



December 21, 2010

CONFIDENTIAL/VIA UPS

P.O. Box 6222
Indianapolis, Indiana 46206
Telephone: 317/917-6222

Shipping/Overnight Address:
1802 Alonzo Watford Sr. Drive
Indianapolis, Indiana 46202

www.ncaa.org

President G.P. "Bud" Peterson
Georgia Institute of Technology
225 North Avenue NW
Atlanta, Georgia 30332-0325

RE: Notice of allegations, Georgia Institute of Technology, Case No. M340.

Dear President Peterson:

This letter (and enclosure) is the result of an inquiry that has been conducted by the NCAA into the athletics policies and practices of the football and men's basketball programs at Georgia Institute of Technology. This inquiry was initiated in accordance with Bylaw 32.2 of the 2010-11 NCAA Division I Manual and described in my September 13, 2010, letter.

The available information appears to be of sufficient substance and reliability to warrant a notice of allegations. Accordingly, this letter (and enclosure) constitutes a notice of allegations as described in Bylaw 32.6.1 and includes specific allegations. In order that complete information may be developed, several questions are submitted to obtain the facts of these matters, and also to determine the policies and practices of Georgia Institute of Technology in certain areas of athletics administration.

The institution is requested to thoroughly review these allegations and requests for information about its athletics policies and practices and submit a written response. You will note that the statement immediately following each allegation requests that the institution indicate whether the information is substantially correct and submit evidence to support its response. In accordance with the cooperative principle of the enforcement program, the institution should make every effort to interview the principals identified in the allegations and collect related information, regardless of whether a request to do so is specifically contained in the allegations. The committee's interest is for both the NCAA investigative staff and the institution to collect, where possible, information for consideration in order for the committee to determine the validity of the allegations.

If the institution does not believe that the allegation is substantially correct, it should support its position with any evidence upon which the conclusion is based. Further, if the institution concludes that the allegation is substantially correct, but not complete or accurate in all respects, it should submit additional information to clarify or adjust the allegation as written.

N a t i o n a l C o l l e g i a t e A t h l e t i c A s s o c i a t i o n

An association of over 1,200 members serving the student-athlete
Equal Opportunity/Affirmative Action Employer

In the interest of clarity and in accordance with the general procedures established by the NCAA Committee on Infractions, the institution is requested to copy each numbered item and the subparagraphs of each item contained in the notice of allegations. The institution's response, as well as the reasons for this position, should immediately follow each numbered item or subparagraph to which the information submitted is directly responsive. [Note: See attached suggested guidelines for submission of responses.]

Four copies of your response should be forwarded to the writer at the NCAA national office, and one copy should be forwarded to each member of the Committee on Infractions and its administrator, Shepard C. Cooper, at the following addresses. In addition, please e-mail a copy of your response in Microsoft Word or Word Perfect format to Mr. Cooper (scooper@ncaa.org) and Amy Walker, executive assistant to the vice president of enforcement (ajwalker@ncaa.org).

Mr. Britton Banowsky
Commissioner
Conference USA
5201 N. O'Connor Boulevard, Suite 300
Irving, TX 75039

Mr. John S. Black
Polsinelli & Shughart P.C.
700 West 47th Street, Suite 1000
Kansas City, MO 64112

Ms. Melissa Conboy
Deputy Athletic Director
University of Notre Dame
C113 Joyce Center
Notre Dame, IN 46556

Mr. Brian P. Halloran
Halloran Law Office
7036 Grasswood Avenue
Malibu, CA 90265

Mr. Roscoe C. Howard Jr.
Partner
Andrews Kurth LLP
1350 I Street NW
Suite 1100
Washington, DC 20005

Ms. Eleanor W. Myers
Professor of Law
Temple University School of Law
1719 North Broad Street
Klein Hall, Room 624
Philadelphia, PA 19122

Mr. James O'Fallon
University of Oregon School of Law
1515 Agate Street
Room 306B
Eugene, OR 97403-1221

Mr. Gregory Sankey
Associate Commissioner
Southeastern Conference
2201 Richard Arrington Boulevard North
Birmingham, AL 35242

Mr. Dennis Thomas (Chair)
Commissioner
Mid-Eastern Conference
2730 Ellsmere Avenue
Norfolk, VA 23513

Mr. Rodney Uphoff
Law Professor
University of Missouri-Columbia
School of Law
213 Hulston Hall
Columbia, MO 65211

Ms. Julie Roe Lach (four copies)
Vice President of Enforcement
NCAA Distribution Center
1802 Alonzo Watford Sr. Drive
Indianapolis, IN 46202

Mr. Shep Cooper
Director of the Committees
on Infractions
NCAA Distribution Center
1802 Alonzo Watford Sr. Drive
Indianapolis, IN 46202

As indicated in my September 13, 2010, letter, the Committee on Infractions reviews information concerning possible major violations either through the summary disposition process or an in-person hearing. It is my understanding that the enforcement staff has discussed the possibility of processing this case through the summary disposition process and that currently this process does not appear appropriate.

Responses from the institution and all involved parties should be on file with these individuals, including the writer, by March 18, 2011. It is anticipated that the Committee on Infractions will consider your response during its April 15-17, 2011, meeting in Savannah, Georgia, and would welcome an appearance by representatives of the institution at that time. You will be notified of the actual time, date and location well in advance of the institution's appearance. In keeping with the premise of presidential control of athletics, the committee expects that you, as the president of an institution involved in potential major violations of NCAA legislation, will want to attend the hearing to personally present your views on presidential control and the institution's commitment to compliance. As the president, the committee is most interested in your presentation. Additionally, the committee requests that at a minimum, the following individuals be included among the university representatives: Daniel Radakovich, director of athletics; Sue Ann Bidstrup Allen, faculty athletics representative; Paul Johnson, head football coach; Paul Hewitt, head men's basketball coach; and Paul Parker, director of compliance. Please inform me at your earliest convenience if there are any anticipated difficulties in having the aforementioned individuals attend. In the event the institution determines that additional time is required to prepare a response, the institution may request a delay in responding and submit the reasons the delay is necessary. The request should be forwarded to Shep Cooper, director of the Committees on Infractions, at the NCAA national office. The Committee on Infractions then will consider the request. It should be noted that a delay in responding could postpone the hearing date stated above.

Under the provisions of Bylaw 32.6.4, in preparation for submitting a written response to a notice of allegations or making an in-person appearance before the Committee on Infractions, the enforcement staff will provide reasonable access to all pertinent materials maintained by the staff that corroborate or refute the allegations. These materials may include recordings of interviews and documents that were obtained during the inquiry. Requests for access to such materials should be made to the enforcement staff, which also is responsible for maintaining custody of these materials. Therefore, the staff will provide access at the NCAA national office or on a secured website in the near future. Please contact the enforcement staff if you wish to review these materials.

In accordance with the procedures adopted by the Committee on Infractions, the enforcement staff shall notify in writing all present or former institutional staff members named in an allegation, and all prospective, present or former student-athletes whose eligibility could be affected based on involvement in an allegation of their opportunity to respond to any allegation involving them and participate in a hearing before the Committee on Infractions. A copy of this letter also has been included with the notice of allegations. Although this party may be represented by personal legal counsel or plan to represent themselves, the institution is requested to provide any involved individuals with the opportunity to submit in writing any information they believe is relevant to the committee. Please note that under the provisions of Bylaw 32.8.6.1, the Committee on Infractions may subject the institution to a show-cause order as described in the provision of Bylaw 19.5.2.2 if any current staff member named for involvement in a major violation fails to attend a hearing. The enforcement staff also will notify certain individuals, and copies of those letters are enclosed.

Your institution should understand that all of the alleged violations set forth in the document attached to this letter are considered to be potential major violations of NCAA legislation, unless designated as secondary. If the institution believes that any alleged violation should be considered a secondary violation, including any specifically identified as a secondary violation by the enforcement staff, the response should indicate why the alleged violation should be considered a secondary violation, and it should present information to support that conclusion. Also, if the institution believes that the enforcement staff has acted contrary to the provisions of the enforcement procedures (Bylaw 32), it is requested to advise the Committee on Infractions of this concern in its response; otherwise, it may forfeit the opportunity to raise this issue on appeal.

Following the hearing, the committee will determine if violations of NCAA legislation have occurred and whether those violations are major or secondary violations. If the committee finds that major violations have occurred, then it will determine what penalties are appropriate as provided in Bylaws 19.5.2.1 and 19.5.2.3 of the online version of the 2010-11 NCAA Division I Manual. Inasmuch as your institution was previously found in violation of NCAA rules in Infractions Appeals Report No. 238 decided May 18, 2006, your institution is subject to the penalties set forth in Bylaw 19.5.2.3. If you believe this rule is not applicable, you should so state in your response and submit the appropriate information to support your position. The Committee on Infractions will determine following the infractions hearing if your institution should be subject to the provisions of this bylaw and whether the enhanced penalties provided for in the bylaw should be imposed.

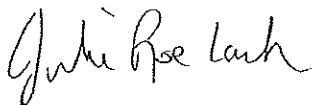
In making its decision in this case, the Committee on Infractions will consider all of the information submitted by the enforcement staff, the institution and all involved parties, and the testimony presented at the infractions hearing. It should be understood that at this juncture, the committee has not received any of the information gathered by the enforcement staff to substantiate that a violation occurred. The only information provided to the committee by the enforcement staff regarding this case will be the allegations (attached), the NCAA enforcement staff case summary per Bylaw 32.6.7 and its hearing presentation per Bylaw 32.8.7.2. If the

institution wishes the committee to consider any specific evidence, that information must be included in the institution's response to the notice of allegations. If any additional evidence should come to the institution's attention that was not previously available to it or that was not previously relevant that it believes the Committee on Infractions should consider, that information should be provided to the enforcement staff and the committee at least 10 days prior to the infractions hearing.

Your attention also is directed to Bylaw 32.8, which describes the procedures to be followed during the institution's appearance before the committee. In addition, you may wish to review the policies and guidelines set forth in Bylaw 19.4 of the enforcement procedures. Should you have additional questions concerning these procedures, please contact Mr. Cooper. Also, in the event members of the NCAA staff who have been involved in the investigation of this case can be of assistance to the institution in developing its response, please contact Ameen Najjar, director of enforcement, for such assistance.

The enforcement program of the NCAA is a cooperative undertaking involving individual member institutions and allied conferences working together through the NCAA -- a unified effort designed to improve the administration of intercollegiate athletics. You are called upon as the president of Georgia Institute of Technology for your cooperation and assistance to the end that complete information related to this matter may be developed.

Sincerely,



Julie Roe Lach
Vice President of Enforcement

JRL:klk

Enclosures

cc: Dr. Sue Ann Bidstrup Allen
Mr. Shep C. Cooper
Mr. Dan Radakovich
Mr. Chuck Smrt
Mr. John D. Swofford
NCAA Division I Committee on Infractions

NCAA COMMITTEE ON INFRACTIONS

Suggested Guidelines for Submission of Responses

This memorandum is the committee's suggested format for submitting responses to the notice of allegations. The following suggestions are made:

- The response should be contained in either three-ring loose-leaf or "comb" style binders ("comb" style preferred).
- Responses to the allegations should be separated by numbered tabs corresponding to the allegation numbers in the notice of allegations so as to be easily referenced by the reader.
- Responses should be paginated. It is suggested that each allegation have its own set of page numbers; e.g., page one of the section on allegation 1 would be page 1-1, page 6 of the section on Allegation No. 4 would be page 4-6, etc.
- Each allegation response should contain the allegation itself, the position of the responding party to the allegation (agree or disagree) and the rationale/supporting evidence for the position.
- If there is a large number of supporting attachments/exhibits, they should be placed in a binder separate from the actual response and divided by numbered tabs referenced to the application allegation. Multiple exhibits/attachments in support of individual allegations should be separated, labeled by number and indexed to the respective allegation (e.g., exhibit 1-1 would be the first exhibit in support of Allegation 1). In addition, and for ease of reference at hearings, all pages in exhibits should have page numbers running sequentially. The page numbers may be in sequence throughout all exhibits without regard to a particular exhibit number (e.g., 1 to 10 in exhibit 1, 11 to 17 in exhibit 2) or the page numbers may be in sequence within each exhibit (e.g., 1-1, 1-2, etc.; 2-1, 2-2, etc.). In the interest of limiting the size of responses and to avoid providing multiple copies of the same documents, only one copy of each exhibit/attachment is required. Any reference to exhibits/attachments throughout the response can be made to the appropriate exhibit number.

NOTICE OF ALLEGATIONS

to the

President of Georgia Institute of Technology

1. [NCAA Bylaws 12.1.2.1.6 and 12.3.1.2]

In October 2008, Herbert "Hype" Hilliard, a friend of Calvin Booker, an employee of RFL Sports Inc. (RFL Sports), a sports agency based in Atlanta, provided then football student-athlete Demaryius Thomas several items of clothing valued at approximately \$312. In addition, Hilliard provided then football student-athlete Morgan Burnett with similar items of clothing as Thomas at a similar value.

Please indicate whether the information is substantially correct and whether the institution believes that violations of NCAA legislation occurred. Submit evidence to support your response.

Also, please provide the following:

- a. The reasons that Hilliard provided Thomas and Burnett with the clothing.
- b. A statement explaining the relationship between Hilliard, Thomas and Burnett. In addition, include a statement explaining the reason that Thomas and Burnett were with Hilliard on the day Hilliard gave the young men the clothing.
- c. A statement explaining the relationship between Thomas, Burnett and Booker. In addition, include a statement explaining the relationship between Booker and Hilliard. In that regard, please indicate whether Booker was present when Hilliard gave Thomas and Burnett the clothing.
- d. A statement explaining if the investigation developed any information indicating that Booker was employed by or had a relationship with sports agents Richard Kopelman or Terry Bolar of RFL Sports.
- e. Please provide a list of items of clothing and the approximately value of each item that Hilliard gave to Thomas.
- f. A statement indicating the reason the institution had Thomas give the clothing he received from Hilliard to the institution's compliance office.
- g. A statement indicating if the institution gave the clothing Thomas received from Hilliard back to Thomas and, if so, the date and the reason(s) the clothing was returned to Thomas; if not, the reason(s) the institution has not returned the clothing to Thomas.

NOTICE OF ALLEGATIONS

Case No. M340

December 21, 2010

Page No. 2

- h. A copy of the institution's April 22, 2010, reply to Ameen Najjar's, NCAA director of enforcement's, March 12 letter to Dan Radakovich, director of athletics.
- 2. [NCAA Bylaws 19.01.3 and 32.1.4]

On November 16, 2009, Paul Parker, assistant athletics director for compliance, failed to protect the integrity of the investigation and violated the NCAA cooperative principle when he told then football student-athlete Morgan Burnett, prior to the young man's November 18 interview with Marcus Wilson, NCAA assistant director of agent, gambling and amateurism activities (AGA), the issues and related matters that would be discussed during Burnett's interview. The disclosure of the information was made despite explicit instructions Wilson gave to Parker during a November 11 telephone conversation that information developed by the AGA staff indicating that Burnett may have been involved in possible violations of NCAA legislation could be shared with only the institution's president and director of athletics.

Please indicate whether the information is substantially correct and whether the institution believes that violations of NCAA legislation occurred. Submit evidence to support your response.

Also, please provide the following:

- a. Please provide a list of the dates Burnett was interviewed by the AGA staff and/or the institution, and the identities of those present for each interview.
- b. A statement indicating the reasons Parker told Burnett what would be discussed in the interview after he was instructed by Wilson not to do so.
- c. A statement indicating whether Dan Radakovich, director of athletics, was aware that Parker had been told by Wilson that the information regarding Burnett's possible involvement in violations of NCAA legislation should be shared only with the institution's president and director of athletics.
- d. A statement indicating if any other individuals besides the institution's president and director of athletics were told about the issues concerning Burnett and, if so, (1) the identity of these individuals, (2) the identity of the person who informed them of the issues concerning Burnett, and (3) the reason these individuals were told in light of Wilson's instructions that only the institution's president and director of athletics be advised of the issues concerning Burnett.

NOTICE OF ALLEGATIONS

Case No. M340

December 21, 2010

Page No. 3

- e. A copy of the transcript of the December 16, 2009, interview of Parker by the enforcement staff with Stephen Mooney, legal counsel for Parker, and Randy Nordin, then general counsel for the institution.
3. [NCAA Constitution 3.2.4.3 and Bylaw 14.11.1]

It is alleged that the institution failed to meet the conditions and obligations of membership in that the institution did not withhold football student-athletes Demaryius Thomas and Morgan Burnett from competition when the institution knew or had reasons to know that they were ineligible for intercollegiate athletics participation as a result of their involvement in violations of NCAA legislation, as noted in Allegation No. 1. Specifically, on November 24 and December 2, 2009, the institution was advised by the enforcement staff that both Thomas and Burnett may have jeopardized their eligibility. The institution subsequently allowed the two student-athletes to compete in three contests of the 2009-10 football season.

Please indicate whether the information is substantially correct and whether the institution believes that violations of NCAA legislation occurred. Submit evidence to support your response.

Also, please provide the following:

- a. A copy of Paul Parker's, assistant athletics director for compliance's, November 24, 2009, e-mail to Lindsey Babcock, director of compliance and governance, and Shane Lyons, associate commissioner of the Atlantic Coast Conference (ACC).
- b. A copy of Babcock's November 24, 2009, e-mails to Parker.
- c. A statement indicating the number of games and average number of minutes in which both Thomas and Burnett participated after November 18 at the institution.
- d. A statement indicating the dates and purposes of any meetings and/or correspondence between institutional officials and ACC officials to discuss this matter.
- e. The identity of all institutional staff members knowledgeable of Thomas' and Burnett's involvement with Herbert "Hype" Hilliard, a friend of Calvin Booker, an employee of RFL Sports Inc. (RFL Sports), a sports agency based in Atlanta, and a description of this knowledge prior to, at the time of and subsequent to their involvement with Hilliard.

NOTICE OF ALLEGATIONS

Case No. M340

December 21, 2010

Page No. 4

- f. A statement indicating the reasons Thomas and Burnett were allowed to participate when the institution was aware of the violation concerning the provision of free clothing to both Thomas and Burnett.
- g. The identities of all individuals who participated in Thomas' and Burnett's interviews and the identities of those individuals involved in the institution's decision-making process not to withhold Thomas or Burnett from competition.
- h. A copy of all correspondence between the institution and NCAA relating to Thomas' and Burnett's involvement in the violation and their eligibility.
- i. A copy of the digital recording and transcript of the November 24, 2009, interview of Thomas with Randy Nordin, chief legal counsel, and Katreshia Louis, assistant director of compliance.

4. [NCAA Bylaws 10.1-(a) and 10.1-(d)]

It is alleged that on November 19, 2009, then football student-athlete Morgan Burnett violated the principles of ethical-conduct legislation when he (a) knowingly provided false and misleading information to the institution and NCAA agent, gambling and amateurism activities (AGA) staff when questioned about receiving clothing from Herbert "Hype" Hilliard, and (b) failed to submit to the institution and AGA staff his telephone and bank records. Specifically:

- a. Concerning the false and misleading information, during a November 19 interview attended by Marcus Wilson, assistant director of AGA; Paul Griffin, senior associate director of athletics; Paul Parker, assistant athletic director for compliance; Randy Nordin, general counsel; and Katreshia Louis, assistant director of compliance, when questioned about receiving clothing from Hilliard, Burnett denied that he received any clothes despite the fact that Burnett acknowledged that he was at Earl Thomas', football student-athlete Demaryius Thomas' cousin's, apartment when Hilliard gave Demaryius Thomas clothing, and Demaryius Thomas reported that Burnett also received clothing from Hilliard. [NCAA Bylaw 10.1-(d)]
- b. Concerning the telephone and bank records, during the November 19 interview, Wilson requested that Burnett provide his cell telephone records for the period August to November 2009 and statements from his Wachovia bank account for the period January to November 2009, but Burnett failed to provide any records. [NCAA Bylaw 10.1-(a)]

NOTICE OF ALLEGATIONS

Case No. M340

December 21, 2010

Page No. 5

Please indicate whether the information is substantially correct and whether the institution believes that violations of NCAA legislation occurred. Submit evidence to support your response.

Also, please provide the following:

- a. A statement indicating the reasons Burnett failed to comply with the request to provide the institution and AGA staff copies of his cell telephone records and statements from his bank account.
- b. An explanation of the action the institution took to have Burnett provide the requested cell phone records and bank statements.
- c. A detailed description of the means by which the institution initially discovered that Burnett may have been involved in possible violations of NCAA legislation and an overview of the institution's investigation into this matter.

5. [NCAA Bylaws 13.11.1 and 13.11.3.2]

It is alleged that during May 2009 and May 2010, staff members of the institution's athletics department were involved in the conduct, administration and evaluation of physical activity involving prospective student-athletes that occurred in an institutional facility in violation of NCAA try-out legislation. Specifically:

- a. During May 2009 and May 2010, a men's basketball graduate assistant acted as an event operator and gym manager for the 2009 and 2010 Wallace Prather Jr. Memorial Classic, a nonscholastic basketball tournament involving numerous prospects held at the institution's campus recreation center.
- b. During May 2010, an academic advisor for men's basketball, observed portions of the 2010 Wallace Prather Jr. Memorial Classic, evaluated prospects and reported his observations to the institution's men's basketball coaching staff via e-mail.

Please indicate whether the information is substantially correct and whether the institution believes that violations of NCAA legislation occurred. Submit evidence to support your response.

Also, please provide the following:

- a. A statement indicating the dates and times the members of the institution's athletics staff were in attendance at the Wallace Prather Jr. Memorial Classic held on the institution's campus.

NOTICE OF ALLEGATIONS

Case No. M340

December 21, 2010

Page No. 6

- b. A copy of the titles, job descriptions and employment agreements for the men's basketball graduate assistant and the academic advisor for men's basketball for the relevant time periods.
- c. A copy of all communications from the academic advisor for men's basketball to the institution's men's basketball coaching staff related to his evaluations of prospective student-athletes at the Wallace Prather Jr. Memorial Classic basketball tournament, including, but not limited, to the May 11, 2010, e-mail to the men's basketball coaching staff.
- d. A copy of all rules-education materials provided to the institution's athletics staff pertaining to the involvement of men's basketball coaches and noncoaching staff members in on-campus, nonscholastic events, including, but not limited to, materials for 2009 and 2010.
- e. A copy of the Wallace Prather Jr. Memorial Classic packet prepared by the men's basketball graduate assistant and provided to nonscholastic coaches during the event.
- f. A copy of all materials related to the Wallace Prather Jr. Memorial Classic contained on the institution's men's basketball hard drive.
- g. A copy of the men's basketball graduate assistant's cellular telephone records for the dates of the May 2010 Wallace Prather Jr. Memorial Classic.

6. [NCAA Bylaw 13.8.1]

It is alleged that during the 2009-10 season, members of the men's basketball staff provided at least 40 impermissible discretionary tickets to men's basketball contests in a manner contrary to NCAA legislation. Specifically:

- a. On six occasions between December 20, 2009, and February 16, 2010, members of the men's basketball staff exceeded the maximum provision of two tickets to individuals responsible for the teaching or directing of an activity in which a prospective student-athlete was involved (10 total tickets).
- b. On March 2, 2010, a member of the men's basketball staff provided one ticket to an away contest to an individual responsible for the teaching or directing of an activity in which a prospective student-athlete was involved.

NOTICE OF ALLEGATIONS

Case No. M340

December 21, 2010

Page No. 7

- c. On at least 15 occasions between December 20, 2009, and March 6, 2010, members of the men's basketball staff issued tickets to high school coaches and individuals responsible for the teaching or directing of an activity in which a prospective student-athlete was involved through the institution's men's basketball Staff Guests List instead of through the institution's Coach Pass List (39 total tickets).

Please indicate whether the information is substantially correct and whether the institution believes that violations of NCAA legislation occurred. Submit evidence to support your response.

Also, please provide the following:

- a. A chart listing the dates of the contests for which the tickets were issued, the title or status of the person to whom they were issued, the number of tickets issued and the number in excess of the permissible amount.
- b. Any rules education conducted by the institution for the men's basketball staff in light of the November 4, 2009, official interpretation related to the October 29, 2009, NCAA Board of Directors' actions.

Secondary violations

7. [NCAA Bylaws 16.02.3 and 16.11.2.1]

It was reported that on June 13, 2010, football student-athlete Terence Barnes was provided admission to the Georgia Aquarium, a meal and a bag of nonperishable items by two representatives of the institution's athletics interests (\$74).

Please indicate whether this information is substantially correct and whether the institution agrees a secondary violation of NCAA legislation occurred. Submit evidence to support your response.

8. [NCAA Bylaws 16.2.1.1 and 16.2.1.2]

It was reported that a men's basketball student-athlete was provided two additional impermissible discretionary tickets to a November 14, 2009, home intercollegiate athletics event in excess of the four permissible complimentary admissions.

Please indicate whether this information is substantially correct and whether the institution agrees a secondary violation of NCAA legislation occurred. Submit evidence to support your response.

NOTICE OF ALLEGATIONS

Case No. M340

December 21, 2010

Page No. 8

Information Requested by the Committee on Infractions

9. Please provide all information concerning other possible violations of NCAA legislation that was discovered by the institution as a result of its review of this matter. In this regard, please indicate the means by which the information was discovered and the institution's position whether a violation has occurred.
10. Please provide a detailed description of any corrective or punitive actions implemented by the institution as a result of the violations acknowledged in this inquiry. In that regard, explain the reasons the institution believes these actions to be appropriate and identify the violations upon which the actions were based. Additionally, indicate the date that any corrective or punitive actions were implemented.
11. Please provide a detailed description of all disciplinary actions taken against any current or former athletics department staff members as a result of violations acknowledged in this inquiry. In that regard, explain the reasons that the institution believes these actions to be appropriate and identify the violations upon which the actions were based. Additionally, indicate the date that any disciplinary actions were taken and submit copies of all correspondence from the institution to each individual describing these disciplinary actions.
12. Please provide a statement indicating the dates and titles of all positions at the institution held by individuals identified during the inquiry as allegedly having significant involvement in NCAA violations, as well as a brief overview of each position. Additionally, provide the dates, title and employer of all positions held by such individual(s) during the five years prior to the dates of the alleged violations. Furthermore, provide a brief review of the previous major infractions case history for the identified individuals.
13. Please provide a short summary of every major infractions case involving the institution or individuals named in this notice. In this summary, provide the date of the infractions report, a description of the violations found by the Committee on Infractions, the individuals involved, and the penalties and corrective actions. Additionally, please provide a copy of any major infractions reports involving the institution or individuals named in this notice that were issued by the Committee on Infractions within the last 10 years.
14. Please provide a chart depicting the institution's reporting history of secondary violations for the past five years. In this chart, please indicate for each academic year the number of total secondary violations reported involving the institution or individuals named in this

NOTICE OF ALLEGATIONS

Case No. M340

December 21, 2010

Page No. 9

notice. Also, please include the applicable bylaws for each violation, and then indicate the number of secondary violations involving just the sports team(s) named in this notice for the same five-year time period.

15. Please provide the institution's overall NCAA division and conference affiliation as well as the total enrollment on campus and the number of men's and women's sports sponsored.
16. Please provide a statement describing the general organization and structure of the institution's intercollegiate athletics department, including the identities of those individuals in the athletics department who were responsible for the supervision of all sport programs during the previous four years, and whether the institution conducts a systematic review of NCAA and institutional regulations for its athletics department employees. If yes, identify the agency, individual or committee responsible for this review and describe the responsibilities and functions of each identified.
17. Please provide the following information concerning the sport programs identified in this inquiry:
 - The average number of initial and total grants-in-aid that have been awarded during the past four academic years.
 - The number of initial and total grants-in-aid in effect for the current academic year (or upcoming academic year if the regular academic year is not in session) and the number anticipated being in effect for the following academic year.
 - The identities of all student-athletes anticipated to be on athletically related financial aid as of the first semester of the next academic year who will have four years of remaining eligibility and five years of enrollment (per the NCAA's five-year rule) to complete those four years; the identities of all student-athletes who have three years of remaining eligibility and four years of remaining enrollment to complete those three years; the identities of all student-athletes who have two years of remaining eligibility and three years of remaining enrollment to complete those two years; and the identities of all student-athletes who have one year of remaining eligibility and two years of remaining enrollment to complete that year.
 - The average number of student-athletes during the previous four years who have redshirted and the number who are redshirting during the current academic year (or upcoming academic year if regular academic year is not in session).

NOTICE OF ALLEGATIONS

Case No. M340

December 21, 2010

Page No. 10

- The number of student-athletes in each of the previous four years who were awarded athletically related financial aid but who withdrew from the squad for reasons other than graduation or loss of eligibility.
- A list of the institution's win-loss record for the past four seasons and the dates and results of all postseason competition in which the institution has participated during those years. If there was postseason competition, please indicate how this was earned; i.e., conference automatic bid, at-large bid.
- The average number of official paid visits provided by the institution to prospective student-athletes during the past four years.
- The cost of room, board, books and tuition at the institution for the past four academic years.
- Copies of the institution's squad lists for the past four academic years.
- One copy of the institution's media guides for the past four academic years to be sent to Mr. Shep Cooper, director of the Committees on Infractions, and, if available, the Internet URL(s) for the members of the committee to use to review the same information contained in these media guides. If this information is not available through the Internet, then the provision of one complete set of media guides to Mr. Cooper will suffice.
- A review of the institution's obligations (contractual or otherwise) concerning live telecasts of contests during the next three seasons. These should include, but not be limited to, contractual agreements negotiated by the institution's conference and opponent or through its sports network affiliations.
- A statement indicating whether the provisions of NCAA Bylaws 31.2.2.3 and 31.2.2.4 apply to the institution as a result of the involvement of student-athletes in violations noted in this inquiry.
- A statement indicating whether the provisions of NCAA Bylaw 19.5.2.2-(e) apply to the institution as a result of the involvement of student-athletes in violations noted in this inquiry.

Any additional information or comments regarding this case are welcome.

RAJ:smc