19.01 General Principles.

19.01.1 Mission of the Enforcement Program. It is the mission of the NCAA enforcement program to uphold integrity and fair play among the NCAA membership, and to prescribe appropriate and fair penalties if violations occur. One of the fundamental principles of the enforcement process is to ensure that those institutions and student-athletes abiding by the NCAA constitution and bylaws are not disadvantaged by their commitment to compliance. The program is committed to the fairness of procedures and the timely resolution of infractions cases. The ability to investigate allegations and penalize infractions is critical to the common interests of the Association’s membership and the preservation of its enduring values. 

19.01.2 Accountability. The enforcement program shall hold institutions, coaches, administrators and student-athletes who violate the NCAA constitution and bylaws accountable for their conduct, both at the individual and institutional levels. 

19.01.3 Public Disclosure. Except as provided in this article, the Committee on Infractions, the Infractions Appeals Committee and the enforcement staff shall not make public disclosures about a pending case until the case has been announced in accordance with prescribed procedures. An institution and any individual subject to the NCAA constitution and bylaws involved in a case, including any representative or counsel, shall not make public disclosures about the case until a final decision has been announced in accordance with prescribed procedures.

19.01.4 Penalty Structure. The enforcement program shall address the varying levels of infractions and, for the most serious infractions, include guidelines for a range of penalties, which the Committee on Infractions may prescribe, subject to review by the Infractions Appeals Committee. Penalties shall depend on the relative severity of the infraction(s), the presence of aggravating or mitigating factors and, in some cases, the existence of extenuating circumstances.

19.01.5 Exemplary Conduct. Individuals employed by or associated with member institutions for the administration, the conduct or the coaching of intercollegiate athletics are, in the final analysis, teachers of young people. Their responsibility is an affirmative one, and they must do more than avoid improper conduct or questionable acts. Their own moral values must be so certain and positive that those younger and more pliable will be influenced by a fine example. Much more is expected of them than of the less critically placed citizen.

19.02 Definitions and Applications.

19.02.1 Involved Individual. Involved individuals are current or former institutional staff members and current or former student-athletes who have received notice of involvement in alleged violations.

19.02.2 New Evidence. New evidence is relevant, material information that could not have reasonably been ascertained prior to the Committee on Infractions hearing.

19.02.3 Show-Cause Order. A show-cause order is an order that requires a member institution to demonstrate to the satisfaction of the Committee on Infractions why it should not be subject to a penalty or additional penalty for not taking appropriate disciplinary or corrective action with regard to an institutional staff member or representative of the institution’s athletics interests found by the committee as having been involved in a violation of the NCAA constitution and bylaws.

19.1 Violation Structure.

19.1.1 Severe Breach of Conduct (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, as set forth in the constitution and bylaws, 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. Among other examples, the following, in appropriate circumstances, may constitute a severe breach of conduct.
(a) Lack of institutional control;
(b) Academic fraud;
(c) Failure to cooperate in an NCAA enforcement investigation;
(d) Individual unethical or dishonest conduct, regardless of whether the underlying institutional violations are considered Level I;
(e) A Bylaw 11.1.1.1 violation by a head coach resulting from an underlying Level I violation by an individual within the sport program;
(f) Cash payment or other benefits provided by a coach, administrator or representative of the institution’s athletics interests intended to secure, or which resulted in, enrollment of a prospective student-athlete;
(g) Third-party involvement in recruiting violations in which institutional officials knew or should have known about the involvement;
(h) Intentional violations or reckless indifference to the NCAA constitution and bylaws; or
(i) Collective Level II and/or Level III violations.

### 19.1.2 Significant Breach of Conduct (Level II Violation)

A significant breach of conduct is one or more violations that provide or are intended to provide more than a minimal but less than a substantial or extensive recruiting, competitive or other advantage; include more than a minimal but less than a substantial or extensive impermissible benefit; or involve conduct that may compromise the integrity of the NCAA Collegiate Model as set forth in the constitution and bylaws. Among other examples, the following may constitute a significant breach of conduct: *(Adopted: 10/30/12 effective 8/1/13)*

(a) Violations that do not rise to the level of Level I violations and are more serious than Level III violations;
(b) Failure to monitor (such violations will be presumed Level II but may be deemed to be of a Level I nature if the failure is substantial or egregious);
(c) Systemic violations that do not amount to a lack of institutional control;
(d) Multiple recruiting, financial aid, or eligibility violations that do not amount to a lack of institutional control;
(e) A Bylaw 11.1.1.1 violation by a head coach resulting from an underlying Level II violation by an individual within the sport program; or
(f) Collective Level III violations.

### 19.1.3 Breach of Conduct (Level III Violation)

A breach of conduct is one or more violations that are isolated or limited in nature; provide no more than a minimal recruiting, competitive or other advantage; and provide no more than a minimal impermissible benefit. Among other examples, the following may constitute a breach of conduct: *(Adopted: 10/30/12 effective 8/1/13)*

(a) Inadvertent violations that are isolated or limited in nature; or
(b) Extra-benefit, financial aid, academic eligibility and recruiting violations, provided they do not create more than minimal advantages.

### 19.1.4 Incidental Infraction (Level IV Violation)

An incidental infraction is a minor infraction that is technical in nature and does not constitute a Level III violation. Incidental infractions generally will not affect eligibility for intercollegiate athletics. Multiple or repeated Level IV violations collectively may constitute a Level III violation. *(Adopted: 10/30/12 effective 8/1/13)*

### 19.2 Expectations and Shared Responsibility

#### 19.2.1 Member Responsibility for Compliance

Each institution has an affirmative obligation to monitor and control its athletics programs, its representatives and its student-athletes to assure compliance with the constitution and bylaws of the Association. *(Adopted: 10/30/12 effective 8/1/13)*

#### 19.2.2 Member Responsibility to Report Noncompliance

Each institution has an affirmative obligation to report all instances of noncompliance to the Association in a timely manner. *(Adopted: 10/30/12 effective 8/1/13)*

#### 19.2.3 Responsibility to Cooperate

All representatives of member institutions have an affirmative obligation to cooperate fully with and assist the NCAA enforcement staff, the Committee on Infractions and the Infractions Appeals Committee to further the objectives of the Association and its enforcement program. The responsibility to cooperate requires institutions and individuals to protect the integrity of investigations and to make a full and complete disclosure of any relevant information, including any information requested by the enforcement staff or relevant committees. All representatives of member institutions have an affirmative obligation to report instances of noncompliance to the Association in a timely manner and assist in developing full information to determine whether a possible violation has occurred and the details thereof. *(Adopted: 11/1/07 effective 8/1/08, Revised: 10/30/12 effective 8/1/13)*

#### 19.2.3.1 Exemplary Cooperation

Exemplary cooperation by an institution or involved individual may constitute a mitigating factor for purposes of determining a penalty for a violation. Institutions or involved
individuals may demonstrate exemplary cooperation while denying some or all of the alleged violations and otherwise acting in furtherance of their independent interests. (Adopted: 10/30/12 effective 8/1/13)

19.2.3.2 Failure to Cooperate. Failing to satisfy the responsibility to cooperate may result in an indepen-
dent allegation and/or be considered an aggravating factor for purposes of determining a penalty. Institutional representatives and the involved individual may be requested to appear before a hearing panel of the Committee on Infractions at the time the allegation is considered. (Adopted: 10/30/12 effective 8/1/13)

19.3 Committee on Infractions.

19.3.1 Composition of Committee. The Board of Directors shall appoint a Committee on Infractions comprised of not more than 24 members to act as hearing officers in infractions proceedings of the Association. The Board of Directors shall also appoint one member of the committee to serve as chair and another member to serve as vice chair. If at any time the chair is unavailable to act as such, the vice chair is empowered to exercise the functions of the chair. There shall be no subdivision restrictions except that all nonpublic members may not be from the same subdivision. The committee shall reflect the Association’s commitment to diversity. To the extent reasonably possible, the Committee shall include members from each of the following categories: (Revised: 1/16/93, 10/27/98, 10/28/99, 1/11/00, 1/11/01, 10/31/02, 10/30/12 effective 8/1/13)

(a) Current or former college or university presidents, chancellors or other senior institutional administrators (no more than three years removed from employment by a member institution or similar service at the time of his or her initial appointment);

(b) Current or former directors of athletics (no more than three years removed from employment by a member institution or similar service at the time of his or her initial appointment);

(c) Former NCAA coaches (no more than 10 years removed from employment by a member institution or similar service at the time of his or her initial appointment); (Revised: 1/19/13 effective 8/1/13)

(d) Representatives from conference offices;

(e) University staff or faculty, including but not limited to faculty athletics representatives;

(f) Athletics administrators with compliance experience; and

(g) Members of the general public with formal legal training who are not associated with a collegiate institution, conference, or professional or similar sports organization and who do not represent coaches or athletes in any capacity.

19.3.2 Temporary Substitutes. If it appears that one or more members of the committee will be unable to participate in the disposition of a case, the chair may designate a current or former member or members of the committee to participate for purposes of consideration and disposition of that case. (Revised: 1/11/07 effective 8/1/08, 10/30/12 effective 8/1/13)

19.3.3 Hearing Panels of the Committee. Unless ordered otherwise by the committee chair, cases in-
volving Level I or Level II violations will be presented to and decided by hearing panels consisting of not less than five and not more than seven members of the full Committee on Infractions. Decisions issued by hearing panels are made on behalf of the Committee on Infractions. (Adopted: 10/30/12 effective 8/1/13)

19.3.4 Conflict of Interest. No member of a hearing panel shall participate in a case if he or she is directly connected with an institution under investigation or if he or she has a personal, professional or institutional affiliation that may create the appearance of partiality. It is the responsibility of the panel member to remove himself or herself if a conflict exists. Objections to the participation of a panel member in a particular case should be raised as soon as recognized but will not be considered unless raised at least one week in advance of the panel’s review of the case. Objections will be decided by the committee chair. (Adopted: 10/30/12 effective 8/1/13)

19.3.5 Term of Office. Members appointed on or before August 1, 2013, shall be assigned to serve a one-, two- or three-year term as necessary to assure alternating expiration of terms. Thereafter, members may be ap-
pointed to serve a three-year term, which shall commence on the first day of August following the member’s ap-
pointment. Regardless of when appointed, a member may be reappointed for additional three-year terms but shall not serve more than nine years on the committee. (Adopted: 1/11/00, Revised: 10/30/12 effective 8/1/13)

19.3.6 Authority and Duties of Committee. Disciplinary or corrective actions other than suspension or termination of membership may be prescribed by members of hearing panels of the Committee on Infractions present and voting at any duly called hearing thereof, provided the call of such a hearing shall have contained notice of the situation presenting the disciplinary problem. Actions of panels in cases involving Level I or Level II violations, however, may be subject to review by the Infractions Appeals Committee. The penalties prescribed by a panel are separate and apart from any penalties prescribed as part of the Academic Performance Program by the Committee on Academic Performance. The Committee on Infractions shall: (Revised: 1/16/93, 1/10/95, 4/24/03, 10/30/12 effective 8/1/13)

(a) Find facts related to alleged bylaw violations;

(b) Conclude whether the facts constitute one or more violations of the NCAA constitution and bylaws;
(c) Upon concluding that one or more violations occurred, prescribe an appropriate penalty consistent with the provisions of this article;

(d) Coordinate with the office of the Committees on Infractions as necessary for logistic, administrative or other support related to implementation of the committee's decisions;

(e) Monitor compliance with prescribed penalties. In the event an institution fails or refuses to implement prescribed penalties, a hearing panel of the committee may prescribe additional penalties, provided the institution is given the opportunity to appear before the panel and the opportunity to appeal any additional penalty;

(f) Consider complaints alleging the failure of any member to maintain the academic or athletics standards required for membership or the failure of any member to meet the conditions and obligations of membership in the Association;

(g) Formulate and revise internal operating procedures and revise investigative guidelines. Committee amendments to the procedures and guidelines shall be effective immediately and subject to review and approval by the Board of Directors; and

(h) Carry out such other duties directly related to the administration of the Association's enforcement program.

19.3.7 Duties of Committee Chair. The duties of the committee chair, or his or her designee, shall be as follows: (Adopted: 10/30/12 effective 8/1/13)

(a) Schedule and preside over two meetings of the full committee annually. In the interim between meetings of the full committee, the chair shall act on behalf of the committee, subject to committee ratification at its next meeting;

(b) For each hearing panel, appoint a chief hearing officer to preside over cases assigned to the panel. The chief hearing officer will generally be the panel member with the greatest length of service on the Committee on Infractions.

(c) At the request of the enforcement staff, determine whether to grant limited immunity to an institutional employee with responsibilities related to athletics based on information that the employee reports in situations in which he or she would otherwise be subject to disciplinary action as described in Bylaws 19.9.5.4 and 19.9.8-(i). Such immunity shall not apply to the employee's involvement in violations of NCAA legislation not reported, to future involvement in violations of NCAA legislation by the employee or to any action taken by an institution;

(d) At the request of the enforcement staff, determine whether to grant limited immunity to a student-athlete or prospective student-athlete in situations in which he or she might otherwise be declared ineligible for intercollegiate competition based on information reported to the enforcement staff by the individual or a third party associated with the individual. Such immunity shall not apply to the individual's involvement in violations of NCAA legislation not reported, to future involvement in violations of NCAA legislation by the individual or to any action taken by an institution;

(e) In Level II cases, consider and decide requests by an institution or involved individual for an accelerated hearing;

(f) Coordinate with the office of the Committees on Infractions as necessary for logistic, administrative or other support;

(g) Coordinate with the office of the Committees on Infractions regarding hearing panel assignments, committee meetings and training activities; and

(h) Resolve or appoint another committee member to resolve preliminary procedural or other matters which may arise prior to the infractions hearing as authorized in Bylaw 19.7.6.

19.3.8 Duties of the Chief Hearing Officer. The duties of the chief hearing officer shall be as follows: (Adopted: 10/30/12 effective 8/1/13)

(a) Consider and decide scheduling requests and extensions of time regarding hearing-related deadlines;

(b) For each hearing panel, appoint an individual responsible for conducting the press conference when the panel's decision is released;

(c) For each case set for hearing and in consultation with the committee chair, designate a panel member or other member of the committee to serve as the committee appeals advocate for any appeal from the decision of the panel;

(d) Coordinate with the office of the Committees on Infractions as necessary for logistic, administrative or other support related to hearings to which the chief hearing officer is assigned; and

(e) Resolve or appoint another panel member to resolve preliminary procedural or other matters that may arise prior to the infractions hearing as authorized in Bylaw 19.7.6.
19.4 Infractions Appeals Committee.

19.4.1 Composition of Committee. The Board of Directors shall appoint an Infractions Appeals Committee to act as appellate hearing officers for appeals from decisions involving Level I or Level II violations by the Committee on Infractions. The committee shall be comprised of five members. At least one member shall be from the general public and shall not be connected with a collegiate institution, conference, or professional or similar sports organization, or represent coaches or athletes in any capacity. The remaining members shall presently or previously be on the staff of an active member institution or member conference, but shall not serve presently on the Board of Directors. There shall be no subdivision restrictions except that all nonpublic members may not be from the same subdivision. The committee shall reflect the Association's commitment to diversity. (Adopted: 1/16/93, Revised: 10/27/98, 10/30/12 effective 8/1/13)

19.4.2 Temporary Substitutes. If it appears that one or more of the committee members will be unable to participate in the disposition of a case, the chair may designate a former member or members of the committee to rejoin the committee for purposes of consideration and disposition of that case. (Adopted: 4/22/98, Revised: 11/1/07 effective 8/1/08, 4/28/11, 10/30/12 effective 8/1/13)

19.4.3 Conflict of Interest. No member of the Infractions Appeals Committee shall participate in a case if he or she is directly connected with an institution under investigation or if he or she has a personal, professional or institutional affiliation that may create the appearance of partiality. It is the responsibility of the committee member to remove himself or herself if a conflict exists. Objections to the participation of a committee member in a particular case should be raised as soon as recognized, but will not be considered unless raised at least one week in advance of the committee's review of the case. (Adopted: 10/30/12 effective 8/1/13)

19.4.4 Term of Office. A member shall serve a three-year term, which shall commence on the first day of September following the member's appointment. A member may be reappointed for additional terms but shall not serve more than nine years on the committee. (Adopted: 1/9/96, Revised: 10/30/12 effective 8/1/13)

19.4.5 Authority of Committee. The Infractions Appeals Committee shall: (Adopted: 1/16/93, Revised: 1/10/95, 1/14/97, 11/1/07 effective 8/1/08, 10/30/12 effective 8/1/13)

(a) Consider appeals from decisions of a hearing panel of the Committee on Infractions involving Level I or Level II violations;

(b) Affirm, reverse, or vacate and/or remand the panel's findings, conclusions, penalties, corrective actions, requirements, and/or other conditions and obligations of membership prescribed for violations of the NCAA constitution and bylaws; and

(c) Formulate and revise its operating procedures. Committee amendments to the procedures shall be effective immediately and subject to review and approval by the Board of Directors. The procedures shall include guidance on the conduct of appeal hearings.

19.5 Review and Investigation of Alleged Violations.

19.5.1 Enforcement Staff to Receive Information and Conduct Investigations. Information regarding an alleged failure to comply with the NCAA constitution and bylaws or to meet the conditions and obligations of membership shall be provided to the enforcement staff. The enforcement staff shall determine whether an investigation is warranted or whether the matter may be resolved without a formal investigation. If an investigation is warranted, the enforcement staff shall conduct an investigation on behalf of the entire membership whether an investigation is warranted or whether the matter may be resolved without a formal investigation. If an investigation is warranted, the enforcement staff shall conduct an investigation on behalf of the entire membership

19.5.1.1 Conflict of Interest. Any enforcement staff member who has or had a personal relationship or institutional affiliation that may create the appearance of partiality shall refrain from participating in the case. (Adopted: 10/30/12 effective 8/1/13)

19.5.1.2 Initial Determination. The staff shall have the discretion to submit information to the chair of the Committee on Infractions for an initial determination of how that information should be processed. In such cases, the chair shall not be appointed to the hearing panel, if any, later assigned to the case. (Adopted: 10/30/12 effective 8/1/13)

19.5.2 Public Announcements. The enforcement staff shall not publicly confirm or deny the existence of an infractions case before complete resolution of the case pursuant to this article. However, if information concerning a case is made public, the institution, enforcement staff and the involved individual may confirm, correct or deny the information made public. (Adopted: 10/30/12 effective 8/1/13)

19.5.3 Notice of Inquiry to Institution. Before the enforcement staff conducts an inquiry on an institution's campus, the enforcement staff shall notify the institution's president or chancellor of the inquiry, either orally or in writing. This notice shall toll the statute of limitations. The institution shall be informed of its obligation to cooperate and of the confidential nature of the inquiry. The institution shall be notified that if the inquiry develops reliable information of a possible Level I or Level II violation, a notice of allegations will be produced. In the
19.5.4 Representation by Legal Counsel. When an enforcement staff member conducts an interview that may develop information detrimental to the interests of the individual being questioned, he or she may be represented by personal legal counsel. *(Adopted: 10/30/12 effective 8/1/13)*

19.5.5 Interview Notices.

19.5.5.1 Disclosure of Purpose of Interview. When an enforcement staff member requests information that could be detrimental to the interests of the student-athlete or institutional employee being questioned, that individual shall be advised that the purpose of the interview is to determine whether the individual has knowledge of or has been involved directly or indirectly in any violation of the NCAA constitution and bylaws. *(Adopted: 10/30/12 effective 8/1/13)*

19.5.5.2 Responsibility to Provide Truthful Information. At the beginning of an interview involving the enforcement staff, a current or former student-athlete or a current or former institutional employee shall be advised that refusing to furnish information or providing false or misleading information to the NCAA, conference or institution may result in an allegation that the individual has violated NCAA ethical-conduct bylaws. *(Adopted: 10/30/12 effective 8/1/13)*

19.5.6 Interviews with Member Institution. The athletics director or other appropriate official of an institution shall be contacted by the enforcement staff in order to schedule interviews on the institution's campus with enrolled student-athletes or coaching or other institutional staff members with athletically related responsibilities who are believed to have knowledge of possible violations. Interviews should be conducted without disrupting normally scheduled academic activities whenever reasonably possible. *(Adopted: 10/30/12 effective 8/1/13)*

19.5.6.1 Presence of Institutional Representative During Interview. If an interview with an enrolled student-athlete or athletics department staff member is conducted on the campus of an institution, an institutional representative (as designated by the institution) may be present during the interview, provided the subject matter to be discussed in the interview relates directly to the individual's institution or could affect the individual's eligibility or employment at the institution. If the enforcement staff wishes to discuss information with a student-athlete or staff member that is related solely to institutions other than the one in which the student-athlete is enrolled or the staff member is employed, and would not reasonably affect the student's eligibility or the staff member's employment at that institution, only an institutional representative outside of athletics (e.g., faculty athletics representative or general counsel) may be present during that portion of the interview. *(Adopted: 10/30/12 effective 8/1/13)*

19.5.7 Use of Court Reporters. Institutional representatives or individuals being interviewed may use a court reporter to transcribe an interview subject to the following conditions. The institution or individual shall:

(a) Pay the court reporter's fees;
(b) Provide a copy of the transcript to the enforcement staff at no charge; and
(c) Agree that the confidentiality standards of Bylaw 19.5.8 apply. An institutional representative or individual who chooses to use a court reporter shall submit a written notice of agreement with the required conditions to the enforcement staff prior to the interview.
(d) If the enforcement staff chooses to use a court reporter, the NCAA will pay all costs of the reporter. A copy of the transcript prepared by the court reporter for the enforcement staff shall be made available to the institution and the involved individuals through the secure website.

19.5.8 Statement of Confidentiality. Individuals and institutional representatives shall be required to agree not to release recordings or interview transcripts to a third party. A statement of confidentiality shall be signed or recorded prior to an interview. Failure to enter into such an agreement precludes the individual or institutional representative from recording or transcribing the interview. *(Adopted: 10/30/12 effective 8/1/13)*

19.5.9 Access to Information. For all cases to be considered by the Committee on Infractions, the enforcement staff shall make available to the institution or involved individuals copies of recorded interviews, interview summaries and/or interview transcripts, and other evidentiary information pertinent to the case. The institution and involved individuals may review such information through a secure website or at the NCAA national office. *(Adopted: 10/30/12 effective 8/1/13)*

19.5.10 Termination of Investigation. The enforcement staff shall terminate the investigation related to any notice of inquiry in which the information that is developed does not appear to be of sufficient substance to warrant a notice of allegations or notice of Level III allegations. *(Adopted: 10/30/12 effective 8/1/13)*

19.5.11 Statute of Limitations. Allegations included in a notice of allegations shall be limited to possible violations occurring not earlier than four years before the date the notice of inquiry is provided to the institution or the date the institution notifies (or, if earlier, should have notified) the enforcement staff of its inquiries into the matter. However, the following shall not be subject to the four-year limitation: *(Adopted: 10/30/12 effective 8/1/13)*

(a) Allegations involving violations affecting the eligibility of a current student-athlete;
19.6 Summary Disposition Process.

19.6.1 Summary Disposition Election. In a case involving Level I or Level II violations, the institution, involved individuals and the enforcement staff may elect to use the summary disposition procedures specified below. To invoke the summary disposition procedures, the enforcement staff, involved individuals, if participating, and the institution must agree to summary disposition. The institution, an involved individual or the enforcement staff may require, as a condition of agreement, that the parties jointly submit the proposed findings of fact to the chair of the Committee on Infractions or his or her designee for a preliminary assessment of the appropriateness of the use of the summary disposition process. (Adopted: 10/30/12 effective 8/1/13)

19.6.2 Written Report. The institution, involved individuals and the enforcement staff shall submit a written report setting forth: (Adopted: 10/30/12 effective 8/1/13)

(a) The proposed findings of fact;
(b) A summary of information on which the findings are based;
(c) A statement identifying the violation(s) of the NCAA constitution and bylaws;
(d) The parties’ agreement on the overall level of the case;
(e) A stipulation by the enforcement staff that the investigation, if conducted by the institution, was complete and thorough and that the institution cooperated fully in the process;
(f) A statement of unresolved issues;
(g) A list of any agreed-upon aggravating and mitigating factors; and
(h) A stipulation that the proposed findings are substantially correct and complete.

19.6.3 Proposed Penalties. The institution and involved individuals shall submit proposed penalties from the guidelines set forth in Bylaw 19.9 and Figure 19-1. The institution and involved individuals also may submit a statement regarding any aggravating or mitigating factors and other considerations that may impact the penalty or penalties. (Adopted: 10/30/12 effective 8/1/13)

19.6.4 Committee on Infractions Review. A hearing panel of the Committee on Infractions shall consider the case during a subsequent meeting. (Adopted: 10/30/12 effective 8/1/13)

19.6.4.1 Review of Investigation. The panel shall determine whether a thorough investigation of possible violations of the NCAA constitution and bylaws has been conducted (by the enforcement staff and/or the institution). If the panel determines that the investigation was inadequate, it shall notify the enforcement staff and the parties and allow them to respond, as appropriate. (Adopted: 10/30/12 effective 8/1/13)

19.6.4.2 Additional Information or Clarification. The panel may contact the institution, enforcement staff and involved individuals for additional information or clarification prior to accepting or rejecting the proposed findings or penalties. (Adopted: 10/30/12 effective 8/1/13)

19.6.4.3 Acceptance of Proposed Findings and Penalties. If the proposed findings of fact and proposed penalties are accepted, the panel shall prepare a report of its decision or adopt the written report of the parties. The panel may make additional comments explaining its analysis or amend the proposed findings of fact, provided any addition or amendment is editorial and does not alter the substance of the proposed findings of fact. The written report may identify the chancellor president of the institution (in cases involving lack of institutional control); the director of athletics and/or any individual with direct responsibility and oversight of the athletics department (in cases involving lack of institutional control and failure to monitor); the head coach(es) of the sport(s) involved; and, if appropriate, the chair or other members of the institution’s governing body. The panel shall forward the report to the enforcement staff and the parties and publicly announce the resolution of the case. (Adopted: 10/30/12 effective 8/1/13)

19.6.4.4 Proposed Findings Not Accepted. If the panel does not accept the proposed findings of fact, the case shall be processed pursuant to Bylaw 19.7. (Adopted: 10/30/12 effective 8/1/13)

19.6.4.5 Proposed Penalties Not Accepted. If the panel accepts the proposed findings of fact but proposes penalties in addition to those set forth in the parties' written report, the institution and/or involved individuals may accept those penalties or request an expedited hearing on penalties before the panel. The institution and/or involved individuals may appear before the panel in person, by video conference or other mode of distance communication, as the panel deems appropriate, to discuss the proposed additional penalties. The institution and/or involved individuals also may provide a written submission in lieu of a hearing. The panel shall only consider
19.7 Notice of Allegations and Opportunity to Respond.

19.7.1 Notice of Allegations. If the enforcement staff determines after an investigation that there is sufficient information to conclude that a hearing panel of the Committee on Infractions could conclude that a violation occurred, it shall issue a cover letter and notice of allegations to the chancellor or president of the institution involved (with copies to the faculty athletics representative, the athletics director and the executive officer of the conference of which the institution is a member). The institution and/or involved individuals, if applicable, shall be given notice of the alleged violation(s), the details of the allegations, the possible level of each violation, the available hearing procedures and the opportunity to answer the allegations. The notice of allegations shall also identify the factual information and aggravating and/or mitigating factors on which the enforcement staff may rely in presenting the case. (Adopted: 10/30/12 effective 8/1/13)

19.7.1.1 Notice to Institution’s Administration. The cover letter accompanying each notice of allegations shall: (Adopted: 10/30/12 effective 8/1/13)

(a) Inform the chancellor or president of the matter under inquiry and request the cooperation of the institution in obtaining all the pertinent facts;

(b) Request the chancellor or president to respond to the allegations and to provide all relevant information that the institution has or may reasonably obtain, including information uncovered related to new violations. The responsibility to provide information continues until the case has been concluded;

(c) In cases in which there will be an in-person hearing, request the chancellor or president and other institutional staff to appear before a hearing panel of the Committee on Infractions at a time and place determined by the panel;

(d) In cases in which there will be an in-person hearing, inform the chancellor or president that if the institution fails to appear after having been requested to do so, it may not appeal to the panel’s decision or the resultant penalty; and

(e) Inform the chancellor or president that the enforcement staff’s primary investigator in the case will be available to discuss the development of its response and assist in locating various individuals who have, or may have, important information regarding the allegations.

19.7.1.2 Notice to Involved Individuals. The enforcement staff shall notify an involved individual of the allegations in a notice of allegations in which he or she is named. The involved individual shall receive notice of his or her duty to cooperate in the investigation and to appear at a hearing, if requested (and the potential consequences for failing to appear). The notice of allegations shall request the involved individual to respond to the allegations and to provide all relevant information that he or she has or may reasonably obtain, including information uncovered related to new violations. The responsibility to provide information continues until the case has been concluded. The involved individual shall also be advised that the enforcement staff’s primary investigator in the case will be available to discuss the development of the individual’s response. If an involved individual is employed at a member institution, a copy of the notification shall also be forwarded to the chancellor or president and the director of athletics of his or her current institution. (Adopted: 10/30/12 effective 8/1/13)

19.7.2 Responses by Institutions or Involved Individuals. Any response to the notice of allegations shall be submitted to the hearing panel, if assigned, and the enforcement staff, and to the institution and all involved individuals, not later than 90 days from the date of the notice of allegations unless the chief hearing officer, if assigned, and if not assigned, the committee chair, grants an extension. The enforcement staff may establish a deadline for the submission of responses to any reasonable time within the 90-day period, provided the institution and all involved individuals consent to the expedited deadline. Failure to submit a timely response may be viewed by the panel as an admission that the alleged violation(s) occurred. (Adopted: 10/30/12 effective 8/1/13, Revised: 1/19/13)

19.7.3 Submissions by Enforcement Staff. Within 60 days after the institution and involved individuals, if any, submit written responses to the notice of allegations, the enforcement staff shall submit a written reply to the hearing panel, and pertinent portions to an involved individual or institution. In addition to submitting its reply and after the prehearing conference, the enforcement staff shall prepare a statement of the case, which shall set forth a brief history of the case, a summary of the parties’ positions on each allegation and a list of any remaining items of disagreement. An involved individual will be provided those portions of the statement in which he or she is named. (Adopted: 10/30/12 effective 8/1/13)

19.7.4 Prehearing Conference. Within 60 days after the institution and involved individuals, if any, submit written responses to the notice of allegations, the enforcement staff shall consult with institutional representatives and other involved individuals in order to clarify the issues to be discussed during the hearing, make suggestions regarding additional investigation or interviews that should be conducted to supplement a response and
19.7.5 Deadline for Submission of Written Material. Except as otherwise ordered by the chief hearing officer and for good cause shown, all written material from the parties to be considered by the hearing panel must be received by the hearing panel, enforcement staff, institution and any involved individuals at least 30 days prior to the date the panel considers the case. Information may be submitted at the hearing, subject to the limitations set forth in Bylaw 19.7.7.3. (Adopted: 10/30/12 effective 8/1/13)

19.7.6 Prehearing Procedural Issues. The committee chair has authority to resolve procedural matters that arise prior to an infractions hearing. Unless otherwise specified by the committee chair, the chief hearing officer has authority to resolve procedural matters that arise prior to an infractions hearing and after appointment of the chief hearing officer to preside over the case assigned to a panel. (Adopted: 10/30/12 effective 8/1/13)

19.7.7 Committee Hearings. The hearing panel assigned to a case shall hold a hearing to make factual findings and to conclude whether violations of the NCAA constitution and bylaws occurred and, if so, to determine appropriate penalties as set forth in this Article. In cases that involve a small number of contested issues or cases in which the contested issues are relatively uncomplicated, the institution and/or the involved individual may make a written request to appear before the panel by video conference or other mode of distance communication. The decision regarding the use of video conference (or another mode of communication) rests with the panel. In a Level II case, the hearing will be conducted by telephone or video conference unless an in-person hearing is requested by the panel, institution, enforcement staff or involved individual or unless all participating parties agree to submit the case in writing without a hearing. (Adopted: 10/30/12 effective 8/1/13)

19.7.7.1 Allegations of Violations in Multiple Levels. If violations from multiple levels are identified in the notice of allegations, the case shall be processed pursuant to procedures applicable to the most serious violation(s) alleged. (Adopted: 10/30/12 effective 8/1/13)

19.7.7.2 Accelerated Hearing Docket. In Level II cases, the institution or involved individual may petition the committee chair for an accelerated schedule for written submissions and an earlier hearing date. The petition shall be submitted not later than 14 calendar days after the date of the notice of allegations. The enforcement staff may respond to the petition within five business days. The committee chair may grant or deny such a petition and set a reasonable schedule at his or her discretion. (Adopted: 10/30/12 effective 8/1/13)

19.7.7.3 Information Presented at Hearings. At a hearing, the parties or their legal counsel have the obligation to present, to the extent reasonably possible, material, relevant information necessary for the hearing panel to reach an informed decision, including information that corroborates or refutes an allegation. Subject to procedures of the Committee on Infractions, the parties or their legal counsel may deliver opening and closing statements, present factual information, make arguments, explain the alleged violations and answer questions from panel members. Any oral or documentary information may be received, but the panel may exclude information that it determines to be irrelevant, immaterial or unduly repetitious. (Adopted: 10/30/12 effective 8/1/13)

19.7.7.3.1 Information from Confidential Sources. At a hearing, the parties, including the enforcement staff, shall present only information that can be attributed to individuals who are willing to be identified. Information obtained from individuals not wishing to be identified shall not be relied on by the hearing panel in concluding whether a violation occurred. Such confidential sources shall not be identified to the hearing panel, the institution or an involved individual. (Adopted: 10/30/12 effective 8/1/13)

19.7.7.3.2 Information Relevant to Possible Penalties. Institutional, conference and enforcement staff representatives and any involved individuals are encouraged to present all relevant information that should be considered in arriving at appropriate penalties. (Adopted: 10/30/12 effective 8/1/13)

19.7.7.4 Scope of Inquiry. When an institution and/or involved individual appears before a hearing panel to discuss a response to the notice of allegations, the hearing shall be directed toward the general scope of the notice of allegations but shall not preclude the panel from concluding that any violation occurred based on information developed or discussed during the hearing. In any case, the panel may make specific factual findings based on information presented by the parties or at a hearing even if different from the notice of allegations. (Revised: 4/24/03, 10/30/12 effective 8/1/13)

19.7.7.5 Appearance of Individuals at Hearings. Except as otherwise provided herein or as ordered by the chief hearing officer, hearing attendees shall be limited to institutional representatives (Bylaw 19.7.7.5.2), involved individuals, enforcement staff representatives, hearing panel members, representatives from the office of the Committees on Infractions, representatives from the NCAA office of legal affairs, the audio recorder, court reporter and other technical/support staff as permitted by the chief hearing officer. An individual who appears before the panel may appear with personal legal counsel. At his or her discretion, the chief hearing officer may exclude an individual and his or her counsel from those portions of the hearing concerning matters in which the individual is not involved. (Adopted: 10/30/12 effective 8/1/13)

19.7.7.5.1 Request for Specific Individuals. Institutional officials, current or former staff members, or enrolled student-athletes who are specifically requested by the chief hearing officer to appear before the
hearing panel at an institutional hearing are expected to appear and may be accompanied by personal legal counsel. Failure to attend may result in a violation of this bylaw. (Adopted: 10/30/12 effective 8/1/13)

19.7.7.5.2 Representatives of Institution. Except as otherwise ordered by the chief hearing officer, at the time an institution appears before the hearing panel, its representatives should include the institution’s chancellor or president, the head coach of the sport(s) in question, the institution’s director of athletics and/or any individual with direct responsibility and oversight of the athletics department, senior compliance administrator, faculty athletics representative, legal counsel (if any), enrolled student-athletes whose eligibility could be affected by information presented at the hearing, and any other representatives whose attendance has been requested by the panel. Additional individuals may be included among the institution’s representatives only if specifically approved. (Adopted: 10/30/12 effective 8/1/13)

19.7.7.5.3 Representatives of Member Conference. A representative of a conference may attend an institutional hearing involving a conference member. (Adopted: 10/30/12 effective 8/1/13)

19.7.7.5.4 Prohibited Attendance by Conflicted Committee Members. A member of the Committee on Infractions or the Infractions Appeals Committee who is prohibited under Bylaws 19.3.4 or 19.4.3 from participating in an infractions proceeding may not attend a Committee on Infractions hearing involving his or her institution unless specifically requested by the chief hearing officer. (Adopted: 10/30/12 effective 8/1/13)

19.7.7.6 Recording of Proceedings. The proceedings of infractions hearings shall be transcribed by a court reporter (unless otherwise agreed) and shall be recorded by the hearing panel. No additional verbatim recording of the proceedings will be permitted. In the event of an appeal, a transcript of the proceedings shall be reproduced and submitted to the Infractions Appeals Committee and made available for review by the appealing parties through a secure website. (Adopted: 10/30/12 effective 8/1/13)

19.7.8 Posthearing Committee Deliberations. After all presentations have been made and the hearing has been concluded, the hearing panel shall excuse the parties and deliberate in private. (Adopted: 10/30/12 effective 8/1/13)

19.7.8.1 Request for New Information. In arriving at its decision, the hearing panel may request additional information from any source, including the institution, the enforcement staff or an involved individual. In the event that new information is requested, all parties will be afforded an opportunity to respond at the time such information is provided. (Adopted: 10/30/12 effective 8/1/13)

19.7.8.2 Request for Interpretation. The hearing panel may request that the NCAA academic and membership affairs staff provide an interpretation of applicable legislation based on facts submitted by the panel. If an interpretation is requested, the institution, involved individuals and the enforcement staff will be notified in writing of the interpretation request and the response. The institution may appeal the interpretation in accordance with Constitution 5.4.1.2. (Adopted: 10/30/12 effective 8/1/13)

19.7.8.3 Basis of Decision. The hearing panel shall base its decision on information presented to it that it determines to be credible, persuasive and of a kind on which reasonably prudent persons rely in the conduct of serious affairs. (Adopted: 10/30/12 effective 8/1/13)

19.7.8.4 Calculation of Penalty. If the hearing panel concludes that a violation occurred, it shall prescribe an appropriate penalty pursuant to Bylaw 19.9 or recommend to the Board of Directors suspension or termination of membership in an appropriate case. Failure to fully implement the prescribed penalty may subject the institution, and/or an institution employing an involved individual under a show-cause order, to further disciplinary action by the Committee on Infractions. (Adopted: 10/30/12 effective 8/1/13)

19.8 Notification of Committee on Infractions Decision.

19.8.1 Infractions Decision. After a hearing, the hearing panel shall prepare and approve the final written infractions decision, which shall contain a statement of the findings of fact, conclusions of violations, penalties, corrective actions, requirements and (for institutions) any other conditions and obligations of membership. (Adopted: 10/30/12 effective 8/1/13)

19.8.1.1 Provision of Decision to the Parties. The decision shall be sent to the chancellor or president of the involved institution (or his or her designee), any involved individuals and the vice president of enforcement. (Adopted: 10/30/12 effective 8/1/13)

19.8.1.2 Public Infractions Decision. Once the decision has been provided to the parties, the hearing panel shall release a public infractions decision. The public infractions decision will not include names of individuals, but the panel may, at its discretion, identify the chancellor or president of the institution (in cases involving lack of institutional control); the director of athletics and/or any individual with direct responsibility and oversight of the athletics department (in cases involving lack of control or failure to monitor); the head coach(es) of the sport(s) involved; and, if appropriate, the chair or other members of the institution’s governing body. (Adopted: 10/30/12 effective 8/1/13)

19.8.1.3 Public Announcement. Once the public infractions decision has been released, the panel member designated by the chief hearing officer may make a public announcement related to the infractions case. The
institution and/or any involved individuals shall be requested not to comment publicly concerning the case prior to the time the NCAA's public announcement is released. (Adopted: 10/30/12 effective 8/1/13)

19.8.1.4 Decision to Infractions Appeals Committee. The hearing panel shall forward a copy of the public infractions decision to the Infractions Appeals Committee at the time of the public announcement. (Adopted: 10/30/12 effective 8/1/13)

19.8.2 Reconsideration by the Hearing Panel. Once the decision has been publicly announced by the hearing panel, and the appeal opportunity has been exhausted, there shall be no reconsideration of the decision except as follows. (Adopted: 10/30/12 effective 8/1/13)

19.8.2.1 New Evidence or Prejudicial Error. A hearing panel may reconsider a decision upon a showing of new evidence that is directly related to the decision or upon a showing that there was prejudicial error in the procedure that was followed in the processing of the case. (Revised: 1/9/96, 10/30/12 effective 8/1/13)

19.8.2.1.1 Review Process. Any institution or involved individual that initiates such a review shall submit a brief of its request to a hearing panel of the Committee on Infractions. Based on the party's brief, the hearing panel shall decide whether to deny the request or grant the request and conduct further proceedings as the panel deems necessary to resolve the matter. (Revised: 10/30/12 effective 8/1/13)

19.8.2.1.2 No Calculation of New Penalty. If reconsideration is granted, the panel may reduce or eliminate a penalty but may not prescribe any new penalty. The panel's decision with respect to the penalty shall be final and conclusive for all purposes. (Revised: 10/30/12 effective 8/1/13)

19.8.2.2 Penalty Modified or Set Aside Outside the Association. Should any portion of the penalty in the case be modified or set aside for any reason other than by appropriate action of the Association, the penalty shall be reconsidered by a hearing panel. In such cases, any extensions or adjustment of a penalty shall be prescribed by the panel after notice to the institution and an opportunity to respond. Any such action by the panel shall be reviewed by the Infractions Appeals Committee. (Revised: 10/30/12 effective 8/1/13)

19.8.3 Finality of Decisions. Any decision by a hearing panel of the Committee on Infractions that is not appealed or reconsidered pursuant to Bylaw 19.8.2 shall be final, binding and conclusive, and shall not be subject to further review by any governance body. (Adopted: 10/30/12 effective 8/1/13)

19.9 Penalties.

19.9.1 Application. The penalties set forth in this section shall be prescribed for violations committed on or after October 30, 2012. Penalties prescribed for violations committed before October 30, 2012, shall be the penalties set forth in this section or the penalties that would have been prescribed pursuant to the 2012-13 Division I Manual, whichever is less stringent. For violations that commence before October 30, 2012, and continue on or after October 30, 2012, the hearing panel shall prescribe the penalties set forth in this section unless it determines that the conduct constituting a violation predominately occurred before October 30, 2012. (Adopted: 10/30/12 effective 8/1/13)

19.9.2 Factors Affecting Penalties. The hearing panel shall determine whether any factors that may affect penalties are present in a case. The panel shall weigh any factors and determine whether a case should be subject to standard penalties or should be classified with aggravation or mitigation and, therefore, subject to a higher or lower range of penalties. Absent extenuating circumstances, core penalties corresponding to the classification shall be prescribed as set forth in Figure 19-1. (Adopted: 10/30/12 effective 8/1/13)

19.9.2.1 Aggravation. An aggravated case is one in which aggravating factors outweigh mitigating factors. A case should not be classified as aggravated solely because the number of aggravating factors is larger than the number of mitigating factors. An egregious aggravating factor may outweigh multiple mitigating factors. (Adopted: 10/30/12 effective 8/1/13)

19.9.2.2 Standard. A standard case is one in which no mitigating or aggravating factors are present or in which aggravating and mitigating factors are generally of equal weight. (Adopted: 10/30/12 effective 8/1/13)

19.9.2.3 Mitigation. A mitigated case is one in which mitigating factors outweigh aggravating factors. A case should not be classified as mitigated solely because the number of mitigating factors is larger than the number of aggravating factors. (Adopted: 10/30/12 effective 8/1/13)

19.9.3 Aggravating Factors. Aggravating factors are circumstances that warrant a higher range of penalties in a particular case. A hearing panel of the Committee on Infractions determines whether aggravating factors are present in a case and the weight assigned to each factor. Examples of aggravating factors include but are not limited to the following: (Adopted: 10/30/12 effective 8/1/13)

(a) Multiple Level I violations by the institution or involved individual;

(b) A history of Level I, Level II or major violations by the institution, sport program(s) or involved individual. Additional considerations include:

(1) The amount of time between the occurrences of violations;

(2) The similarity, severity and types of violations involved;
(3) Efforts to implement previously prescribed corrective measures; and
(4) Other factors the committee deems relevant to the infractions history.
(c) Lack of institutional control;
(d) Obstructing an investigation or attempting to conceal the violation;
(e) Unethical conduct, compromising the integrity of an investigation, failing to cooperate during an investigation or refusing to provide all relevant or requested information;
(f) Violations were premeditated, deliberate or committed after substantial planning;
(g) Multiple Level II violations by the institution or involved individual;
(h) Persons of authority condoned, participated in or negligently disregarded the violation or related wrongful conduct;
(i) One or more violations caused significant ineligibility or other substantial harm to a student-athlete or prospective student-athlete;
(j) Conduct or circumstances demonstrating an abuse of a position of trust;
(k) A pattern of noncompliance within the sport program(s) involved;
(l) Conduct intended to generate pecuniary gain for the institution or involved individual;
(m) Intentional, willful or blatant disregard for the NCAA constitution and bylaws; or
(n) Other facts warranting a higher penalty range.
19.9.4 Mitigating Factors. Mitigating factors are circumstances that warrant a lower range of penalties in a particular case. A hearing panel of the Committee on Infractions determines whether mitigating factors are present in a case and the weight assigned to each factor. Examples of mitigating factors include but are not limited to the following: (Adopted: 10/30/12 effective 8/1/13)
(a) Prompt self-detection and self-disclosure of the violation(s);
(b) Prompt acknowledgement of the violation, acceptance of responsibility and (for an institution) imposition of meaningful corrective measures and/or penalties;
(c) Affirmative steps to expedite final resolution of the matter;
(d) An established history of self-reporting Level III or secondary violations;
(e) Implementation of a system of compliance methods designed to ensure rules compliance and satisfaction of institutional/coaches’ control standards;
(f) Exemplary cooperation, such as:
  (1) Identifying individuals (to be interviewed by the enforcement staff), documents and other information of which the enforcement staff was not aware;
  (2) Expending substantial institutional resources to expedite a thorough and fair collection and disclosure of information; or
  (3) Recognizing and bringing to the attention of the enforcement staff, in a timely manner, additional violations discovered in the investigation of which the enforcement staff was not aware.
(g) The violations were unintentional, limited in scope and represent a deviation from otherwise compliant practices by the institution or involved individual; or
(h) Other facts warranting a lower penalty range.
19.9.5 Core Penalties for Level I and Level II Violations. If a hearing panel concludes that an institution or involved individual committed one or more Level I or Level II violations, and after determining the appropriate classification based on aggravating and mitigating factors, the hearing panel shall prescribe core penalties from the ranges set forth in Figure 19-1 and described below. The panel may depart from the core penalties only as set forth in Bylaw 19.9.6. (Adopted: 10/30/12 effective 8/1/13)
19.9.5.1 Competition Penalties. Competition limitations on the institution’s participation in postseason play in the involved sport(s). (Adopted: 10/30/12 effective 8/1/13)
19.9.5.2 Financial Penalties. Financial penalties may include requirements that an institution pay a fine, return revenue received from a specific athletics event or series of events, or face reduction in or elimination of monetary distribution by the Association. (Adopted: 10/30/12 effective 8/1/13)
19.9.5.3 Scholarship Reductions. Limitations on the number of financial aid awards that may be provided during a specified period. (Adopted: 10/30/12 effective 8/1/13)
19.9.5.4 Show-Cause Orders. If a determination is made by a hearing panel that an institution has not taken appropriate disciplinary or corrective action regarding an individual found in violation of the NCAA constitution and bylaws, the panel may issue an order that the institution take additional disciplinary or corrective action, including but not limited to, restriction of some or all athletically related duties, as set forth in Figure 19-1, unless the institution appears before the panel to show cause why the additional penalties should not be ap-
19.9.5.5 **Head Coach Restrictions.** If a determination is made by the hearing panel that an employing institution has not taken appropriate disciplinary or corrective action regarding a head coach found in violation of Bylaw 11.1.1.1, the panel may issue an order that the institution suspend the coach for a number of contests from the range set forth in Figure 19-1 that would apply to the underlying violation(s) unless the institution appears before the panel to show cause why the suspension should not be applied. Decisions regarding disciplinary or corrective actions involving personnel shall be made by the institution, but the determination of whether the action satisfies the institution’s obligation of NCAA membership shall rest solely with the Committee on Infractions. (Adopted: 10/30/12 effective 8/1/13)

19.9.5.6 **Recruiting Restrictions.** Recruiting restrictions may include limitations for varying lengths of time on official visits; unofficial visits (the number of scheduled unofficial visits, provision of complimentary admissions and local transportation); recruiting communications (telephone and written correspondence); and off-campus recruiting activities. (Adopted: 10/30/12 effective 8/1/13)

19.9.5.7 **Probation.** The hearing panel may prescribe probationary conditions designed on a case-by-case basis to remediate weaknesses detected in the institution’s administration of its athletics programs. Prior to expiration of the probation period and before the institution is restored to full rights and privileges of membership in the Association, the office of the Committee on Infractions will review the athletics policies and practices of the institution. If an institution fails to satisfy all probationary conditions, the committee may extend the probationary period and/or prescribe additional penalties. Conditions of probation may include but are not limited to the following: (Adopted: 10/30/12 effective 8/1/13)

(a) Submission of compliance reports during the period of probation;
(b) Acknowledgement in alumni publications, media guides and recruiting materials identifying the violations committed, the terms of probation, and penalties prescribed;
(c) Written confirmation to the committee that the institution’s president or chancellor met with student-athletes, athletics department staff and other relevant parties to personally affirm his or her commitment to NCAA rules compliance, shared responsibility and preserving the integrity of intercollegiate athletics;
(d) Requiring an institution to announce during broadcast contests, on its website and in institutional publications that it is on probation and the reasons why the probation was prescribed;
(e) In cases in which an institution is found to lack institutional control and serious remediation is necessary, in-person reviews of the institution’s athletics policies and practices by the office of the Committee on Infractions or, in limited circumstances, as appropriate, committee members or a third party;
(f) Implementation of educational or deterrent programs; or
(g) Audits for specific programs or teams.

19.9.6 **Departures from Level I and Level II Core Penalties.** If extenuating circumstances are found, the hearing panel may depart from the core penalties in Figure 19-1, provided the panel explains, in its decision, the basis for its prescription of core penalties different than those set forth in Figure 19-1. (Adopted: 10/30/12 effective 8/1/13)

19.9.7 **Additional Penalties for Level I and Level II Violations.** In addition to the core penalties for Level I and Level II violations, the panel may prescribe one or more of the following penalties: (Adopted: 10/30/12 effective 8/1/13)

(a) Prohibition against specified competition in the sport during the regular season;
(b) Prohibition of all coaching staff members in the sport from involvement, directly or indirectly, in any coaching activities at the institution during the regular season;
(c) Prohibition against institutional staff members serving on the Board of Directors, Leadership Council, Legislative Council, or other cabinets or committees of the Association for a prescribed period (or requirement that any institutional staff members serving in leadership positions on any NCAA council, cabinet or committee resign their leadership positions);
(d) Requirement that the institution relinquish its voting privilege in the Association for a prescribed period;
(e) Recommendation that the institution’s membership in the Association be suspended or terminated pursuant to Constitution 3.2.5;
(f) Public reprimand and censure;
(g) Vacation of records in contests in which a student-athlete competed while ineligible, including one or more of the following:

(1) Vacation of individual records and performances;
(2) Vacation of team records and performances, including wins from the career record of the head coach in the involved sport, or, in applicable cases, reconfiguration of team point totals; or
(3) Return of individual or team awards to the Association.
(h) Prohibition against television appearances of the institution in the sport in which the violation occurred. The penalty shall specify that the institution may not enter into any contracts or agreements for such appearances until the institution has been restored to full privileges of membership. The Board of Directors is authorized to permit a closed-circuit telecast, limited to the campus of the opponent of the ineligible institution, provided no rights fee is to be paid to the ineligible institution;

(i) Pursuant to a show-cause order, disassociation of relations with a representative of an institution’s athletics interests, including:

1. Not accepting any assistance from the individual that would aid in the recruitment of prospective student-athletes or the support of enrolled student-athletes;
2. Not accepting financial assistance for the institution’s athletics program from the individual;
3. Ensuring that no athletics benefit or privilege is provided to the individual that is not generally available to the public at large; and
4. Taking such other actions against the individual that the institution determines to be within its authority to eliminate the involvement of the individual in the institution’s athletics program.

(j) Publicizing institutions on probation on the NCAA website, in appropriate NCAA publications and in NCAA championship game programs of the involved sports;

(k) Institutionally imposed suspension of a staff member from some or all athletically related duties for a specified period, pursuant to a show-cause order, for a situation in which he or she engaged in or condoned a Level I or Level II violation; or

(l) Other penalties as appropriate.

19.9.8 Penalties for Level III and Level IV Violations. Penalties for Level III and Level IV violations may include, but are not limited to, the following: (Adopted: 10/30/12 effective 8/1/13)

(a) Termination of the recruitment of a prospective student-athlete by the institution or, if the prospective student-athlete enrolls (or has enrolled) in the institution, direction that the institution take appropriate action regarding his or her eligibility pursuant to Bylaw 14.11 and/or not allow the student-athlete to participate in intercollegiate athletics unless and until his or her eligibility is restored by the Committee on Student-Athlete Reinstatement;

(b) Forfeiture/vacation of contests in which an ineligible student-athlete participated;

(c) Prohibition of the head coach or other staff members in the involved sport from participating in any off-campus recruiting activities for up to one year;

(d) An institutional fine for each violation, with the monetary penalty ranging in total from $500 to $5,000, except if an ineligible student-athlete participates in an NCAA championship or other postseason competition, the $5,000 limit shall not apply;

(e) Reduction in the number of financial aid awards that may be awarded during a specified period in the sport involved to the maximum extent of 20 percent of the maximum number of awards normally permissible in that sport;

(f) Institutional recertification that its current athletics policies and practices conform to all requirements of the NCAA constitution and bylaws;

(g) Institutionally imposed suspension of the head coach or other staff members for one or more competitions;

(h) Public reprimand; and

(i) Requirement that a member institution that has been found in violation, or that has an athletics department staff member who has been found in violation of the NCAA constitution and bylaws while representing another institution, show cause why a penalty or an additional penalty should not be prescribed if it does not take appropriate disciplinary or corrective action against the athletics department personnel involved, any other institutional employee, if the circumstances warrant, or representatives of the institution’s athletics interests.

19.9.9 Show-Cause Penalties. If a hearing panel of the Committee on Infractions prescribes additional penalties for an institution for Level I or Level II violations pursuant to Bylaw 19.9.5.4, the institution shall be provided the opportunity to appear before the panel. Further, the institution shall be provided the opportunity to appeal any additional penalty prescribed by the panel. (Adopted: 10/30/12 effective 8/1/13)

19.9.10 Notification of Regional Accrediting Agency. In cases in which the hearing panel has found academic violations or questionable academic conduct, the NCAA president may forward a copy of the public infractions decision to the appropriate regional accrediting agency. (Revised: 10/30/12 effective 8/1/13)

19.9.11 Recommendation to Committee on Institutional Performance. The hearing panel may recommend to the Committee on Institutional Performance that an institution’s institutional performance program status be reviewed as a result of the institution’s completed infractions case. (Adopted: 1/16/93 effective 1/1/94, Revised: 10/30/12 effective 8/1/13)
19.9.12 Obligation of Institution to Take Appropriate Action. If a violation has been found that affects the eligibility of one or more student-athletes, the institution and its conference, if any, shall be notified of the violation and the name(s) of the student-athlete(s) involved. If the institution fails to take appropriate action by declaring the student-athlete(s) ineligible, the institution shall be required to show cause to the Committee on Infractions why additional penalties should not be prescribed for a failure to abide by the conditions and obligations of membership if it permits the student-athlete(s) to compete in intercollegiate athletics. (Revised: 1/10/95, 4/24/03, 10/30/12 effective 8/1/13)

19.10 Appeal of Decisions.
19.10.1 Basis for Granting an Appeal.

19.10.1.1 Penalties. A penalty prescribed by the hearing panel, including determinations regarding the existence and weighing of any aggravating or mitigating factors, shall not be set aside on appeal except on a showing by the appealing party that the panel abused its discretion. The Infractions Appeals Committee may affirm a penalty for any reason in the record. (Adopted: 10/30/12 effective 8/1/13)

19.10.1.2 Findings and Conclusions. A hearing panel’s factual findings and its conclusion that one or more violations occurred shall not be set aside on appeal except on a showing by the appealing party that: (Adopted: 10/30/12 effective 8/1/13)

(a) A factual finding is clearly contrary to the evidence presented to the panel;

(b) The facts found by the panel do not constitute a violation of the NCAA constitution and bylaws; or

(c) There was a procedural error and but for the error, the panel would not have made the finding or conclusion.

19.10.2 Appeal by Institution or Involved Individual. An institution participating in the proceedings of a hearing panel may appeal the panel’s findings, conclusions, penalties, corrective actions, requirements and/or other conditions and obligations of membership prescribed for the institution for violations of the NCAA constitution and bylaws. An involved individual participating in the proceedings of the panel and who the panel concluded committed a violation may appeal the panel’s findings, conclusions and/or prescribed penalties regarding that individual for violations in which he or she is named. The notice of intent to appeal must be presented in writing to the Infractions Appeals Committee not later than 15 calendar days after the date the hearing panel releases the public infractions decision. (Adopted: 10/30/12 effective 8/1/13)

19.10.2.1 Contents of Notice of Intent to Appeal. The notice of intent to appeal shall include the following, unless otherwise ordered by the Infractions Appeals Committee: (Adopted: 10/30/12 effective 8/1/13)

(a) The date on which the decision of the hearing panel was released to the public;

(b) A statement indicating whether the appealing party desires to submit its appeal in writing only or requests an in-person oral argument. An appealing party may not request an in-person oral argument unless that party made an appearance before the hearing panel; and

(c) If the appealing party is an involved individual, a statement indicating whether he or she is employed at an NCAA institution. If the involved individual’s employment status changes during the course of the appeal, the statement shall be amended promptly to reflect the change and the identity of the new employer.

19.10.2.2 Stay of Penalties. If a notice of intent to appeal is filed within the deadline, unless ordered otherwise by the Infractions Appeals Committee, any penalties prescribed by a hearing panel of the Committee on Infractions that have been appealed shall be stayed during the pendency of the appeal. (Adopted: 10/30/12 effective 8/1/13)

19.10.3 Written Materials on Appeal. An appealing party may submit materials as set forth below, subject to procedures promulgated by the Infractions Appeals Committee or as otherwise directed by the committee. A deadline for the submission of a document shall be met if the document is submitted electronically to the NCAA staff liaisons to the Infractions Appeals Committee by 5 p.m. Eastern time on the due date. At the earliest opportunity after a document is submitted electronically, the submitting party shall provide a hard copy of the document directly to all members of the committee. (Adopted: 10/30/12 effective 8/1/13)

19.10.3.1 Initial Submission by Institution or Involved Individual. Within 30 days after receipt of the Infractions Appeal Committee’s acknowledgement of a timely notice of intent to appeal, an appealing institution or individual shall provide its initial submission in support of its appeal to the Infractions Appeals Committee. (Adopted: 10/30/12 effective 8/1/13)

19.10.3.2 Response by Committee Appeals Advocate. Within 30 days after receipt of an initial submission in support of its appeal by an institution or involved individual, the committee appeals advocate shall submit a response to the Infractions Appeals Committee. The response shall include the following: (Adopted: 10/30/12 effective 8/1/13)

(a) A statement of the origin of the case;

(b) The violations of the NCAA constitution and bylaws, as determined by the hearing panel;

(c) Disciplinary or corrective actions taken by the institution or conference or any other agency involved in the particular incident;
19.10.3.3 Rebuttal by Institution or Involved Individual. Within 14 days after receipt of the committee appeals advocate’s response, an institution or involved individual may submit a rebuttal to the infractions appeals committee. The rebuttal may only address issues contained in the initial submission or the committee appeals advocate’s response. (Adopted: 10/30/12 effective 8/1/13)

19.10.3.4 Enforcement Staff Statement. Within 10 days after the deadline for submission of all rebuttals, the enforcement staff may provide a written statement to the infractions appeals committee regarding perceived new information, errors, misstatements and omissions relating to the initial submission(s), the committee appeals advocate’s response and/or rebuttal documents. (Adopted: 10/30/12 effective 8/1/13)

19.10.4 Information Considered on Appeal. The infractions appeals committee shall consider only the information contained in the record of proceedings before the committee on infractions, the record on appeal and arguments presented during the appeal oral argument, if any, unless otherwise ordered by the infractions appeals committee. If an institution or involved individual seeks to introduce new evidence during the appeal process, the infractions appeals committee shall determine whether it meets the threshold definition of new evidence per Bylaw 19.02.02 and, if so, may stay the appeal and remand the matter to the assigned panel to conduct further proceedings as may be necessary to address whether the evidence affects the panel’s decision and to amend the decision, if necessary. (Adopted: 10/30/12 effective 8/1/13)

19.10.5 Appeal Arguments. If one or more of the appealing parties request an appeal oral argument, an appeal oral argument may be conducted as set forth below, subject to procedures promulgated by the infractions appeals committee or as otherwise directed by the committee. (Adopted: 10/30/12 effective 8/1/13)

(a) Only those individuals identified in Bylaw 19.7.7.5 may attend the appeal oral argument;
(b) The parties may be represented by legal counsel and shall be permitted a reasonable time to make an oral presentation to supplement the initial submission;
(c) The infractions appeals committee may question representatives of appealing parties (institution or involved individual), the committee on infractions or enforcement staff, as well as any other persons appearing before it, in order to determine the issues related to the appeal;
(d) Representatives from the enforcement staff may participate during the appeal oral argument but such participation shall be limited to the opportunity to provide information regarding perceived new information, errors, misstatements and omissions;
(e) If an institution or involved individual appeared before the committee on infractions but waived the right to appeal, the institution or involved individual may elect to be present in person and/or by counsel as a silent observer during the appeal oral argument; and
(f) If the institution or involved individual elects to appeal in writing only, the committee appeals advocate’s written response specific to that written appeal shall be considered without any in-person appearance.

19.10.6 Decision of the Infractions Appeals Committee. After considering the appeal and deliberating privately, the infractions appeals committee shall prepare a written decision and provide a copy to any appealing party (including the president or chancellor of an institution currently employing an involved individual), the chair of the committee on infractions, the committee appeals advocate and the vice president of enforcement, unless otherwise ordered by the committee. Once the decision has been provided to the parties, the committee shall release a public appeal decision. The public appeal decision will not include names of individuals, but the decision, if necessary, may stay the appeal and remand the matter to the assigned panel to conduct further proceedings as may be necessary to address whether the evidence affects the panel’s decision and to amend the decision, if necessary. (Adopted: 10/30/12 effective 8/1/13)

19.10.7 Final Decision not Subject to Further Review. Any decision of the infractions appeals committee shall be final, binding and conclusive, and shall not be subject to further review by any governance body. (Adopted: 10/30/12 effective 8/1/13)

19.11 Notice of Allegations, Opportunity to Respond and Penalties
(Level III Cases).

19.11.1 General Process for Alleged Violations. A Level III case is a case presenting Level III or Level IV violations that do not collectively constitute a Level II violation. An institution or involved individual subject to a show-cause order in a Level III case may be represented by legal counsel and shall be provided the following: (Adopted: 10/30/12 effective 8/1/13)
(a) Notice of any specific allegations and the facts upon which such allegations are based; and
(b) An opportunity to provide a written response to the vice president of enforcement, or his or her designee, to answer such allegations by the production of evidence and to appeal to a hearing panel of the Committee on Infractions.

19.11.2 Determination by Enforcement Staff. After reviewing relevant information and consulting with the institution or involved individual, the enforcement staff shall conclude whether one or more Level III violations occurred. If the enforcement staff concludes that the alleged violation(s) should not be processed as a Level III case, it may process the case as Level I or Level II case, as appropriate, refer the case to the institution's conference for resolution as a Level IV case, or determine that no further action is required. (Adopted: 10/30/12 effective 8/1/13)

19.11.3 Authority to Prescribe Penalties. As authorized by the Committee on Infractions, upon a conclusion that one or more Level III violations occurred, the vice president of enforcement, or his or her designee, may determine whether a penalty is warranted and, if so, prescribe and announce an appropriate penalty pursuant to Bylaw 19.9.8. Failure to fully implement the penalty may subject the institution to further disciplinary action by the NCAA. Failure to fully implement self-imposed actions may also subject the institution to further disciplinary action by the NCAA. (Adopted: 10/30/12 effective 8/1/13)

19.11.4 Appeal to Committee on Infractions. If an institution or involved individual subject to a show-cause order disputes an action by the enforcement staff regarding a Level III violation, the institution or involved individual may appeal by submitting a notice of appeal through the online reporting system for Level III violations within 15 days after receipt of the enforcement staff’s decision. An institution that self-reports a violation may appeal a penalty prescribed by the enforcement staff, but not the violation. An institution or involved individual subject to a show-cause order may request the opportunity to appear in person or by video or telephone conference. If no such request is made, or if the request is denied, a hearing panel of the committee will review the appeal on the basis of the written record. The panel shall not deny an involved individual’s request to appear in person if a show-cause order was prescribed. (Adopted: 10/30/12 effective 8/1/13)

19.11.4.1 Stay of Penalties. If a notice of appeal is filed within the deadline, unless ordered otherwise by a hearing panel of the Committee on Infractions, any penalties prescribed by the enforcement staff that have been appealed shall be stayed during the pendency of the appeal. (Adopted: 10/30/12 effective 8/1/13)

19.12 Notice of Allegations, Opportunity to Respond and Penalties (Level IV Cases).

19.12.1 Conference Policies. A member conference shall establish, publish and adhere to policies for the investigation and resolution of alleged Level IV violations. Such policies shall afford institutions notice of alleged violations and an opportunity to respond. (Adopted: 10/30/12 effective 8/1/13)

19.12.2 Determination by Conference. Cases involving only Level IV violations shall be processed by the institution’s athletics conference. The conference shall work with the institution to determine whether compliance deficiencies need to be addressed and, if so, the appropriate penalties to be prescribed, if any. In cases involving multiple or repeated Level IV violations, the conference may consult with the NCAA enforcement staff to conclude whether the allegations should be treated as Level III violations. Any violations processed and penalties prescribed by the conference shall be kept on file for review by the NCAA enforcement staff. Failure to fully implement the penalties may subject the institution to disciplinary action by the NCAA. (Adopted: 10/30/12 effective 8/1/13)

19.12.2.1 Institutions without Conference Affiliation or with Multiple Affiliations. A case involving only Level IV violations by an institution that is not affiliated with an athletics conference shall be processed by the NCAA enforcement staff. If an institution is affiliated with more than one conference, the violations shall be processed by the conference governing the sport in which the violations occurred. (Adopted: 10/30/12 effective 8/1/13)

19.12.2.2 Review of Level Determination. The vice president of enforcement, or his or her designee, may determine that a violation processed by a conference as a Level IV violation should have been processed at a different level. Subject to any applicable statute of limitations, the enforcement staff shall notify the conference and involved institution that the case was not processed correctly, that the enforcement staff intends to resolve the case pursuant to this article and that the NCAA may take appropriate action. (Adopted: 10/30/12 effective 8/1/13)

19.13 Restitution.
If a student-athlete who is ineligible under the terms of the constitution, bylaws or other legislation of the Association is permitted to participate in intercollegiate competition contrary to such NCAA legislation but in accordance with the terms of a court restraining order or injunction operative against the institution attended by such student-athlete or against the Association, or both, and said injunction is voluntarily vacated, stayed or reversed or it is finally determined by the courts that injunctive relief is not or was not justified, the Board of Directors may
take any one or more of the following actions against such institution in the interest of restitution and fairness to competing institutions: (Revised: 11/1/07 effective 8/1/08)

(a) Require that individual records and performances achieved during participation by such ineligible student-athlete shall be vacated or stricken;

(b) Require that team records and performances achieved during participation by such ineligible student-athlete shall be vacated or stricken;

(c) Require that team victories achieved during participation by such ineligible student-athlete shall be abrogated and the games or events forfeited to the opposing institutions;

(d) Require that individual awards earned during participation by such ineligible student-athlete shall be returned to the Association, the sponsor or the competing institution supplying same;

(e) Require that team awards earned during participation by such ineligible student-athlete shall be returned to the Association, the sponsor or the competing institution supplying same;

(f) Determine that the institution is ineligible for one or more NCAA championships in the sports and in the seasons in which such ineligible student-athlete participated;

(g) Determine that the institution is ineligible for invitational and postseason meets and tournaments in the sports and in the seasons in which such ineligible student-athlete participated;

(h) Require that the institution shall remit to the NCAA the institution's share of television receipts (other than the portion shared with other conference members) for appearing on any live television series or program if such ineligible student-athlete participates in the contest(s) selected for such telecast, or if the Board of Directors concludes that the institution would not have been selected for such telecast but for the participation of such ineligible student-athlete during the season of the telecast; any such funds thus remitted shall be devoted to the NCAA postgraduate scholarship program; and (Revised: 11/1/07 effective 8/1/08)

(i) Require that the institution that has been represented in an NCAA championship by such a student-athlete shall be assessed a financial penalty as determined by the Committee on Infractions. (Revised: 4/26/01 effective 8/1/01)
### Figure 19-1
Penalty Guidelines

<table>
<thead>
<tr>
<th>Violation Level I</th>
<th>Violation Level II</th>
<th>Competition Penalties: Postseason Ban</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggravation</td>
<td>2 to 4 years</td>
<td></td>
</tr>
<tr>
<td>Standard</td>
<td>1 to 2 years</td>
<td></td>
</tr>
<tr>
<td>Mitigation</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Violation Level I</th>
<th>Violation Level II</th>
<th>Financial Penalties: Fine (Percent of total budget for sport program)</th>
<th>Financial Penalties: Negate revenue from sport program for years in which violations occurred</th>
<th>Financial Penalties: Reduce or eliminate NCAA monetary distribution for sports sponsorship and/or grants-in-aid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggravation</td>
<td></td>
<td>$5,000 plus 3 to 5%</td>
<td>Impose this penalty if greater than percent of budget fine + $5,000.</td>
<td>Alternative financial penalty</td>
</tr>
<tr>
<td>Standard</td>
<td>Aggravation</td>
<td>$5,000 plus 1 to 3%</td>
<td>Alternative financial penalty</td>
<td></td>
</tr>
<tr>
<td>Mitigation</td>
<td>Standard</td>
<td>$5,000 plus 0 to 1%</td>
<td>Alternative financial penalty</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mitigation</td>
<td>$5,000*</td>
<td>Alternative financial penalty</td>
<td></td>
</tr>
</tbody>
</table>

*A minimum $5,000 financial penalty will be imposed to ensure the penalty will be at least as significant as the fine imposed for a Level III violation.*

<table>
<thead>
<tr>
<th>Violation Level I</th>
<th>Violation Level II</th>
<th>Scholarship Reductions of Involved Sport(s) Program(s)*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggravation</td>
<td>25 to 50%</td>
<td></td>
</tr>
<tr>
<td>Standard</td>
<td>Aggravation</td>
<td>12.5 to 25%</td>
</tr>
<tr>
<td>Mitigation</td>
<td>Standard</td>
<td>0 to 12.5%</td>
</tr>
<tr>
<td></td>
<td>Mitigation</td>
<td>0 to 5%</td>
</tr>
</tbody>
</table>

*For cases in which financial aid overages have occurred, a minimum 2-for-1 reduction in financial aid awards shall apply up to at least 20% of the team financial aid limit.\*
<table>
<thead>
<tr>
<th>Violation Level I</th>
<th>Violation Level II</th>
<th>Show-Cause Order</th>
<th>Restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aggravation</td>
<td></td>
<td>5 to 10 years</td>
<td>All athletically related duties</td>
</tr>
<tr>
<td>Standard</td>
<td>Aggravation</td>
<td>2 to 5 years</td>
<td>All or partial coaching and recruiting duties (including game suspensions)</td>
</tr>
<tr>
<td>Mitigation</td>
<td>Standard</td>
<td>1 to 2 years</td>
<td>All or partial coaching and recruiting duties (including game suspensions)</td>
</tr>
<tr>
<td></td>
<td>Mitigation</td>
<td>0 to 1 years</td>
<td>All or partial coaching and recruiting duties (including game suspensions)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Violation Level I</th>
<th>Violation Level II</th>
<th>Head Coach Restrictions (game suspensions via show cause for 11.1.2.1)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aggravation</td>
<td></td>
<td>50 to 100% of season</td>
<td></td>
</tr>
<tr>
<td>Standard</td>
<td>Aggravation</td>
<td>30 to 50% of season</td>
<td></td>
</tr>
<tr>
<td>Mitigation</td>
<td>Standard</td>
<td>0 to 30% of season</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mitigation</td>
<td>0 to 10% of season</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Violation Level I</th>
<th>Violation Level II</th>
<th>Recruiting Visit Restrictions</th>
<th>Recruiting Communication Restrictions</th>
<th>Off-Campus Recruiting Restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>25 to 50%</td>
<td>25 to 50%</td>
<td>25 to 50%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>14- to 26-week ban on unofficial visits (no scheduled unofficial visits and no complimentary tickets)</td>
<td>14- to 26-week ban on communication with all prospective student-athletes</td>
<td>Sports with no limits: 14- to 26-week ban on all contacts and evaluations</td>
</tr>
<tr>
<td></td>
<td></td>
<td>25 to 50% cuts in official paid visits (based on the average number provided during the previous 4 years)</td>
<td></td>
<td>25 to 50% cuts in Recruiting Person Days (RPD) or Evaluation Days (ED)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Football: 15 to 28 visits (need to account for unused visits from the previous year, if any)</td>
<td></td>
<td>Men's Basketball: 34 to 65 (RPD)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Basketball: 4 to 6 visits</td>
<td></td>
<td>Women's Basketball: 26 to 50 (RPD)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Baseball: 7 to 13 visits</td>
<td></td>
<td>Football: 11 to 21 Fall; 44 to 84 Spring (ED)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Softball: 13 to 25 (ED)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Women's Volleyball: 21 to 40 (ED)</td>
</tr>
<tr>
<td>Violation Level I</td>
<td>Violation Level II</td>
<td>Recruiting Visit Restrictions</td>
<td>Recruiting Communication Restrictions</td>
<td>Off-Campus Recruiting Restrictions</td>
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<tr>
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<td>----------------------------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>Standard</td>
<td>Aggravation</td>
<td>12.5 to 25%</td>
<td>12.5 to 25%</td>
<td>12.5 to 25%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>7- to 13-week ban on unofficial visits (no scheduled unofficial visits and no complimentary tickets)</td>
<td>7- to 13-week ban</td>
<td>No limit sports: 7- to 13-week ban</td>
</tr>
<tr>
<td></td>
<td></td>
<td>12.5 to 25% cuts in official paid visits (based on the average number provided during the previous 4 years)</td>
<td></td>
<td>Men's Basketball: 17 to 33 (RPD)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Football: 6 to 11 Fall; 22 to 42 Spring (ED)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Football: 8 to 14 visits (need to account for unused visits from the previous year, if any)</td>
<td></td>
<td>Women's Basketball: 13 to 25 (RPD)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Basketball: 2 to 3 visits</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Baseball: 4 to 7 visits</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mitigation</td>
<td>Standard</td>
<td>0 to 12.5%</td>
<td>0 to 12.5%</td>
<td>0 to 12.5%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>0 to 6-week ban on unofficial visits (no scheduled unofficial visits and no complimentary tickets)</td>
<td>0 to 6-week ban</td>
<td>No limit sports: 0 to 6-week ban</td>
</tr>
<tr>
<td></td>
<td></td>
<td>0 to 12.5% cuts in official paid visits (based on the average number provided during the previous 4 years)</td>
<td></td>
<td>Men's Basketball: 0 to 17 (RPD)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Football: 0 to 7 visits (need to account for unused visits from the previous year, if any)</td>
<td></td>
<td>Football: 0 to 6 Fall; 0 to 21 Spring (ED)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Basketball: 0 to 2 visits</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Baseball: 0 to 4 visits</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mitigation</td>
<td>Mitigation</td>
<td>0 to 5%</td>
<td>0-5%</td>
<td>0 to 5%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>0 to 3-week ban on unofficial visits (no scheduled unofficial visits and no complimentary tickets)</td>
<td>0 to 3-week ban</td>
<td>No limit sports: 0 to 3-week ban</td>
</tr>
<tr>
<td></td>
<td></td>
<td>0 to 5% cuts in official paid visits (based on the average number provided during the previous 4 years)</td>
<td></td>
<td>Men's Basketball: 0 to 17 (RPD)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Football: 0 to 3 visits</td>
<td></td>
<td>Football: 0 to 3 Fall; 0 to 9 Spring (ED)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Basketball: 0 to 1 visit</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Baseball: 0 to 2 visits</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Violation Level I</th>
<th>Violation Level II</th>
<th>Probation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggravation</td>
<td></td>
<td>6 to 10 years</td>
</tr>
<tr>
<td>Standard</td>
<td>Aggravation</td>
<td>2 to 6 years</td>
</tr>
<tr>
<td>Mitigation</td>
<td>Standard</td>
<td>0 to 2 years</td>
</tr>
<tr>
<td></td>
<td>Mitigation</td>
<td>0 years</td>
</tr>
</tbody>
</table>
Figure 19-2
Processing a Typical NCAA Division I Infractions Case

Information indicating possible violations received and evaluated by NCAA enforcement staff, member institution or conference. (See 19.2.2 and 19.5.5.)

OR

Information is not substantiated.

Review ends.

Staff/member institution/conference determine Level III/IV violation.

Level III violations are required to be reported by the member institution (19.11).
- Appropriate penalty is determined by enforcement staff and institution/involved individual subject to a show cause is notified.
- Institution/individual subject to a show cause may appeal Level III penalties to the Committee on Infractions (COI).

Level IV violations are reported to the conference (19.12).

Staff notifies institution of Notice of Inquiry (NOI) and investigation occurs (19.5.3).

Staff provides proposed findings (19.6) and/or issues Notice of Allegations (NOA) (19.7.1)

Staff determines Level III/IV violations occurred.

Termination of investigation due to insufficient information to warrant an NOA or Level III violations (19.5.10).

Staff determines sufficient information for the Committee on Infractions to conclude that Level I and/or II violations occurred.

Prior to hearing, institution, involved individual and enforcement staff prepare written submissions for hearing panel's review.

Hearing panel holds a hearing to make factual findings and concludes whether violations occurred.

Hearing panel determines appropriate penalties (19.9).

Hearing panel notifies institution/involved individual of decision (19.8).

After hearing panel decision, institution/involved individual may appeal findings (not with summary disposition) and/or penalties to Infractions Appeal Committee (19.10).

Hearing panel accepts findings and penalties. Hearing panel notifies institution and involved individual of decision.

Summary Disposition (19.6)

Hearing panel does not accept findings. NOA issued and case processed through a hearing.

OR

Hearing panel does not accept penalties. Institution/involved individual may accept additional penalties; or Request an expedited hearing/written record review on penalties.

Hearing panel holds an expedited hearing on the penalties.
**FIGURE 19-3**
**Processing a Typical NCAA Infractions Appeals Case**

1. Institution (or involved individual) indicates it will appeal certain findings or penalties to NCAA Infractions Appeals Committee by submitting written notice of intent to appeal to Infractions Appeal Committee not later than 15 calendar days from the date of the public release of the Committee on Infractions’ report.

2. Infractions Appeals Committee acknowledges receipt of timely appeal. Institution (or involved individual) is provided a 30-day period to submit its initial submission in support of its appeal.

3. After receiving institution’s (and/or involved individual’s) initial submission, the Committee on Infractions is provided a 30-day period to submit response to the institution’s (or involved individual’s) written appeal.

4. Institution (and/or involved individual) is provided 14 days to submit a rebuttal to the Committee on Infractions’ response. Enforcement staff may provide written statement not later than 10 days from the rebuttal deadline.

5. Infractions Appeals Committee reviews the institution’s (and/or involved individual’s) appeal and the Committee on Infractions’ response. The review is completed either through an appeal oral argument or on the written record. Appeal oral arguments include representatives on behalf of the institution, involved individual(s), the Committee on Infractions and enforcement staff.

6. Infractions Appeals Committee decision is announced.
20.01 General Principles.

20.01.1 Membership in the Association. Eligibility for membership in the Association; conditions, obligations and classes of Association membership; and procedures governing the termination, suspension and reinstatement of such membership are governed by Constitution 3.

20.01.2 Division Membership. Each active and provisional member institution and member conference is designated as a member of Division I, II or III for certain legislative and competitive purposes. In football, Division I is divided into the Football Bowl Subdivision and the Football Championship Subdivision (see Bylaw 20.7.1). Multidivision classification is permitted under specified circumstances (see Bylaw 20.4). (Revised: 12/15/06)

20.02 Definitions and Applications.

20.02.1 Multidivision Classification. Multidivision classification is the classification in which a sport is classified in a division other than the division in which an institution holds membership (see Bylaw 20.4). (Revised: 1/15/11 effective 8/1/11)

20.02.2 Performance Criterion. A performance criterion is a requirement for membership or classification in a division that must be met by the member institution prior to the date that the requirement becomes effective (e.g., during the academic year preceding the effective date). Performance criteria include, but are not limited to, minimum sports sponsorship requirements, minimum scheduling requirements and minimum game-attendance requirements.

20.02.3 Restricted Membership. Restricted membership is a membership classification status assigned to an institution that fails to comply with the minimum requirements of its division (e.g., sports sponsorship, scheduling). The institution placed in such status loses eligibility for a number of membership privileges and has from one year to three years to comply with the requirement involved. Failure to comply shall result in the termination of the institution's membership in the Association. (Revised: 1/15/11 effective 8/1/11)

20.02.4 Emerging Sports for Women. The following shall be considered emerging sports for women and countable for purposes of revenue distribution (for sports sponsorship and grants-in-aid): (Adopted: 1/11/94 effective 9/1/94)

(a) Team Sports: rugby and sand volleyball; and (Revised: 4/15/97, 4/27/00 effective 8/1/00, 4/25/02, 1/17/09 effective 8/1/09, 4/30/09, 1/16/10 effective 8/1/11)

(b) Individual Sports: equestrian. (Revised: 1/12/99 effective 8/1/99, 4/24/03 effective 8/1/03, 1/17/09 effective 8/1/09, 1/15/11 effective 8/1/11)

20.02.4.1 Additional Emerging Sports. The Board of Directors periodically shall identify future emerging sports for women that shall be countable sports for revenue distribution and minimum sports sponsorship criteria and shall establish procedures to determine minimum contests and maximum grants in those sports. (Adopted: 1/11/94 effective 9/1/94)

20.02.4.2 Removal of Emerging Sports. A sport shall no longer be considered an emerging sport once the sport has been established as a championship sport. Further, an emerging sport is limited to a 10-year time period to become a championship sport unless it can be demonstrated that steady growth has occurred during that time. (Adopted: 4/15/97)

20.02.5 Multisport Conference. A Division I multisport conference shall satisfy the requirements of this section. (Adopted: 1/15/11 effective 8/1/11)

20.02.5.1 Minimum Number of Members. A multisport conference shall be composed of at least seven active Division I members. The member conference shall include at least seven active Division I members that sponsor both men's and women's basketball. (Adopted: 1/15/11 effective 8/1/11)

20.02.5.2 Sports Sponsorship. A multisport conference shall satisfy the following requirements: (Adopted: 1/15/11 effective 8/1/11)