



UNIVERSITY OF NEVADA, RENO
PUBLIC INFRACTIONS REPORT

March 18, 2010

A. INTRODUCTION.

This case involved the men's and women's golf programs (primarily the men's program) at the University of Nevada, Reno and was resolved through combining the summary disposition process with a hearing. Summary disposition is a cooperative endeavor in which the Committee on Infractions reviews infractions cases through written submission. This process is normally used in lieu of a formal hearing when the NCAA's enforcement staff, the member institution and involved individuals agree to the facts of an infractions case and that the facts constitute major violations. The institution also proposes penalties. In this particular instance, the committee reviewed the institution's summary disposition report in April 2009. Shortly after this review, the committee sent a letter to the institution in which it expressed two concerns; a perceived weakness in the penalties proposed by the institution and that the institution may have failed to monitor the activities of the former head men's golf coach ("former head coach"). This letter included additional penalties the committee believed to be appropriate. In a letter dated May 13, the institution accepted the additional penalties, but contended that a finding of a failure to monitor would not be appropriate. In June, the committee met in a conference call to further discuss the failure to monitor issue and, in a letter dated June 30, informed the university that the committee was going forward with an allegation that the university failed to monitor the activities of its former head coach. The committee also informed the institution that it could respond to the allegation by written submission or appear before the committee either by a video teleconference or through an in-person appearance. The university subsequently requested an in-person hearing. On December 11, 2009, officials from the university appeared before the committee to address the sole issue of whether the institution failed to monitor the activities of the former men's golf coach.

During the hearing the committee questioned the university extensively about its procedures and the circumstances under which the violations occurred. The enforcement staff was also allowed to address the issue of whether the university failed to monitor and expressed the opinion that a failure to monitor finding in this case was not supported by evidence obtained during the investigation. Based on the information provided by the university during the hearing, as well as the enforcement staff, in addition to documents previously submitted, the committee ultimately decided not to make a finding of a failure to monitor.

A member of the Western Athletic Conference, the institution has an enrollment of approximately 16,867 students. The institution sponsors seven men's and 10 women's intercollegiate sports. This was the institution's second major infractions case, the institution having been found for NCAA violations in 1976 involving the men's basketball program.

B. FINDINGS OF VIOLATIONS OF NCAA LEGISLATION.

1. EXTRA BENEFIT – PROVISION OF AN AIRLINE TICKET. [NCAA Bylaws 16.11.2.1 and 16.11.2.2]

In May 2007, the former head coach provided a men's golf student-athlete ("student-athlete 1") an extra benefit in the form of an airline ticket obtained through the former head coach's enrollment in a rewards program. Student-athlete 1 used the free ticket for a round-trip flight between Oklahoma City and Columbus, Ohio, in order to compete in the 2007 U.S. Open Sectional Qualifying Tournament held June 2-5, 2007. The round-trip airline ticket was valued by the institution at \$344.

Explanation of Violation

The institution, enforcement staff and the former head coach agree with this finding and that these facts constitute a violation of NCAA legislation. The committee finds that the violation occurred.

In May 2007, student-athlete 1 was contacted by a representative of the United States Golf Association (USGA) and informed that he was eligible to compete in the 2007 U.S. Open Sectional Qualifying Tournament held June 2-5, 2007, in Columbus, Ohio. He had previously been designated as an alternate to attend this tournament. Student-athlete 1 immediately contacted the former head coach, who subsequently provided to the student-athlete a travel voucher from an airline awards program that could be used to obtain a ticket for round-trip air travel to/from his home in Oklahoma City to the tournament in Columbus, Ohio.

The former head coach initially denied that he provided the ticket. Student-athlete 1, when first questioned on this matter, stated that his parents paid the cost of the trip to tournament as they did with all of his travel expenses outside of university competition. Later, when questioned again, both the former head coach and student-athlete 1 reported that they "traded" airline vouchers; the former head coach providing the student-athlete with an airline rewards travel voucher that was going to expire soon and, in return, the student-athlete provided the former head coach a travel voucher the student-athlete had

purportedly earned but which had a later expiration date. [Note: The travel vouchers for the airline in question are valid for a period of one year from date of issue.]

Later, the investigation revealed that, in reality, student-athlete 1 did not have a sufficient number of points in the airline rewards program for a free airline ticket. Thus the story the former head coach and student-athlete 1 concocted regarding how student-athlete 1 was able to fly roundtrip between his home and the tournament site was a fabrication. In reality, the former head coach provided the voucher to the student-athlete at no charge and the young man used it for the travel in question as set forth in the text of the finding. It should be noted that the provision of false and misleading information by the former head coach in this instance forms a portion of the unethical finding against him as set forth in Finding B-8.

2. EXTRA BENEFITS – PROVISION OF IMPERMISSIBLE EXPENSES, CASH. [NCAA Bylaws 16.11.2.1 and 16.8.1.2.3]

In October 2006, during an invitational women's golf tournament hosted by New Mexico State University in Las Cruces, New Mexico (New Mexico State Tournament), the former head coach provided extra benefits to several women's golf student-athletes. Specifically:

- a. The former head coach provided five student-athletes ("student-athletes 2, 3, 4, 5 and 6") meal per diem at the beginning of the trip, a total of \$130 per student-athlete. The former head coach then impermissibly paid for the young women's dinner on one evening at a steakhouse in Las Cruces during the tournament.
- b. The former head coach gave \$25 in cash to student-athlete 4 in exchange for the young woman completing two feats prompted by "dares" made by the former head coach. This occurred in the presence of the former head coach, as well as student-athletes 2, 3, 5 and 6.

Explanation of Violation

The institution, enforcement staff and the former head coach agree with this finding and that these facts constitute a violation of NCAA legislation. The committee finds that the violations occurred.

In the fall of 2006, the former head coach also served as interim women's golf coach due to maternity leave taken by the head women's golf coach. During the former head coach's time as interim coach, the women's golf team attended the New Mexico State

Golf Tournament. The head women's coach reported that when she returned to the team, she overheard student-athletes discussing two specific incidents involving the former head coach that occurred at the tournament in question.

The first incident involved student-athlete 4 completing certain feats in response to "dares" made by the former head coach and then receiving money from him for completing the dares. These "dares" were challenges by the former head coach for student-athlete 4 to engage in two crass acts; one involving the regurgitation of food and the other, spitting. The second violation involved the former head coach providing student-athletes their entire meal per diem at the beginning of the New Mexico State Tournament and then paying for a meal for the student-athletes in violation of NCAA extra benefit legislation.

When interviewed by the university, the former head coach admitted to "daring" student-athlete 4 to engage in the acts in question, but denied providing cash to her for completing the "dares." He also denied paying the cost of a meal for the student-athletes. During the course of the investigation the university was able to interview four of the five women's golf student-athletes who attended the New Mexico State Tournament. Student-athlete 6 was an international student-athlete and could not be located. The interviews confirmed the violations set forth in Finding B-2.

3. EXTRA BENEFIT – ALCOHOLIC BEVERAGES. [NCAA Bylaw 16.11.2.1]

In May 2006, after the completion of the 2006 NCAA Division I West Regional Men's Golf Championship in Tucson, Arizona, the former head coach purchased beer for three men's golf student-athletes ("student-athletes 7, 8 and 9").

Explanation of Violation

The institution, enforcement staff and the former head coach agree with this finding and that these facts constitute a violation of NCAA legislation. The committee finds that the violation occurred.

During an interview with the enforcement staff, a former men's golf student-athlete reported that the former head coach purchased alcohol for the three student-athletes at the conclusion of the 2006 NCAA Division I West Regional Men's Golf Championship. Interviews by the enforcement staff with the three student-athletes confirmed that the former head coach purchased a case of beer for the student-athletes at this tournament.

When interviewed on this issue, the former head coach initially denied ever providing alcohol to student-athletes. However, after additional questions specific to the 2006 NCAA Division I West Regional Men's Golf Championship were asked, the former head coach reported that the three student-athletes, who were all 21 years old, wanted to celebrate qualifying for the national tournament at the resort's bar. The former head coach stated that he would not allow them to celebrate in this manner and instead decided to "meet the student-athletes in the middle," by taking the student-athletes to a near-by store to purchase beer. The former head coach reported that he drove the van to a convenience store, went in to the store and purchased the beer. Ultimately, the former head coach conceded that if the three student-athletes stated that they did not pay for the beer, then it is likely that he did so.

4. EXTRA BENEFIT – PROVISION OF CASH. [NCAA Bylaw 16.11.2.1]

In May 2005, the father of the former head coach, who was a representative of the institution's athletics interests, provided a men's golf student-athlete ("student-athlete 10") with \$300 to offset expenses incurred by the young man in traveling to a U.S. Open Sectional qualifying event conducted in Colorado.

Explanation of Violation

The institution, enforcement staff and the former head coach agree with this finding and that these facts constitute a violation of NCAA legislation. The committee finds the violation occurred.

During an interview with the enforcement staff, student-athlete 10 reported that the former head coach's father interacted with the golf team and attended team functions. Student-athlete 10 reported that the former head coach's father became aware that the student-athlete was invited to participate in a U.S. Open Sectional Qualifying event in Colorado in May 2005 and provided the young man with funds from his company for the purpose of paying expenses associated with attending the event.

When interviewed about this issue in March 2008, the former head coach denied any knowledge of his father providing impermissible benefits to any student-athlete. At the conclusion of this interview, the former head coach agreed not to discuss the interview with others, except for his personal legal counsel, in order to maintain the integrity of the investigation.

In April 2008, the former head coach's father refused the enforcement staff's request for an interview. As a result, the enforcement staff sought assistance from the institution in gaining the cooperation of the father. Subsequently, the institution's director of athletics

contacted the former head coach's father in an effort to have him interview with the enforcement staff. In the course of their conversation, the former head coach's father admitted to the director of athletics that he provided the student-athlete with \$300 to attend a golf tournament and to assisting student-athletes with access to a golf course over spring break.

On May 15, the former head coach sent an electronic mail message to the institution's faculty athletics representative and special assistant to the president, wherein he reported that his father informed him that in May 2005, he gave the student-athlete a company check in the amount of \$300 to assist him with expenses associated with a U.S. Open Sectional Qualifying event in Colorado. On June 3, 2008, the enforcement staff received a May 22, 2008, WAC Self-Report from the institution in which the above-referenced violation was reported.

On June 6, the enforcement staff conducted a second interview with the former head coach. He reported that on March 6, 2008, the same day as his first interview with the enforcement staff, he contacted his father to discuss questions the enforcement staff asked him about his father's involvement with the men's golf program. At that time, the former head coach's father informed him that he provided student-athlete 10 with \$300, as set forth in the finding. The former head coach reported that he did not have any knowledge of this violation until he spoke with his father on March 6. The former head coach also claimed that he intended to inform the institution about this violation of NCAA legislation after the men's golf season. He explained that he did not inform either the enforcement staff or the institution on March 6, 2008, when he became aware of the information, because he did not want his team to have any "further distractions," and he did not want to jeopardize his employment. [Note: The former head coach's efforts to contact his father regarding the investigation comprise a portion of the unethical conduct finding against him as set forth in Finding B-8.]

5. EXTRA BENEFITS – PROVISION OF IMPERMISSIBLE TRANSPORTATION, LODGING, MEALS AND COMPLIMENTARY GOLF. [NCAA Bylaws 16.11.2.1, 16.11.2.2 and 16.11.2.3-(d)]

Between March 18 and 26, 2006, the former head coach and his father, a representative of the institution's athletics interests, provided two men's student-athletes ("student-athletes 11 and 12") transportation, lodging, complimentary golf and meals. Specifically:

- a. Between March 18 and 26, 2006, the former coach and his father provided student-athletes 11 and 12 with the use of the father's personal automobile to travel from Reno, Nevada, to the father's home in California. The

young men were provided use of the former head coach's automobile to return from the father's home in California to Reno, a round-trip distance of approximately 600 miles.

- b. Between March 18 and 26, 2006, the former head coach's father provided student-athletes 11 and 12 with lodging at his home in California for approximately two nights, a benefit valued at approximately \$328.
- c. On March 24, 2006, the former head coach's father provided student-athletes 11 and 12 each a round of golf at a country club where the coach's father was a member, at no cost to the young men. Further, between March 18 and 26, 2006, the coach's father provided student-athletes 11 and 12 a round of golf at a second country club where the coach's father is a member, at no cost to the young men. These rounds of golf are valued at approximately \$350.
- d. Between March 18 and 26, 2006, the former head coach's father provided student-athletes 11 and 12 with meals at his home and, on at least one occasion, a meal at a dinner club.

Explanation of Violation

The institution and enforcement staff agree with this finding and that these facts constitute a violation of NCAA legislation. The committee finds the violations occurred.

During a March 6, 2008, interview with the enforcement staff, the former head coach denied that he provided a vehicle to either student-athlete 11 or 12 in order to travel to visit his father at his father's home in California. The former head coach also denied knowledge of any student-athletes playing golf with his father.

On April 22, 2008, the enforcement staff obtained a March 24, 2006, start sheet from one of the country clubs where the head coach's father was a member. That start sheet reflected that the former head coach's father and student-athletes 11 and 12 had an 11:22 a.m. tee time on that date.

On May 15, 2008 the institution's faculty athletics representative and special assistant to the president, received the following electronic mail message from the former head coach: "In approximately the early spring of 2006, (two student-athletes) took a trip down south to practice because of the inclement weather in Reno. On their way down, they stopped in (his father's home town in California), to play golf with my dad at (a country club where his father was a member). My dad did not pay for their golf nor did (the two student-athletes). (The country club) comped their golf because they were

college players. They did not stay with my father on that trip." During his June 6, 2008, interview with the enforcement staff, the former head coach reiterated the information provided to the faculty athletics representative. He confirmed that the former head coach's father was a member of two different country clubs in his California hometown. He noted that he contacted his father on March 6, 2008, immediately following his first interview with the enforcement staff, to discuss questions that were asked during the interview.

Separate interviews with the two involved student-athletes corroborated the violations set forth in this finding.

6. EXTRA BENEFITS - IMPERMISSIBLE LODGING. [NCAA Bylaw 16.11.2.1]

In the fall of 2004, the former head coach's father, a representative of the institution's athletics interests, provided two men's golf student-athletes ("student-athletes 13 and 14") with overnight lodging at his home at no cost to the young men. This amounted to a benefit of approximately \$164.

Explanation of Violation

The institution and enforcement staff agree with this finding and that these facts constitute a violation of NCAA legislation. The committee finds the violations occurred.

In April 2008, the enforcement staff interviewed one of the involved student-athletes. The student-athlete had transferred to the institution from the University of Louisiana at Monroe where the former head coach had been employed before accepting the position as head men's golf coach at Nevada. Since graduating from the institution in May 2007, the student-athlete had been residing in a condominium in Sparks, Nevada, owned by the former head coach's father. The student-athlete stated that he and the other involved student-athlete (who had also transferred from Louisiana-Monroe) had stayed overnight at the former head coach's father's home during the time in question.

7. EXTRA BENEFITS – PROVISION OF IMPERMISSIBLE MEALS. [NCAA Bylaws 16.11.2.1, 16.11.1.5 and 16.8.1.2.3]

In October 2005, February 2007 and March 2007, the former head coach's father, a representative of the institution's athletics interests, provided several men's golf student-athletes with meals, which resulted in men's golf student-athletes receiving extra benefits. Specifically:

- a. Between October 12 and 15, 2005, seven members of the men's golf team attended the Fresno State Lexus Golf Classic in Fresno, California, and received per diem for meals totaling \$75 per student-athlete. During this time period, the men's golf team also received a meal at the home of the former head coach's father.
- b. Between February 1 and 2, 2007, nine members of the men's golf team attended the Fresno State/Nevada Challenge in Fresno and received per diem for meals in the amount of \$52 per student-athlete. During this time period, the men's golf team also received a meal at the home of the former head coach's father.
- c. Between March 10 and 13, 2007, the men's golf team attended the Fresno State Lexus Golf Classic in Fresno and received per diem for meals in the amount of \$50. During this time period, the men's golf team received a meal at the home of the former head coach's father.

Explanation of Violation

The institution, enforcement staff and the former head coach agree with this finding and that these facts constitute a violation of NCAA legislation. The committee finds that the violations occurred.

The enforcement staff interviewed numerous student-athletes regarding the violations set forth in this allegation. Eight of these young men confirmed that when they attended tournaments in Fresno in 2005 and 2007, they were provided a meal at the home of the former head coach's father. During a June 2008 interview, the former head coach acknowledged that it was likely that the men's golf team ate a meal at his father's home at least once during each of the above-referenced tournaments. The former head coach did not consult the institution's athletics compliance administrator regarding his father providing meals to student-athletes to ensure conformance with NCAA regulations.

8. UNETHICAL CONDUCT – PROVISION OF FALSE AND MISLEADING INFORMATION, FAILURE TO COOPERATE. [NCAA Bylaws 10.1-(a), 10.1-(d) and 19.01.3]

The former head coach failed to deport himself in accordance with the generally recognized high standards of honesty normally associated with the conduct and administration of intercollegiate athletics and failed to protect the integrity of this investigation in that he (a) knowingly furnished the enforcement staff and the

institution false and misleading information concerning his knowledge of matters relevant to possible NCAA violations, (b) failed to protect the integrity of the investigation when requested to do so by the enforcement staff, and (c) refused to furnish information relevant to an investigation of a possible violation of an NCAA regulation when requested to do so by the enforcement staff and the institution. Specifically:

- a. On or about June 29 and July 16, 2007, and March 6, 2008, the former head coach provided the institution false and misleading information when questioned about the provision of a round-trip airline ticket to student-athlete 1, as set forth in Finding B-1. The former head coach denied providing the ticket to the student-athlete when, in fact, he had.
- b. On March 6, 2008, after an interview with the enforcement staff, the former head coach was asked not to discuss the substance of the interview with anyone other than legal counsel. The former head coach subsequently contacted his father, a representative of the institution's athletics interests, to discuss the enforcement staff's questions and to inform his father that the enforcement staff might question him. Additionally, on June 6, 2008, the enforcement staff interviewed the former head coach and once again requested that he refrain from speaking with others regarding the substance of his interview in order to maintain the integrity of the investigation. The former head coach said he understood his obligation under NCAA legislation to maintain the integrity of the investigation, but he nevertheless was going to discuss the interview with his wife, mother and father. As set forth in the findings, the former head coach's father is involved in several violations comprising this case.
- c. On June 6, 2008, when requested to do so by the enforcement staff, the former head coach refused to provide access to records of all his credit card transactions during his tenure as head men's golf coach. The records were requested as part of the enforcement staff's investigation into allegations that the former head coach wagered on sports during his tenure as head men's golf coach.

Explanation of Violation

The institution, enforcement staff and the former head coach agree with this finding and that these facts constitute a violation of NCAA legislation. The committee finds that the violations occurred.

In reference to Finding B-8-a, the information set forth in support of Finding B-1 reflects that the former head coach knowingly furnished the institution and enforcement staff with false and misleading information regarding the provision of a complimentary airline ticket to student-athlete 1. In an interview with the university's compliance director, the former head coach emphatically denied providing the airline ticket. The information developed during the investigation disproved the former head coach's assertions that he did not violate NCAA legislation because he exchanged ticket vouchers with the student-athlete to avoid his airline ticket voucher from expiring.

In reference to Finding B-8- b, the former head coach failed to maintain the integrity of the investigation when specifically requested to do so by the enforcement staff when he immediately contacted his father, a principal in the case, at the conclusion of his first interview with the staff on March 6, 2008. The former head coach's father was subsequently unwilling to agree to an interview when requested to do so by the enforcement staff on April 22, 2008. On June 6, 2008, the former head coach confirmed that he discussed the substance of the enforcement staff's March 6, 2008, interview with his father, including the information that his father provided a men's golf student-athlete with cash (Finding B-4) and provided meals, lodging and cost-free golf to student-athletes. The former head coach reported that he did not recall agreeing to maintain the integrity of the investigation but "it would not have mattered" had he agreed to maintain the integrity of the investigation because he would have contacted his father regardless.

In reference to Finding B-8-c, the enforcement staff investigated allegations that the former head coach wagered on sporting events during his tenure as head men's golf coach at the institution. Several individuals with whom the enforcement staff spoke expressed their belief that the former head coach wagered on sporting events. In an effort to confirm or repudiate this information, the enforcement staff requested access to the coach's financial records. Although the former head coach provided access to his joint checking account, which showed a significant number of transactions at casinos in Reno and Las Vegas, he refused the enforcement staff's request for access to his credit accounts.

9. FAILURE TO PROMOTE AN ATMOSPHERE OF COMPLIANCE.
[NCAA Bylaw 11.1.2.1]

The scope and nature of the violations detailed in Findings B-1 through B-8 demonstrate that the former head coach failed to promote an atmosphere for compliance within the men's golf program and failed to monitor and control the activities of his father, a representative of the institution's athletics interests, for NCAA rules compliance. Specifically:

- a. In the fall of 2004, May 2005 and March 2006, the former head coach either knew or had reason to know that his father provided men's golf student-athletes lodging, money, transportation, rounds of golf and meals, as set forth in Finding B-4 through B-6.
- b. In October 2005, May and October 2006, and February and March 2007, the former head coach failed to seek guidance from the institution's director of compliance (1) regarding the provision of meal per diem to men's and women's golf student-athletes, in addition to taking golf student-athletes to a restaurant and the former head coach's father's home for meals, as set forth in Findings B-2 and B-7; and (2) regarding purchasing alcoholic beverages for men's golf student-athletes as set forth in Finding B-3.
- c. In May 2007, the former head coach provided student-athlete 1 with a round-trip airline ticket and failed to seek advice from the institution's director of compliance regarding the permissibility of such a transaction with a student-athlete, as set forth in Finding No. B-1.
- d. On March 6, 2008, the former head coach contacted his father by telephone and discussed the content of his (the former head coach's) interview with the enforcement staff, despite the fact that the enforcement staff requested that he not do so, as set forth in Finding B-8. The former head coach's father then informed his son that he provided \$300 to a student-athlete, as set forth in Finding B-4. The former head coach failed to report this information to either the institution or the enforcement staff until May 2008 when prompted to do so by the institution's director of athletics, and its faculty athletics representative.

Explanation of Violation

The institution, enforcement staff and the former head coach agree with this finding and that these facts constitute a violation of NCAA legislation. The committee finds that the violations occurred.

Findings B-1 through B-7 involves the former head coach's knowledge of and involvement in violations of NCAA legislation. In each circumstance, the former head coach was in a position to prevent the violation from occurring by either seeking guidance from the institution's athletics compliance department regarding conformance with NCAA legislation or by monitoring the activities of his father, whose involvement with the men's golf team the former head coach permitted. In reference to former head coach's father's involvement with the men's golf team, the former head coach reported

that his father was the "biggest living Nevada Wolf Pack golf fan." Beginning in the fall of 2004, the former head coach invited his father to have interactions with student-athletes both at practices and tournaments. The former head coach reported that he spoke with his father every day. In addition, the two met frequently in person because the former head coach's father, in addition his primary residence in California, also owns a condominium in Sparks, Nevada, two miles from the former head coach's home. Despite their close relationship, the former head coach neglected to monitor, or chose to ignore, his father's interactions with student-athletes. This failure resulted in the coach's father providing student-athletes with the benefits outlined in Findings B-4, B-5 and B-6. These violations of NCAA legislation remained undiscovered and unreported until the enforcement staff initiated its investigation.

The former head coach claimed that he had no knowledge of violations involving his father until March 6, 2008, when he contacted his father and discussed the substance of the enforcement staff's interview with him on that date. Contrary to what the former head coach claimed, beginning in 2005, he took student-athletes to his father's residence where they were provided a meal after receiving per diem from the university, which was intended to cover the costs of all their meals. At a minimum, the former head coach should have consulted the institution's athletics compliance department to ascertain whether such a practice comported with NCAA legislation. In addition, Finding B- 5 reflects the former head coach's active participation in a violation involving his father in 2006, when he provided transportation for student-athletes to visit his father at his father's home in California.

Finally, the rationales in support of to Findings B-1 through B-7 illustrate multiple inconsistencies in the former head coach's account of each violation. This resulted in Finding B-8. The violations in this case reflected the former head coach's failure to promote an atmosphere of compliance through both his disregard for NCAA extra-benefit legislation and failure to provide truthful and complete information about violations of NCAA legislation when they were discovered. In fact, it was only when the former head coach was presented with objective proof of violations of NCAA legislation in the form of documentation, admissions by student-athletes or admissions by his father to the athletics administration that the former head coach conceded that violations of NCAA legislation occurred and admitted culpability.

10. EXTRA BENEFIT – IMPERMISSIBLE LODGING. [NCAA Bylaws 16.11.2.1, 16.11.2.2 and 16.11.2.3]

Between August 26 and September 14, 2007, the former head women's golf coach ("former head women's coach") provided a women's golf student-athlete

("student-athlete 15") with lodging at her home at no cost to the young woman. The institution valued the extra benefit at \$450.

Explanation of Violation

The institution and enforcement staff agree with this finding and that these facts constitute a violation of NCAA legislation. The committee finds that the violation occurred.

In September 2007, the university received information indicating that a women's golf student-athlete was living in the home of the former head women's golf coach. The university's compliance director subsequently interviewed student-athlete 15 who admitted that she had resided in the former head women's coach's home since she had arrived on campus, on or about August 26, 2007. Student-athlete 15, who was a foreign national, explained that she initially intended to reside with other student-athletes, but these student-athletes made other arrangements. As a result, when she arrived in Reno, she contacted the former head women's coach, explained her situation and the former head women's coach allowed her to stay at the coach's home. Student-athlete 15 stated that she originally planned to reside with the former head women's coach temporarily until she located an apartment. However, she lived in the former head women's coach's home until on or about September 14, 2007, at which time she was instructed by the university's compliance director that this living arrangement was impermissible. Student-athlete 15 reported that she agreed to pay the former head women's coach \$150 per week for rent, but no rent had been paid to the former head women's coach by the time the university spoke to student-athlete 15. The university's compliance director spoke to the former head women's coach who confirmed the information reported by student-athlete 15.

C. PENALTIES.

For the reasons set forth in Parts A and B of this report, the Committee on Infractions found that this case involved major violations of NCAA legislation. In determining the appropriate penalties to impose, the committee considered the institution's self-imposed penalties and corrective actions. [Note: The institution's corrective actions are contained in Appendix Two.] As stated in the introduction of this report, in reviewing the university's summary disposition report, which contained the university's proposed penalties, the committee concluded that additional sanctions were warranted, to which the university agreed. Further, the committee considered the institution's cooperation in this case. It determined that the cooperation exhibited by the institution was consistent with Bylaw 32.1.4, Cooperative Principle, which requires member institutions to cooperate in investigations, and did not warrant consideration by the committee for a

possible reduction in penalties. The committee imposes the following penalties (the institution's self-imposed penalties are so noted):

1. Public reprimand and censure.
2. Three years of probation from March 18, 2010, through March 17, 2013. [Note: The minimum prescribed probationary period for a major infractions case is two years. The committee concluded that the length of time over which these violations occurred, coupled with the number of involved student-athletes warranted a three-year period of probation.]
3. A limit of 4.0 grants in men's golf for both the 2011-12 and 2012-13 academic years. (This represents a reduction of .5 of a grant from the maximum grant equivalencies allowed for men's golf under NCAA legislation.)
4. A limit of 5.5 grants in women's golf for both the 2011-12 and 2012-13 academic years. (This represents a reduction of .5 of a grant from the maximum grant equivalencies allowed for women's golf under NCAA legislation.)
5. The institution shall pay a fine of \$1,500 to the NCAA. (Institution imposed. This fine is based on the ineligible participation of three student-athletes subsequent to their involvement NCAA violations as set forth in Findings B-4 and B-5. [3 X \$500 = \$1,500])
6. Due to his involvement in NCAA violations, his provision of false and misleading information to investigators and his failure to promote an atmosphere of compliance as set forth in this report, for a two-year period of time commencing with the date of this report, March 18, 2010, and concluding on March 17, 2012, any NCAA member institution employing the former head coach shall prohibit him from participating in any off-campus recruiting activities involving prospective student-athletes to include telephone and other electronic (electronic mail etc.) contacts. This limits the former head coach to on-campus recruiting activity exclusively. Further, if the former head coach is employed by a member institution prior to March 17, 2012, he will be required to attend, on an annual basis and his own expense, NCAA regional rules seminars that are offered between the time that he is hired and the expiration of the two-year show-cause period. Finally, consistent with the implementation of such penalties, any institution employing the former head coach during this two-year period shall be required to contact the office of the committees on infractions to review these restrictions. Any employing institution shall also be required to send a report to the committee each year during the show-cause period. These reports shall

document the institution's monitoring of the former head coach and confirm that he has complied with the provisions of the show-cause penalty.

7. During this period of probation, the institution shall:
 - a. Continue to develop and implement a comprehensive educational program on NCAA legislation, including seminars and testing, to instruct the coaches, the faculty athletics representative, all athletics department personnel and all institution staff members with responsibility for the certification of student-athletes for admission, retention, financial aid or competition;
 - b. Submit a preliminary report to the office of the Committees on Infractions by May 14, 2010, setting forth a schedule for establishing this compliance and educational program; and
 - c. File with the office of the Committees on Infractions annual compliance reports indicating the progress made with this program by December 15 of each year during the probationary period. Particular emphasis should be placed on the education of coaches relative to permissible benefits and expenses provided to student-athletes. The reports must also include documentation of the institution's compliance with the penalties adopted and imposed by the committee.
8. The above-listed penalties are independent of and supplemental to any action that has been or may be taken by the Committee on Academic Performance through its assessment of contemporaneous, historical, or other penalties.
9. At the conclusion of the probationary period, the institution's president shall provide a letter to the committee affirming that the institution's current athletics policies and practices conform to all requirements of NCAA regulations.

The Committee on Infractions advises the institution that it should take every precaution to ensure that the terms of the penalties are observed. The committee will monitor the penalties during their effective periods. Any action by the institution contrary to the terms of any of the penalties or any additional violations shall be considered grounds for extending the institution's probationary period or imposing more severe sanctions or may result in additional allegations and findings of violations. An institution that employs an individual while a show-cause order is in effect against that individual, and fails to adhere to the penalties imposed, subjects itself to allegations and possible findings of violations.

NCAA COMMITTEE ON INFRACTIONS

Britton Banowsky

Paul T. Dee, chair

Brian P. Halloran

James O'Fallon

Dennis E. Thomas

APPENDIX ONE

CASE CHRONOLOGY.

2007

June 25 – The executive associate director of athletics, received a document from the then head women's soccer coach, that alleged violations of NCAA legislation involving the then head men's golf coach. The then head women's soccer coach later revealed to the institution that the former women's golf coach, informed her of the reported issues involving the former head coach.

June 28 – The director of compliance received the report of allegations involving the former head coach. She was then instructed by the executive associate director of athletics not to initiate an investigation into the information until after the director of athletics, met with the former head coach to discuss the information.

June 29 – The director of athletics met with the former head coach at which time she disclosed the reported information to the former head coach. Immediately after this meeting with the director of athletics, the former head coach met with the director of compliance and denied that he violated any NCAA regulations.

July 5 - After being unable to speak with the director of athletics in person, the director of compliance met with the executive associate director of athletics to discuss the director of athletics' conversation with the former head coach. The executive associate director of athletics informed the director of compliance that the former head coach denied the allegations to the director of athletics and that the director of athletics informed the former head coach that the director of compliance would conduct an investigation. Thereafter, the director of compliance initiated an investigation into the allegations involving the former head coach under the supervision of the faculty athletics representative and special assistant to the president for athletics academics and compliance.

Between July 5 and August 20 – The director of compliance conducted 19 telephonic interviews with current and former student-athletes and individuals in the community associated with the former head coach. She did not record these conversations.

September 18 - As a result of its investigation, the institution submitted a Western Athletic Conference Secondary Violation Self-Report Form (WAC Self-Report) to the NCAA national office.

September 25 – This WAC Self-Report was received by the NCAA secondary enforcement staff.

December 1 – The institution submitted a WAC Self-Report to the NCAA national office that was received by the NCAA secondary enforcement staff December 18, 2007. The institution reported that the former head women's golf coach provided a student-athlete with impermissible lodging at her home valued at \$450.

December 14 – The enforcement staff interviewed the source of information of potential violations of NCAA legislation involving the former head coach. The enforcement staff also contacted several former men's and women's golf student-athletes and former athletics department staff members. Many of these individuals confirmed information reported by the institution, by the then head women's soccer coach and by the former women's golf coach and also provided additional information regarding potential NCAA violations involving the former head coach and his father, who was identified by the athletics department as a representative of the institution's athletics interests.

2008

February 25 – The enforcement staff contacted the institution and requested its assistance in scheduling interviews with student-athletes and athletics department staff members. In addition, the enforcement staff requested documentation regarding the institution's investigation of allegations involving the former head coach.

March 3-6 and April 23 – The enforcement staff conducted interviews with student-athletes and athletics department staff members.

March 6 - The enforcement staff conducted its initial interview with the former head coach. At that time, he denied any knowledge that his father had provided benefits to student-athletes.

April 22 – The former head coach's father refused the enforcement staff's request for an interview. Thereafter, the staff requested the institution's assistance in obtaining interviews with the father.

May 1 – The institution informed the enforcement staff that the director of athletics had contacted the father of the former head coach to request that he agree to an interview with the enforcement staff. During the course of their conversation, the father admitted to the director of athletics that he provided a student-athlete with \$300 and assisted student-athletes with access to a golf course over spring break.

May 14 – The former head coach resigned his position from the institution.

June 3 – The enforcement staff received three separate WAC Self-Reports dated May 22, 2008, wherein the institution reported violations of NCAA legislation involving the former head coach and his father in that the father had provided \$300 to a student-athlete, and had also assisted two

student-athletes to obtain complimentary rounds of golf and that the former head coach had purchased alcoholic beverages for student-athletes.

June 6 – The enforcement staff re-interviewed the former head coach.

Thereafter, over the next several months, the institution worked with the enforcement staff to provide requested information and assisted the enforcement staff with scheduling additional interviews with athletics department staff members.

September 15 - Discussions began concerning the possibility of processing the case through the summary disposition process.

2009

February 2 – A summary disposition report was completed and submitted to the Division I Committee on Infractions for review. .

April 1 – The committee convened via a teleconference to review the summary disposition report.

April 2 – The committee sent a letter to the institution stating that it had reviewed the report, proposed additional sanctions and that the committee believed the institution may have failed to monitor its former head coach. The university was requested to respond to the committee's letter by April 17, informing the committee whether it accepted the additional sanctions and that it failed to monitor.

April 9 – The institution requested an extension to May 15 to respond to the committee's April 2 letter. The extension request was approved.

May 13 – The institution submitted a letter to the committee accepting the additional sanctions but denying that it failed to monitor the former head coach.

June 25 – The committee met via a teleconference to discuss the institution's May 13 letter.

June 30 – The committee send a letter informing the institution that it still asserted a failure to monitor finding was appropriate, and that the institution could contest that allegation in writing or in a hearing before the committee.

December 11 – The institution appears before the committee to contest the allegation that it failed to monitor the activities of its former head coach.

2010

March 18 – Infractions Report No. 318 is released.

APPENDIX TWO

CORRECTIVE ACTIONS AS IDENTIFIED IN THE INSTITUTION'S February 2, 2009, SUMMARY DISPOSTION REPORT.

Nevada has taken several corrective actions to strengthen its compliance program. Several violations occurred when student-athletes were provided per diem meal money and also had a meal at a donor's home. There were occasions when the student-athletes received full per diem and some occasions when they received partial per diem. The institution and the NCAA determined that all of these were violations of the extra-benefit legislation. To avoid this in the future, the institution now requires that coaches identify in their travel itinerary anytime they plan to have a team meal provided in addition to providing a per diem to the student-athletes. The coaches also are required to list the per diem amount and the date and place of the meal that is provided on their travel claim form. The institution believes that this change in procedure will preclude a coach from advertently or inadvertently providing an extra benefit to student-athletes when providing a meal as well as a per diem when the team is traveling.

Through the NCAA investigation, the institution realized that it, as with most other institutions, was not providing adequate training for its student managers in some areas, including specifically the prohibition on sports wagering. The institution is now requiring all paid and unpaid student managers to attend the first team meetings when many NCAA and department policies are explained. The institution developed a new form on sports wagering, which makes it clear that Nevada has a zero-tolerance policy on sports wagering. This form must be read and signed by all student-athletes, athletics staff members including managers, and nonathletics staff members who have responsibilities within or over the athletics department.