Reporting Potential NCAA Rules Violations

POLICIES

• Boston College is committed to the principle of institutional control and responsibility which obligates it to be in compliance with the rules and regulations of the National Collegiate Athletic Association (NCAA), the conference, and the institution. The President has overall responsibility for this control and the administration of all aspects of the intercollegiate athletics program.

• Boston College will monitor the intercollegiate athletic program to assure compliance and to identify and report to the NCAA Enforcement Staff instances in which compliance has not been achieved.

• Boston College will conduct all investigations of NCAA legislation under the guidelines of this policy and NCAA and conference legislation.

• The Associate Athletics Director for Compliance (AADC) is principally responsible for monitoring athletics compliance. This position reports to the Director of Athletics but is authorized by the President to report compliance matters directly to the Faculty Athletics Representative (FAR) and/or the Office of General Counsel (OGC).

• Boston College prohibits, and will appropriately address, any form of retaliation against any faculty, staff, or student who reports a possible compliance violation or is involved in an investigation or inquiry under this policy.

• Any questions about this policy and its application may be addressed to the AADC, the OGC, or the President.

PROCEDURES

REPORTING OBLIGATIONS AND INITIAL REVIEW

1. Any coach, employee, student-athlete, or other individual associated with the athletics department or an employee of the institution who has NCAA compliance responsibilities must notify appropriate institutional officials immediately of any possible violation of the institution or conference policies and procedures or NCAA legislation that involves the institution. A failure by any of these individuals to report a violation may result in employment or other disciplinary actions taken against the individual.
   a. Notification may take place by contacting (personally or by telephone or electronic mail) the AADC. If the violation involves the AADC, the FAR and the Director of Athletics must be notified. Reporting this information to the head coach of the involved sport does not meet this reporting obligation.

2. If a coach, employee, or student-athlete is self-reporting a violation, he or she may be asked to put information about the possible violation in writing. This information may include:
   a. Date of possible violation;
   b. Individual(s) involved;
   c. Description of the possible violation(s);
   d. The means by which the individual learned of the information;
   e. Reason(s) why the individual believes that a violation may have occurred; and
   f. A statement of actions that have been taken and/or that the individual recommends be taken to help prevent a similar violation from recurring in the future.

3. Upon being informed of a possible violation, the AADC will promptly conduct a brief, preliminary inquiry to ascertain the general facts surrounding the incident. The parties involved in the incident may be contacted directly and asked about the matter. The AADC shall have initial responsibility for determining whether the information indicates a possible violation, and if so, whether it would constitute a Level III or IV violation, or a potential Level I or II violation. If
the AADC believes a Level I or II violation may have occurred, the AADC will promptly consult with the FAR and the Director of Athletics. If there is any about the level of the possible violation, the OGC will be consulted.

4. In any case in which the possible violation involves the AADC, the Director of Athletics, in consultation with the FAR, shall designate another University administrator to conduct the investigation on behalf of Athletics Compliance.

INVESTIGATION OF POSSIBLE LEVEL III OR IV VIOLATIONS

1. If the information indicates a possible Levels III or IV violation, the AADC shall have the responsibility for investigating the facts, applying the facts to the governing rules, and/or obtaining a rules interpretation from the conference or the NCAA staff.

2. If it has been determined that a secondary (Level III or IV) violation has occurred, the AADC will prepare a written report. The report will include not only the facts concerning the violation but also the penalty proposed by the institution. The report will be reviewed by the FAR and the Director of Athletics (or designee) prior to its submission to the NCAA. Copies of the self-report will be forwarded to the applicable conference administrator and the Director of Athletics. If applicable, the report will also be sent to the athletic administrator that supervises the sport or department, and the head coach.

3. If the AADC, in collaboration with the FAR and Athletic Director (or designee) determines that the allegation of non-compliance clearly lacks merit, the investigation will be terminated and, if appropriate, the AADC will prepare a brief written summary that provides an overview of the: (i) information received; (ii) institution’s inquiry; and (iii) reasons that the institution concluded no violations occurred. The investigative file will be retained for six years.

INVESTIGATION OF POSSIBLE LEVELS I OR II VIOLATIONS

1. If the information indicates a possible Level I or II violation occurred, the AADC, in conjunction with the Director of Athletics and FAR, shall notify the President and forward the information to the OGC, at which point the OGC shall be responsible for directing the investigation. The AADC will also promptly notify the applicable conference administrator of the potential Level I or II violation.

2. The OGC, in consultation with the FAR and the President, shall determine the appropriate action in conducting the investigation. The OGC is responsible for overseeing the investigation process, whether conducted internally or through engagement of an outside party at the OGC’s discretion. Any outside party conducting an investigation shall report to the OGC. The OGC shall regularly report to the President regarding the progress of the investigation.

3. Given the relationship between the Director of Athletics and the AADC with the coaches, student-athletes, and athletics administration, neither the Director of Athletics nor the AADC will conduct the investigation directly or serve on an investigation committee. However, they may be consulted for rules interpretations and insight during this process at the discretion of the OGC.

4. To help protect the integrity of the investigation, all decisions regarding sharing of information with athletics department staff will be made by the OGC, in consultation with the President and any other individuals charged with conducting the investigation. The OGC or individual or entity conducting the investigation retains the discretion to withhold information from an interviewee or coaching staff member.

5. The OGC also shall be responsible for overseeing the preparation of a written report of the investigation and finding(s). If the OGC delegates the preparation of the report, the OGC shall review and approve it before it is finalized. The final report shall be submitted to the NCAA and the applicable conference administrator.
CONFIDENTIALITY AND PUBLICITY

During any inquiry or investigation under this policy, all staff and other involved individuals must maintain all information concerning possible non-compliance in confidence. The President, in consultation with the OGC and other administrators as appropriate, must approve any public disclosure related to any inquiry, investigation or report under this policy. Any release of information must comply with applicable NCAA legislation and the Family Educational Rights and Privacy Act.