Learning Objectives
By the end of the educational track, participants will be able to:
• Recognize key issues within college basketball reform;
• Identify pertinent updates and information aligned with college basketball reform efforts; and
• Recall where to locate additional resources across various topics associated with college basketball reform.
Educational Track at a Glance

Opening session.
- Welcome message.
- Affirmation/attestation.
- General reform education.

Basketball reforms – Part I.
- Change to men's basketball recruiting calendar.
- NCAA College Basketball Academy.
- Women's basketball review.
- Reporting outside income.

Basketball reforms – Part II.
- NBA Draft.
- Agents legislation.
- Agent certification.
- Event certification.

Basketball reforms – Part III
- Student-athlete degree completion assistance.

Accountability reforms
- New Division I Infractions process.

Welcome Message

Accountability and Attestation
Background

• The Commission on College Basketball recommended a significant expansion in individual accountability for NCAA rules violations for presidents, chancellors and directors of athletics.

• In response, the Board of Directors adopted new legislation that increased contractual obligations to cooperate, new attestation requirement, and show cause implications.

Specific Legislative Actions Taken

Attestation.

• The president or chancellor shall attest that the obligations of Constitution 2.1 (Principle of Institutional Control and Responsibility) and Constitution 2.8 (Principle of Rules Compliance) have been met.

• Further, all athletics department staff members (full-time, part-time, clerical, volunteer) are aware of the institutional obligations and personal responsibilities imposed by Constitution 2.1 and Constitution 2.8.

Specific Legislative Actions Taken

Contracts/Cooperation.

• The Board adopted legislation requiring that contractual agreements or appointments between an institution and a president or chancellor and athletics director, as well as any athletics staff member, include a stipulation that the individual cooperate fully in the infractions process and is subject to penalties for NCAA rules violations.
Specific Legislative Actions Taken

Employment of Staff Member Under Show-Cause.

- The Board adopted legislation subjecting institutions to increased penalties when they employ an athletics staff member who is under a show-cause order and during the show-cause period, that individual’s conduct, or for an athletics director and/or head coach, conduct involving any program in which he or she has oversight, results in an institutional Level I or Level II violation.

Accountability: Presidents/Chancellors

New:
- Attestation (clarifying role of presidents).
- Enhanced cooperation responsibilities.
- Hiring show cause order.

Consideration:
- Ask the Board of Governors, with the addition of the new independent members, to weigh in on whether the current accountability measures are enough or whether additional components should be considered.

*Acknowledge he/she understands the obligations under Principles of Institutional Control and Rules of Compliance.

Accountability: Directors of Athletics

New:
- Attestation (clarifying role of director of athletics vs. presidents).
- Enhanced cooperation responsibilities.
- Hiring show cause order.

Next steps:
- Council and director of athletics leadership groups to discuss director of athletics accountability expectations.

**Attest to more specific requirements more consistent with AD responsibility as opposed to the president.
Key Updates and Discussions

Outlining next steps:

• Phase 1 of this discussion will consist of engagement with the leadership groups from each Division I subdivision. In addition, feedback will be solicited at upcoming spring/summer conference meetings.

• Following this feedback, a wider circulation of key issues will be made with the Division I director of athletics community.

• Initial review completed by August 2019.

Key Questions for Consideration

• Do you believe there is value in more explicitly clarifying the roles and expectations of campus leaders (e.g., presidents, directors of athletics, coaches)? In particular, would further delineation of responsibilities and new accountability measures help:

  • Create greater consistency across all Division I campuses regarding expectations?
  • Lessen institutional and individual “risk” in critical areas (e.g., rules compliance)?
  • Enhance the working relationship between presidents and directors of athletics?
  • Guide new and aspiring director of athletics regarding expectations?

Key Questions for Consideration, Continued

• Do you believe that any additional clarification of roles and expectations should focus solely on enhancement of responsibilities related to rules compliance and institutional control?

• Would creating a “best practices” document detailing responsibility expectations be beneficial? What about sample contractual language?

• Do you believe that additional accountability measures are necessary and/or advisable? How might additional accountability be achieved (e.g., legislation, inclusion in employment contracts)?
Recent Developments and Discussions

Attestation.

- Learning Management System (LMS) for Attestation.
  - Only for Presidents/Chancellors and Directors of Athletics.

Attestation Module: Presidents/Chancellors

Objectives:

- Recognize key compliance principles and how to access them;
- Recognize that presidents and chancellors are ultimately responsible for the collective actions of its athletics department in relation to NCAA compliance;
- Recognize what a culture of compliance looks like for the institution; and
- Recognize the need to build relationships and insure proactive policies and procedures are in place for monitoring compliance issues.

Attestation Module: Directors of Athletics

Objectives:

- Recognize key compliance principles and how to access them;
- Recognize that directors of athletics are responsible for the collective actions of its athletics department in relation to NCAA compliance;
- Recognize what a culture of compliance looks like for the institution;
- Recognize the institutional responsibility and duty to report violations;
- Recognize the need to build relationships and insure proactive policies and procedures are in place for monitoring compliance issues;
- Attest that they understand and are accountable for their responsibilities;
- Attest that all athletic department staff are aware of their institutional obligations and personal responsibilities; and
- Certify that their institution is in compliance with specific certification requirements.
Module Demonstration

- Sneak peak.

Presidents and Chancellors

ADs

General CBR Education Efforts

- Overview and next steps.

Questions?
NCAA Division I College Basketball Reform

We Want Your Feedback
Your input is important.
Rate this session using the survey on the Regional Rules Seminar app.
NCAA Division I
College Basketball Reform:
Part I

NCAA Regional Rules

NCAA Division I
College Basketball Reform:
Part I

NCAA Regional Rules
Change to men's basketball recruiting calendar.

NCAA College Basketball Academy.

Women's basketball review

Reporting outside income.

**CHANGES TO MEN’S BASKETBALL RECRUITING CALENDAR**

NABC recommendations endorsed by Commission on College Basketball to:

1. Minimize harmful outside influences;
2. Enhance relationships with NBA, NBPA, USAB and high school and two-year college governing bodies.

**Why?**
April
- Additional four-day recruiting period(s).

July
1. One NCAA certified nonscholastic events period.
2. NCAA College Basketball Academy.

1. NBPA Top 100 Camp.
2. High school and two-year college events.

APRIL
Four-day recruiting period(s).

APRIL: FOUR DAY RECRUITING PERIOD(S)

New Recruiting Period
- April 29 – May 2: Four-day recruiting period.
- Allows coaches to contact/evaluate immediately following NCAA certified nonscholastic events.
JUNE
NBPA Top 100 Camp and June High School and Two-Year College Events.

JUNE: NBPA TOP 100 CAMP

- June 13-14 (ends 2 p.m. June 14): NBPA Top 100 Camp only.
  - New collaboration between the NCAA and NBPA.

JUNE: HIGH SCHOOL AND TWO-YEAR COLLEGE EVENTS

- June 21-23 and 28-30 (Friday 6 p.m. to Sunday 4 p.m.): New evaluation periods for high school and two-year college events.
  - NABC encourages NCAA institutions to not hold team camps during these weekends.
JUNE HIGH SCHOOL EVENTS

Purpose of June high school events is:

1. To increase scholastic influence in recruiting process; and
2. Further engage HS community in recruitment and development of prospective student-athletes.

IMPLEMENTATION OF JUNE HIGH SCHOOL EVENTS

• June events must be distinguished from nonscholastic environment.

• NCAA membership determined that NFHS best positioned to regulate.
  o NFHS worked with its membership to develop appropriate criteria for events.

NFHS Membership:
• In all 50 states and District of Columbia, and
• Represents more than 19,000 high schools.

• Important that events provide opportunity for as many PSAs and schools as possible.

• NCAA membership agreed to establish separate certification process for non-NFHS members.
**JUNE: HIGH SCHOOL EVENTS**

- NFHS MEMBER:
  - Must be approved by NFHS.
- NON-NFHS MEMBER:
  - Must be approved by NCAA.
- Must be organized and conducted exclusively by applicable:
  1. HS athletics association; or
  2. HS basketball coaches association*

*Or applicable HS coaches association, if no HS basketball coaches association.

- Must occur at educational institution other than NCAA Division I campus.

**JUNE: HIGH SCHOOL EVENTS**

- For more information.
- List of approved events is available on nfhs.org and ncaa.org.

**JUNE: TWO-YEAR COLLEGE EVENTS**

- Must be approved by two-year college governing body.
- Organized and conducted exclusively by two-year college governing body and/or coaches association.
- Must occur at educational institution other than NCAA Division I campus.
- Blanket waiver permits 4-2-4 PSAs to participate.
### JUNE: TWO-YEAR COLLEGE EVENTS

<table>
<thead>
<tr>
<th>NWAC</th>
<th>CCAA</th>
<th>NJCAA</th>
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<tbody>
<tr>
<td>• Not hosting events this year.</td>
<td>• Campus events only.</td>
<td>• Approved events and sites released mid-April.</td>
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<tr>
<td></td>
<td>• cccaasports.org</td>
<td>• njcaa.org</td>
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</table>

### JULY

**NCAA Certified Nonscholastic Events and NCAA College Basketball Academy.**

### JULY CERTIFIED EVENTS

Purpose of enhanced certification requirements:

1. To reform nonscholastic basketball; and
2. Increase financial transparency.
**JULY: CERTIFIED NONSCHOLASTIC EVENTS**

**New Evaluation Period**

- **July 11-14**: NCAA-certified nonscholastic events.
- **Reduction** from three weekends to one weekend in July.
- **Enhanced criteria**.
- List of approved events:
  - ncaa.org search "BBCS."

**Purpose of NCAA Basketball Academy**

1. To enhance partnership with NBA, NBPA, USAB for benefit of youth basketball players; and
2. To develop skills beyond basketball, including academics, health, wellness and life skills.

**JULY: NCAA COLLEGE BASKETBALL ACADEMY**

**July 23-28**: NCAA College Basketball Academy.

- **July 22**: Academy begins, but coaches may not attend.
JUNE AND JULY: CONTACT AND COMMUNICATION

- Same rules that previously applied to July evaluation periods.
- While PSA is participating in June events or NCAA College Basketball Academy:
  - **NO CONTACT**
    - No in-person contact with:
      - PSA;
      - PSA's family;
      - PSA's coach; and
      - IAWP.
  - **COMMUNICATION**
    - Phone calls and texting permissible with:
      - PSA;
      - PSA's family; and
      - HS coach.

USA BASKETBALL SUMMER MINICAMP

- June, July and August: Coaches may attend USA Basketball Junior National Team Minicamp.
  - Enhanced partnership between USAB and NCAA.
  - Up to two coaches per institution may attend.

REVIEW OF RECRUITING CALENDAR

- **Now:** Men's Basketball Oversight Committee collecting information in two phases to determine if additional changes are necessary.
- **Fall 2019:** Discussion will begin on possible changes.
REVIEW OF RECRUITING CALENDAR

• Phase I (November – July 15):
  o Administered by senior conference compliance administrators to institutional compliance administrators.

• Phase II (May 6 – June 7):
  o Surveying types of recruiting events coaches want to attend, timing and frequency of recruiting, dead and/or shutdown periods and whether head coaches' off-campus recruiting activity should be limited.
  o Administered by senior campus compliance administrators to head and assistant men's basketball coaches.
WOMEN’S BASKETBALL REVIEW

Strategy for review of recommendations in women’s basketball:
- Creation of three subcommittees of oversight committee members (i.e., recruiting/event certification, professional athletic opportunities, diversity, retention and professional development in coaching).
- Include additional membership representatives as ex-officio members for special expertise and perspectives.

Phase 1
Jan 19
- Basketball event certification criteria.
- Recruiting calendar.
- Official and unofficial visits: number and timing.
- Limited coaching by noncoaching staff members.
- Undergraduate advisory evaluations for professional teams.

Phase 2
April 19
- NCAA-certified agents.
- Out-of-season skill instruction (four hours vs. eight hours).
- Voluntary accord with apparel companies.
PHASE ONE: ENHANCED EVENT CERTIFICATION CRITERIA

January 2019: Enhanced event certification criteria approved by Women's Basketball Oversight Committee.

- Aligns women's basketball event certification criteria with men's basketball.
- Implemented for 2019 events.

PHASE TWO TIMELINE

- April 2019: Subcommittees will identify recommendations/legislative changes to solicit feedback from the NCAA Division I Council.
- June 2019: Oversight Committee presents concepts to Council.

- August/October 2019: Oversight Committee recommends legislative changes to the Council for the 2019-20 legislative cycle.
- April 2020: Council votes on legislative recommendations.
REPORTING OUTSIDE INCOME

WHAT'S NEW

Contractual agreements* for coaches and athletics staff must include the requirement that the staff member must report to the university's president or chancellor athletics-related income greater than $600 from any source outside the school.

* Examples of contractual agreements (e.g., contracts, letter of appointment, letter of hire).

Effective Immediately

Outside Income Athletics Staff Member President/Chancellor

OUTSIDE INCOME MEN'S BASKETBALL

Examples of athletics-related income or benefits include:

- Income from endorsements
- Consultation contracts with apparel companies
- Equipment manufacturers
- Television and radio programs
- Employment by or ownership of sports camps
- Payment for guest speaking engagements
- Housing or transportation benefits
- Control or management of a foundation
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OUTSIDE INCOME MEN'S BASKETBALL

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- Control or management of a foundation

Regional Rules

OUTSIDE INCOME MEN'S BASKETBALL

REQUIREMENT TO REPORT

All full-time or part-time athletics staff members who receive greater than $600 in athletics-related income from an outside source must report the earnings to the president or chancellor on an annual basis.

Effective Immediately

Athletics staff are required to annually report outside athletics-related income received since Aug. 8, 2019.
Division I College Basketball Reform

Part 2

Overview

- NCAA rules related to the National Basketball Association draft.
- Use of NCAA certified agents.
- NCAA agent certification program.
- NCAA event certification.

NCAA Requirement for NBA Draft
1. Elite men’s basketball players tend to misjudge their professional prospects.
2. A small percentage of NCAA student-athletes make it to the NBA.
3. Need for objective and valuable information.

**NBA Draft - New NCAA Requirement**

- Beginning 2019, a men’s basketball student-athlete must request an evaluation from the NBA undergraduate advisory committee before entering the NBA draft.
- Request may be submitted only after his team’s season has ended.

**NBA UAC Request for Evaluation**

- Request evaluation:
  - Requests sent directly to UAC.nba.com.
  - Feedback began around April 1, 2019.
  - Feedback sent directly to student-athlete and coach via email.

*NBA Draft declaration is a separate process.*
• UAC consists of NBA executives and general managers.
• Confidential projection of draft position.
• Feedback based on professional judgement of UAC.
  • Drafted in the Lottery (i.e., pick Nos. 1-14);
  • Drafted in the First Round but outside the Lottery (i.e., pick Nos. 15-30);
  • Drafted in the first half of the Second Round (i.e., pick Nos. 31-45);
  • Drafted in the second half of the Second Round (i.e., pick Nos. 46-60); or
  • Not drafted.
• UAC Educational Guide:

**NBA G League Elite Camp- New this year!**

- Camp dates- May 12-14, 2019.
- Held in connection with the NBA Draft Combine in Chicago.
- Approximately 40 of the best Draft-eligible players who did not initially receive an invitation to the Combine will be invited.
- Highest performing players at G League Camp will be invited to participate in the Combine.

**NCAA Division I Legislative Relief Blanket Waiver - Use of Outside Trainers**

Men’s basketball student-athletes who receive an NBA Draft Combine or G-League Elite Camp invitation may use institutional facilities while engaging in workout activities with an outside trainer.

- Applicable until he withdraws from the draft, or May 29, 2019, whichever is earlier.
- Institutions may arrange the use of institutional facilities for such workouts.
- Coaches may observe the workouts without counting toward CARA limitations.
  - If coach conducts workout, must be included in daily/weekly time limitations.
  - Per Bylaw 17.1.7.2.4, may workout with coaches up to 20 hours per week, if SA receives an NBA Draft Combine or G-League Camp invitation.

*Approved April 24, 2019*
NBA Draft Timeline*

- **April 1**: UAC feedback begins.
- **April 11**: Deadline to request UAC evaluation.
- **April 21**: NBA draft early entry deadline.
- **April 23**: Early entrants can begin workouts with NBA teams.
- **April 26**: Draft combine invitations sent.
- **May 12-14**: NBA G-League Camp.
- **May 14-19**: NBA draft Combine.
- **May 29**: NCAA withdrawal deadline.
- **June 10**: NBA early entrant withdrawal deadline.
- **June 20**: NBA draft.

*See 2019 NBA Draft memo for detailed information.
**Approximate timing.

CHANGES TO AGENT LEGISLATION

1. Need for earlier professional advice.
2. Information will be sought one way or another.
3. NCAA agent certification process will help ensure agents meet standards and interactions are transparent.
Use of NCAA Certified Agents

• Beginning 2019, a men’s basketball student-athlete may be represented by an NCAA certified agent.
• For 2019, National Basketball Players Association certified agents are considered NCAA certified agents.
• https://nbpa.com/agents/directory
• NCAA agent certification program will be developed not later than August 1, 2019.

Agreement and Representation - Timing

Team’s season ends + MBA UAC evaluation requested = NCAA certified agent contract and representation.

Agent Agreement

Agreement between an NCAA certified agent and student-athlete must be in writing.
Agent agreement must be disclosed to student-athlete’s institution.
Permissible Agent Representation

NCAA certified agent.

Men’s basketball student-athlete.

Professional teams/organizations.

Expenses During Agent Selection Process

Meals and transportation in student-athlete’s locale.

Student-athlete may not miss class.

Not permitted until appropriate changes are made to UAAA, RUAAA and state laws.

Expenses Associated with Representation

Meals, transportation and lodging for student-athlete and family to meet with agent or professional teams.

Student-athlete may not miss class.

Agreement requirement prior to expenses being provided.
Agent Representation – Prospective Student-Athletes

A prospective student-athlete may not enter into an agreement with or receive benefits from an agent.

Use of agents for prospective student-athletes will not change until high school students are eligible to enter NBA draft.

NCAA Agent Certification

Guiding Principals for Development

Standards of certification and enforcement align with the purpose and expectations set forth by the Commission on College Basketball.

Higher standard of certification than the NBPA.

Transparency to equally benefit student-athletes/parents, member schools, agents, state regulators, the NCAA and the NBPA.

Provide valuable education to student-athletes/parents, member schools and agents.
Agent Certification Requirements

- Bachelor's degree.
- NBPA certification – minimum of three years.
- Successful completion of an annual background check.
- Maintain professional liability insurance.
- Successful completion of NCAA administered exam (based on relevant NCAA Bylaws).
- Disclosure of information such as: Conflicts of interest, booster status, employees/contractors, state agent registrations, etc.
- Annual continuing education requirement.

Agent Certification Timeline

- Policies, procedures and guidelines approved by Strategic Vision and Planning Committee April 2019.
- Agent certification process up and running by August 1, 2019.
- Agent certification exam administered fall 2019.
- Publish list of NCAA certified agents in late November/December 2019.

NCAA Basketball Certification
Division I
Men's Basketball
Recruiting Calendar
2018-19

New evaluation periods at scholastic events:
- Friday, June 21 (from 6 p.m.) – Sunday, June 23 (until 4 p.m.).
- Friday, June 28 (from 6 p.m.) – Sunday, June 30 (until 4 p.m.).

Events will be approved by:
- National Federation of State High School Associations.
- National Junior College Athletic Association.
- California Community College Athletic Association.
- ECAG for the NCAA.

- Evaluation period July 11-14 at NCAA certified nonscholastic events, a reduction in evaluation periods at these events from three weekends in July to one weekend in July.
- Evaluation period July 23-28 at new NCAA College Basketball Academy events conducted by the NCAA and member schools/conferences.

Enhanced Certification Criteria

- Annual financial disclosures for teams/events.
- Audit an appropriate percentage of teams/events.
- Adopt aspects of the USA Basketball/NBA Youth Guidelines as part of event certification process.
- Improved education for prospective student-athletes.
Questions?

NCAA Regional Rules

College Basketball Reform Education: Basketball Reforms Part III
Men’s and Women’s Basketball Degree Completion Assistance

Membership Requirements

• Provide tuition, fees and books for returning student-athletes who meet specified criteria.

• Institutions are required to cover the number of remaining credits requested in initial application.

• Additional credits needed (based on failed courses or change of major) will be at the expense of the returning student-athlete.

Criteria for Funding

Former men’s and women’s basketball student-athletes may be eligible for degree completion assistance if former student-athlete:

• Received athletics aid.
• Previously enrolled for at least two years.
• Met NCAA progress-toward-degree requirements when student departed campus.
• Has not attended another institution full time since departure.

• Meets institution’s re-admission and financial aid requirements.
• Departed institution within 10 years.
• Exhusted other degree completion funding options (e.g., NBA tuition reimbursement).
Former Student-Athlete Degree Achievement Program

- Institutions defined as limited-resource institutions within the past five years are eligible for funding.

- Applications can be accessed through Program Hub.
  - Institutions are required to nominate eligible former student-athletes.
  - Former student-athletes are required to submit completed application.

Your Home for Information

- Other resources.
- Q&A.
- Sample applications.
Commonly Asked Questions

- Can returning student-athletes be part time?
- Can institutions fund more credits than the initial request?

Commonly Asked Questions

- Are there requirements for continued funding each term?
- Can institutions provide continued funding if students do NOT earn a term GPA of 2.0?

Commonly Asked Questions

- Institution already has a degree completion program. Program has non-academic requirements, do we need to change the requirements?
- Will there be a reporting requirement for former student-athletes who were funded?
Commonly Asked Questions

• Is an institution required to reach out to every former men’s and women’s student-athlete who may meet the eligibility requirements?

How to Prepare

• Develop application process and timeline.
• Develop a communication plan for former student-athletes who go professional; activate when they leave and when they are ready to return.
• Identify a point of contact to assist with re-enrollment and development of degree completion plan.
• Establish process to review re-applications for continued funding.

Sample Application and Enrollment Timeline

Open application for fall. Confirm enrollment and funding. Close application.

Apr Jul Aug Sep Oct Dec

Open application for spring. Confirm enrollment and funding.
Sample Communication Timeline

- Reach out to players as seasons end.
- Educate current SAs.
- Communicate enrollment for spring.
- Communicate with former players.
- Keep in contact with former SAs.

Other Ideas to Consider

- Fundraise specifically for this program; donors like to have a purpose.
- Be strategic in your outreach to former student-athletes:
  - Who left recently and can complete within six years of initial enrollment?
  - Any other delayed graduation points still out there?
  - Inform your current SAs about this and stay in contact.

Other Ideas to Consider

- What is your institution already doing for the general student body?
  - Are you recruiting and readmitting other former students?
  - Do you have an institutional team already advising returning students?
Q&A

We Want Your Feedback

Your input is important.

Rate this session using the survey on the Regional Rules Seminar app.
College Basketball Reform Education: Accountability Reforms

CHANGES TO NCAA INFRACTIONS PROCESS: INDEPENDENT RESOLUTION AND ENHANCED PEER-REVIEW PROCESS

Presenters
Wendy Walters
Managing Director, Infractions Appeals Committees
Joyce Thompson
Director, Infractions Appeals Committees
Tom Hosty
Director, NCAA Enforcement Staff
Brynn Barnhart
Director, NCAA Enforcement Staff
Ken Kleppel
Associate Director, Office of the Committees on Infractions
Goals
1. Review changes to infractions process in response to recommendations by the Commission on College Basketball.
2. Highlight next steps.
3. Answer questions.

Commission Recommendations
To address impact of money on college basketball and NCAA member institutions:
1. Establish independent adjudication of select complex cases; and
2. Strengthen peer-review process, including enhancing the responsibility to cooperate and increasing the severity of penalties.

Action in Response

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<tr>
<th>Independent Process</th>
<th>Peer-Review Process</th>
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<tr>
<td>• Established independent resolution structure and process for select complex cases.</td>
<td>• Created efficiencies in case resolution, including:</td>
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<td><em>Effective 8/1/19.</em></td>
<td>o Negotiated resolution process; and</td>
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<td>o Importation of facts.</td>
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<td>• Facilitated cooperation, including:</td>
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<td>o Defined full cooperation;</td>
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<td>o Authorized immediate penalties for noncooperation;</td>
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<td>o Required stipulation to cooperate in contracts; and</td>
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<td>o Permitted sanctioning for noncooperation by representatives.</td>
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<td>• Refined core penalties, including:</td>
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<td>o Increased severity of core penalties for most significant violations; and</td>
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<td>o Established methodology for prescribing fine when institution participates in postseason competition with ineligible student-athlete.</td>
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*Changes apply to both independent* and peer-review processes, except for negotiated resolution (only in peer-review process).*
Enhancements to Responsibility to Cooperate [Bylaw 19.2.3]
• Affirmative obligation to cooperate fully in the infractions process. Includes:
  • Timely participation in interviews;
  • Full and complete disclosure of relevant information and documents;
  • Disclosing and providing access to all electronic devices used for business purposes; and
  • Providing access to all social media, messaging and other applications that may be relevant.

Failure to Cooperate [Bylaw 19.2.3.2]
• If an institution or individual fails to cooperate:
  • May infer failure to provide documentation means documents would support the alleged violation;
  • May view failure to interview as an admission an alleged violation occurred; and
  • Hearing panels may prescribe immediate penalties during the course of an investigation.

Importation [Bylaw 19.7.8.3.1]
• Facts established by a court, other administrative tribunal or commission may be accepted as true.
• Evidence submitted and positions taken in such a matter may be considered.
• Use of outside facts will save time and resources.
**Infractions Process Overview**

**Negotiated Resolution**
- Must have complete agreement on facts, violations and penalties by participating parties.
- Opportunity for preliminary assessment by hearing panel.
- Narrow scope of review. Only rejected if:
  - Penalties manifestly unreasonable; or
  - Resolution not in best interests of Association.
- No opportunity to appeal.
- Intended to be efficient.

**Independent Resolution**
- Case only referred if in best interests of Association, including when case involves unique policy issues or factors that could impede resolution.
- No return to peer-review process.
- Investigation and adjudication processes share some similarities to peer review but are unique.
- Five-member panel reviews case.
- Decision is final.
- Penalties in prior cases have no precedential value.
Next Steps

• Continued development of independent resolution process:
  • Populate bodies.
  • Create operating procedures.
  • Train Independent Resolution Panel and Complex Case Unit members.

• Outstanding legislative recommendations for 2019-20 cycle:
  • Increase minimum core financial penalty from $5,000 to $25,000; and
  • Require vacation of records as a core penalty when student-athlete competes while ineligible.

Questions?