



Idaho State University

POLICIES AND PROCEDURES

Athletics Compliance

ISUPP 8080

POLICY INFORMATION

Policy Section: *Athletics*

Policy Title: *Athletics Compliance*

Responsible Executive (RE): *Director of Athletics*

Sponsoring Organization (SO): *Department of Athletics*

Dates: Effective Date: *March 27, 2013*

Revised: *July 19, 2017*

Review Date: *July 2022*

I. POLICY STATEMENT

Idaho State University (ISU) expects Compliance with all rules and regulations of the National Collegiate Athletic Association (NCAA), Big Sky Conference, and ISU policies and procedures. ISU expects its athletic program to be monitored to ensure Compliance (see NCAA Bylaw 2.8.1).

II. DEFINITIONS

- A. **Compliance** (from NCAA Bylaw 2): Each institution shall comply with all applicable rules and regulations of the Association in the conduct of its intercollegiate athletics programs. It shall monitor its programs to assure 2 – ISUPP 8080 Compliance and to identify and report to the Association instances in which Compliance has not been achieved. In any such instance, the institution shall cooperate fully with the Association and shall take appropriate corrective actions. Members of an institution's staff, student-athletes, and other individuals and groups representing the institution's athletics interests shall comply with the applicable Association rules, and the member institution shall be responsible for such Compliance.

III. AUTHORITY AND RESPONSIBILITIES

- A. All individuals involved with the Department of Athletics (Department) have a duty to report possible violations of NCAA bylaws, Big Sky Conference rules or ISU policies. Compliance is everyone's obligation. Loyalty to co-workers, student-athletes, or athletics boosters cannot take precedence over loyalty to ISU and the commitment to comply with NCAA, Big Sky Conference, and ISU rules.
- B. The institutional Compliance and monitoring program at ISU is created and designed to establish procedures for conducting internal inquiries. These procedures assign individual responsibility for each person involved in the process. Conducting an inquiry in accordance with the procedure established here will not only assist in the decision-making process, but also guarantee a consistent institutional response without regard to the passage of time or changes in personnel involved in institutional inquiries.
- C. The procedures established here will be reviewed periodically by the ISU Athletics Compliance Committee, the associate athletic director/senior woman administrator, the assistant athletic director for Compliance, and the faculty athletic representative (FAR) to ensure that they reflect recent pronouncements from the NCAA and the Big Sky Conference and are in fact serving the purposes for which they were created.
- D. Effective and regular communication among key institutional staff members is essential throughout any investigation. The spirit of any investigative process at ISU is one of cooperation and trust among all involved ISU personnel and regular communication with the NCAA and Big Sky Conference personnel, in a cooperative process. See the *Department of Athletics Retaliation Statement* below.
- E. Coaches and administrators are responsible for promoting an atmosphere of Compliance and following NCAA, Big Sky Conference, and ISU rules and regulations.
- F. When necessary, an Investigative Team will be established by the Department in consultation with the president and general counsel.

IV. PROCEDURES TO IMPLEMENT

- A. General
 - 1. All Department personnel are required to report any possible violation without fear of retaliation. See ISUPP 3100 for the definition of retaliation and also the Department of Athletics Retaliation Statement as follows:

A violation report is meaningless unless the right to bring violations before the Investigative Team is securely protected. All reasonable steps will be taken by the

Investigative Team and by ISU administration to ensure that no person intimidates, threatens, coerces, or discriminates against any individual for the purpose of in any way interfering with, preventing, or retaliating for the reporting of a violation, furnishing information, assisting, or participating in any manner in an investigation, Compliance review, hearing, or any other activity related to the work of the Investigative Team.

2. All head coaches are issued an NCAA Division I Manual. Coaches are responsible for the information contained therein as well as the Big Sky Conference Code.
3. Coaches should inquire rules interpretations in writing to the associate athletic director or the assistant athletic director for Compliance.
4. Each head coach is responsible for Compliance within their program.
5. All violations must be reported immediately to the director of athletics (AD), assistant athletic director for Compliance, FAR, associate athletic director and/or the assistant Compliance officer.
6. The Compliance Office provides regular rules education and legislative updates to coaches, student-athletes, staff, and boosters. The assistant athletic director for Compliance under the direction of the associate athletic director conducts these meetings.

B. Violation Self-Report

When a violation occurs, the following process should be followed:

1. The Compliance Office or AD will report the violation to the president, general counsel, FAR, and associate athletic director.
2. The Compliance Office will investigate the facts or findings (see the Violation Investigation section below).
3. The Compliance Office will confirm the violation and submit documentation to the FAR.
4. The assistant athletic director for Compliance and the FAR complete all necessary forms.
5. The assistant athletic director for Compliance or FAR will send forms to appropriate authorities (NCAA and Big Sky Conference).
6. Violations are reported to the president, general counsel, AD, Athletics Advisory Board, head coach, ISU Athletics Compliance Committee, FAR, and assistant athletic director for Compliance.
7. The Compliance Office will review and monitor the final NCAA/Big Sky Conference response.

C. Violation Investigation

1. Objectives

- a. Procedures for reporting violations and corrective actions to the necessary personnel, to ensure institutional control.
- b. Establish an Investigative Team for when major violations of Compliance are reported.
- c. Specific, clearly define responsibilities for each involved administrator (e.g., AD, associate athletic director, assistant athletic director for Compliance, FAR, and general counsel).
- d. A means for an impartial and thorough investigation, with timely submission of findings to appropriate ISU authorities, which shall include the president and the AD.

2. Procedures

- a. Any alleged or self-discovered violations of NCAA or Big Sky Conference rules or ISU policy implementing such rules are to be reported to the assistant athletic director for Compliance, associate athletic director, FAR, or general counsel. Report of such possible violations to a superior may also be made, but all individuals must report any such allegations, suspicions or incidents to the assistant athletic director for Compliance, associate athletic director, FAR, or general counsel.
- b. When the incident is initially reported the individual receiving the report will immediately share information with the rest of the Investigative Team.
- c. Based on the seriousness of the allegation or incident, the assistant athletic director for Compliance, associate athletic director, and FAR will make an initial determination of whether the NCAA and Big Sky Conference should be immediately notified and whether additional ISU staff members should be included in the deliberations.
- d. In deciding whether to report an allegation to the NCAA, the Big Sky Conference and others, the seriousness of a reported incident initially depends on the nature of the violation. If the alleged violation would constitute a major or secondary violation of NCAA, Big Sky Conference or ISU policies or rules, the NCAA and the Big Sky Conference will be notified of the allegations or incidents.
- e. Unless otherwise directed by the president, initial investigative work will be conducted by the assistant athletic director for Compliance and findings will be reported to the associate athletic director, FAR and appropriate ISU personnel.

- f. Final determination as to whether a violation is secondary or major in nature shall be made by the NCAA enforcement staff according to the guidelines in NCAA Bylaw 32.2.2. ISU personnel are encouraged to review Article 32 of the *NCAA Operating Bylaws*, which details *Enforcement Policies and Procedures*.
 - g. If the investigation reveals no violation of NCAA or Big Sky Conference regulations, the findings are documented and shared with the AD.
 - h. If a violation could be classified as a major violation, the president, AD, FAR, general counsel, NCAA, and Big Sky Conference shall be immediately informed.
 - i. The general counsel will consult with the president, assistant athletic director for Compliance, associate athletic director, and FAR to determine whether outside counsel or other individuals should be employed to assist in the investigation.
 - ii. The general counsel will assist in the investigation and reporting process.
 - iii. Specific responsibility for investigation/action by each administrator will be defined and well documented.
 - i. If the enforcement staff of the NCAA believes the reported violations are major in nature, the infractions case will be processed either through the summary-disposition process or through use of an official inquiry. The information in a self-report can be utilized either in the summary-disposition process or in the official-inquiry process. *Figure 32.1* in the NCAA manual provides a graphic of the processing of a typical NCAA infractions case.
 - j. If the investigation reveals that a secondary violation has occurred, the assistant athletic director for Compliance, associate athletic director, FAR, and general counsel will decide on the imposition of appropriate penalties and shall make appropriate reports to the NCAA and the Big Sky Conference.
 - k. When the investigation has been completed, ISU will submit a detailed report to the NCAA and the Big Sky Conference, which shall include, where appropriate, self-imposed penalties.
 - l. The AD will assure the implementation of any sanctions imposed on any ISU staff members, representatives of ISU's athletic interests, or student-athletes.
 - m. The assistant athletic director for Compliance will keep a record of all reported NCAA and Big Sky Conference violations and make a report to the ISU Athletics Compliance Committee during the monthly meetings.
3. Additional Guidelines

- a. In all cases, steps must be taken in a timely manner to determine the facts and minimize the damages.
- b. The Department will stress the importance to all employees that public comments should not be made and that all matters related to violations, whether of a secondary or major nature, should be treated as entirely confidential. The effectiveness and credibility of internal investigations will be damaged if this confidentiality is breached.