

# **TEXAS TECH UNIVERSITY**

## **ATHLETIC COMPLIANCE AND** **NCAA RULES EDUCATION INFORMATION**

### **INSTITUTIONAL CONTROL**

As the Department of Athletics strives for academic and athletic excellence, we must always seek the highest standard of ethical conduct. With your help and cooperation, we believe that we can accomplish both of these objectives. Involvement with our athletics program is critical to its success however, we must emphasize that any inappropriate, even inadvertent, activity could jeopardize the eligibility of our current or prospective student-athletes and the compliance of the University with NCAA regulations.

As someone who works daily with our student-athletes it is important to recognize that when it comes to compliance and NCAA rules everyone has a role and responsibilities and must establish personal accountability and integrity in their actions. You must identify your role and your responsibilities and not be afraid to regularly communicate and demonstrate the commitment to rules compliance in your actions. Only with your continuing help and cooperation, can we work to ensure the current and future success of all our athletic programs with integrity.

For the most part, the NCAA is a self-regulatory body, which relies on the integrity, and accountability of everyone involved with the program. No amount of paperwork, rules or policies and procedures can ensure accountability and despite its best efforts the NCAA can't legislate integrity. It is up to each of us and ultimately, we are all accountable for all of the rules. Win or lose, we must look at our effort as a shared responsibility. In athletic competition, if one person fails to do their part, it can make the difference between winning and losing. When it comes to NCAA rules, it works in much the same way.

Not everyone likes or agrees with the expectations, the role and/or their responsibilities associated with ensuring compliance. The rules do not always make sense and many times they seem to be contrary to common-sense and the good values that many of us were taught while growing up. Sometimes not being able to do something for a student-athlete in need can be very frustrating, particularly when we want to help, have the resources to help, and simply can't because of some rule that we think is just plain stupid. Sometimes doing it the right way means it may take a little longer to get things done, and may put us at a disadvantage because there are people out there who are not doing it the right way.

With each new year, we need to remind ourselves that there is a lot that we must do, all of us must do, to make sure that our program does all it can to compete with integrity both on and off the field and court. As an employee of Texas Tech University who works closely with members of the University's athletic programs, you need to be aware that there are limitations on the interactions which you may have with student-athletes.

This NCAA rules and regulations overview was developed to provide you with an overview of the department's athletic compliance program as well as a quick reminder of some of the basic NCAA regulations that you should know as someone who interacts with student-athletes. The information is provided to heighten your awareness of your responsibilities, the accountability to which you are held, and the University's expectations as they relate to someone who cares about Texas Tech University.

## **TEXAS TECH UNIVERSITY ATHLETIC COMPLIANCE POLICY STATEMENT**

Texas Tech University is committed and obligated to the principle of institutional control in operating its athletics program in a manner that is consistent with the letter and the spirit of NCAA, conference and University rules and regulations. The commitment and obligation to operate the intercollegiate athletics program in adherence to the principle of institutional control is both institutional and individual. The University's commitment is to maintain control of its athletics programs through the responsible administrator, faculty, and institutional bodies; to educate coaches, staff, student-athletes and other individuals involved with the athletics program in their institutional responsibilities under the rules; to develop operating systems within the athletics department and the University that provide guidance in how to work within the rules; and to discover and report any violations of the rules that occur.

Each individual involved in intercollegiate athletics is obligated to maintain competency in knowledge of the rules; to act within his or her realm of responsibility in full compliance with the governing legislation; and to report any violation of NCAA, conference and/or institutional rules of which he or she is aware. It is Texas Tech's policy that no violation is so minor that it need not be reported. The University's goals in responding will be to encourage communication, to seek consistency and accountability and, above all, to send a strong message that the University is unequivocally committed to rules compliance.

Information concerning violations will be forwarded to the Associate Athletic Director for Compliance who will examine the situation and communicate with the Director of Athletics and the NCAA Faculty Athletic Representative. When it is determined by the Associate Athletic Director for Compliance that a violation of the rules has occurred, the University will report the violation and correct the situation that led to the problem. Rules violations will be reported to the NCAA and/or Big 12 Conference by the Director of Athletics and Faculty Athletics Representative with copies to the Conference Office, and any involved staff members.

### **A REPRESENTATIVE OF TEXAS TECH'S ATHLETICS INTERESTS - A BOOSTER?**

Texas Tech is responsible for insuring that its various constituencies (e.g., University staff and faculty, student-athletes, alumni and friends) abide by NCAA rules and regulations. NCAA rules indicate that all alumni, friends, and employees of the University are categorized as "representatives of Texas Tech University's athletics interests." The NCAA stipulates that once an individual has been identified as a representative or "booster" of the University's athletics programs, he or she retains this status forever even if the individual is no longer associated with the athletics program.

A representative of Texas Tech athletics interests (i.e., a booster) is an individual or a business that:

- Is or ever has been a contributor to the Red Raider Club or any of the sport specific support groups; is or ever has been an employee of the University; has ever made a donation of any kind to the Texas Tech's men's or women's athletic programs.
- Has ever purchased season tickets for any of Texas Tech's athletic programs; is the spouse of an employee of Texas Tech; has ever helped to arrange or to provide summer employment for enrolled student-athletes or for prospects who have signed a NLI.
- Has ever contacted (by letter, telephone or in person) a high school student, grades 9-12, for the purpose of encouraging the student to participate in any of Texas Tech's athletic programs; has ever assisted in providing any benefit to enrolled student-athletes or their families; has ever been involved in anyway with any of Texas Tech's athletic programs.

### **EXTRA BENEFITS - WHAT IS AN "EXTRA BENEFIT?"**

The NCAA defines an extra benefit as any special arrangement by an institutional employee or a representative of the institution's athletics interest ("booster") to provide a student-athlete (or a student-athlete's relative or friend) a benefit that is not generally available to other Texas Tech University students and their relatives and/or friends. Therefore, please be aware of the following:

1. A student-athlete cannot accept anything from an employee of Texas Tech or a Red Raider athletics booster (e.g., use of a car, hair cut, clothing, gifts, money, tickets for any kind of entertainment, payment of long distance telephone calls).
2. A student-athlete cannot accept free or reduced cost room and/or board from any Texas Tech employee or booster of Texas Tech athletic programs. This includes in Lubbock, in the student-athlete's home city or any other location.
3. A student-athlete may not accept free or reduced cost storage room for personal belongings for the summer months from any Texas Tech employee or booster of Texas Tech athletic programs.
4. A student-athlete cannot accept free or reduced merchandise or services from any merchant unless that free or reduced cost item is also available to the general public.
5. A student-athlete cannot eat at a restaurant as the guest of an athletic booster or an employee of Texas Tech.
6. On infrequent, special occasions (e.g., a birthday, Thanksgiving, etc..), a student-athlete may accept an invitation to the home of an employee of Texas Tech or an athletic booster for a meal, provide it has prior approval from the compliance office staff.
7. A student-athlete cannot use a Department of Athletics copy machine, fax machine or make long distance phone calls using departmental equipment or the long distance access code of an employee of Texas Tech or athletic booster.
8. Members of the Department of Athletics staff or an athletic booster are not permitted to complete papers, type reports, papers, letters, etc... for a student-athlete.
9. A student-athlete cannot receive a special discount, payment arrangement or credit on a purchase (e.g., airline ticket, clothing), or service (e.g., laundry, dry cleaning) from an employee of Texas Tech or an athletic booster.
10. A Texas Tech employee or a booster cannot provide a student-athlete with a loan of money, a guarantee of bond, the use of an automobile or the signing or co-signing of a note to arrange a loan, or pay or provide other compensation for work not performed or at unreasonable levels for work performed.
11. A student-athlete may not accept frequent traveler miles for trips which are financed by the Athletic Department.
12. A Texas Tech employee may provide a student-athlete only reasonable and occasional local (i.e., within a 30-mile radius of the Texas Tech campus) transportation. However, a Texas Tech employee may not utilize a University vehicle for purposes of assisting a student-athlete's move from one residence to another.

### **CONDUCT OF ATHLETIC DEPARTMENT AND UNIVERSITY PERSONNEL**

As the Department of Athletics strives for academic and athletic excellence, we must always seek the highest standard of ethical conduct, especially from our university staff members. You need to be aware of your responsibilities, the extra accountability to which you are held and the limitations on the interactions which you, even university employees (including those who work in the athletic department), may have with Texas Tech's student-athletes.

As a result of your close working relationship with many of our student-athletes during their enrollment at Texas Tech, you and/or your family may befriend a student-athlete and his or her parents. Please be aware that your

becoming 'friends' with a student-athlete does not change their status as far as NCAA regulations are concerned. As an employee of the University, you are considered to be a "booster" and your interactions with our student-athletes are held to the same standard and limitations as other "boosters."

NCAA rules prohibits you from providing any extra benefits(s) to a currently enrolled student-athlete (or their family or friends). Examples of non-permissible extra benefits include but are not limited to holiday gifts, free or reduced merchandise or services unless that free or reduced cost item is also available to the general public, or a meal at a restaurant as the guest of an athletic booster or an employee of Texas Tech. The acceptance by a student-athlete of any extra benefit is a violation of NCAA regulations and places the student-athlete's eligibility for intercollegiate competition in immediate jeopardy and could result in restrictions placed upon your involvement with Texas Tech athletics program and/or disciplinary or corrective action as set forth in both University policy and the provisions of the NCAA enforcement procedures. Unethical conduct by a University employee may include, but is not limited to:

1. Refusal to furnish information relevant to an investigation of a possible violation of an NCAA regulation when requested to do so by the NCAA or the University.
2. Knowing involvement in the acceptance of or arranging for fraudulent academic credit or false transcripts for a prospective or an enrolled student-athlete.
3. Knowing involvement in the acceptance of or offering and/or providing a prospective or enrolled student-athlete an improper inducement or an extra benefit.
4. Knowingly furnishing the NCAA or the University false or misleading information concerning the individual's involvement in or knowledge of matters relevant to a possible violation of NCAA rules.
5. Receipt of benefits by an institutional staff member for facilitating or arranging a meeting between a student-athlete and an agent, financial advisor or a representative of an agent or advisor (e.g., "runner").

The University is responsible for insuring that all student-athletes, University employees and representatives of the University's athletics interests abide by NCAA rules and regulations. Any inappropriate, even inadvertent, activity on your part could result in:

- A currently enrolled student-athlete being declared ineligible to participate for Texas Tech.
- The eligibility of a prospective student-athlete(s) being jeopardized.
- Violations of NCAA regulations and sanctions placed on the University and the athletics programs.
- Restrictions placed upon your involvement with Texas Tech athletics programs.
- Disciplinary or corrective action as set forth in both University policy and the provisions of the NCAA enforcement procedures.

## **GAMBLING PROHIBITION**

Illegal sports wagering continues to grow and is believed to exist in one form or another on every campus and in every athletic program. A student-athlete, coach or athletics administrator who finds himself or herself indebted, addicted, or compromised by having an illegal wager with a bookie is vulnerable for exploitation in an Athletic Compliance & NCAA Rules Education effort to control or influence the outcome of an athletic contest. The growth of gambling has caused an increase in the number of gambling-related cases processed by the NCAA. Sports wagering has the potential to undermine the integrity of sports contests and jeopardizes the personal safety and integrity of student-athletes and athletics department staff members alike. Sports' wagering demeans the competition and the competitors by sending a message that is contrary to the purpose and meaning of "sport."

NCAA rules specify that:

1. A student-athlete or an employee of the athletics department may not knowingly provide information to individuals involved in any type of gambling activities concerning intercollegiate athletics competition.
2. A student-athlete or an employee of the athletics department may not solicit a bet on any intercollegiate or professional team, accept a bet on any team representing Texas Tech University, or participate in any involves intercollegiate or professional athletics through a bookmaker, a parlay card or any other method of gambling.
3. An athletics department employee may not solicit a bet on any intercollegiate or professional team or accept a bet on any team representing Texas Tech University or participate in any gambling activity that involves intercollegiate or professional athletics through a bookmaker, a parlay card or any other method of gambling.

## **PROCEDURES FOR REQUESTING A RULES INTERPRETATION**

### **I. Requesting a Rules Interpretation.**

1. Any individual (e.g., athletic department staff member, student-athlete, university employee, representative of the University's athletics interests, member of the community) may request a rules interpretation.
2. The individual may request the interpretation verbally or in writing.

### **II. To Whom Shall a Rules Interpretation be Requested.**

1. All requests for interpretation of NCAA regulations should be handled through the Athletic Compliance Office.
2. The Athletic Compliance Staff maintains a written record of requested interpretations. The record shall consist of the following: a) date that the request was made and by whom; b) detailed summary of the nature of the request; and c) detailed summary of the response.

### **III. Requests for Interpretive Support from the NCAA and Big 12 Conference.**

1. Only designated institutional representatives are authorized to contact the NCAA and Big 12 Conference regarding NCAA regulations. Specifically, NCAA Bylaw 5.4.1 and its relevant interpretations provide that only five individuals are authorized to request NCAA rules interpretations on behalf of the University. The five authorized representatives must be designated in writing each year to the NCAA national office, and may include: chief executive officer, faculty athletics representative, athletics director, senior woman administrator, compliance coordinator, and/or designated substitute(s) for the chief executive officer and/or athletics director.
2. These same individuals in addition to Jennifer Brashear - Assistant Director for Compliance and Carrie Lowe - Compliance Records Manager, have been designated by the institution and are authorized to contact the Big 12 Conference office for rules interpretations.

**Note:** Please be advised that the provisions of the NCAA's regulation combined with institutional policy would preclude a member of the coaching or administrative staff from contacting either the national office or the conference office to request a rules interpretation.

## **PROCEDURES FOR REPORTING NCAA VIOLATIONS**

In accordance with NCAA rules and regulations, all suspected or alleged violations of NCAA rules shall be investigated. If the Associate Athletic Director for Compliance determines that a violation has occurred, the Faculty Athletic Representative will report the violation to the NCAA national office and/or appropriate conference officials.

### **I. Reporting a Violation**

1. Any individual (e.g., athletic department staff member, student-athlete, university employee, representative of the University's athletics interests, member of the community) may report an alleged, rumored, or suspected violation.
2. The individual may report the alleged, rumored, or suspected violation verbally or in writing. He/she may report an alleged violation anonymously.

### **II. To Whom Shall an Alleged Violation be Reported.**

1. If an alleged or rumored violation is communicated to any athletic department staff member, the staff member has an obligation to notify the Associate Athletic Director for Compliance or the Assistant Director for Compliance of the violation in a timely manner.
2. Individuals other than athletic department staff members may report all alleged violation to any or all of the following persons:
  - a. The Associate Athletic Director for Compliance or the Assistant Director for Compliance.
  - b. The Director of Athletics, an Associate Director of Athletics or an Assistant Director of Athletics.
  - c. The Faculty Athletic Representative.

### **III. Conducting an Investigation of an Alleged Violation.**

1. The Associate Athletic Director for Compliance is responsible for conducting investigations. The Athletic Director is responsible for overseeing institutional investigations. The Athletic Director may request the assistance of the Faculty Athletics Representative and the university's legal council to conduct or to assist in the conduct of any investigation into an alleged violations.
2. The Athletic Compliance Office shall maintain a written record of all alleged violations. The record shall consist of the following:
  - a. Date that the alleged violation was reported to the Director and by whom the violation was reported.
  - b. Detailed summary of the nature of the alleged violation, including the names of all persons involved in the alleged violation.
  - c. Chronology of actions taken by the University in the investigation of the alleged violation.
  - d. Rationale for concluding whether the allegation was or was not determined to be a violation of NCAA regulations.
  - e. If a violation has occurred, the Associate Athletic Director for Compliance will keep on file a copy of the report of the violation and subsequent correspondence with the Conference and the NCAA staff. Copies of the self-report will be sent to the following: Director of Athletics; Faculty Athletics Representative; President; the Conference Office; and involved staff member(s).

- f. The Athletic Compliance Office will maintain the reports of alleged violations for a period of six years. Records and reports of confirmed violations will be maintained in the office's permanent files.

#### **IV. Finding a Violation Occurred.**

The Associate Athletic Director for Compliance shall determine that a violation occurred whenever the preponderance of the evidence, considered as a whole, establishes the occurrence of the violation. It shall be the responsibility of the Associate Athletic Director for Compliance in assessing the evidence to determine what weight and credibility will be given to it.

#### **V. Information to be Included in the University's Self-Report.**

The NCAA Enforcement staff recommends that the following information be included in an institution's report of a violation:

1. The date and location of the violation.
2. The identities of involved student-athletes, coaches, staff members and any other individuals involved in the violation.
3. The means by which the institution became aware of this information. **Note:** If a newspaper article alerted the institution, a copy of the article shall be included.
4. The cause of the violation (e.g., lack of knowledge, human error, etc...), an explanation of the circumstances surrounding the violation and any mitigating circumstances that may exist.
5. A list of corrective and/or punitive actions taken by the institution in response to the violation.
6. The institution's position regarding the violation and surrounding circumstance. The institution will indicate whether it believes a violation occurred and the specific legislation it believes has been violated.

#### **VI. Alleged Violations Involving Other NCAA Institutions.**

1. If an individual has knowledge of an alleged violation that involves another NCAA member institution and impacts the University, he/she shall report the alleged violation(s) to the Associate Athletic Director for Compliance and/or the Director of Athletics.
2. The Associate Athletic Director for Compliance will discuss the violation and desired plan of action to address the situation with the Director of Athletics and the appropriate coaching staff members who have lodged the accusation. The Athletic Compliance Office may then contact the Athletics Director at the accused member institution to request that the alleged violation be investigated. The Associate Athletic Director for Compliance in conjunction with the Director of Athletics may contact the Big 12 Conference or the NCAA staff and request that the Conference office or NCAA staff contact the accused institution or that institution's conference.

### WHOM TO CALL WITH NCAA QUESTIONS

It is extremely important for both you and Texas Tech University that you know and abide by all NCAA regulations. If you have any questions regarding NCAA rules, please contact an athletic administrator or the Athletic Compliance Office before doing something that may jeopardize a student-athlete's eligibility to participate in intercollegiate athletics. Don't be afraid to ask! The University wants to ensure success both on and off the fields and/or courts; but, we need your full cooperation to ensure that Texas Tech wins the right way. Your NCAA questions can be addressed by contacting:

Athletic Compliance Office  
Jones Stadium  
6th & Red Raider Avenue  
Box 43021  
Lubbock, Texas 79409-3021  
806/742-3355 (phone) 806/742-0210 (fax)

Athletic Compliance Directory  
Patrick Britz, Associate Athletic Director for Compliance  
Jennifer Brashear, Assistant Athletic Director for Compliance  
Carrie Lowe, Compliance Records Coordinator  
Lori Smith, Compliance Coordinator  
Dolores Munoz, Administrative Assistant for Compliance/SWA