

**DECISION OF THE
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
DIVISION I INFRACTIONS APPEALS COMMITTEE**

November 3, 2021

Decision No. 537

Oklahoma State University

Stillwater, Oklahoma

**OKLAHOMA STATE UNIVERSITY
APPEAL DECISION SUMMARY**

Outcome

Oklahoma State University appealed to the NCAA Division I Infractions Appeals Committee the NCAA Division I Committee on Infractions' determination of the level and classification for the case. Additionally, Oklahoma State appealed the prescription of the following penalties by the Committee on Infractions:

1. Penalty VI.1 – three years of probation from June 5, 2020, through June 4, 2023;
2. Penalty VI.2 – postseason ban for 2020-21 academic year, where the men's basketball team shall end its season with the last regular-season contest and shall not participate in postseason conference or NCAA tournament competition;
3. Penalty VI.4 – the number of grants-in-aid awarded in men's basketball shall reduce by three during the 2020-21 through 2022-23 academic years; and
4. Penalty VI.5 – recruiting restrictions.

The Infractions Appeals Committee affirmed the case level and classification determinations as well as all of the appealed penalties.

Members of the Infractions Appeals Committee

The members of the Infractions Appeals Committee who heard this case were W. Anthony Jenkins, acting chair and attorney in private practice; Ellen M. Ferris, senior associate commissioner for governance and compliance at the American Athletic Conference; Jonathan Alger, president of James Madison; Allison Rich, senior associate athletics director and senior woman administrator at Princeton; and David Shipley, law professor and faculty athletics representative at Georgia.

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I. INTRODUCTION.

Oklahoma State University appealed to the NCAA Division I Infractions Appeals Committee the case level and classification as well as specific penalties as determined by the NCAA Division I Committee on Infractions. In this decision, the Infractions Appeals Committee addresses the issues raised by Oklahoma State (hereinafter referred to as Oklahoma State or appellant).

II. BACKGROUND.

On June 5, 2020, the Committee on Infractions issued Infractions Decision No. 537 in which the committee found violations of NCAA legislation in the men's basketball program. On the basis of those findings, the Committee on Infractions determined that this was a Level I-Standard infractions case for Oklahoma State and prescribed penalties accordingly.

This case centered on violations of NCAA bylaws governing recruiting inducements, extra benefits, unethical conduct and failure to cooperate.

After the Committee on Infractions issued its decision, Oklahoma State filed a timely Notice of Appeal June 18, 2020. A Written Appeal was filed August 6, 2020. The Committee on Infractions filed its Response September 22, 2020. Oklahoma State filed its Rebuttal to the Committee on Infractions Response October 28, 2020. The case was considered by the Infractions Appeals Committee February 8, 2021 (see Section IX below).

III. FINDINGS OF FACT AS DETERMINED BY THE COMMITTEE ON INFRACTIONS.

See Committee on Infractions decision for Oklahoma State Page Nos. 4 through 8. A copy of the decision may be accessed via the NCAA Legislative Services Database for the Internet (LSDBi) by clicking [HERE](#).

IV. ANALYSIS AS DETERMINED BY THE COMMITTEE ON INFRACTIONS.

See Committee on Infractions decision for Oklahoma State Page Nos. 8 through 14. A copy of the decision may be accessed via LSDBi by clicking [HERE](#).

V. APPEALED VIOLATIONS FOUND BY THE COMMITTEE ON INFRACTIONS.

The appellant did not appeal any of the findings of violations in this infractions case. For the findings of violations found by the Committee on Infractions, see the Committee on Infractions decision for Oklahoma State Page Nos. 8 through 14. A copy of the decision may be accessed via LSDBi by clicking [HERE](#).

VI. CORRECTIVE ACTION TAKEN AND PENALTIES (PROPOSED OR SELF-IMPOSED) BY THE UNIVERSITY.

See Committee on Infractions decision for Oklahoma State APPENDIX ONE. A copy of the decision may be accessed via LSDBi by clicking [HERE](#).

VII. APPEALED PENALTIES PRESCRIBED BY THE COMMITTEE ON INFRACTIONS.¹

Oklahoma State appealed some of the penalties prescribed by the Committee on Infractions. The appealed penalties are:

- VI.1. Probation: Oklahoma State shall serve three years of probation from June 5, 2020, through June 4, 2023.
- VI.2. Competition Penalty: During the 2020-21 academic year, the men's basketball program shall end its season with the last regular-season contest and shall not participate in postseason conference or NCAA tournament competition.
- VI.4. Scholarship reductions: Oklahoma State shall reduce by three the total number of grants-in-aid awarded in men's basketball during the 2020-21 through 2022-23 academic years.
- VI.5. Recruiting Restrictions:²
 - b. Oklahoma State shall prohibit unofficial visits in men's basketball for two weeks during the fall of 2020 and two weeks during the fall of 2021. (Self-imposed.) Because the Figure 19-1 penalty guidelines require a seven- to thirteen-week ban on official visits for Level I-Standard violations, the institution shall prohibit unofficial visits in men's basketball for a total of three additional weeks during the fall of 2020, 2021 and/or 2022.
 - c. Oklahoma State shall prohibit telephonic recruiting communication in men's basketball for a one-week period during the 2020-21 academic year. (Self-imposed.) Because the Figure 19-1 penalty guidelines require a seven- to thirteen-week ban on recruiting communications for Level I-Standard violations, the institution shall prohibit telephonic recruiting communication in men's basketball for a total of six additional weeks during the term of probation.
 - d. Oklahoma State reduced the number of recruiting person days in men's basketball by 12 during the 2019-20 academic year. (Self-imposed.) Because the Figure 19-1 penalty guidelines require a 17- to 33-day reduction in recruiting-

¹ The descriptions of the penalties are copied from the Committee on Infractions decision.

² The panel accepted the institution's self-imposed recruiting restrictions and prescribed additional restrictions as necessary to reach the bottom of the range for Level I-Standard violations pursuant to the Figure 19-1 penalty guidelines.

person days for Level I-Standard violations, the institution shall reduce the number of recruiting-person days in men's basketball by five during the 2020-21 academic year.

For the other penalties prescribed by the Committee on Infractions, see Committee on Infractions decision for Oklahoma State Page Nos. 19 and 20. A copy of the decision may be accessed via LSDBi by clicking [HERE](#).

VIII. ISSUES RAISED ON APPEAL.

In its written appeal, Oklahoma State asserted that the Committee on Infractions made an incorrect determination when establishing the case level and classification for Oklahoma State. Further, Oklahoma State argued that the Committee on Infractions abused its discretion by prescribing penalties VI.1. (probation), VI.2. (competition penalty), VI.4. (scholarship reduction) and VI.5. (recruiting restrictions).

IX. APPELLATE PROCEDURE.

In considering the Oklahoma State appeal, the Infractions Appeals Committee reviewed the Notice of Appeal; the record and transcript of the institution's February 21, 2020, hearing before the Committee on Infractions and the submissions by Oklahoma State and the Committee on Infractions referred to in Section II of this decision.

On March 24, 2020, all pending oral arguments were postponed due to the circumstances and impact of the COVID-19 pandemic. In September 2020, the Infractions Appeals Committee determined that it would be unable to conduct in-person oral arguments in the foreseeable future and would need to conduct oral arguments virtually. The parties were notified November 12, 2020, that the oral argument for this appeal would be conducted virtually.

The oral argument on the appeal was held virtually by the Infractions Appeals Committee February 8, 2021. The institution was present and was represented by its outside legal counsel, president, general counsel, director of athletics, production manager, outside consultant, a member of the board of regents, senior associate director of athletics for compliance and head men's basketball coach. The Committee on Infractions was represented by the appeals advocate, the director and the associate director of the Office of the Committees on Infractions. The enforcement staff was represented by the vice president of enforcement and assistant directors of enforcement. Other participants included the director of legal affairs and associate general counsel, the interim vice president of hearing operations, an associate director, the executive assistant to the vice president of hearing operations, an intern and an extern. Three new members of the Infractions Appeals Committee participated as silent observers. The oral argument was conducted in accordance with procedures adopted by the committee pursuant to NCAA legislation.

X. INFRACTIONS APPEALS COMMITTEE’S RESOLUTION OF THE ISSUES RAISED ON APPEAL.³

In reviewing the decision in this case, the Infractions Appeals Committee may on appeal set aside a penalty, including determinations regarding aggravating and mitigating factors, prescribed by the Committee on Infractions if the prescription of the penalty is an abuse of discretion.⁴

As we stated in the Alabama State University case:

“...we conclude that an abuse of discretion in the imposition of a penalty occurs if the penalty: (1) was not based on a correct legal standard or was based on a misapprehension of the underlying substantive legal principles; (2) was based on a clearly erroneous factual finding; (3) failed to consider and weigh material factors; (4) was based on a clear error of judgment, such that the imposition was arbitrary, capricious, or irrational; or (5) was based in significant part on one or more irrelevant or improper factors.” [[Alabama State University, Infractions Appeals Committee Report \(June 30, 2009\) Page No. 23](#)]

Case Level

The appellant made several arguments to support its position that the panel abused its discretion when it determined that the case was Level I for the appellant. First, the appellant argued that the panel erroneously classified Oklahoma State at the same level as the former associate head coach who engaged in unethical behavior. (Written Appeal Page No. 13) Specifically, the appellant stated that the former associate head coach’s personal and unethical conduct did not provide any advantages or benefits to the appellant and argued the level for the appellant should have been set as Level II. (Written Appeal Page No. 13) Second, the appellant claimed that “[t]here is no bylaw, COI Internal Operating Procedure (“IOP”), or other legislative provision that requires or even suggests the COI must classify individuals and institutions at the ‘same level.’ ” (Written Appeal Page No. 15) Third, the appellant argued there is no case precedent which supports a “same level” standard. (Written Appeal Page No. 16) The appellant identified four infractions cases on which the panel incorrectly relied.⁵ (Written Appeal Page No. 16)

The panel argued that holding the appellant responsible for the Level I violation is consistent with the violation structure found in [Bylaw 19.1](#). (Committee on Infractions Response Page No. 17) The panel stated that the appellant is responsible for the actions of its staff members, and when a staff member commits a violation while employed by the institution, both the individual and appellant are responsible for the violation. (Committee on Infractions Response Page No. 17) The panel also stated that “[u]nder Bylaw 19.1, the level of a violation is based on the *conduct*, not the *actor*.” (Committee on Infractions Response Page No. 17) The panel continued to say that the

³ In this section of the decision, the cites to other infractions cases and NCAA bylaws will be linked to the full text of the public infractions decisions and bylaws in LSDBi.

⁴ [NCAA Bylaw 19.10.1.1](#).

⁵ “The Alabama, South Florida, Connecticut, and Saint Peter’s cases are substantive examples of situations where the COI classified the case as Level II for an institution, even though the individual violations were Level I.” (Written Appeal Page No. 16)

conduct meets the definition of a Level I or Level II violation, but it cannot meet both. (Committee on Infractions Response Page No. 17) The panel noted that it followed the legislative intention when it prescribed penalties for the individual at the highest end of the Level I range, while penalizing the appellant at the lowest end of the Level I-Standard range. (Committee on Infractions Response Page No. 18)

The Infractions Appeals Committee recognizes that the Association has established that the control and responsibility for the conduct of intercollegiate athletics rests with an institution. ([NCAA Constitution 2.1.1](#) and [Constitution 6.01.1](#)) As a result of that responsibility, institutions will be held accountable for violations that occur due to the actions or inactions of their staff, coaches, administrators, etc. In this case, the appellant is being held accountable for violation A.2.⁶ The appellant put forth several arguments related to the assessment of the institution's responsibility and the impact it should have on the level. However, the assessment of level is tied to the conduct, action or inaction, that resulted in a violation and not the specific circumstances of the parties.

[Bylaws 19.1.1](#) and [19.1.2](#) define conduct which constitutes Level I and Level II violations. A Level I violation, a severe breach of conduct, is one or more violations that seriously undermine or threaten the integrity of the NCAA Collegiate Model. This includes any violation that provides or is intended to provide a substantial or extensive recruiting, competitive or other advantage, or a substantial or extensive impermissible benefit. Additionally, subparts (b) and (h) of [Bylaws 19.1.1](#) specifically identify unethical conduct and the intentional violation of NCAA legislation as behavior that may constitute a severe breach of conduct.

Violation A.2. is related to the former associate head coach's unethical conduct of accepting "cash bribes in exchange for arranging meetings for financial advisors with a student-athlete and a student-athlete's mother," and knowingly providing "cash gifts to a student-athlete." ([Committee on Infractions Decision Page Nos. 9 through 13](#)) Such conduct is identified on subparts (b) and (h) of [Bylaw 19.1.1](#), and therefore, the conduct is sufficient to establish violation A.2. as a Level I violation.

The level of a violation (e.g., Level I, Level II) is dictated by the conduct related to the violation and not the distinctions in the appellant's circumstances or culpability. This is consistent with the findings in the [University of Connecticut Committee on Infractions Decision \(July 2, 2019\)](#), the [University of South Florida Committee on Infractions Decision \(September 19, 2017\)](#), the [University of Alabama Committee on Infractions Decision \(April 14, 2017\)](#) and the [Saint Peter's University Committee on Infractions Decision \(February 2, 2016\)](#).⁷ In each of those cases, for the violations for which both the institution and individual were culpable (e.g., extra benefit violations), the underlying violation was assessed at the same level by the Committee on

⁶ While the conduct related to the bribery scheme began before he was employed by the appellant, the former associate head coach continued that conduct after employed by the appellant. ([Committee on Infractions Decision Page Nos. 4 through 8](#))

⁷ These four cases were cited by the appellant as "recent cases where the COI did *not* apply a 'same level' classification for the institution and the individual." (Written Appeal Page No. 16)

Infractions panel. For violations that were only applicable to an individual (e.g., failure to cooperate), the level was assessed for only that individual. This resulted in the institution and individuals being assessed at different levels overall. For example, in the [Connecticut \(July 2, 2019\) Committee on Infractions Decision](#), the extra benefit and countable athletically related activities (CARA) violations were found to be Level II violations for both the individual and institution, and similarly several Level III violations were found for both parties. The head coach had additional violations applicable to him, but not to the institution: head coach responsibility (Level II), unethical conduct (Level I) and failure to cooperate (Level I). When reviewing the totality of the violations to assess the overall level, the panel determined Connecticut's violations to be Level II as all the violations applicable to the institution were Level II or III. The head coach's violations were determined to be Level I as the violations applicable to him included Level I, II and III violations. In the current case, the underlying violation determined to be applicable to Oklahoma State was determined to be Level I, and because it is the only violation for which the institution is held accountable, the overall assessment of the case level must be Level I.

Party-specific circumstances and culpability do impact classification (i.e., aggravated, standard or mitigated) within the level of the case. Specifically, the application and weighing of the aggravating and mitigating factors to the respective parties is where the party-specific circumstances or culpability is accounted for in the process of establishing the classification of a case within the level.

For the above reasons, we find the panel did not abuse its discretion when determining that this was a Level I violation resulting in a Level I case for the appellant.

Assessment of Mitigating and Aggravating Factors and Prescription of Penalties

The appellant made three arguments to support its position that the panel abused its discretion by failing to consider and weigh material factors. First, the appellant argued that the panel erroneously assigned too much weight to the aggravating factors in [Bylaws 19.9.3-\(b\) and -\(h\)](#). (Written Appeal Page Nos. 35 and 36) Second, the appellant argued that the Committee on Infractions erroneously assigned too little weight to mitigating factors in [Bylaws 19.9.4-\(b\) and -\(d\)](#). Finally, the appellant argued that the panel failed to weigh other factors warranting a lower penalty range including appellant's responsibility when compared to other Level I cases and that the former associate head coach was motivated by personal gain. (Written Appeal Page Nos. 38 and 39)

In response, the panel argued that it properly exercised its discretion when it considered and weighed aggravating and mitigating factors. (Committee on Infractions Response Page No. 23) Specifically, the panel stated that it applied two aggravating factors and one mitigating factor in agreement with the appellant. (Committee on Infractions Response Page No. 23) Additionally, the panel applied another mitigating factor which the enforcement staff did not support and declined to apply aggravating factors that have been applied to institutions in similar precedent cases. (Committee on Infractions Response Page No. 23) The panel stated that application of the two

aggravating factors was “straightforward and unremarkable” and that those factors were provided normal weight. (Committee on Infractions Response Page Nos. 24 and 25) As related to the two mitigating factors, the panel argued the factors were given normal weight and there were no grounds for providing extra weight. (Committee on Infractions Response Page Nos. 27 and 28) Further, the panel did not find that there were “limited and unique circumstances” warranting the application of the mitigating factor in [Bylaw 19.9.4-\(i\)](#) in this case. (Committee on Infractions Response Page No. 28)

The final report of the NCAA Working Group on Collegiate Model – Enforcement established the weighing of aggravating and mitigating factors as the process for the Committee on Infractions to refine distinctions between the most serious violations and the corresponding penalties in its decision-making process.⁸ However, the report did not discuss the methodology used in weighing these factors. NCAA legislation provides further guidance that the weighing of the factors is not simply an assessment of whether there are more of one type of factor (i.e., aggravating or mitigating) than the other type of factor.⁹ Given the relative silence in the legislation and its legislative history regarding the approach for weighing these factors, the language in the Committee on Infractions’ decision regarding the application and weighing of aggravating and mitigating factors in a particular case is critical in the Infractions Appeals Committee’s assessment of the factors when appealed.

As noted above, the appellant and the panel made arguments regarding what weight should have been applied to each factor. In its appeal submissions, the appellant argued the aggravating factors should have been provided less weight and the mitigating factors should have been provided more weight. In its submission, the panel stated that the applicable aggravating and mitigating factors were given “normal” weight by the panel.

In the Committee on Infractions decision for this case, the panel applied two aggravating factors [[Bylaws 19.9.3-\(b\) and -\(h\)](#)] and two mitigating factors [[Bylaws 19.9.4-\(b\) and -\(d\)](#)] to the appellant. The panel provided its rationale, including relevant case precedent, for the application of these factors as well as discussed why certain other factors were not applied. However, there is little or no explanation regarding the panel’s analysis of how the factors were weighed, the weight assigned to the factors or the meaning of the weight determinations for them.

This makes it difficult for this committee to assess whether there was an abuse of discretion in the weighing of the aggravating and mitigating factors given the limited explanation in the decision describing the analysis for assigning a weight to the factors.¹⁰ It is important for the panel to articulate in the infractions decision its rationale for the application of aggravating and mitigating factors for a case, and also to explain its analysis of the weighing of the factors and the

⁸ NCAA Working Group on Collegiate Model – Enforcement Page Nos. 20 and 21.

⁹ [Bylaws 19.9.2.1, 19.9.2.2](#) and [19.9.2.3](#).

¹⁰ There is no information in the panel’s decision which identifies that “normal” weight was applied to the factors or what constitutes “normal” weight. The definition of “normal” weight and the impact on determining classification is not outlined or defined in the decision.

determination of the classification. This will assist us in our review during an appeal and will also help the membership's understanding of the process for weighing the factors and create greater predictability within the infractions process.

Further, in this case, the panel noted that it considered the "unique facts and circumstances" of the case and determined that ascribing to the appellant the other aggravating factors applicable to the former associate head coach was not warranted. ([Committee on Infractions Decision Page No. 17](#)) The panel did not specifically identify the "unique facts and circumstances" of this case in the decision. However, the panel acknowledged in the Committee on Infractions Response that it did not apply three aggravating factors¹¹ to the appellant because they were triggered by the former associate head coach's individual conduct. (Committee on Infractions Response Page No. 18) In the future, when the panel considers the "unique facts and circumstances" of a case and their impact on the application of aggravating and mitigating factors, it should identify and describe those "unique facts or circumstances." This information is pertinent to this committee's review of an appeal, and it provides the membership greater insight into the application of the factors and increases predictability of infractions outcomes.

While the Committee on Infractions' Response to the appellant's written appeal provides insight regarding the weight given to aggravating and mitigating factors, this committee was troubled by the limited information regarding the weighing of those factors in the panel's infractions decision. This makes it difficult for the parties to the infractions case and this committee to understand the rationale for the weight provided to aggravating and mitigating factors. Even with the additional information provided in the Committee on Infractions' Response, this committee struggled with the application of its abuse of discretion standard to the factors and determining the outcome of this appeal. In the future, where similar limited analysis is included in the panel's decision, the Infractions Appeals Committee may not place as much weight on the information and rationale on the Committee on Infractions Response in assessing whether there has been an abuse of discretion. The analysis needs to be included in the panel's initial decision, as the institution or involved party should not have to appeal to have clarity regarding the rationale for the application of the mitigating and aggravating factors.

As noted above, however, this committee may only overturn or vacate the application and weighing of mitigating or aggravating factors "on a showing by the appealing party that the panel abused its discretion."¹² In this case, the appellant did not demonstrate how the panel's deficiencies in articulating how it weighed the aggravating and mitigating factors constitute an abuse of discretion by the panel. For each factor, the appellant and panel identified that there should be a different focus for or perspective of the weighing of the factors:

- For [Bylaw 19.9.3-\(b\)](#), the appellant argued the panel failed to consider that its 2015 infractions case involved a different sport program and different types of violations.

¹¹ The three aggravating factors are found in [Bylaws 19.9.3-\(i\), -\(j\) and -\(m\)](#).

¹² [Bylaw 19.10.1.1](#).

Therefore, this factor should have been given minimal weight.¹³ The panel argued in its submission that it recognized that the 2015 case was different in severity and type, but said that normal weight for this factor was warranted because it was a recent case.¹⁴

- For [Bylaw 19.9.3-\(h\)](#), the appellant argued that no other person of authority condoned, participated in or negligently disregarded the violation, and that the panel failed to consider that no compliance program could have detected or prevented actions by a “rogue employee.” It asserted this warranted minimal weight for this factor.¹⁵ The panel argued the former associate head coach was the person of authority who participated in the violations, which is contemplated by the plain language of the bylaw.¹⁶ Additionally, the panel pointed to the language in the decision that the authority of a coach derives from the institution and when the abuse of that authority results in violations, both the coach and institution bear responsibility. Therefore, the factor applied and was given normal weight.¹⁷
- For [Bylaw 19.9.4-\(b\)](#), the appellant argued that the actions it took after learning of the criminal indictments, especially when compared to other institutions, warranted significant weight for this factor.¹⁸ The panel stated that it credited the appellant’s prompt acknowledgement of violations and acceptance of responsibility even though the appellant disagreed with the level.¹⁹ Further, the panel argued it would have been inappropriate for the panel to consider other pending cases, and there is no basis for applying additional weight to the factor. Therefore, this factor was given normal weight.²⁰
- For [Bylaw 19.9.4-\(d\)](#), the appellant argued it was in the top third of the violations reported by coaching staff members in the Big 12 Conference, and discussed its compliance staff’s educational efforts and its commitment to integrity in the athletics program.²¹ In response, the panel argued that the Committee on Infractions had identified a threshold of five violations per year for the application of this factor.²² Further, it noted that the reporting of 18 Level III violations per year demonstrated the appellant is meeting the membership’s expectations, but does not merit the application of additional weight. Normal weight was given to this factor.²³

¹³ Written Appeal Page No. 35.

¹⁴ Committee on Infractions Response Page No. 24.

¹⁵ Written Appeal Page Nos. 35 and 36.

¹⁶ Committee on Infractions Response Page No. 25.

¹⁷ Committee on Infractions Response Page No. 26.

¹⁸ Written Appeal Page No. 37.

¹⁹ Committee on Infractions Response Page No. 26.

²⁰ Committee on Infractions Response Page No. 27.

²¹ Written Appeal Page Nos. 36 and 37.

²² Committee on Infractions Response Page No. 27.

²³ Committee on Infractions Response Page Nos. 27 and 28.

NCAA legislation gives the panel discretion to determine whether mitigating and aggravating factors, included and not included in [Bylaws 19.9.3](#) and [19.9.4](#), are present and how they are weighed in an infractions case. Generally, in the arguments put forward above, the appellant clearly disagreed with the weighing of the factors and provided its own perspective on how the factors should have been weighed. Such disagreements are not a sufficient demonstration to warrant a determination that the panel abused its discretion, and this committee may not substitute its judgement for that of the panel. That we may disagree with the panel's application or weighing of the factors is not sufficient to find an abuse of discretion.

Therefore, for the above reasons, we do not find the appellant has demonstrated that the panel abused its discretion in the application and weighing of the aggravating and mitigating factors. Further, given that we have also determined that the panel did not abuse its discretion in the determination of the level of this case, the appealed penalties are affirmed.

XI. CONCLUSION.

The level and classification of the case for Oklahoma State are affirmed. Additionally, penalties VI.1., VI.2., VI.4. and VI.5. are affirmed.²⁴

NCAA Infractions Appeals Committee

W. Anthony Jenkins, acting chair
Jonathan Alger
Ellen M. Ferris
Allison Rich
David Shipley.

²⁴ According to the Division I Infractions Appeals Committee Internal Operating Procedure 4-4, any penalty that is appealed is automatically stayed through the course of the appeal process. This stay is triggered with the filing of the notice of appeal by the appellant and ends with the public release of the committee's decision. Therefore, the appellant's affirmed penalty VI.1. (probation) shall be applied November 3, 2021 through November 2, 2024 and penalty VI.2. (competition penalty) shall be applied in the 2021-22 academic year. For penalties VI.4. (scholarship reductions) and VI.5. (recruiting restrictions), the appellant will work with the Committee on Infractions for the application of those penalties.