NOTICE OF ALLEGATIONS

to the

President of University of Oregon

A. Processing Level of Case.

Based on the information contained within the following allegations, the NCAA enforcement staff believes this case should be reviewed by a hearing panel of the NCAA Division I Committee on Infractions pursuant to procedures applicable to a significant breach of conduct (Level II violation).¹

B. Allegations.

1. [NCAA Division I Manual Bylaws 10.01.1, 10.1 and 10.1-(b) (2015-16)]

It is alleged that in March 2016, adjunct professor in the anthropology department, violated the NCAA principles of ethical conduct when he knowingly arranged for fraudulent academic credit or false transcripts for then women's track and field student-athlete Specifically, awarded an "F" for ANTH 278, Scientific Racism, because she failed to submit at least 75% of the that the "F" negatively impacted her required coursework. After learning from eligibility status, changed the grade to a "B-" to ensure remained eligible for competition. The institution used the altered grade to erroneously award a degree to and establish her eligibility for the following academic term. As a result of the erroneous certification. competed in four contests while ineligible. The institution later discovered the altered grade, determined that actions violated its gradechange policy and rescinded the grade change and degree.

Level of Allegation No. 1:

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could determine that Allegation No. 1 is a significant breach of conduct (Level II) because the violation (1) involved a professor and student-athlete acting alone without athletics staff members' knowledge; (2) while intentional, was committed by a professor who did not receive NCAA rules education; (3) was isolated or limited in nature; (4) provided or was intended to provide more than a minimal competitive advantage; and (5) may have compromised the integrity of the NCAA Collegiate Model. [NCAA Bylaw 19.1.2 (2017-18)]

¹ Pursuant to NCAA Bylaw 19.7.7.1 of the 2016-17 NCAA Division I Manual, if violations from multiple levels are identified in the notice of allegations, the case shall be processed pursuant to procedures applicable to the most serious violation(s) alleged.

Involved Individual(s):

The enforcement staff believes a hearing panel could enter a show-cause order pursuant to Bylaw 19.9.5.4 regarding involvement in Allegation No. 1.

Factual information on which the enforcement staff relies for Allegation No. 1:

The attached exhibit details the factual information on which the enforcement staff relies for Allegation No. 1. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

2. [NCAA Division I Manual Bylaws 11.7.3 and 11.7.6 (2013-14 through 2016-17); 13.11.1 (2015-16); and 11.7.1.1 (2015-16 and 2016-17)]

It is alleged that from 2013 through 2017,

a noncoaching staff member with sport-specific responsibilities,
participated in on-court activities with the men's basketball team and participated with
and observed men's basketball student-athletes who engaged in voluntary athletically
related activities. As a result of participation in the coaching activities, the
institution exceeded the numerical limitation of four basketball coaches. Specifically:

- a. From 2013 through August 2016 and during the playing season, who was not a countable coach, participated in on-court activities when he refereed for the men's basketball team 10 to 20 times each year. [NCAA Bylaws 11.7.3 and 11.7.6 (2013-14 through 2016-17)]
- b. Between May 22 and August 19, 2016, provided technical or tactical basketball instruction to, participated with and/or observed men's basketball student-athletes, and during nonorganized voluntary athletically related activities (e.g., individual workouts) on at least 64 occasions. Additionally, two of those activities constituted impermissible tryouts because and had not yet enrolled. [NCAA Bylaws 13.11.1 (2015-16) and 11.7.1.1, 11.7.3, 11.7.6 (2015-16 and 2016-17)]
- c. Between April and May 2017, observed during nonorganized voluntary athletically related activities on at least three occasions while at a local high school track. [NCAA Bylaws 11.7.3 and 11.7.6 (2016-17)]

Level of Allegation No. 2:

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 2 is a significant breach of conduct (Level II) because the violations (1) were not inadvertent, isolated or limited in nature, (2) provided or were intended to provide more than a minimal competitive advantage and (3) are more serious than a Level III violation. [NCAA Bylaw 19.1.2 (2017-18).]

Involved Individual(s):

The enforcement staff believes a hearing panel could enter a show-cause order pursuant to Bylaw 19.9.5.4 regarding involvement in Allegation No. 2.

Factual information on which the enforcement staff relies for Allegation No. 2:

The attached exhibit details the factual information on which the enforcement staff relies for Allegation No. 2. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

3. [NCAA Division I Manual Bylaws 11.7.1.1, 11.7.6 and 11.7.6.2.1 (2016-17)]

It is alleged that from December 2016 through May 2017, the men's basketball program permitted an assistant strength and conditioning coach to participate in on-court basketball-related activities with the men's basketball team. As a result of the assistant strength and conditioning coach's participation in the coaching activities, the institution exceeded the numerical limitation of four basketball coaches. Specifically:

- a. During individual workouts, assistant strength and conditioning coach, provided technical or tactical basketball instruction to and participated in on-court basketball-related activities with men's basketball student-athletes [NCAA Bylaws 11.7.1.1, 11.7.6 and 11.7.6.2.1 (2016-17)]
- b. Before and/or during regularly scheduled practice, participated in on-court basketball-related activities (beyond flexibility, warm-up and physical conditioning) with the men's basketball team on eight occasions. Additionally, participated in pre-game on-court basketball-related activities (beyond flexibility, warm-up and physical conditioning) on three occasions. [NCAA Bylaws 11.7.1.1, 11.7.6 and 11.7.6.2.1 (2016-17)]

Level of Allegation No. 3:

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 3 is a significant breach of conduct (Level II) because the violations (1) were not inadvertent, isolated or limited in nature, (2) provided or were intended to provide more than a minimal competitive advantage and (3) are more serious than a Level III violation.. [NCAA Bylaw 19.1.2 (2017-18).]

Involved Individual(s):

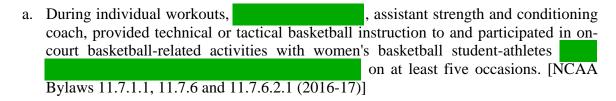
None.

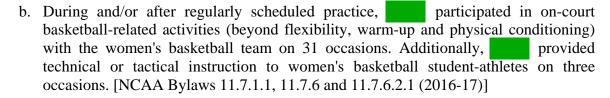
Factual information on which the enforcement staff relies for Allegation No. 3:

The attached exhibit details the factual information on which the enforcement staff relies for Allegation No. 3. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

4. [NCAA Division I Manual Bylaws 11.7.1.1, 11.7.6 and 11.7.6.2.1 (2016-17)]

It is alleged that from December 2016 through April 2017, the women's basketball program permitted an assistant strength and conditioning coach to participate in on-court basketball-related activities with the women's basketball team. As a result of the assistant strength and conditioning coach's participation in the coaching activities, the institution exceeded the numerical limitation of four basketball coaches. Specifically:





Level of Allegation No. 4:

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 4 is a significant breach of conduct (Level II) because the violations (1) were not inadvertent, isolated or limited in nature, (2) provided or were intended to provide more than a minimal competitive advantage and (3) are more serious than a Level III violation.. [NCAA Bylaw 19.1.2 (2017-18)]

Involved Individual(s):

None.

Factual information on which the enforcement staff relies for Allegation No. 4:

The attached exhibit details the factual information on which the enforcement staff relies for Allegation No. 4. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

5. [NCAA Division I Manual Bylaw 13.4.1.8.3, 13.6.7.9 and 13.7.3 (2016-17)]

It is alleged that from August through November 2016, the football program arranged personalized recruiting aids for 36 football prospective student-athletes during unofficial and official paid visits. Specifically, the football program created an electronic presentation that included each prospective student-athlete's name, physical attributes and high school highlight video and displayed it on a video board located in the football performance center.

Level of Allegation No. 5:

The NCAA enforcement staff believes a hearing panel of the NCAA Division I Committee on Infractions could conclude that Allegation No. 5 is a significant breach of conduct (Level II) because the violations (1) were not isolated or limited, (2) provided or were intended to provide more than a minimal recruiting advantage, (3) involved multiple recruiting violations and (4) compromised the integrity of the NCAA Collegiate model. [NCAA Bylaw 19.1.2 (2017-18)]

Involved Individual(s):

None.

Factual information on which the enforcement staff relies for Allegation No. 5:

The attached exhibit details the factual information on which the enforcement staff relies for Allegation No. 5. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

6. [NCAA Division I Manual Bylaw 11.1.1.1 (2015-16 and 2016-17)]

It is alleged that from 2013 through 2017, Dana Altman (Altman), head men's basketball coach, is presumed responsible for the violations detailed in Allegation Nos. 2 and 3 and did not rebut the presumption of responsibility. Specifically, Altman did not demonstrate that he promoted an atmosphere for compliance and monitored his staff within the program due to his personal knowledge of and/or involvement in the violations described in Allegation Nos. 2-a and 3-b. Additionally, Altman did not demonstrate that he monitored problems, assistant strength and conditioning coach, in that he failed to frequently spot-check to uncover potential or existing compliance problems regarding their on-court activities with men's basketball student-athletes.

Level of Allegation No. 6:

The NCAA enforcement staff believes that NCAA Division I Committee on Infractions could determine that Allegation No. 6 is a significant breach of conduct (Level II) because it is a head coach responsibility violation resulting from underlying Level II violations and compromised the integrity of the NCAA Collegiate Model. [NCAA Bylaw 19.1.2 (2017-18)]

Involved Individual(s):

The enforcement staff believes a hearing panel could enter a show-cause order pursuant to Bylaw 19.9.5.4 regarding Altman's involvement in Allegation No. 6.

Factual information on which the enforcement staff relies for Allegation No. 6:

The attached exhibit details the factual information on which the enforcement staff relies for Allegation No. 6. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

7. [NCAA Division I Manual Bylaw 11.1.1.1 (2015-16 and 2016-17)]

It is alleged that from at least December 2016 through April 2017, Kelly Graves (Graves), head women's basketball coach, is presumed responsible for the violations detailed in Allegation No. 4 and did not rebut the presumption of responsibility. Specifically, Graves did not demonstrate that he promoted an atmosphere for compliance and monitored his staff within the program due to his personal knowledge of and/or involvement in the violations described in Allegation No. 4-b. Additionally, Graves did not demonstrate that he monitored assistant strength and conditioning coach, in that he failed to frequently spot-check to uncover potential or existing compliance problems regarding on-court activities with women's basketball student-athletes.

Level of Allegation No. 7:

The NCAA enforcement staff believes that NCAA Division I Committee on Infractions could determine that Allegation No. 7 is a significant breach of conduct (Level II) because it is a head coach responsibility violation resulting from an underlying Level II violation and compromised the integrity of the NCAA Collegiate Model. [NCAA Bylaw 19.1.2 (2017-18)]

Involved Individual(s):

The enforcement staff believes a hearing panel could enter a show-cause order pursuant to Bylaw 19.9.5.4 regarding Graves' involvement in Allegation No. 7.

Factual information on which the enforcement staff relies for Allegation No. 7:

The attached exhibit details the factual information on which the enforcement staff relies for Allegation No. 7. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents posted on the secure website.

Specific to Allegation Nos. 1-7:

a. Please indicate whether the information contained within these allegations is substantially correct and whether the institution and involved individuals identified in these allegations believe violations of NCAA legislation occurred. Submit materials to support your response.

- b. If the institution and involved individuals believe NCAA violations occurred, please indicate whether there is substantial agreement on the level of the violation. Submit materials to support your response.
- c. Please indicate whether the factual information is substantially correct and whether the institution and involved individuals have additional pertinent information and/or facts. Submit facts in support of your response.

C. Potential Aggravating and Mitigating Factors.

Pursuant to NCAA Bylaw 19.7.1, the NCAA enforcement staff has identified the following potential aggravating and mitigating factors that a hearing panel of the NCAA Division I Committee on Infractions may consider.

1. Institution:

- a. Aggravating factors. [NCAA Bylaw 19.9.3]
 - (1) A history of Level I, Level II or major violations by the institution. [NCAA Bylaw 19.9.3-(b)]
 - (a) June 26, 2013 At issue were allegations of violations of NCAA bylaws concerning the football program's use of multiple recruiting/scouting services over a three-year period.²
 - (b) June 23, 2004 Improper recruitment of a junior college football prospective student-athlete and unethical conduct.
 - (c) December 23, 1981 Improper entertainment, financial aid and transportation; extra benefits; improper recruiting entertainment, inducements, lodging and transportation; academic fraud; eligibility; unethical conduct; outside fund; institutional control.
 - (2) Multiple Level II violations by the institution or involved individual. [NCAA Bylaw 19.9.3-(g)]

As described in Allegation Nos. 1 through 7, there is one violation alleged as Level I and the remaining all violations are alleged as Level II.

² The dates of previous Level I, II or major infractions violations and the accompanying descriptions are provided directly from the Legislative Services Database (LSDBi).

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(3) Persons of authority condoned, participated in or negligently disregarded the violation or related wrongful conduct. [NCAA Bylaw 19.9.3-(h)]

- (a) As stated in Allegation No. 1, professor, knowingly arranged for fraudulent academic credit to be provided to then women's track and field student-athlete
- (b) acknowledged during his interview with the enforcement staff and institution that he knew his involvement in the activities described in Allegation No. 2-b were impermissible.
- (c) As described in Allegation Nos. 6 and 7, Dana Altman (Altman), head men's basketball coach, and Kelly Graves (Graves), head women's basketball coach, permitted noncoaching staff members to participate in practice and/or conduct workouts.
- (4) Intentional, willful or blatant disregard for the NCAA constitution and bylaws. [NCAA Bylaw 19.9.3-(m)]
 - received extensive NCAA rules education and knew he was not permitted to conduct the individual workouts described in Allegation No. 2-b.
- (5) A pattern of noncompliance within the sport program(s) involved. [NCAA Bylaw 19.9.3-(k)]
 - As described in Allegation Nos. 2, 3 and 4, the men's and women's basketball programs engaged in the same type of noncompliance from 2013 through April 2017.
- (6) Other factors warranting a higher penalty range. [NCAA Bylaw 19.9.3-(n)]

The institution provided an incorrect interpretation to the football staff which resulted in the violations detailed in Allegation No. 5.

- b. Mitigating factors. [NCAA Bylaw 19.9.4]
 - (1) Prompt self-detection and self-disclosure of the violation. [NCAA Bylaw 19.9.4-(a)]

The institution promptly self-detected and self-disclosed the violations described in Allegation Nos. 2, 3 and 4.

(2) Prompt acknowledgment of the violation, acceptance of responsibility and imposition of meaningful corrective measures and/or penalties. [NCAA Bylaw 19.9.4-(b)]

The institution promptly acknowledged the violations described in Allegation Nos. 2, 3 and 4. Following first interview, the institution imposed meaningful corrective measures and penalties for and the men's basketball program.

(3) An established history of self-reporting Level III or secondary violations. [NCAA Bylaw 19.9.4-(d)]

The institution reported 25 Level III or secondary violations from November 2012 through November 2017, approximately five violations each academic year.

(4) Other facts warranting a lower penalty range. [NCAA Bylaw 19.9.4-(i)]

The institution exhausted significant resources and spent countless hours reviewing surveillance footage to identify the violations described in Allegation Nos. 2, 3 and 4.

2. Involved Individuals

- a. Aggravating factor. [NCAA Bylaw 19.9.3]
 - (1) Unethical conduct. [NCAA Bylaw 19.9.3-(e)]

As noted in Allegation No. 1, is charged with unethical conduct.

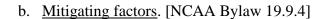
(2) Persons of authority condoned, participated in or negligently disregarded the violation or related wrongful conduct. [NCAA Bylaw 19.9.3-(h)]

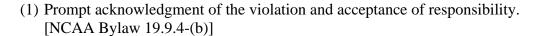
As stated in Allegation No. 1, knowingly arranged for fraudulent academic credit to be provided to

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C





immediately acknowledged and accepted responsibility for his involvement in Allegation No. 1 during interviews with the enforcement staff and institution.

(2) The absence of prior conclusions of Level I, Level II or major violations committed by [NCAA Bylaw 19.9.4-(h)]

has been a professor at the University of Oregon since Fall of 2014.

3. Involved Individuals [

- a. Aggravating factors. [NCAA Bylaw 19.9.3]
 - (1) Persons of authority condoned, participated in or negligently disregarded the violation or related wrongful conduct. [NCAA Bylaw 19.9.3-(h)]

acknowledged during his interview with the enforcement staff and institution that he knew his involvement in the activities described in Allegation No. 2-b were impermissible.

(2) Intentional, willful or blatant disregard for the NCAA constitution and bylaws. [NCAA Bylaw 19.9.3-(m)]

received extensive NCAA rules education and knew he was not permitted to conduct the individual workouts described in Allegation No. 2-b.

b. Mitigating factor. [NCAA Bylaw 19.9.4]

The absence of prior conclusions of Level I, Level II or major violations committed by [NCAA Bylaw 19.9.4-(h)]

has been the at Oregon since 2007.

4. Involved Individuals [Altman]:

- a. Aggravating factors. [NCAA Bylaw 19.9.3]
 - (1) Persons of authority condoned, participated in or negligently disregarded the violation or related wrongful conduct. [NCAA Bylaw 19.9.3-(h)]

Altman permitted to referee and a same as a same as a same and a s

(2) A pattern of noncompliance within the men's basketball program. [NCAA Bylaw 19.9.3-(k)]

As described in Allegation Nos. 2 and 3, there was a pattern of noncoaching staff members participating in on-court basketball-related activities in the men's basketball program.

b. Mitigating factor. [NCAA Bylaw 19.9.4]

The absence of prior conclusions of Level I, Level II or major violations committed by Altman. [NCAA Bylaw 19.9.4-(h)]

Altman has been the head coach at Oregon since April 2010. Prior to that, Altman was the head coach at Creighton University from 1994 through April 2010.

5. Involved Individuals [Graves]:

a. Aggravating factor(s). [NCAA Bylaw 19.9.3]

Persons of authority condoned, participated in or negligently disregarded the violation ore related wrongful conduct. [NCAA Bylaw 19.9.3-(h)]

As described in Allegation No. 4-b, Graves permitted assistant strength and conditioning coach, to provide instruction and/or participate during practice on at least 34 instances.

b. Mitigating factor(s). [NCAA Bylaw 19.9.4]

The absence of prior Level I, Level II or major violations committed by Graves. [NCAA Bylaw 19.9.4-(h)]

Graves has been the head coach at Oregon since April 2014. Prior to that, Graves was the head coach at Gonzaga University since April 2000.

D. Request for Supplemental Information.

- 1. Provide mailing and email addresses for all necessary parties to receive communications from the hearing panel of the NCAA Division I Committee on Infractions related to this matter.
- 2. Indicate how the violations were discovered.
- 3. 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 on which the actions were based. Additionally, indicate the date that any corrective or punitive actions were implemented.
- 4. 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 the institution believes these actions to be appropriate and identify the violations on 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.
- 5. Provide a short summary of every past Level I, Level II or major infractions case involving the institution or individuals named in this notice. In this summary, provide the date of the infractions report(s), a description of the violations found by the Committee on Infractions/hearing panel, the individuals involved, and the penalties and corrective actions. Additionally, 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/hearing panel within the last 10 years.
- 6. Provide a chart depicting the institution's reporting history of Level III and secondary violations for the past five years. In this chart, please indicate for each academic year the number of total Level III and secondary violations reported involving the institution or individuals named in this notice. Also include the applicable bylaws for each violation,

and then indicate the number of Level III and secondary violations involving just the sports team(s) named in this notice for the same five-year time period.

- 7. Provide the institution's overall conference affiliation, as well as the total enrollment on campus and the number of men's and women's sports sponsored.
- 8. 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.
- 9. State when the institution has conducted systematic reviews of NCAA and institutional regulations for its athletics department employees. Also, identify the agencies, individuals or committees responsible for these reviews and describe their responsibilities and functions.
- 10. Provide the following information concerning the sports program(s) identified in this inquiry:
 - The average number of initial and total grants-in-aid 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 for the following academic year.
 - The average number of official paid visits provided by the institution to prospective student-athletes during the past four years.
 - Copies of the institution's squad lists for the past four academic years.
 - Copies of the institution's media guides, either in hard copy or through electronic links, for the past four academic years.
 - 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 Bylaw 19.9.7-(g) apply to the institution as a result of the involvement of student-athletes in violations noted in this inquiry.

11. Consistent with the Committee on Infractions IOP 4-16-2-1 (Total Budget for Sport Program) and 4-16-2-2 (Submission of Total Budget for Sport Program), please submit the three previous fiscal years' total budgets for all involved sport programs. At a minimum, a sport program's total budget shall include: (a) all contractual compensation including salaries, benefits and bonuses paid by the institution or related entities for coaching, operations, administrative and support staff tied to the sport program; (b) all recruiting expenses; (c) all team travel, entertainment and meals; (d) all expenses associated with equipment, uniforms and supplies; (e) game expenses and (f) any guarantees paid associated with the sport program.

Any additional information or comments regarding this case are welcome.