



## **News Release**

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### DIVISION I COMMITTEE ON INFRACTIONS ISSUES DECISION ON UNIVERSITY OF CENTRAL FLORIDA

INDIANAPOLIS---The NCAA Division I Committee on Infractions has found that University of Central Florida has committed major violations in its football program. The case centers on at least 209 impermissible telephone calls and approximately 100 text messages over a period of almost 18 months to 27 prospective student-athletes and/or their parents.

Penalties in this case include two years probation, recruiting restrictions and the suspension of two athletics administrators.

This case was resolved through the summary disposition process, a cooperative effort where the involved parties submit the case to the Committee on Infractions in written form. When the NCAA enforcement staff, the university and involved individuals agree to the facts of the case and the university proposes penalties, they may use this process instead of having a formal hearing.

Between June 2007 and January 2009, two non-coaching football staff members placed numerous impermissible telephone calls and text messages to prospective student-athletes and/or their parents. These staff members were the former recruiting administrator and the former director of player personnel. These administrators' primary responsibilities involved assisting

with on-campus recruiting activities, which included preparation for and coordination of official and unofficial visits by prospective student-athletes. However, according to NCAA rules, as a non-coaching staff member, they could not make telephone calls to, receive telephone calls from or send text messages to prospective student-athletes or their parents for recruiting purposes. Twenty-eight of the text messages were sent prior to the August 1, 2007, ban on text messages, while the remaining were sent after this ban was in place.

In some instances, these telephone calls also resulted in the university exceeding its limits under NCAA rules for weekly calls. In addition, some recruits were contacted prior to their senior year of high school, which is not allowed under NCAA rules.

The penalties in this case are as follows:

- Public reprimand and censure.
- Two years of probation from February 11, 2010, through February 10, 2012 (Self-imposed by the university).
- Recruiting restrictions for the 2008-09 and 2009-10 academic years, as outlined in the public report (Self-imposed by the university).
- Two-week suspension for former recruiting administrator, as detailed in the public report.
- Two-week suspension for former director of player personnel, as detailed in the public report (Self-imposed by his current employing institution).

The members of the Committee on Infractions who reviewed this case include Paul Dee, lecturer in law and education at the University of Miami and formerly the institution's athletics director and general counsel. He is the chair of the Committee on Infractions. Other members are

Dennis Thomas, the commissioner of the Mid-Eastern Athletic Conference and formerly director of athletics at Hampton University; James O'Fallon, a law professor and faculty athletic representative for University of Oregon; and Eleanor Myers, faculty athletics representative and professor at Temple University.

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UNIVERSITY OF CENTRAL FLORIDA  
PUBLIC INFRACTIONS REPORT

February 11, 2010

**A. INTRODUCTION.**

This case was resolved through the summary disposition process, a cooperative endeavor in which the Committee on Infractions reviews infractions cases submitted in written form. This process is used in lieu of a formal hearing when the NCAA enforcement staff, the member institution and involved individuals agree to the facts of an infractions case and that those facts constitute major violations. The involved institution also proposes penalties it believes to be appropriate. This summary disposition report was reviewed by the committee during its December 2009 meeting.

This case centered on telephone calls and text messages which violated NCAA legislation. Specifically, between June 2007, and January 2009, two non-coaching football staff members placed numerous impermissible telephone calls and text messages to prospective student-athletes and/or their parents in violation of NCAA Bylaws 13.1.3 (Telephone Calls) and 13.4.1.2 (Electronic Transmissions). Both of these individuals are no longer employed at Central Florida, but have taken positions at other NCAA member institutions.

This case was considered "major" in nature because the sheer volume of impermissible telephone calls and text messages placed by the involved individuals (at least 300) clearly reflected that the violations were neither isolated nor inadvertent. Moreover, the impermissible telephone calls and text messages occurred over an extended period of time (i.e., almost 18 months) and involved a significant number of prospects (27).

This was the fifth summary disposition case involving either impermissible text messaging, electronic mail or telephone calls the committee has reviewed in the last year. [See: State University at Albany (January 27, 2009); University of New Hampshire (July 23, 2009); University of Richmond (November 5, 2009); College of the Holy Cross (December 17, 2009)]

A member of Conference USA, the institution has a total enrollment of approximately 53,537 students. The institution sponsors six men's and 10 women's intercollegiate sports. This was the institution's second major infractions case. The institution also had an infractions case in 1985 involving the men's basketball program.

**B. FINDINGS OF VIOLATIONS OF NCAA LEGISLATION.**

**1. IMPERMISSIBLE TELEPHONE CALLS AND TEXT MESSAGES.  
[NCAA Bylaws 11.7.1, 11.7.1.1.1, 11.7.1.2, 13.1.3, 13.1.3.1, 13.1.3.1.1,  
13.1.3.1.6, 13.1.3.4.1 and 13.4.1.2]**

Beginning June 6, 2007, and continuing through February 6, 2008, a then football recruiting administrator ("former recruiting administrator") engaged in impermissible telephone and text message contacts with prospective student-athletes or their parents. Specifically:

- a. The former recruiting administrator placed and received approximately 141 telephone calls involving 17 prospects or their parents. He placed and received the phone calls from his office telephone and his institution-issued cellular telephone.
- b. The former recruiting administrator sent 28 text messages to prospects or their parents prior to the NCAA August 1, 2007, ban on text messages. He sent these text messages from his institution-issued cellular telephone.
- c. The former recruiting administrator sent 42 text messages to prospects or their parents after the NCAA ban on text messages. He sent these text messages from his institution-issued cellular telephone.
- d. The former recruiting administrator placed 12 impermissible outgoing telephone calls to prospects or their parents during weeks in which the football staff already made its one permissible telephone call.
- e. The former recruiting administrator placed three telephone calls to prospects or their parents prior to September 1 of the prospect's senior year of high school.

**Explanation of Violation**

The enforcement staff, institution and the former recruiting administrator is in agreement on this finding and that violations of NCAA legislation occurred. The committee finds that the violations occurred.

The former recruiting administrator began his employment with the institution in August 2006 as a football graduate assistant for administration. In June 2007, he assumed duties as a football recruiting administrator. His primary responsibilities involved assisting

with on-campus recruiting activities, which included preparation for and coordination of official and unofficial visits by prospects. However, in accordance with NCAA legislation, as a non-coaching football staff member, he could not make telephone calls to, receive telephone calls from or send text messages to prospects or their parents.

During the spring term of the 2007-08 academic year, as a routine function of the institution's monitoring of its intercollegiate athletics programs, the university's office of athletics compliance (OAC) conducted its quarterly audit of telephone calls and records. During the course of the review, the OAC discovered irregularities in the former recruiting administrator's telephone records. On March 4, 2008, the institution began conducting interviews regarding possible violations involving the former recruiting administrator placing and/or receiving impermissible telephone calls and text messages. The university's inquiry revealed that, beginning June 6, 2007, and continuing through February 6, 2008, the former recruiting administrator placed and received telephone calls from approximately 17 prospects or their parents prior to their signing National Letters of Intent.

In reference to the text messages, the former recruiting administrator sent 70 text messages to prospects or their parents, 28 text messages were sent prior to the NCAA ban on text messaging and 42 text messages were sent after the ban. The former recruiting administrator acknowledged that he received rules education from the institution's OAC and was aware of the text messaging ban beginning August 1, 2007. He expressed remorse and stated that he executed poor judgment in sending the text messages.

In reference to the impermissible telephone calls, from June 6, 2007, through February 6, 2008, the former recruiting administrator placed 80 impermissible outgoing telephone calls to prospects or their parents (which are included in the 141 telephone calls referenced in Finding B-1-a). Twelve of these calls were placed during weeks in which members of the football coaching staff also made an otherwise permissible telephone call. The former recruiting administrator's impermissible telephone calls resulted in the institution exceeding the applicable limit (e.g., not more than one phone call per week) in 12 instances involving seven different prospects. Additionally, the former recruiting administrator placed three telephone calls to prospects or their parents prior to September 1 of the prospects' senior year of high school.

The former recruiting administrator maintained that his initial purpose for placing the phone calls was for "administrative reasons" (e.g., logistical information on official visits such as arrival times, means of transportation etc.). Because of this responsibility, he had the contact information of various prospects stored in his cellular telephone. He was aware, however, that he could not actively recruit. Despite this, he acknowledged that during the course of the phone calls, the content of the conversations often transitioned to

general topics which are generally considered to be recruiting subject matters, such as asking prospects about their school work, their success in their football season, personal goals as well as providing support and encouragement to many of the prospects. As a result of this activity, several currently enrolled student-athletes identified the former recruiting administrator as their "recruiting coach" during the time they were being recruited by Central Florida.

**2. IMPERMISSIBLE TELEPHONE CALLS AND TEXT MESSAGES.  
[NCAA Bylaws 11.7.1, 11.7.1.1.1, 11.7.1.2, 13.1.3, 13.1.3.1.1, 13.1.3.4.1 and 13.4.1.2]**

Beginning in approximately August 2008 and continuing through January 2009, a then football director of player personnel ("former director of player personnel") engaged in impermissible telephone and text message contacts with prospective student-athletes. Specifically:

- a. The former director of player personnel placed and received approximately 68 telephone calls involving 10 prospects from his personal cellular telephone.
- b. The former director of player personnel sent an unknown number of text messages to prospects after the August 1, 2007, NCAA ban on text messages from his personal cellular telephone.

**Explanation of Violation**

The enforcement staff, institution and the former director of player personnel is in agreement on this finding and that violations of NCAA legislation occurred. The committee finds that the violations occurred.

The former director of player personnel began his employment with the institution in August 2007. His initial position was that of a football graduate assistant during which time he worked directly for, and shared an office with the former recruiting administrator involved in Finding B-1. The former director of player personnel described the former recruiting administrator as his "mentor." In May 2008, the former recruiting administrator left Central Florida to take a position at another Division I institution. At that time, the institution renamed his former position to "director of player personnel." In June 2008, the former director of player personnel was promoted from graduate assistant to the renamed position of "director of player personnel." Despite the name change, the duties remained the same, and the job continued to be classified as a non-coaching

football staff position. Regrettably, not only did the duties remain the same, so did the practice of placing impermissible telephone calls and text messages.

In reference to the impermissible telephone calls, beginning in approximately August 2008 and continuing through January 2009, the former director of player personnel placed telephone calls to and received telephone calls from 10 prospects who had not signed a National Letter of Intent or enrolled at the institution. The former director of player personnel reported that the impermissible contact occurred after he "emotionally connected" with certain prospective student-athletes during their official or unofficial visits. During these prospects' visits, the former director of player personnel would provide his business card with his personal cellular phone number handwritten on it. The former director of player personnel reported that he knew he was not permitted to place or receive phone calls to prospective student-athletes, particularly since his predecessor recently violated the same NCAA bylaw. The former director of player personnel rationalized his contact with prospects by stating that he felt "discomfort" with ending his friendship with the prospects with whom he had connected; as such, he initiated the impermissible contact. He was educated on the rules and knew he was participating in impermissible contact. The former director of player personnel stated that none of the football coaching staff was aware of his impermissible telephone contact with prospective student-athletes.

In reference to the impermissible text messages, beginning approximately August 2008 and continuing through January 2009, the former director of player personnel sent an unknown number of text messages to prospective student-athletes. Although the exact number of text messages sent/received is unknown due to the cell phone company's policy on purging text message records, based on the recovery of two months of relevant records, the enforcement staff and institution estimate the number of text messages to be less than 30. The former director of player personnel acknowledged that he received rules education from the institution's OAC and was aware of the text messaging ban beginning August 1, 2007.

### **C. PENALTIES.**

For the reasons set forth in Parts A and B of this report, the Committee on Infractions finds that this case involved major violations of NCAA legislation. As this case came to the committee through the summary disposition process, the majority of the penalties were proposed by the institution and adopted by the committee, as so referenced below. Further, it should be noted that both of the involved individuals in this case had, or will have, sanctions imposed upon them at their current employing institutions as a result of their commission of NCAA violations set forth in this report. The penalties are as follows:

1. Public reprimand and censure.
2. Two years of probation from February 11, 2010, through February 10, 2012. (Institution imposed)
3. Effective during the 2008-09 and 2009-10 academic years, the institution has:
  - a. Restricted its football coaching staff members from making telephone contact with then current high school juniors until May 1, 2009, even though NCAA rules permitted telephone contact with high school juniors beginning April 15. Inasmuch as permissible telephone contact with rising seniors was made in this case while those prospects were in their junior year, the university elected not to impose any telephone call restrictions on that recruiting class. As a result, the university felt that this self-imposed two-week penalty offset any recruiting advantage gained related to this matter. (Institution imposed)
  - b. Reduced by one the number of recruiters permitted (per Bylaw 11.7.4) to recruit off of the institution's campus during the months of September, October and November, and the specified period of December for the fall 2008 football evaluation and contact periods, per Bylaws 30.10.3-(a)-(1) and 30.10.3-(b). Accordingly, during those time periods, the institution limited itself to a maximum of six recruiters off campus at any one time. (Institution imposed)
  - c. Reduced the number of evaluation days during the fall evaluation period specified in Bylaw 10.10.3-(a)-(1) from a maximum of 42 to a maximum of 36. This six-evaluation-day reduction was intended to be consistent with and to fully apply the one-coach reduction on available recruiters during that time period. (Institution imposed)
4. In accordance with Bylaw 19.5.2.2-(I), the committee required that the former recruiting administrator's current employing institution to suspend him from his duties for a two-week period of time commencing on January 21 and concluding on February 4, 2010. Further, the former recruiting administrator shall attend, at his own expense, an NCAA Regional Rules Seminar in 2010. No later than February 26, 2010, the university shall submit to the office of the Committees on Infractions a letter documenting compliance with the suspension of the former recruiting administrator. Further, within one month of attending the seminar, the former recruiting administrator must provide to the office of the Committees on

Infractions a list of those sessions attended at the seminar, together with his certification of attendance.

5. The former director of player personnel's current employing institution, on its own initiative, imposed the following sanctions upon him in response to his involvement in NCAA violations while at Central Florida:
  - (a) Suspended his pay for two weeks (November 1-14, 2009);
  - (b) Suspended him from any work activities (on or off campus) for one week (November 1-8, 2009); and
  - (c) Barred him from traveling to the final two regular-season away-from-home football contests.
6. 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 March 29 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 February 15 of each year during the probationary period. Particular emphasis should be placed on the monitoring of recruiting telephone calls and other means of contacting prospective student-athletes. The reports must also include documentation of the institution's compliance with the penalties adopted and imposed by the committee.
7. 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.

8. 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.
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As required by NCAA legislation for any institution involved in a major infractions case, Central Florida shall be subject to the provisions of NCAA Bylaw 19.5.2.3, concerning repeat violators, for a five-year period beginning on the effective date of the penalties in this case, February 11, 2010.

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

Paul T. Dee, chair  
Eleanor W. Myers  
James O'Fallon  
Dennis E. Thomas

## APPENDIX ONE

### CASE CHRONOLOGY.

The investigation began when the university's office of athletics compliance (OAC) conducted a routine audit of recruiting telephone records. A review of the then football recruiting administrator's records by the OAC revealed telephone and text messaging contact with prospective student-athletes or their parents. Based on its initial review, the institution commenced an investigation.

August 5, 2008 - The institution submitted a self-report of the former recruiting administrator's violations. In July 2009, after submitting its initial self-report, the institution discovered that the former director of player personnel, committed violations of a similar nature as the former recruiting administrator.

May 5, 2009 - The summary disposition letter was sent.

November 30, 2009 - The summary disposition report was submitted to the NCAA Division I Committee on Infractions.

December 12, 2009 - The NCAA Division I Committee on Infractions reviewed the summary disposition report.

February 11, 2010 - Infractions Report No. 319 released.

## APPENDIX TWO

### CORRECTIVE ACTIONS AS IDENTIFIED IN THE NOVEMBER 30, 2009, SUMMARY DISPOSITION REPORT.

#### University of Central Florida

1. The institution secured the former director of player personnel's resignation from his position May 5, 2008. (Institution imposed)
2. The institution issued a written letter of admonishment to the head football coach received related to his legislated responsibility for the oversight of his program.
3. Institutional recertification through the university's president's and the director of athletics' signatures on the agreement form, included as a part of this summary disposition report, that the current athletics policies and practices of the university conform to all requirements of NCAA regulations.
4. The office of athletics compliance enhanced the current monitoring systems in place related to telephone contacts and billings to incorporate all institutional non coaching staff members with sport-specific responsibilities (e.g., director of operations, recruiting administrator). Currently, this institutional monitoring review is performed quarterly.
5. The office of athletics compliance conducted a department-wide rules-education session specifically focusing on NCAA telephone legislation. This session included a discussion on all forms of electronic communication governed by NCAA legislation. Rules-education sessions for those individuals at the university who are involved in the coaching or sport-related administrative duties have used and will continue to use the violations and related issues of this case as illustrations of how unintended consequences can result in NCAA rules violations.

#### Former Recruiting Administrator's Current Employing Institution.

##### **Overview**

On May 14, 2009, the former recruiting administrator current employing institution received a letter from the NCAA enforcement staff requesting it to submit a response in connection with the summary disposition of a major infractions case involving the University of Central Florida (UCF) and the former recruiting administrator. The former

recruiting administrator is employed by that institution as an administrative staff member. In response to, the letter, the employing institution conducted an evaluation of the former recruiting administrator's role in potential violations at UCF and his job performance since becoming employed in his new position and the likelihood of him committing future NCAA rules violations. Based on its evaluation, the university concluded that the former recruiting administrator should be retained and that, during his tenure at that institution, it is unlikely he will be involved in additional NCAA violations.

On December 1, 2008, the institution's head football coach, acting within the scope of his duties, hired the former recruiting administrator as "director of player personnel" for the sport of football, with the primary job duties including coordinating the recruiting activities of the football program, but other ancillary duties included serving as a liaison between football and athletic student services, acting as liaison between the football camps and the institution, and oversight of a portion of the football support staff.

Prior to the former recruiting administrator's hire by the current employing institution, UCF began examining recruiting phone calls and text messages made by the former recruiting administrator while he was employed at UCF in the football program that were contrary to NCAA legislation. At the time of his hiring by the current institution and continuing through May 2009, the UCF investigation was ongoing. Consequently, it was unknown whether that investigation would result in major infractions, secondary infractions or no violations against UCF and whether the former recruiting administrator would be at risk for a show-cause order. During UCF's investigation, the institution remained in contact with the NCAA's director of enforcement for the UCF case regarding the matter. In May 2009, the NCAA's director informed the institution that UCF's case was going to be major and that the former recruiting administrator would be deemed at risk for a show-cause order.

#### **Analysis of the Former Recruiting Administrator's Performance**

When the current employing institution learned that the case at UCF involved a major infraction in football, the institution's director of athletics temporarily placed the former recruiting administrator under the direct supervision of the Intercollegiate Athletics Compliance Office (IACO) while a review was conducted. Under the supervision of IACO, the former recruiting administrator was allowed to continue scheduling recruiting travel for the football coaching staff, logging recruiting days and evaluations used, and ensuring football coaches did not duplicate recruiting calls to or evaluations of prospects.

Additionally, the IACO used this time to gauge the former recruiting administrator's knowledge of NCAA legislation and provide him with enhanced education in all areas of compliance. As a result, the former recruiting administrator was exposed to the breadth

of compliance at a major Division I institution and the manner in which all aspects of the athletics program are scrutinized internally in detail. It should be noted that the former recruiting administrator's duties during this review did not involve scheduling on-campus recruiting logistics for prospective student-athletes.

During the time the former recruiting administrator was suspended from working independently with the football program, the institution conducted a careful review of his performance. The directive of this review, set forth by the institution's president, was very clear: if the former recruiting administrator was not making concerted efforts to ensure compliance in all areas in which he works and oversees, his employment would be terminated. Additionally, if the former recruiting administrator was found not to have cooperated fully with the investigation at UCF or was found to have intentionally violated NCAA legislation, his employment would likewise be terminated.

Since his hiring, the former recruiting administrator has maintained "an exemplary track record" of both commitment to rules compliance and communication with the institution's IACO. As the director of football's recruiting efforts and due to the complexity of Bylaw 13, the former recruiting administrator is in more frequent contact with the IACO than any other institutional employee. These contacts focus around interpretations of Bylaw 13, the permissibility of recruiting actions and being present for all additional or regularly scheduled rules education provided to members of the football staff. Additionally, the former recruiting administrator reviews all outgoing mail campaigns with the IACO. In these activities, the former recruiting administrator has been attentive, diligent and engaging with the IACO. He has made a concerted effort to ensure all aspects of the football recruiting program are compliant with NCAA and Conference legislation. Through this evaluation period, the former recruiting administrator, as well as others on the football administrative team, received additional rules education and administrative oversight by the IACO. Records were spot checked, as were recruiting communications. All have been compliant. The former recruiting administrator's supervisor in football, which is the associate director of athletics for football, stated that the former recruiting administrator is doing an excellent job and highlighted his organizational skills and ability to learn quickly. The IACO notes that the former recruiting administrator has maintained a transparency in his work and been accommodating of all requests made to ensure rules compliance.

Regarding the former recruiting administrator's cooperation with the UCF investigation, the NCAA director of enforcement informed the institution that the former recruiting administrator, both prior to and while employed at his current institution, remained completely forthcoming and cooperative. The current employing institution questioned the enforcement staff specifically about the former recruiting administrator's actions during the investigation and was informed that he cooperated fully and consistent with the spirit of the cooperative principle.

### **Risk of Future Violations.**

The current employing institution did not know that the former recruiting administrator's former institution (UCF) would be facing major violations at the time it hired him. Once that fact became clear, the institution took immediate action and conducted a thorough review of the former recruiting administrator's actions at UCF, his actions at his current institution, and the risk his employment posed to his current institution's ongoing commitment to compliance with all NCAA legislation. When detailing his actions at UCF, the former recruiting administrator was forthcoming with institutional staff members and remorseful that his actions placed his former employer at risk. The former recruiting administrator stated that in hindsight, he should have done more to seek out correct interpretations of NCAA legislation and that he is now committed to doing so. While the institution was satisfied by the former recruiting administrator's statements and actions as an employee, it nonetheless took additional steps to ensure the problems that happened at UCF would not reoccur at his current institution. The compliance resources at the institution will serve as an initial barrier to violations. The institution has six full-time compliance members and two 20-hour-per-week employees, including one director whose entire job is to focus on Bylaw 13 monitoring, and another who serves as a full-time compliance-education specialist. Software is employed at the institution to monitor 100 percent of calls and text messages made from the land and cellular lines of all institutional employees. The system monitors all prospect numbers, as well as their families.

Thus far, the former recruiting administrator has recorded no call or text violations. The IACO conducts monthly compliance educational meetings at which the former recruiting administrator is required to be present. Additionally, the former recruiting administrator is sent educational newsletters, regular bulletins and rules reminders on updated interpretations and legislative changes.

### **Remedial Actions**

Regarding actions taken specifically for the former recruiting administrator because of his involvement in an NCAA infraction at UCF, the institution required the former recruiting administrator to attend an NCAA Regional Rules Seminar in 2009 and will require him to continue doing so for the duration of his employment. The former recruiting administrator will be required to attend all recruiting sessions, as well as new legislation and other sessions that may benefit the former recruiting administrator or those working with him. The IACO meets with the former recruiting administrator individually on a weekly basis to discuss developments in football recruiting. The IACO will continue to monitor 100 percent of the former recruiting administrator's telephone calls. The former recruiting administrator will be required to attend both coach's

compliance meetings and administrative compliance meetings. The former recruiting administrator will continue to take the recruiting examination each year to allow the IACO to assess his rules knowledge. Remediation will be provided in any deficient areas.

### **Conclusion**

The former recruiting administrator's current employing institution is fully committed to NCAA rules compliance. While deeply disappointed in the former recruiting administrator's involvement in an NCAA infraction at his prior institution, the institution does not believe the former recruiting administrator is a risk to commit violations in his current position. The former recruiting administrator's acknowledgement of prior violations and remorse for his actions, his commitment to operating in a transparent manner, his communication with the IACO and the significant barriers to committing rules violations placed around him all contribute to the institution's willingness to retain the former recruiting administrator. It has been made clear to the former recruiting administrator that should he deviate from the path set before him or should his commitment to rules compliance waiver one time, his employment will be immediately terminated. But, if he continues to strengthen the recruiting office's compliance efforts and grow as an employee at an NCAA member institution, pending the decision by the Committee on Infractions, institution sees no reason why he should not be allowed to continue his employment at an NCAA member institution.

### **Former Director of Player Personnel's Current Employing Institution.**

#### **Overview**

The former director of player personnel is currently employed as an intern in the football office. On November 30, 2009, the institution was officially informed by the NCAA of the former director of player personnel's involvement in a current investigation regarding UCF.

#### **Remedial Actions**

The institution has reviewed the findings made against the former director of player personnel and has taken the following remedial actions. [Note: The current employing institution also imposed sanctions on the former director of player personnel and these are set forth in the Part C, the penalty section of this report].

- (1) His institutional and personal phone records will be subject to regular review by the compliance office;

- (2) Rules education will be reinforced with him regarding permissible/impermissible recruiting activities; and
- (3) He will be held to a zero-tolerance policy -- any further violations and he will be terminated from employment.

The current employing institution had no knowledge of the former director of player personnel and his impermissible activities that occurred while he was employed at UCF prior to his hire. However, to date he has not been involved in any violations at the current employing institution and the institution has been informed that he has been extremely cooperative with UCF and the NCAA during their investigation. Thus, in combination with the aforementioned actions and the former director of player personnel's attached statement, the institution believes it is appropriate for him to continue his employment.