



**LANE COLLEGE  
PUBLIC INFRACTIONS DECISION  
January 18, 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 the deceitful actions of the former head cross country and track and field coach at Lane College (Lane).<sup>1</sup> The case also involved Lane's failure to monitor. The COI considered this case through the cooperative summary disposition process, in which all parties agreed to the primary facts and violation as fully set forth in the summary disposition report (SDR). Because Lane agreed to the violation and proposed penalties and the head coach failed to respond to the proposed penalty, neither party has an opportunity to appeal.

The core violations in this case stemmed from the head coach directing an ineligible student-athlete to compete under a false name in cross country events and permitting her to travel and receive expenses during the 2016-17 academic year. The NCAA Eligibility Center certified the student-athlete as a partial qualifier, which meant she was ineligible for competition, travel and receipt of travel expenses. Despite her status, the head coach tried to conceal her ineligible participation by directing the student-athlete to compete in five fall 2016 cross country events under the name of an eligible student-athlete. The head coach also permitted her to travel to those events in addition to a spring 2017 track event and receive travel expenses associated with those competitions. The COI concludes that the violations are major.

Lane and the enforcement staff also agreed that the head coach's personal involvement in the violations demonstrated that he failed to meet his obligations under head coach responsibility and ethical conduct legislation. Despite being informed that the student-athlete was a partial qualifier and ineligible for competition, the head coach directed her to compete and permitted her to receive expenses when she was ineligible to do so. The head coach attempted to cover up her ineligible competition by instructing her to compete under an eligible student-athlete's name. His intentional actions demonstrate that he failed to meet ethical obligations and did not promote an atmosphere for compliance in his program. Later, after separating from Lane, the head coach provided false and misleading information related to his conduct, in violation of the NCAA's ethical conduct bylaws. The COI concludes that the violations are major.

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<sup>1</sup> A member of the Southern Intercollegiate Athletic Conference, Lane's approximate enrollment is 1,200. Lane sponsors six women's and six men's sports. This is Lane's second major infractions case. Lane previously had a case in 2008.

Finally, Lane agreed that it failed to monitor the head coach and the cross country and track and field programs largely due to poor education and a failure to act. The starting point for the agreed-upon failure to monitor was Lane's insufficient rules education program that contributed to administrators and student-athletes failing to recognize violations in the women's cross country and track and field programs. Lane agreed that throughout the 2016-17 academic year, different staff members became aware of red flags and failed to act. One of those red flags involved the compliance director and director of athletics learning that the ineligible student-athlete traveled to a spring track and field event while ineligible and failing to identify and report the violation. Additionally, the school did not adequately monitor the travel logs to discover an eligible, but injured, student-athlete's name remained on the travel rosters. Likewise, the institution did not conduct sufficient follow up after the injured student-athlete was credited with a top 10 finish and, when congratulated on her finish by an administrator, she informed the administrator that she had not competed. The COI concludes that the failure to monitor is a major violation.

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: two years of probation with reporting requirements, a postseason ban for women's cross country and women's track and field, a \$2,500 fine, a vacation of records and a compliance review.

## **II. CASE HISTORY**

This case began in August 2017, when the parents of the student-athlete at the center of the conduct informed the director of athletics that the former head coach (head coach) previously instructed their daughter to compete under the name of an eligible student-athlete and permitted her to travel to a track and field meet.<sup>2</sup> Lane responded by self-reporting the conduct to the NCAA enforcement staff.<sup>3</sup> On January 11, 2018, the enforcement staff issued a written notice of inquiry, and over the next eight months conducted an investigation into the matter.

In fall 2018, the enforcement staff attempted on five occasions to contact the head coach and inform him that he was a named individual in the case. He did not respond. On December 5, 2018, the participating parties submitted the SDR to the Division II COI.<sup>4</sup> On December 19, 2018, the COI reviewed the case, and proposed additional penalties to Lane and the head coach the next day. On January 7, 2019, Lane accepted the additional penalties. The head coach never

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<sup>2</sup> On September 6, 2016, the NCAA Eligibility Center certified the student-athlete as an academic partial qualifier in women's track and field, prohibiting her from traveling and competing during the 2016-17 academic year.

<sup>3</sup> Lane also terminated the head coach.

<sup>4</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 the violations established through the summary disposition process constitute the parties' agreements.

responded. Pursuant to Bylaw 32.7.1.4, the summary disposition process can proceed when participating parties accept the COI's proposed penalties.

### **III. PARTIES' AGREEMENTS**

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

The parties jointly submitted an SDR that identified an agreed-upon factual basis, violations and types of violations of NCAA legislation.<sup>5</sup> The SDR identified:

**1. [NCAA Division II Manual Bylaws 14.01.1, 14.3.1, 14.3.2.1.1, 14.3.4, 14.10.1, 14.10.2, 14.11.1 and 16.8.1. (2016-17)]**

Lane and enforcement staff agree that during the 2016-17 academic year, the head coach instructed the student-athlete, a partial qualifier, to participate in five cross country competitions under the name of an eligible women's cross country student-athlete. Further, the head coach permitted the student-athlete to travel with the women's cross country and track and field program to six competitions and receive actual and necessary expenses.

**2. [NCAA Division II Manual Bylaws 10.01.1 and 10.1 (2016-17 and 2017-18); 10.1-(i) and 11.1.2.1 (2016-17); and 10.1-(c) (2017-18)]**

Lane and enforcement staff agree that during the 2016-17 academic year and in the spring of 2018, the head coach violated the NCAA principles of ethical conduct for his knowing involvement in Violation No. 1 and his knowing provision of false or misleading information. Additionally, the head coach violated head coach responsibility legislation, as he is presumed responsible for violations outlined in Violation No. 1 and did not rebut that presumption. Specifically:

- a. During the 2016-17 academic year, the head coach knowingly instructed the student-athlete, a partial qualifier, to compete under an eligible women's cross country student-athlete's name as detailed in Violation No. 1. [NCAA Bylaws 10.01.1, 10.1 and 10.1-(i) (2016-17)]
- b. On January 22, 2018, the head coach knowingly provided false or misleading information to the enforcement staff about his knowledge of or involvement in Violation No. 1. Further, on April 13, 2018, the head coach admitted he instructed the student-athlete to compete under an eligible women's cross

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<sup>5</sup> This decision provides the agreed-upon factual basis, violations and types of violations exactly as stated in the SDR, except for shortening references to the institution and other named individuals.

country student-athlete's name in approximately two competitions but denied that the student-athlete competed in any additional competitions. [NCAA Bylaws 10.01.1, 10.1 and 10.1-(c) (2017-18)]

- c. During the 2016-17 academic year, the head coach did not demonstrate that he promoted an atmosphere of compliance because of his personal involvement in Violation No. 1 when he instructed an ineligible student-athlete to compete under an eligible student-athlete's name. [NCAA Bylaw 11.1.2.1 (2016-17)]

### **3. [NCAA Division II Manual Constitution 2.8.1 (2016-17)]**

Lane and enforcement staff agree that during the 2016-17 academic year, the scope and nature of the violations detailed in Violation No. 1 demonstrate that the institution violated the principle of rules compliance when it failed to adequately monitor the women's cross country and track and field program and to ensure compliance with eligibility legislation. Specifically, the institution failed to: (a) take action after several athletics department staff members identified and/or were notified about red flags concerning the actions of the then head men's and women's cross country and track and field coach, which led to the violations; (b) monitor the travel documents and competition participation lists of the women's cross country and track and field student-athletes; (c) provide adequate rules education to the athletics department staff and women's cross country and track and field student-athletes regarding partial qualifier status; and (d) identify and report a violation that the student-athlete, a partial qualifier, traveled to the first track and field competition during the spring of 2017. [Constitution 2.8.1 (2016-17)]

## **IV. REVIEW OF CASE**

The SDR fully detailed the parties' positions in the infractions case and included the agreed-upon primary facts, violations and types of 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 that fall into three categories: (1) ineligible competition and receipt of benefits; (2) the head coach's failures related to head coach responsibility and ethical conduct legislation; and (3) institutional monitoring obligations. The conduct at issue in this case resulted in major violations of Bylaws 14 and 16; 10 and 11; and Constitution 2, respectively.<sup>6</sup>

### **Ineligible Competition and Receipt of Benefits**

With respect to ineligible competition, the head coach instructed a partial qualifier to compete and permitted her to travel and receive travel expenses when she was ineligible to do so. The

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<sup>6</sup> The full text of the specific bylaws violated in this case is set forth in Appendix Two.

student-athlete was a partial qualifier and not permitted to compete or travel. At the direction of the head coach, the student-athlete competed under the name of an eligible student-athlete who was injured. The conduct violated Bylaws 14 and 16.

Bylaw 14 sets both student-athlete and institutional responsibilities related to eligibility. With respect to student-athletes, Bylaw 14.3 and its subparts outline permissible activities and benefits for qualifying student-athletes.<sup>7</sup> It further outlines restrictions associated with partial qualifiers. Included in those restrictions is the prohibition from competition and travel. As it relates to institutions, Bylaw 14 requires that institutions only permit eligible student-athletes to compete, certify student-athletes as eligible prior to competition, document eligible students via an approved form and withhold ineligible student-athletes. These are fundamental obligations of NCAA membership. Bylaw 16 outlines permissible benefits for eligible student-athletes.

The student-athlete was a partial qualifier. She was not permitted to compete or travel. Yet, the head coach instructed her to compete in five cross country events under the name of an eligible student-athlete and permitted her to travel and receive expenses associated with those events and an additional track and field event.<sup>8</sup> Her participation in competition and travel violated multiple provisions of Bylaw 14. Further, her receipt of travel expenses violated Bylaws 14 and 16. Likewise, Lane failed to fulfill its fundamental institutional obligations. As a starting point, Lane failed to withhold an ineligible student-athlete from competing against eligible student-athletes. In doing so, Lane failed in its obligations to permit only eligible student-athletes to compete, properly certify student-athletes prior to competition and accurately document the squad members on the Management Council-approved eligibility list form. Lane's failures also resulted in violations of multiple provisions of Bylaw 14.

The COI has previously concluded that major violations occur when student-athletes who fail to meet Bylaw 14 requirements compete, practice, travel and receive travel expenses. *See Fayetteville State University* (2017) (concluding that major violations occurred when two student-athletes practiced and one of those student-athletes competed when they failed to meet transfer eligibility requirements and were certified as partial qualifiers); *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 permitted two other student-athletes to travel and receive travel expenses when they were nonqualifiers); and *Saint Leo University* (2009) (concluding, among other violations, that major violations occurred when the institution permitted two partial qualifiers to compete, travel and receive travel expenses). Although past cases have involved a combination of initial, continuing and transfer eligibility violations, the same fundamental principle applies—fairness associated with eligible competition. When institutions fail to withhold ineligible student-athletes from competition they receive a benefit over institutions who uphold their membership obligations. Likewise, when institutions permit ineligible student-athletes to travel and receive travel

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<sup>7</sup> Also applicable to this case, Bylaw 16 details other permissible benefits for eligible student-athletes.

<sup>8</sup> The head coach also instructed the student-athlete to compete under the name of the eligible student-athlete at the track and field event. The student-athlete, however, refused to compete under the eligible student-athlete's name and, therefore, did not compete.

expenses, they provide those student-athletes with impermissible benefits. Like past cases, the COI concludes the institution's failures in this case resulted in major violations.

### **Head Coach Responsibility and Unethical Conduct**

The head coach was at the center of the ineligible competition in this case. Both the director of athletics and the compliance director informed him that the student-athlete was a partial qualifier and could not compete. In light of this information, the head coach defied their advice and directed the student-athlete to compete under the name of an eligible student-athlete. Later, after separating from Lane, the head coach provided false and misleading information to the enforcement staff. His actions failed to fulfill his obligations under Bylaws 10 and 11.

With respect to individual responsibilities, Bylaw 10 sets ethical standards for individuals employed and associated with member institutions and Bylaw 11 places specific responsibilities on head coaches. Bylaw 10 requires that individuals conduct themselves with honesty and sportsmanship at all times. Further, and among other examples, it identifies involvement in a student-athlete *engaging in athletics competition under an assumed name and providing false and misleading information* as examples of unethical conduct. Bylaw 11 requires that head coaches promote an atmosphere for compliance and monitor their staff members. Head coaches are presumed responsible for violations that occur in their programs but can rebut that presumption by demonstrating that they promoted an atmosphere for compliance and monitored their staff.

Due to his deceitful actions—undermining fair competition by directing the student-athlete to compete under a false name—the head coach could not rebut his presumed responsibility. The director of athletics and compliance director reported that they informed the coach that the student-athlete was ineligible for competition on numerous occasions. The head coach, on the other hand, claimed that he did not know the student-athlete could not compete. The head coach's actions discredit his claim. The head coach did not instruct the student-athlete to compete under her own name, rather he instructed her to compete under the name of an eligible student-athlete. Although a first time NCAA coach, the head coach was a long-time member of the track and field community and had an established understanding of fair competition. His conduct demonstrated that he failed to act with the honesty and sportsmanship required of coaches. The head coach violated ethical conduct legislation under Bylaw 10 and failed to promote an atmosphere for compliance under Bylaw 11. After his separation from Lane, the head coach committed additional ethical conduct violations when he provided false and misleading information regarding this student-athlete's participation in his two interviews.

The COI has consistently concluded that head coaches fail to promote an atmosphere for compliance when they permit ineligible student-athletes to participate in athletics (i.e., practice, compete, travel and/or receive travel expenses) when student-athletes are ineligible to do so. *See Fayetteville State* (concluding that the head coach failed to promote an atmosphere for compliance when she permitted two student-athletes to practice and one of those student-athletes to compete when she knew they were ineligible) and *San Diego* (concluding that the head coach failed to promote an atmosphere for compliance when, among other things, she allowed student-

athletes to practice, compete, travel and/or receive travel expenses at times she knew they were ineligible). Additionally, the COI has concluded that head coaches engaged in unethical conduct when they knowingly direct student-athletes to compete under false names or attempt to conceal student-athletes' ineligible participation. *See San Diego* (concluding that the head coach violated ethical conduct legislation when he directed student-athletes to compete under the names of other student-athletes) and *Saint Leo* (concluding that the head coach committed unethical conduct when he knowingly permitted two partial qualifiers to compete under assumed names at multiple cross country events). In these past cases, the COI concluded that the head coaches' violations were major. Head coaches hold unique authoritative positions of trust and responsibility on campuses. Student-athletes and their families trust institutional employees—particularly head coaches—to have the best interests of student-athletes in mind and act accordingly. In this case, the head coach abused his position of trust and failed to conduct himself with the integrity and fair play of intercollegiate athletics. Therefore, pursuant to Bylaw 19.02.2 and consistent with these past cases, the COI concludes that the head coach's head coach responsibility and ethical conduct violations are major.

The COI has also consistently concluded that current and former institutional employees commit major ethical conduct violations when they provide false and misleading information to the enforcement staff or institution. *See Fayetteville State* (concluding that the head coach committed a major ethical conduct violation when, during the investigation, she provided a false and misleading written statement to the director of athletics) and *San Diego* (concluding that the head coach committed a major ethical conduct violation when she denied involvement in multiple violations, including knowingly permitting ineligible student-athletes to compete, in her interview with the enforcement staff). It is a fundamental obligation of all current and former institutional employees to provide truthful information related to potential NCAA violations. Pursuant to Bylaw 19.02.2, the COI concludes that the violation is major.

### **Failure to Monitor**

In addition to the head coach's intentional actions, the violations occurred and continued to occur because Lane failed to monitor the women's cross country and women's track and field programs for the 2016-17 academic year. Among other things, Lane failed to provide adequate rules education to staff and student-athletes, ignored or failed to recognize red flags and potential violations and did not have adequate monitoring practices related to travel and competition documents. Lane's failures fell short of monitoring requirements outlined in Constitution 2.

Constitution 2 sets forth the core principles for institutions conducting intercollegiate athletics programs. Within those principles, Constitution 2.8.1 requires member institutions to abide by all rules and regulations of the Association, monitor compliance with those rules and report any instances of noncompliance to the NCAA.

Lane agrees that it did not meet these obligations and that poor education contributed to multiple individuals not recognizing and reporting potential violations. Lane did not provide student-athletes and athletics staff with sufficient rules education regarding partial qualifiers. Although the director of athletics and compliance director informed the head coach that the student-athlete

could not compete, neither the student-athlete nor her teammates understood that she was not permitted to run under another student-athlete's name.

In addition to Lane's failure to provide sufficient education, administrators failed to recognize red flags. For instance, after noticing that the injured eligible student-athlete posted a top 10 finish in a cross country event, Lane's sports information director personally congratulated her. During that conversation, the eligible student-athlete informed him that she did not run in the meet. The sports information director reported the conversation to the compliance director, but neither conducted sufficient follow up. Other administrators missed red flags, as well. The athletics department administrative assistant was the staff member responsible for monitoring travel rosters and issuing per diem. Although she suffered an injury that prevented her from competing, the eligible student-athlete's name continued to appear on the travel rosters and meet entries submitted to the administrative assistant. No one in the athletics department identified her travel and meet entries as a potential issue.

Finally, the director of athletics and compliance director failed to identify and report a violation. After the first spring 2017 track meet, a number of student-athletes complained to the director of athletics that the head coach had not fed them during one day of competition. The ineligible student-athlete was one of the student-athletes who raised the issue. To his credit, the director of athletics recognized that the student-athlete was ineligible for competition and informed the compliance director. The compliance director inquired into the matter but only to confirm whether or not the student-athlete participated. Both the director of athletics and the compliance director failed to recognize that the student-athlete was also prohibited from traveling. In doing so, they failed to recognize and report a violation. These failures demonstrate that Lane failed to meet its monitoring obligations under Constitution 2.8.1.

The COI has consistently concluded that deficient education and monitoring systems that fail to detect violations demonstrate a major failure to monitor violation. *See Fayetteville State* (concluding that the institution failed to monitor over a two-year period when it did not provide adequate rules education and did not monitor the activity of two ineligible student-athletes) and *San Diego* (concluding that the institution failed to monitor when it did not have systems in place to confirm that only eligible student-athletes competed in away-from-home competitions and did not review student-athletes' evaluations related to their experiences and the head coach's actions). Similar to these cases, numerous red flags emerged signaling potential issues within the women's cross country and track and field programs. Lane staff members, however, failed to recognize and follow up on these potential issues. Therefore, pursuant to Bylaw 19.02.2, the COI concludes that the failure to monitor violation is major.

## **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 and/or include significant impermissible benefits.



Because Lane agreed to the facts, violations and penalties, it has no opportunity to appeal. Similarly, because the head coach did not respond to the COI's proposed show-cause order, he does not have an opportunity to appeal. In prescribing penalties, the COI considered Lane'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 Lane met its obligations under the Bylaws. The COI also considered Lane's self-imposed penalties, which are specifically identified below, and its corrective actions, which are set for in Appendix One. After considering all information, the COI prescribes the following penalties:

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

1. Public reprimand and censure.
2. Probation: Two years of probation from January 18, 2019, through January 17, 2021.
3. Postseason ban: Lane will end its Spring 2019 women's track and field and Fall 2019 women's cross country seasons with the last regular season competition and shall not participate in postseason competition. (Self-imposed.)

In accordance with Bylaw 14.8.2-(c), the COI recommends that the Committee for Legislative Relief waive the one-year residency requirements for student-athletes whose institution was placed on probation which included a postseason ban penalty.

4. Financial penalty: The institution shall pay a fine of \$2,500.<sup>9</sup>
5. Vacation of records. Lane acknowledged that ineligible participation occurred as a result of the violations in this case. Therefore, pursuant to Bylaws 19.5.2-(g) and 31.2.2.4, Lane shall vacate all regular season and conference tournament records and participation in which the ineligible student-athlete detailed in this case competed from the time she became ineligible through the time she was reinstated as eligible for competition.<sup>10</sup> (Self-imposed.) This order of vacation includes all regular season competition and conference tournaments. Further, if the ineligible student-athlete participated in NCAA postseason competition at any time she was ineligible, the institution's participation in the postseason shall be vacated. The individual records of the ineligible student-athlete 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

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<sup>9</sup> The fine represents a \$500 fine per contest in which the institution permitted the student-athlete to compete while ineligible.

<sup>10</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 University* (2016); *Cheney University of Pennsylvania* (2014); and *University of the District of Columbia* (2008).

material, electronic and digital media plus institutional, conference and NCAA archives. Any institution that may subsequently hire the affected head coach 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.

6. Show-Cause Order: The head coach knowingly directed a partial qualifier to compete under an assumed name when she was ineligible. In total, she competed in five cross country competitions under the name of an eligible student-athlete. Further, he permitted her to travel and receive travel expenses to those events as well as a track and field event. The head coach's direct involvement in these violations demonstrates that he failed to promote an atmosphere for compliance in his program and violated ethical conduct legislation. Additionally, and after separating from the institution, the head coach further committed unethical conduct when he provided false and misleading information in two interviews.

Therefore, pursuant to NCAA Bylaw 19.5.2.2, the COI prescribes a five-year show-cause order for the head coach. The show-cause period shall run from January 18, 2019, through January 17, 2024. The head coach shall be informed in writing by the NCAA that if he seeks employment or affiliation in an athletically related position at an NCAA member institution during the five-year show-cause period, any employing institution shall be required to contact the Office of the Committees on Infractions (OCOI) to make arrangements to show cause why restrictions on his athletically related activity should not apply.

7. During the 2019-20 academic year, Lane shall undergo a Blueprint Compliance Review. If a Blueprint review is unavailable, then the institution shall undertake a comprehensive audit of its athletics compliance program. The audit shall be conducted by an outside agency and include, at a minimum, amateurism, eligibility certification, financial aid administration,

compliance education and monitoring. The institution shall implement and abide by all recommendations made by the reviewer. The institution shall provide a copy of the reviewer's report in its first annual compliance report.

8. During this period of probation, Lane shall:
  - a. Continue to develop and implement a comprehensive 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 15, 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 1 during each year of probation. Particular emphasis shall be placed on Lane's development and implementation of a comprehensive rules education program for coaches, athletics staff and student-athletes. Further, Lane must also demonstrate enhancements to its competition-related monitoring, including efforts to ensure that only eligible student-athletes travel and compete.
  - d. In writing, inform prospects in the women's cross country and track and field programs that Lane 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 affected sport programs. Lane'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, Lane'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, Lane 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, January 18, 2019. The COI further advises Lane 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 Lane 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**

**LANE COLLEGE'S CORRECTIVE ACTIONS AS IDENTIFIED IN THE  
DECEMBER 5, 2018, SUMMARY DISPOSITION REPORT**

1. [Conducted an] internal investigation [resulting in the] termination of the head coach.
2. Increase athletic staff meetings to once per month.
3. Require all returning and new athletic staff members to complete five courses per year with the D-II University. The first five courses to deal with recruiting and eligibility.
4. Add "preferred NCAA coaching experience" to job description for job postings.
5. Require all new coaches to attend New Employee Orientation to be directed by the Athletic Director or Assistant Athletic Director on Compliance rules.
6. Require all student-athletes to attend a compliance training meeting on compliance rules to include Non-qualifier, Partial Qualifier, and Qualifier requirements and terms.
7. Include a statement about the termination of any coach [for] violating NCAA rules in their contracts.
8. Travel/Departure checklist: All eligible student-athletes on women's track and women's cross country will be required to check in with athletic staff personnel on the day of travel to assure their authorization to travel and participate.

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

**Division II 2016-17 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:

(i) Engaging in any athletics competition under an assumed name or with intent otherwise to deceive.

**11.1.2.1 Responsibility of Head Coach.** It shall be the responsibility of an institution's head coach to promote an atmosphere for compliance within the program supervised by the coach and to monitor the activities regarding compliance of all assistant coaches and other administrators involved with the program who report directly or indirectly to the coach.

**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.

**14.3.2.1.1 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.

**14.3.4 Residence Requirement—Partial Qualifier or Nonqualifier.** A partial qualifier must fulfill an academic year of residence in order to be eligible to compete and to practice away from the institution. A nonqualifier must fulfill an academic year of residence in order to be eligible for practice, competition and financial aid other than that permitted per Bylaw 14.3.2.2.1 (see Bylaw 14.02.11 regarding the requirements that must be met to fulfill an academic year in residence).

**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 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.

**14.11.1 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.

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**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:

(c) Knowingly furnishing or knowingly influencing others to furnish the NCAA or the individual's institution false or misleading information concerning an individual's involvement in or knowledge of matters relevant to a possible violation of an NCAA regulation.