

## NOTICE OF ALLEGATIONS

to the

President of West Virginia University

1. [NCAA Bylaws 11.7.1.1.1, 11.7.1.1.1.1 (2009-10 NCAA Division I Manual), 11.7.2 and 11.7.2.1]

It is alleged that for the 2005-06 academic year through the fall semester of the 2009-10 academic year, the institution's football program exceeded the permissible limit of the number of coaches when noncoaching sport-specific staff members engaged in on- and off-field coaching activities. Specifically:

- a. 2005-06 academic year through the fall semester of the 2007-08 academic year:
  - (1) From the 2005-06 academic year through the fall semester of the 2007-08 academic year, noncoaching sport-specific staff members (e.g., video graduate assistants and academic graduate assistants) monitored and/or conducted skill-development activities with football student-athletes that occurred at least two days a week during a portion of the spring semester and summer. Additionally, the noncoaching sport-specific staff members coached the football student-athletes through those activities to improve technique and develop fundamental football-related skills.
  - (2) From the 2005-06 academic year through the fall semester of the 2007-08 academic year, noncoaching sport-specific staff members (e.g., video graduate assistants and academic graduate assistants) sometimes analyzed video involving the institution's or opponent's team with football student-athletes.
  - (3) From the 2005-06 academic year through the fall semester of the 2007-08 academic year, noncoaching sport-specific staff members (e.g., video graduate assistants and academic graduate assistants) attended meetings involving coaching activities.

NOTICE OF ALLEGATIONS

Case No. M330

August 4, 2010

Page No. 2

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- b. Spring semester of 2007-08 academic year through the fall semester of the 2009-10 academic year.
- (1) During the spring semester of the 2007-08 academic year through the fall semester of the 2009-10 academic year, noncoaching sport-specific staff members (e.g., director/coordinator of high school relations, director/coordinator of player development, academic graduate assistants and quality control graduate assistants) monitored and conducted skill-development activities with football student-athletes that occurred at least two days a week during a portion of the spring semester and summer. Additionally, noncoaching sport-specific staff members coached the football student-athletes through those activities to improve technique and develop fundamental football-related skills.
  - (2) From the spring semester of the 2007-08 academic year through the fall semester of the 2009-10 academic year, on some occasions, noncoaching sport-specific staff members (e.g., director/coordinator of player development, academic graduate assistants, quality control graduate assistants and student managers) provided advice and/or corrections to football student-athletes pertaining to technique and plays.
  - (3) From the spring semester of the 2007-08 academic year through the fall semester of the 2009-10 academic year, noncoaching sport-specific staff members sometimes analyzed video involving the institution's or opponent's team with football student-athletes.
  - (4) From the spring semester of the 2007-08 academic year through the fall semester of the 2009-10 academic year, noncoaching sport-specific staff members attended meetings involving coaching activities.

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

Also, please provide the following:

- a. In chronological order, provide a list of the names of the individuals who were graduate assistants (e.g., defense, offense, video, academic, quality control) associated with the football program, as well as directors/coordinators of player development and high school relations beginning with the 2005-06 academic year

NOTICE OF ALLEGATIONS

Case No. M330

August 4, 2010

Page No. 3

---

through the 2009-10 academic year; the period of time the individuals held the graduate assistant position(s); and the specific countable football coach and the primary position (e.g., defensive backs) the individuals worked with. Also, please include a description of each graduate assistant's responsibilities; who hired the individual; the assigned supervisor of the individual; and the source/budget (e.g., student services, football) for the tuition, waivers, fees and/or stipend provided to each of the individuals as graduate assistants.

- b. An overview of the previous education and degrees received by each of the graduate assistants (e.g., defense, offense, video, academic, quality control) and director/coordinator of players development and high school relations, as well as a description of the previous involvement with the institution's football program and previous employment.
- c. A copy of page 94 of the 2005 football media guide, page 94 of the 2006 football media guide, page 98 of the 2007 football media guide, page 120 of the 2008 football media guide, and pages 119 and 122 of the 2009 football media guide.
- d. A copy of the athletics department administrative staff forms/job descriptions for the sport of football for the 2005-06 and 2006-07 academic years as provided by the institution to the enforcement staff February 23, 2010. Also, please include the following forms: 2005-06 forms signed March 3, 2005; 2005-06 forms signed January 7, 2006; administrative assistant job descriptions signed October 3, 2006; administrative assistant forms signed August 22, 2007; and copies of any similar forms on file for the sport of football for the 2007-08, 2008-09 and 2009-10 academic years.
- e. In chronological order beginning with the 2005-06 academic year through the fall semester of the 2009-10 academic year, a copy of written communications (e.g., electronic mail, memorandums, handwritten notes, etc.) between the football staff and the compliance staff/administration regarding job descriptions, responsibilities and concerns for noncoaching sport-specific staff members, including, but not limited to, materials dated June 1, August 8, and September 1, 7 and 9, 2005; February 24, March 17, and August 13 and 29, 2006; February 28, April 2, May 2, August 27 and 29, September 24, October 2 and 15, November 13, and December 6, 2007; and August 25, 2008.
- f. In chronological order beginning with the 2005-06 academic year through the fall semester of the 2009-10 academic year, copies of any rules-education materials provided to the countable coaches in the sport of football pertaining to the number and duties of coaches and coaching categories. Also, include the institution's position on whether Rich Rodriguez, former head football coach, and Bill

NOTICE OF ALLEGATIONS

Case No. M330

August 4, 2010

Page No. 4

---

Stewart, current head football coach, knew or should have known that the noncoaching sport-specific staff members' involvement with the football program, as noted in this allegation, was impermissible.

- g. In chronological order beginning with the 2005-06 academic year through the fall semester of the 2009-10 academic year, please provide a description of the rules education provided to the noncoaching sport-specific staff members pertaining to the number and duties of the coaches and coaching categories.
- h. A statement indicating whether athletics administrators were aware of the involvement of noncoaching sport-specific staff members affiliated with the football program from the 2005-06 academic year through the fall semester of the 2009-10 academic year. Also, include a statement describing the athletics department's system used to monitor the countable coaching limitations of its football program.

2. [NCAA Bylaws 17.02.1, 17.02.13, 17.1.6.2.1.1, 17.1.6.2.4]

It is alleged that for the summers of 2005, 2006, 2007, 2008 and 2009, the institution's football program violated NCAA legislation governing playing and practice seasons when it permitted graduate assistant coaches, a student-assistant coach, noncoaching sport-specific staff members and student managers to monitor and/or conduct voluntary summer workouts. Specifically:

- a. During the 2005, 2006 and 2007 summers, graduate assistant coaches and noncoaching sport-specific staff members (e.g., video graduate assistants) monitored and conducted skill-development activities that occurred two days a week, even though they were not countable coaches or strength and conditioning coaches who performed such duties on a department-wide basis. Additionally, some of the graduate assistant coaches and noncoaching sport-specific staff members sometimes observed seven-on-seven passing activities and provided advice and/or corrections to football student-athletes pertaining to technique.
- b. During the 2008 and 2009 summers, graduate assistant coaches and noncoaching sport-specific staff members (e.g., director/coordinator of player development, a student-assistant coach, quality control graduate assistants and a student manager) monitored and conducted skill-development activities that occurred two days a week, even though they were not countable coaches or strength and conditioning coaches who performed such duties on a department-wide basis. Additionally, some of the graduate assistant coaches and noncoaching sport-specific staff members sometimes observed seven-on-seven passing activities and provided advice and/or corrections to football student-athletes pertaining to technique.

NOTICE OF ALLEGATIONS

Case No. M330

August 4, 2010

Page No. 5

---

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

Also, please provide the following:

- a. A description of skill development, including specific activities pertaining to each player position. Also, please describe the use of any equipment, including, but not limited to, blocking/resistance sleds, tennis balls and taped towels in skill development.
- b. A description of seven-on-seven passing activities, including the specific player positions involved and where the seven-on-seven activities would occur.
- c. In chronological order beginning with the 2005-06 academic year through the fall semester of the 2009-10 academic year, a copy of any rules-education materials (not already provided in response to Allegation No. 1) provided to the football staff pertaining to voluntary athletically related activities and the involvement of countable coaches in the sport of football, noncoaching sport-specific staff members affiliated with football and strength and conditioning coaches.
- d. From Mike Kerin's, director of football operations' 2005, 2006 and 2007, West Virginia University (West Virginia) Football Hideaway booklets provided to the enforcement staff May 5, 2010, a copy of the sections titled Staff Responsibilities, Beanie Bowl Checklist, and, Strength and Conditioning Notes. Also, please bring one complete copy of each of the 2005, 2006 and 2007 Hideaway materials for the committee's review should copies be requested at the hearing.
- e. A description of the intercollegiate athletics participation and subsequent affiliation with the West Virginia football program for any student assistant coaches, including [REDACTED] and [REDACTED]
- f. In chronological order beginning with the 2005-06 academic year through the fall semester of the 2009-10 academic year, provide a list of the student managers affiliated with the football team and a description of the institution's system of oversight and any rules education provided to the student managers. Also, please provide a description of the background for student managers [REDACTED] and [REDACTED] and the specific countable football coach and the primary position (e.g., defensive backs) each worked with.

NOTICE OF ALLEGATIONS

Case No. M330

August 4, 2010

Page No. 6

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- g. In chronological order beginning with the 2005-06 academic year through the fall semester of the 2009-10 academic year, a copy of any rules-education materials (not already provided in response to Allegation No. 1) provided to the strength and conditioning staff pertaining to voluntary athletically related activities and the involvement of countable coaches in the sport of football, noncoaching sport-specific staff members, and strength and conditioning coaches.
- h. A statement indicating the institution's position on whether Rich Rodriguez, former head football coach and Bill Stewart, current head football coach, knew or should have known of the graduate assistants' and the noncoaching sports-specific staff members' involvement with the football program, as noted in this allegation, was impermissible.
- i. A copy of the November 9, 2009, letter from Ed Pastilong, director of athletics, to the enforcement staff, including Attachments A-1 through A-5.

3. [NCAA Bylaw 11.1.2.1]

It is alleged that from the 2005-06 academic year and through the fall semester of the 2007-08 academic year, the scope and nature of the violations detailed in Allegation Nos. 1-a and 2-a demonstrate that Rich Rodriguez, then head football coach, failed to promote an atmosphere of compliance within the football program and failed to adequately monitor the duties and activities of the graduate assistant coaches and the noncoaching sport-specific staff members.

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

4. [NCAA Bylaw 11.1.2.1]

It is alleged that from the spring semester of the 2007-08 academic year through the fall semester of the 2009-10 academic year, the scope and nature of the violations detailed in Allegation Nos. 1-b and 2-b demonstrate that Bill Stewart, head football coach, failed to promote an atmosphere of compliance within the football program and failed to adequately monitor the duties and activities of the graduate assistant coaches and the noncoaching sport-specific staff members.

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

NOTICE OF ALLEGATIONS

Case No. M330

August 4, 2010

Page No. 7

---

5. [NCAA Constitution 2.8.1]

It is alleged that from the 2005-06 academic year through the fall semester of the 2009-10 academic year, the scope and nature of the violations detailed in Allegation Nos. 1 and 2 demonstrate that the athletics department failed to adequately monitor its football program to assure compliance regarding the limitations on the number, duties and activities of countable football coaches. Specifically:

- a. Prior to the 2005-06 academic year through the fall semester of the 2007-08 academic year, the compliance staff communicated concerns to the football staff regarding various individuals with interactions with football student-athletes during practice and game-day activities. However, individuals who were considered to be noncoaching sport-specific staff members continued to engage in impermissible activities (e.g., attend position meetings, instruct during scout team meetings) subsequent to the discussions.
- b. From the 2005-06 academic year through the fall semester of the 2009-10 academic year, the football staff failed to consistently communicate to the compliance staff all of the names of the individuals affiliated with the football program, along with an accurate and complete description of the individuals' job responsibilities. This resulted in the compliance staff being unaware at times of the involvement of specific individuals (e.g., student managers, student assistant coaches, academic graduate assistants, quality control graduate assistants) in the football program. As a result, these individuals were not provided rules education or monitored regarding coaching activities.

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

Secondary violation

6. [NCAA Bylaw 17.1.6.1]

It is alleged that for the week of October 22-28, 2006, the football program exceeded the weekly hour limitations for countable athletically related activities by one hour and 15 minutes.

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

NOTICE OF ALLEGATIONS

Case No. M330

August 4, 2010

Page No. 8

---

Information requested by the Committee on Infractions

7. 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.
8. 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.
9. 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.
10. Please provide a statement indicating the dates and titles of all positions at the institution held by individuals identified during the inquiry (not previously requested in this notice) 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.
11. 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.
12. 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. Also, please include the applicable bylaws for each violation, and then indicate



NOTICE OF ALLEGATIONS

Case No. M330

August 4, 2010

Page No. 9

---

the number of secondary violations involving just the sports team named in this notice for the same five-year time period.

13. 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.
14. 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.
15. 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).
  - 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.

## NOTICE OF ALLEGATIONS

Case No. M330

August 4, 2010

Page No. 10

---

- 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.