

# CLARK ATLANTA UNIVERSITY

## Policy and Procedures

### Policy 15.01: Procedures for Conducting an Investigation of Possible NCAA Violations



<b>Policy and Procedures</b>	<b>Subject: Procedures for Conducting an Investigation of Possible NCAA Violations</b>	
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# **Policy 15.01: Procedures for Conducting an Investigation of Possible NCAA Violations**

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## **1.0 Policy Statement**

Clark Atlanta University is committed to ensuring that its Athletic program adheres to all NCAA and SIAC guidelines and principles as well as University policies and procedures. The University addresses this in several ways: having documented policies and procedures for all Athletic Department personnel to follow; having rules education with each of the coaches and student-athletes from each sport; and establishing procedures for investigating possible violations.

This document outlines the policies and procedures for investigating possible violations.

## **2.0 Procedures**

The following is a list of steps for conducting an investigation of possible violations:

### **Step 1**

All University employees are made aware – through the Mandatory Compliance Training -- of the resources that are available to them to bring forward any situations that may be a violation of University policies and procedures or NCAA or SIAC guidelines. These include contacting:

- the Athletic Compliance Coordinator;
- the University Chief Compliance Officer;
- the Faculty Athletic Representative;
- any Executive Cabinet member; or
- the University Anonymous Hotline (404) 589-8006; or
- emailing the [compliancehotline@cau.edu](mailto:compliancehotline@cau.edu).

### **Step 2**

Once an issue of a possible violation is received, it is forwarded to the Athletic Compliance Coordinator who immediately begins a thorough investigation of the situation to determine if a violation occurred.

If the determination is made that a violation has NOT occurred, it is documented and shared with the Athletic Compliance Committee. In most cases, this will lead to further rules education to appropriate constituencies to ensure awareness of applicable rules.

If there is sufficient evidence to indicate that a violation most likely has occurred, then the Athletic Compliance Coordinator moves to Step 3.

### **Step 3**

The Athletics Compliance Coordinator must make a determination if the violation is major or secondary in nature.

#### ***Major Violation***

*If, based on the facts, there is a possible major violation; the Athletics*

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*Compliance Coordinator must immediately report the incident to the Athletic Director, Chief Compliance Officer, and University President. Those individuals then determine all necessary and immediate actions, including a detailed public relations plan. The Athletics Compliance Coordinator must then also notify the Sports Information Director and University Relations staff regarding appropriate responses to inquiries while the investigation is being conducted.*

## **Secondary Violation**

*If, based on the facts, there is a possible secondary violation, the Athletics Compliance Coordinator proceeds with the NCAA Secondary Violation Self-Reporting Instructions. The Athletics Compliance Coordinator will then meet with the Athletic Director, Chief Compliance Officer, Faculty Athletic Representative, and other involved individual(s) to determine if the secondary violation is a Level I or Level II violation.*

## **Step 4**

For a possible major or secondary Level I violation, the Athletic Compliance Coordinator notifies the designated institutional staff members to begin investigative work. The Athletics Compliance Coordinator identifies all personnel involved in the process as well as their responsibilities in conducting the investigation. This group must review the information in a timely manner, and proceed to Step 6.

## **Step 5**

If it is determined that a Secondary Level II violation occurred, the University must impose prescribed penalties, report the violation on the Level II Violation Report Form and forward the 'running list' of violations to the SIAC office or NCAA national office enforcement staff on a quarterly basis.

If the University believes that the circumstances are such that the prescribed penalty is not appropriate, it may submit the violation to the NCAA staff for processing with an explanation as to why relief from the prescribed penalty should be provided.

If there are no prescribed penalties required per NCAA legislation, the University will coordinate with the SIAC to take appropriate corrective measures to address the issue.

A copy of the report must be sent to the University President, Athletic Director, Chief Compliance Officer, Faculty Athletic Representative and Athletic Compliance Committee, with a copy kept on file in the Athletic Compliance Coordinator's office.

*NOTE: Violations designated as Level II secondary violations could be considered major under certain circumstances. In addition, multiple Level II violations could be taken together and considered major.*

## **Step 6**

At its earliest convenience, the Athletics Compliance Coordinator and the involved parties must

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issue, in writing, a detailed report of the incident(s) using the following guidelines:

- The date and location of the incident.
- A description of the incident.
- The identity of the coaches, prospective and enrolled student-athletes and other individuals involved in the incident.
- How and why the incident occurred.
- The means by which the individual became aware of the possible violation.
- Any other information that should be considered in reviewing the case.
- Date the report is issued.

Copies of this report should be forwarded to the institutional investigative committee.

### **Step 7**

At its earliest convenience, the designated institutional investigative committee must meet and interview separately all involved parties. The interview guide is based largely on the guidelines listed in Step 6. The investigation committee should, however, also include questions that it deems to be appropriate given the alleged circumstances. Follow-up questions should be documented in each interview.

### **Step 8**

Once all pertinent information has been gathered and reviewed and it has been determined that a Major or Secondary Level I violation has occurred, a self-report should be summarized by the Athletics Compliance Coordinator and Athletic Director. The report must be sent to the NCAA and the SIAC office. The report shall include the following information:

- The date and location of the violation.
- A description of the violation, including the rule that was violated.
- The identity of the coaches, prospective and enrolled student-athletes and other individuals involved in the violation.
- The reason(s) the violation occurred.
- The means by which the University became aware of the violation.
- All investigative actions the University completed.
- A list of corrective and disciplinary actions taken by the University (self-imposed) and SIAC (if any).
- An acknowledgement that a violation occurred and the University's position regarding whether the violation is major/secondary.
- A statement indicating whether any eligibility issues need to be resolved and, if so, whether the University is requesting restoration of eligibility for any prospective or enrolled student-athletes.
- Any other information that should be considered in reviewing the case.
- Date of the self-report.

Copies of complete report(s) must be forwarded to the University President, Chief Compliance Officer, Athletic Director, Faculty Athletic Representative, Athletics Compliance Committee and all involved staff members/student-athletes.

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### **Step 9**

The University may issue letters of admonishment and/or reprimand, when appropriate, for University employees and non-University personnel.

### **Step 10**

The University should strengthen rules education, monitoring and preventive measures in the compliance area of which the violation occurred. Further evaluation should occur of the involved staff member(s) responsible for oversight.