Secondary/Level III Violations and Online Self-Reporting Process

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Overview

- Importance of Policies and Procedures.
- Obligation to Self-Report.
- Self-Reporting Secondary/Level III Violations Online (RSRD).
- Letters of Inquiry.
- Definitions - Major and Secondary Violations (Division II/Division III).
- Enforcement Working Group (Division I).

- Definitions – Level I, II, III and IV Violations (Division I).
- Penalties for Secondary/Level III Violations.
- Head Coach Control/Responsibility (Division I).
- Head Coach Suspensions for Certain Level III Violations (Division I).

Importance of Policies and Procedures

- Written,
- Approved by CEO,
- Identify who will conduct the review,
- Allow for a timely review and
- Identify everyone involved and responsibilities.
Obligation to Self-Report

- Efficient and effective way to handle Secondary/Level III violations.
- It is REQUIRED!
  - NCAA Constitution 2.8.1 and Division I Bylaw 19.2.2.
  - Report noncompliance with NCAA rules.

Self-Reporting Violations Online - RSRO

- Requests and Self-Reports Online (RSRO).
- All Level III/Secondary Violations.
- Submission involves a 5-step process.
- Accessing RSRO and link to NCAA Online Directory.
- Institution and conference roles, communication and edit feature.
Helpful Hints and Best Practices

- Identify prospective student-athlete, student-athlete and staff.
- One sentence statement of violation.
- Reason for and discovery of the violation.
- Sport program vs. administrative violation.

Helpful Hints and Best Practices

- Institution and conference action.
- Required vs. optional signatures.
- Case contacts.
- Related Cases.
- Copying and deleting cases.
- Resource tab.

Letters of Inquiry

Enforcement receives information that violation may have occurred

- If information is specific, an anonymous source can be a credible source.
- If information appears credible

Letter of Inquiry sent to Institution by email

- Institution is required to follow up
- Institution is required to respond

Institution should follow up even if information not from enforcement

- If Violation(s) = RSRO
- If No Violation(s) = Letter

An anonymous source can be a credible source.
Definitions - Major and Secondary Violations (Divisions II and III)

Secondary Violation:
• Isolated or inadvertent in nature,
• Provides or is intended to provide only a minimal recruiting, competitive or other advantage and
• Does not include any significant impermissible benefit.

Major Violation:
• All violations other than secondary violations are major violations, specifically including those that provide an extensive recruiting or competitive advantage.
• Multiple secondary violations, collectively, can be considered a major violation.

Enforcement Working Group – Division I

– Introduced a four-tier violation hierarchy from severe breaches of conduct to incidental infractions.
– Enhanced head coach responsibility/accountability and potential consequences for head coaches who fail to direct their staffs and student-athletes to uphold NCAA bylaws.

Enforcement Working Group – Division I

– New Penalty Structure.
– Premium on aggravating and mitigating circumstances.
– Emphasizes a culture to assume a shared responsibility for upholding the values of intercollegiate athletics.

– Offers harsh consequences aligning more predictably with the severity of the violations:
  • Postseason Bans.
  • Scholarship Reductions.
  • Recruiting Limits.
  • Head Coach Suspensions.
  • Show-Cause Orders.
  • Financial Penalties.
Definitions – Level I, II, III and IV Violations (Division I)

Level I – Severe Breach of Conduct
“Violations that seriously undermine or threaten the integrity of the NCAA collegiate model...including 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.”

Definitions – Division I

Level II – Significant Breach of Conduct
- Violations that provide or are intended to provide more than a minimal but less than a substantial or extensive recruiting, competitive or other advantage;
- Includes more than a minimal but less than a substantial or extensive impermissible benefit or
- Involves conduct that may compromise the integrity of the NCAA collegiate model.
Definitions – Division I

Level III – Breach of Conduct

“Violations that are isolated or limited in nature; provide no more than a minimal recruiting, competitive or other advantage; and do not include more than a minimal impermissible benefit. Multiple Level IV violations may collectively be considered a breach of conduct.”

Definitions – Division I

Level III – Breach of Conduct

- Violations that:
  - Are isolated or limited in nature;
  - Provide no more than a minimal recruiting, competitive or other advantage and
  - Do not include more than a minimal impermissible benefit.
- Multiple Level IV violations may be considered a breach of conduct.

Definitions – Division I

Level IV – Incidental Infractions

- Minor infractions that are inadvertent and isolated, technical in nature and result in a negligible, if any, competitive advantage.
- Level IV infractions generally will not affect eligibility for intercollegiate athletics.
Sample Level IV Violations – Division I

- Use of Tobacco Products (Bylaw 11.1.4).
- Schedule Cards (Bylaw 12.5.1.1.5).
- Requirements for Official Visit (Bylaw 13.8.3).
- Requirements for Offer of GIA (Bylaw 13.9.1).
- Student-Athlete Statement (Bylaw 14.1.3.1).
- Squad Lists (Bylaw 14.9.2).
- Effect of Violation of Conference Rule (Bylaw 15.01.5.3).
- Life Skills Program (Bylaw 16.3.1.2).
- Declaration of Playing Season (Bylaw 17.1.3).

Find a complete list on the NCAA Division I Enforcement Webpage.

Penalties – Secondary and Level III Violations

The Committee on Infractions (COI) gives the enforcement staff authority to:

- Process Secondary/Level III cases and
- Impose appropriate penalties using case precedent.
- Any penalty imposed by the staff is the “minimum threshold” penalty for that violation.
- Institutions and conferences can impose more significant penalties than the NCAA minimum.
- The COI retains authority to make the ultimate determination of the level of violation.

Penalties should:

- Affect the area in which violation occurred (e.g., recruiting violation = recruiting penalty).
- Be designed to affect the involved sport program, not just the involved individual and
- Go beyond just eliminating the advantage (e.g., two-for-one).
Penalties – Secondary and Level III Violations

Facts:
Assistant women’s volleyball coach had impermissible off-campus contact with a sophomore in high school.

Two for One Penalty.

Penalties – Secondary and Level III Violations

– Division I:
  • The institution should be required to count the impermissible contact as one of the permissible off-campus contact opportunities with PSA and reduce the remaining contacts by one.

– Divisions II and III:
  • The institution should be required to preclude the entire women’s volleyball coaching staff from any recruiting activities with PSA for two weeks when otherwise permissible.

Corrective Actions

– Rules education.
  – Improved monitoring procedures.
Head Coach Control/Responsibility

Division I Bylaw 11.1.1.1
– Places the responsibility on the head coach to PROMOTE an atmosphere of NCAA rules compliance within his or her program and to MONITOR the activities of his or her staff to ensure compliance with the rules.
– A head coach is PRESUMED to be responsible for the actions of his or her staff and administrators associated with the program.
– Coach must rebut the presumption.

Note: Bylaw 11.1.1.1 violations are typically only Level I or Level II violations (rarely Level III violations).

Head Coach Control/Responsibility – Division I

Head coach and staff have an obligation to:
– Report suspected rules violations and actual rules violations.
– Consult with compliance staff to determine if their actions are consistent with NCAA rules.
– Identify situations where circumstances could result in NCAA violations, alert compliance and monitor the situation closely.
– Ensure that his or her program’s monitoring systems are operating properly.

Head Coach Suspensions for Certain Level III Violations – Division I

– Note additional violations specifically for football and men’s basketball.
– Effective August 2013, these penalties are imposed for ALL sports.
– In addition to head coach suspensions, penalties can include:
  • Suspension of assistant coach from all coaching-related activities for one or more contests and
  • Significant recruiting restrictions.
Head Coach Suspensions for Certain Level III Violations – Division I

All Sports:

- In-person, off-campus contacts during a dead period (particularly during the NLI signing dead period).
- Exceeding the permissible number of contacts with a prospective student-athlete.
- Intentional or significant game-day simulations and/or impermissible recruiting aids.
- Providing team gear or other inducements to prospective student-athletes.

Head Coach Suspensions for Certain Level III Violations – Division I

All Sports:

- Violations that occur as a result of engaging nonscholastic third parties in the recruiting process.
- When coaching staff knows about or is involved with a third party providing impermissible benefits to student-athletes or inducements to prospective student-athletes.
- Collective recruiting violations and/or other intentional recruiting violations.
- Providing a written offer of athletically related financial aid to a prospective student-athlete prior to August 1 of his or her senior year in high school.

Head Coach Suspensions for Certain Level III Violations – Division I

Football:

Holding 7-on-7 events on an institution's campus and/or otherwise attending or being involved in nonscholastic events.
Head Coach Suspensions for Certain Level III Violations – Division I

Men’s Basketball:
- Employment of individual(s) associated with a prospective student-athlete (IAWP) in non-coaching staff positions.
- Employment of an IAWP in an institutional or men's basketball staff member's camp or clinic.
- Institutional camp or clinic offers a different participation, registration procedure, fee structure, advertisement and/or logistical experience than other camps.
- Institution or staff member provides money to a nonprofit foundation that expends the funds for the benefit of a nonscholastic team, prospective student-athlete(s) or an IAWP.

Head Coach Suspensions for Certain Level III Violations – Division I

Men’s Basketball:
- Institution or staff member provides a consulting fee to an IAWP or to a consulting firm in which an IAWP has a proprietary or financial interest.
- Provision of event tickets to IAWP in violation of NCAA legislation.
- Hosting of and/or involvement in nonscholastic events.
- Subscription to a recruiting service in violation of NCAA legislation.

Penalties – Secondary and Level III Violations

Resources to Determine Penalties
- Secondary Infractions Database (LSDBj).
- Requests and Self-Reports Online (RSRO).
- Bylaws 19.9.8 (Division I) and 19.5.1 (Divisions II and III).
- Standard Penalties Document.
- Secondary/Level III Enforcement Staff.
NCAA Website

Check it out!

Secondary
Infractions
Self-Reporting

Division I/II

http://www.ncaa.org

Thank you!!

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