the student-athlete and he competed while ineligible, as detailed in Violation No. 1-j. [NCAA Bylaws 10.01.1 and 10.1 (2017-18)]
- b. Beginning June 18, 2018, which was after her employment at the institution ended, and continuing to the present, the compliance officer violated the principles of ethical conduct and failed to cooperate with the institution and enforcement staff when she refused to participate in an interview regarding her knowledge of or involvement in violations of NCAA legislation, despite being requested to do so on multiple occasions. [NCAA Bylaws 10.01.1, 10.1, 10.1-(a) and 19.01.3 (2017-18 and 2018-19)]

3. [NCAA Division II Manual Constitution 2.8.1 (2017-18)]

The institution and enforcement staff agree that during the 2017 spring semester through February 2018, the scope and nature of the violations detailed in Violation No. 1 demonstrate that the institution violated the NCAA principle of rules compliance when it failed to exercise adequate monitoring of the effectiveness of the compliance methods and processes used for the certification of its student-

athletes. Specifically, the institution failed to establish a certification process with meaningful oversight, including a system of checks and balances.

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 two academic years, Lynn committed violations of Bylaws 12, 14 and 16 when it allowed 51 student-athletes in 14 sports to practice, compete and/or receive expenses while ineligible to do so.⁶ The violations occurred in part because the compliance officer could not or would not keep up with the workload. In four other instances, she was derelict in her duties when she knowingly provided false information to coaches and/or the athletics certification coordinator. The compliance officer violated Bylaw 10 ethical conduct legislation when she provided false information to institutional personnel, and her later refusal to cooperate violated both Bylaws 10 and 19. Lynn violated Constitution 2.8.1 when it did not adequately monitor the effectiveness of the compliance methods and certification processes.⁷

Improper Certification

This case centers on Lynn improperly certifying, or failing to certify, 51 student-athletes in 14 sports as eligible and subsequently allowing them to practice, compete and/or receive expenses related to participation. In doing so, Lynn violated numerous provisions of Bylaws 12, 14 and 16. Lynn allowed the student-athletes to participate without completing NCAA-mandated forms, having their amateurism status and/or initial eligibility status certified, meeting certification requirements and failing to satisfy various transfer and satisfactory progress bylaws. One student-athlete competed during his 11th semester of full-time enrollment, and three competed before their names were placed on eligibility lists. As will be detailed below, four of the ineligible student-athletes participated while ineligible after the compliance officer falsely informed other institutional staff that they were eligible. Finally, Lynn provided participation-related expenses to student-athletes who were ineligible to receive them.

Bylaw 12 governs amateurism. It requires student-athletes to obtain certification of their amateur status from the NCAA Eligibility Center prior to an institution certifying them as eligible for athletics participation. The bylaw allows a grace period of up to 45 days of practice (but not

⁶ Two of the 51 student-athletes were involved in two violations each, resulting in a total of 53 violations. All but four of the 53 violations occurred during the 2017-18 academic year.

⁷ The full text of specific bylaws violated is set forth in Appendix Two.

competition) for a student-athlete awaiting final certification. It is the responsibility of the institution to certify the amateurism status of all its student-athletes.

Bylaw 14 addresses academic and other eligibility requirements. It prohibits member institutions from allowing student-athletes to participate unless the student-athletes meet all applicable eligibility requirements and are certified by the institution according to institutional procedures. If a student-athlete is ineligible under any provision of this or any other bylaw, the institution must withhold him or her from all intercollegiate competition. In such circumstances, student-athletes may only practice, and then only within certain limits. Various provisions of the bylaw require all participating student-athletes to sign drug-testing consent forms and documents known as Student-Athlete Statements, which detail their recruitment, previous drug tests, amateurism and gambling activities. Institutions must include all student-athletes who sign drug-testing consent forms on institutional eligibility lists and, conversely, all student-athletes listed on eligibility forms must sign drug-testing consent forms. Eligibility forms are to be retained in the office of the institutional director of athletics, subject to review by NCAA representatives. The forms must be signed by the director of athletics and head coach of each sport.

Bylaw 14 also limits entering freshmen who are certified as partial qualifiers to practicing only during their first year of enrollment. They may not compete or receive competition-related expenses. Similar to Bylaw 12, this bylaw also contains a grace period of 45 days in which an incoming freshman student-athlete may practice, but not compete, while awaiting the necessary documents to complete the eligibility certification process.

Bylaw 14 further limits student-athletes to completing their four seasons of athletics participation during their first 10 semesters of full-time collegiate enrollment. It requires each continuing student-athlete to complete 24 hours of academic credit each year to retain eligibility and requires them to complete no fewer than nine academic credit hours in each academic term of enrollment. The bylaw also sets forth the academic requirements that transfer student-athletes must meet for eligibility purposes. Transfer student-athletes from four-year institutions who have not attained a minimum grade point average must spend a full academic year in residence before competing unless the NCAA grants them a progress-toward-degree waiver. The requirements for transfers from two-year institutions include the completion of an average of 12 semester or quarter hours toward a baccalaureate degree for each term of attendance at the two-year college. Finally, once student-athletes are deemed ineligible to participate, the bylaws prohibit them from competing until their eligibility is reinstated. If the NCAA Reinstatement Staff requires that ineligible student-athletes meet certain conditions for reinstatement, those conditions must be satisfied before eligibility is restored.

Bylaw 16 deals with awards and benefits. Specifically, Bylaw 16.8.1 allows institutions to provide actual and necessary expenses to student-athletes who represent the institution in practice and competition. However, before student-athletes can receive expenses related to competition, they must be eligible to compete.

The agreed-upon Bylaw 12 and 14 amateurism and eligibility violations began in the 2016-17 academic year and continued into 2017-18, with all but four of them occurring during the second year. The violations included multiple failures by the institution to obtain, complete or retain required certification documents. Nineteen student-athletes competed and/or practiced prior to completing either the Student-Athlete Statements or drug testing consent forms. Twenty others competed and/or practiced either before the certification officer had the necessary documentation to certify them (transfer "tracers," official transcripts, etc.) or before their initial academic status was certified. On seven occasions, the director of athletics and/or head coach of a sport failed to sign the institutional eligibility list prior to the first date of competition for the sport and, on three occasions, student-athletes competed even though their names did not appear on the Lynn eligibility lists. Finally, Lynn allowed six student-athletes to compete and/or practice without final amateurism certification. The institution's failure to collect, complete and/or process certain mandatory forms, to require student-athletes to complete NCAA forms and to obtain the necessary amateurism and certification documentation prior to student-athletes participating all violated provisions of Bylaw 12, Bylaw 14 or both.

The Bylaw 12 and 14 violations also included three instances when student-athletes competed after they became ineligible and before their eligibility was restored. Two of the violations involved student-athletes who practiced before their amateurism was certified and later competed before their eligibility was reinstated. The third situation involved a student-athlete whom Lynn allowed to compete prior to her fulfilling a condition of her reinstatement.

The final violations in this area involved student-athletes competing in violation of specific Bylaw 14 academic standards. One student-athlete competed even though he had not completed 24 semester hours of academic credit over the previous academic year, while another competed even though he had not completed nine credit hours in the previous regular academic term. This second individual also did not average 12 semester hours of credit per term when he transferred to Lynn. A second transfer student-athlete competed even though her grade-point-average upon transferring was too low to meet progress-toward-degree requirements and she did not receive an NCAA waiver. Finally, Lynn allowed a student-athlete to compete during his 11th semester of full-time collegiate enrollment. In all of these situations, Lynn violated Bylaw 14 by allowing the student-athletes to compete without meeting transfer requirements, academic benchmarks and/or after they had already been enrolled beyond the 10 allowable full-time semesters.

A number of the Bylaw 12 and 14 violations also involved violations of Bylaw 16.8.1 because the ineligible 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 Lynn provided such expenses to the ineligible student-athletes it allowed to practice and/or compete, it violated Bylaw 16.8.1.

These agreed-upon violations are similar to past cases in which institutional certification errors resulted in major violations, including ineligible participation and impermissible expenses, due to the extensive participation advantages enjoyed by the offending institutions. *See Fayetteville*

State University (2017) (concluding that major violations occurred when two student-athletes practiced and one of those student-athletes competed even though they failed to meet transfer eligibility requirements and were certified as partial qualifiers); *University of Alaska Fairbanks* (2014) (concluding that major violations occurred when, among other Bylaw 14 violations, the institution permitted three nonqualifiers to receive impermissible aid, practice, and compete and/or receive travel expenses); *University of California, San Diego* (2013) (concluding that, among other violations, major violations occurred when the institution permitted five student-athlete to practice, compete, travel and receive travel expenses and two other student-athletes to travel and receive travel expenses when they were nonqualifiers); *Brigham Young University – Hawaii* (2009) (concluding that major violations occurred when an institution designated as eligible for participation transfer student-athletes who had not met various Bylaw 14 requirements); and *Saint Leo University* (2009) (concluding that major violations occurred when the institution permitted two partial qualifiers to compete, travel and receive travel expenses). It is a fundamental principle of fair competition that institutions only allow eligible student-athletes to practice, compete and receive related expenses. When institutions fail to withhold ineligible student-athletes from athletics participation, they receive an advantage over institutions that uphold their membership obligations. Particularly in a case such as this, when numerous ineligible student-athletes participated over multiple academic years, the advantage is extensive and resulted in major violations.

Unethical Conduct and Failure to Cooperate

The compliance officer engaged in unethical conduct in violation of Bylaw 10 when she intentionally provided false information to coaches and to the certification coordinator, who then certified four ineligible student-athletes as eligible. The four subsequently competed while ineligible. Further, the compliance officer violated Bylaw 19 when she refused to participate in an interview during the investigation.

Bylaw 10, particularly the general principle of Bylaw 10.01.1 and Bylaw 10.1, sets ethical standards for individuals employed and associated with member institutions. All such individuals must act with honesty and sportsmanship at all times. Pursuant to subsection (a) of Bylaw 10.1, a current or former institutional staff member engages in unethical conduct by refusing to furnish information relevant to an investigation of a possible violation of NCAA regulations when requested to do so by the NCAA or an institution. Similarly, Bylaw 19.01.3 requires all representatives of member institutions to fully cooperate with the enforcement staff to further the objectives of the infractions program.

The compliance officer failed to meet these standards. The compliance officer declined numerous opportunities to participate in the SDR process. The two participating parties, the enforcement staff and institution, agreed that the compliance officer committed major violations of Bylaws 10 and 19 when she provided false information and refused to submit to an interview. On four instances from September 2017 to February 2018, the compliance officer intentionally gave inaccurate information to coaches and/or the certification coordinator that directly resulted in ineligible student-athletes competing. The compliance officer falsely reported that the NCAA

had reinstated one student-athlete's eligibility without conditions and that three other student-athletes received NCAA eligibility waivers. The four student-athletes subsequently competed while ineligible. Later, as the investigation into these violations progressed, and after Lynn terminated the compliance officer's employment, the enforcement staff requested an interview with her on multiple occasions. The compliance officer refused to participate. Her provision of false information regarding student-athlete certification violated Bylaws 10.01.1 and 10.1, while her refusal to interview violated those bylaws as well as Bylaws 10.1-(a) and 19.01.3. Because the compliance officer's violations were not isolated or inadvertent, they are major.

The COI has consistently concluded that institutional personnel violate ethical conduct and/or cooperation legislation if they provide false information or decline to participate in investigations. *See West Texas A&M University* (2016) (concluding that an assistant coach violated ethical conduct principles when he lied during an investigation into potential rules violations); *Lenoir-Rhyne University* (2016) (concluding that a former assistant coach failed to cooperate when he refused to participate in an interview with the enforcement staff); *University of California, San Diego* (concluding that the head women's rowing coach engaged in unethical conduct by providing false or misleading information denying her involvement in having student-athletes falsify documents associated with travel and competition, and failed to cooperate when she refused to submit to an interview); and *Brevard College* (2011) (concluding that a former head coach who lied to institutional representatives during an investigation engaged in unethical conduct). As in those cases, the Lynn compliance officer did not meet her duties to be truthful and cooperative. When the compliance officer presented false information regarding certification and refused to submit to an interview during the investigation, she committed major violations of Bylaws 10 and 19.

Failure to Monitor by the Institution

The institution agreed that it failed to monitor the effectiveness of the compliance methods and processes used for the certification of its student-athletes. While Lynn had policies and procedures in place for certification, the violations set forth above in Violation No. 1 occurred in part because Lynn did not exercise sufficient oversight over those processes. As with the underlying violations, Lynn committed a major violation when it failed to meet its Constitution 2 monitoring responsibilities.

NCAA Constitution 2 sets forth core principles for institutions conducting intercollegiate athletics programs. Specifically, Constitution 2.8.1 requires member institutions to monitor their athletics programs to assure rules compliance and to identify and report to the Association any instances of noncompliance.

Lynn and the enforcement staff agree that the institution's monitoring of its certification process was not adequate from the spring of 2017 through the discovery of these violations in February 2018. Prior to the 2015-16 academic year, Lynn employed an experienced compliance professional who developed a close working relationship with certification officers. Other athletics staff members, including the director of athletics and faculty athletics representative,

were also involved in the process, and institutional personnel followed written certification and eligibility procedures.

When the experienced compliance professional departed in February 2016, Lynn found itself with an inexperienced replacement and a relatively new certification coordinator.⁸ Starting about this time and continuing once the compliance officer took over the full-time position in November 2016, certain institutional personnel raised concerns about the compliance officer's task management, timely completion of assignments and communication shortcomings. In response, the director of athletics, who himself had little background in NCAA compliance, had the compliance officer (and her predecessor) report directly to him, but the meetings were not held consistently. The director of athletics encouraged the compliance officer to meet with the admissions, financial aid and registrar's office personnel who expressed concerns, but did not follow up to ensure the meetings occurred and the issues were resolved. Adding to the problem was the compliance officer's insistence that she be the only on-campus individual to have direct contact with the NCAA Eligibility Center, where essential information needed to make eligibility decisions was stored.

The institution failed to provide the additional guidance and active, involved supervision to ensure the successful operation of the certification process and the inexperienced individuals whose duties included certification. The actions taken were insufficient to address the concerns regarding the compliance officer and certification process and demonstrated a failure to monitor in violation of Constitution 2.8.1.

In circumstances similar to this case, the COI has concluded that institutions failed to monitor when certification process deficiencies result in ineligible participation. *See Fayetteville State University* (concluding that an institution's allowing an ineligible transfer student-athlete to compete because of a certification error was part of a failure to monitor violation); *Morehouse College (2015)* (concluding that the institution committed major certification violations when it permitted 29 student-athletes to compete and receive expenses over four academic years, even though the student-athletes did not meet progress-toward-degree requirements and/or were not in good academic standing pursuant to institutional standards, and that the violations demonstrated a failure to monitor); *University of California, San Diego* (concluding that an institution failed to monitor when it did not review travel documents, leading to a situation where two ineligible student-athletes competed during a single academic year); and *Brigham Young University – Hawaii* (concluding that the institution's erroneous certification of transfer student-athletes and failure to confirm amateurism status over three academic years established a failure to monitor). Similar to these cases, Lynn's oversight of its certification system was inadequate to ensure proper certification of student-athlete eligibility. The failure to monitor contributed to major certification violations. Pursuant to Bylaw 19.02.2, the COI concludes that the failure to monitor violation is also major.

⁸ Lynn hired the compliance officer for a part-time compliance position in June 2016.

This case demonstrates the need for all member institutions to devote adequate resources to the athletics compliance effort. While the compliance officer alone is responsible for her violations, Lynn's inadequate monitoring of the certification process, and the people involved in it, contributed to the problems. According to the SDR, the compliance officer was "relatively inexperienced" when her predecessor hired her as a part-time compliance coordinator in June 2016. Within approximately four months of being hired, she was the only person employed in the compliance office, although a former institutional compliance officer who lived out-of-state was available by phone if questions arose.⁹ She was hired as full-time compliance officer in January 2017. By the fall of 2017, other personnel became concerned about the compliance officer's lack of timeliness, and the compliance officer herself reported that she felt overwhelmed and experienced personal problems.¹⁰ These circumstances helped lead to the situation where the compliance officer was deficient in her monitoring of prospect information and took deliberate steps to conceal eligibility issues.

The COI recognizes Lynn's corrective actions in this case. It has increased the staff in the compliance office and created an Athletics Compliance Committee. As the COI has said previously, member institutions must devote adequate resources to the compliance effort so as to avoid a situation such as this. *See Brigham Young University – Hawaii* (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 aware of the financial challenges faced by some member institutions. It is not singling out this institution; in fact, the COI commends Lynn for taking decisive action once the issues leading to the violations came to light. However, this case illustrates the need for all Division II institutions to ensure that they proactively devote adequate resources to a rules compliance program operated by trained and competent personnel so as to prevent these violations.

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. Major violations are not inadvertent, provide or are intended to provide more than a minimal advantage (including extensive recruiting or competitive advantages) and/or include significant impermissible benefits. Lynn gained an extensive advantage when it allowed 51 student-athletes to participate and receive participation-related expenses while ineligible.

⁹ This was the compliance officer's first full-time job. She worked alone in the compliance office until August 2017, when the institution hired a compliance graduate assistant.

¹⁰ The compliance officer made these statements in an interview while she was still employed at Lynn.

Because Lynn agreed to the facts, violation and penalties, it has no opportunity to appeal. The compliance officer refused to participate in the SDR process. Therefore, she also has no opportunity to appeal. In prescribing penalties, the COI considered Lynn'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 Lynn met its obligations under the Bylaws. The COI also considered Lynn'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 and Disciplinary Measures for Major Violations (Bylaw 19.5.2)

1. Public reprimand and censure through the release of the public infractions decision.
2. Probation: Two years of probation from February 1, 2019, through January 31, 2021.
3. Financial penalty: The institution shall pay a fine of \$5,000. (Self-imposed.)
4. Vacation of records. Lynn 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, Lynn 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. (Self-imposed.) 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. 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 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. The institution is undergoing a systems review of its athletics compliance program by an outside reviewer. The results of the review shall be included in the first annual compliance report, and Lynn shall implement and abide by all recommendations made by the reviewer.
6. Show-cause order. The compliance officer engaged in unethical conduct when she knowingly represented that four ineligible student-athletes were eligible to participate and/or compete. As a result of her actions, the four student-athletes participated while ineligible. Further, the compliance officer violated the NCAA cooperative principle when she refused to participate in an interview during the investigation regarding her knowledge of, or involvement in, the violations. Therefore, the compliance officer will be informed in writing by the NCAA that the COI prescribes a five-year show-cause order pursuant to NCAA Bylaw 19.5.2.2. The show cause period shall run from February 1, 2019, through January 31, 2024. Should the compliance officer become employed at a member institution during the term the show cause is in effect, within 30 days of her hiring, that employing institution shall contact the Office of the Committees on Infractions to make arrangements to show cause why restrictions on athletically related activity should not apply.
7. During this period of probation, Lynn 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 1, 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 December 15 during each year of probation. Particular emphasis shall be placed on compliance with policies and procedures for certifying student-athletes' eligibility, in addition to monitoring the certification program;
 - d. In writing, inform prospects in the 14 affected sport programs that Lynn is on probation for two 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 14 sport programs. The 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.

8. Following the receipt of the final compliance report and prior to the conclusion of probation, Lynn'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.

As required by NCAA legislation for any institution involved in a major infractions case, Lynn 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 1, 2019. The COI further advises Lynn 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 Lynn 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
Harry O. Stinson III, Chair
Jane Teixeira
Christie Ward

APPENDIX ONE

**LYNN UNIVERSITY'S CORRECTIVE ACTIONS AS IDENTIFIED IN THE
DECEMBER 7, 2018, SUMMARY DISPOSITION REPORT**

1. Lynn terminated the compliance officer's employment in February 2018.
2. Lynn retained an outside entity to conduct a systems review of the institution's NCAA compliance program.
3. Lynn modified its eligibility certification process.
4. Lynn created an Athletic Compliance Committee under the direction of the University compliance officer outside of the athletics department that includes representatives from the athletics department, Admissions, Student Financial Services, FAR and Registrar's Office.
5. Lynn increased the staffing of the athletics compliance office from 1.5 FTEs to 2.5 FTE.
6. Lynn created a dotted reporting line from the assistant athletic director for compliance to the University compliance officer.
7. Lynn increased communication between coaching staff members, director of athletics, FAR and certifying officer.
8. Lynn conducted rules education with each head coach and senior team officials.
9. Lynn required completion of the NAAC Division II Education Program and will require annual attendance at a NCAA Regional Rules Seminar or equivalent training by athletics department and other institution officials.
10. Lynn required all head coaches to complete the NAAC Division II Education Program.

APPENDIX TWO
Constitution and Bylaw Citations

Division II 2016-17 Manual

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 or initial full-time enrollment at an NCAA Division II institution (whichever occurs earlier).

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.

14.1.3.1 Content and Purpose. Before participation in intercollegiate competition each academic year, a student-athlete shall sign a statement in a form prescribed by the Management Council in which the student-athlete submits information related to eligibility, recruitment, financial aid, amateur status, previous positive drug tests administered by any other athletics organization and involvement in organized gambling activities related to intercollegiate or professional athletics competition under the Association's governing legislation. Details about the content, administration and disposition of the statement are set forth in Bylaw 14.1.3.

14.1.4.1 Content and Purpose. Each academic year, a student-athlete shall sign a form prescribed by the Management Council in which the student-athlete consents to be tested for the use of drugs prohibited by NCAA legislation. A student-athlete shall complete and sign the consent form before practice or competition, or before the Monday of the fourth week of classes, whichever is earlier.

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.

14.3.2.1 Partial Qualifier. A partial qualifier is a student who does not meet the requirements for a qualifier but who, at the time of graduation from high school, presents one of the following academic requirements (see Bylaw 14.3.1.1).

- (a) Successful completion of a required core curriculum consisting of a minimum number of courses and a specified minimum grade-point average in the core curriculum; or
- (b) Specified minimum SAT or ACT score.

14.3.2.1.1 Eligibility for Aid, Practice and Competition. An entering freshman with no previous college attendance who enrolls in an institution and who is a partial qualifier may receive institutional financial aid (see Bylaw 15.2.1) based on institutional and conference regulations and may practice only on campus or at the institution's regular practice facility but may not compete during the first academic year in residence.

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. (See Bylaw 14.5.4.5.3.).

14.4.3.4 Annual Credit Hour Requirement. To be eligible to represent an institution in intercollegiate athletics competition, a student-athlete must earn 24-semester or 36-quarter hours of academic credit during any year in which the student-athlete is enrolled full time in at least one academic term. A student-athlete may satisfy this requirement based on the student-athlete earning:

- (a) 24-semester or 36-quarter hours since the beginning of the previous fall term;
- (b) 24-semester or 36-quarter hours since the beginning of the certifying institution's preceding regular two semesters or three quarters; or
- (c) 48-semester or 72-quarter hours during the first two years of collegiate enrollment (the certifying institution's first four semesters or six quarters following the student-athlete's initial full-time enrollment in a collegiate institution).

(Note: A student-athlete who does not enroll in a collegiate institution for a full academic year following his or her initial year of collegiate enrollment is considered to be enrolled in his or her second year of collegiate enrollment upon the next enrollment in a regular academic term at a collegiate institution.)

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:

(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.

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.

14.10.2.1 Eligibility List. The following procedures shall be used for the eligibility list:

(b) Any student-athlete who signs a drug-testing consent form must be included on the institution's eligibility list, and any student-athlete who is included on the eligibility list must have signed a drug-testing consent form per Bylaw 14.1.4.

14.11.1 Obligation of Member Institution to Withhold Student-Athlete From Competition. If a student-athlete is ineligible under the provisions of the constitution, bylaws or other regulations of the Association, the institution shall be obligated to apply immediately the applicable rule and to withhold the student-athlete from all intercollegiate competition. The institution may appeal to the Committee on Student-Athlete Reinstatement for restoration of the student-athlete's eligibility as provided in Bylaw 14.12, if it concludes that the circumstances warrant restoration.

16.8.1 Permissible. An institution, conference or the NCAA 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.

Division II 2017-18 Manual

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.

10.01.1 Honesty and Sportsmanship. Individuals employed by (or associated with) a member institution to administer, conduct or coach intercollegiate athletics and all participating student-athletes shall act with honesty and sportsmanship at all times so that intercollegiate athletics as a whole, their institutions and they, as individuals, shall represent the honor and dignity of fair play and the generally recognized high standards associated with wholesome competitive sports.

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:

- (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.

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 or initial full-time enrollment at an NCAA Division II institution (whichever occurs earlier).

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.

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14.1.3.1 Content and Purpose. Before participation in intercollegiate competition each academic year, a student-athlete shall sign a statement in a form prescribed by the Management Council in which the student-athlete submits information related to eligibility, recruitment, financial aid, amateur status, previous positive drug tests administered by any other athletics organization and involvement in organized gambling activities related to intercollegiate or professional athletics competition under the Association's governing legislation. Details about the content, administration and disposition of the statement are set forth in Bylaw 14.1.3.

14.1.4.1 Content and Purpose. Each academic year, a student-athlete shall sign a form prescribed by the Management Council in which the student-athlete consents to be tested for the use of drugs prohibited by NCAA legislation. A student-athlete shall complete and sign the consent form before practice or competition, or before the Monday of the fourth week of classes, whichever is earlier.

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.

14.3.2.1 Partial Qualifier. A partial qualifier is a student who does not meet the requirements for a qualifier but who, at the time of graduation from high school, presents one of the following academic requirements (see Bylaw 14.3.1.1):

- (a) Successful completion of a required core curriculum consisting of a minimum number of courses and a specified minimum grade-point average in the core curriculum; or
- (b) Specified minimum SAT or ACT score.

14.3.2.1.1 Eligibility for Aid, Practice and Competition. An entering freshman with no previous college attendance who enrolls in an institution and who is a partial qualifier may receive institutional financial aid (see Bylaw 15.2.1) based on institutional and conference regulations and may practice only on campus or at the institution's regular practice facility but may not compete during the first academic year in residence.

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. (See Bylaw 14.5.4.5.3.)

14.4.3.4 Annual Credit Hour Requirement. To be eligible to represent an institution in intercollegiate athletics competition, a student-athlete must earn 24-semester or 36-quarter hours of academic credit during any year in which the student-athlete is enrolled full time in at least one academic term. A student-athlete may satisfy this requirement based on the student-athlete earning:

- (a) 24-semester or 36-quarter hours since the beginning of the previous fall term;
- (b) 24-semester or 36-quarter hours since the beginning of the certifying institution's preceding regular two semesters or three quarters; or
- (c) 48-semester or 72-quarter hours during the first two years of collegiate enrollment (the certifying institution's first four semesters or six quarters following the student-athlete's initial full-time enrollment in a collegiate institution).

(Note: A student-athlete who does not enroll in a collegiate institution for a full academic year following his or her initial year of collegiate enrollment is considered to be enrolled in his or her second year of collegiate enrollment upon the next enrollment in a regular academic term at a collegiate institution.)

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:

- (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.

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 14.02.14).

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.

14.11.2 Eligibility List Form. The institution's athletics director shall compile on a form approved by the Management Council a list of the squad members in each sport on the first day of competition and shall indicate thereon the status of each member in the designated categories. A student-athlete's name must be on the official institutional form in order for the student to be eligible to represent the institution in intercollegiate competition. Violations of this bylaw do not affect a student-athlete's eligibility, if the violation occurred due to an institutional administrative error or oversight, and the student-athlete is added to the form once the omission is realized; however, the violation shall be considered an institutional violation per Constitution 2.8.1.

14.11.2.1 Eligibility List. The following procedures shall be used for the eligibility list:

- (b) Any student-athlete who signs a drug-testing consent form must be included on the institution's eligibility list, and any student-athlete who is included on the eligibility list must have signed a drug-testing consent form per Bylaw 14.1.4;
- (d) A student-athlete's name must be on the official institutional form to qualify to represent the institution in intercollegiate athletics; and
- (e) The athletics director and head coach in the sport in which the student-athletes participate shall sign the eligibility list for that particular sport.

14.12.1 Obligation of Member Institution to Withhold Student-Athlete From Competition. If a student-athlete is ineligible under the provisions of the constitution, bylaws or other regulations of the Association, the institution shall be obligated to apply immediately the applicable rule and to withhold the student-athlete from all intercollegiate competition. The institution may appeal to the Committee on Student-Athlete Reinstatement for restoration of the student-athlete's eligibility as provided in Bylaw 14.13, if it concludes that the circumstances warrant restoration.

16.8.1 Permissible. An institution, conference or the NCAA 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.

19.01.3 Responsibility to Cooperate. All representatives of member institutions shall cooperate fully with the NCAA enforcement staff, Committee on Infractions, Infractions Appeals Committee and Management Council to further the objectives of the Association and its infractions program. The enforcement policies and procedures are an essential part of the intercollegiate athletics program of each member institution and require full and complete disclosure by all institutional representatives of any relevant information requested by the NCAA enforcement staff, Committee on Infractions or Infractions Appeals Committee during the course of an inquiry.

Division II 2018-19 Manual

10.01.1 Honesty and Sportsmanship. Individuals employed by (or associated with) a member institution to administer, conduct or coach intercollegiate athletics and all participating student-athletes shall act with honesty and sportsmanship at all times so that intercollegiate athletics as a whole, their institutions and they, as individuals, shall represent the honor and dignity of fair play and the generally recognized high standards associated with wholesome competitive sports.

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:

- (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.

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