**Compliance A/PPS No. 01.03 (1.1)**

**Issue No. 2
Effective Date: 02/22/2021
Next Review Date: 11/01/2024 (E3Y)**

**Sr. Reviewer: Director, Athletics**

**01. POLICY STATEMENT**

01.01 Texas State University is committed to the principles of institutional control in operating its Athletics program in a manner consistent with the letter and the spirit of National Collegiate Athletic Association (NCAA), Sun Belt Conference, and university rules and regulations. The Athletics Compliance Office directs this effort and acts as a resource center concerning NCAA regulations and compliance issues. The primary functions of the Athletics Compliance Office are to oversee and verify the accurate and timely completion of NCAA-required procedures and to provide educational programming and interpretive support to ensure that all individuals involved with the Athletics program fully understand the university’s compliance expectations.

**02. SPORTS WAGERING**

02.01 NCAA opposes all forms of legal and illegal sports wagering, which has the potential to undermine the integrity of sports contests and jeopardizes the welfare of student-athletes and the intercollegiate athletics community. NCAA legislation states that Department of Athletics staff members, student-athletes, and affiliated staff (e.g., university president and Faculty Athletics Representatives (FAR)) shall not knowingly:

1. provide information to individuals involved in organized gambling activities concerning intercollegiate athletic competitions;
2. solicit a bet on any intercollegiate team;
3. accept a bet on any team representing the institution;
4. solicit or accept a bet on any intercollegiate competition for any item that has tangible value; or
5. participate in any gambling activity involving intercollegiate athletics or professional athletics, through a bookmaker, a parlay card, or any other method employed by organized gambling.

**03. SPORTS AGENTS**

03.01 All prospective representatives (agents, etc.) wishing to communicate with currently enrolled, student-athletes must be registered with the State of Texas and the Athletics Compliance Office. Texas state law permits athlete-agents to send correspondence regarding services to student-athletes provided copies of such correspondence are also provided to the Athletics Compliance Office. Agents are otherwise prohibited from initiating contact with student-athletes. Student-athletes are expected to notify the Athletics Compliance Office when a prospective representative initiates direct contact.

A student-athlete may contact an agent to schedule a meeting. The agent must notify the Athletics Compliance Office of the proposed meeting. Additionally, the agent must be registered with the Texas Secretary of State Office within seven days of contacting the student-athlete.

**04. PROCEDURE FOR ANNUAL REPORTING**

04.01 The associate Athletic Director for Compliance assists the Athletics Business Manager with annual reporting for EADA, NCAA sport sponsorship, and revenue distribution.

**05. PROCEDURES FOR REPORTING VIOLATIONS**

05.01 In accordance with NCAA rules, all suspected and alleged violations shall be investigated. If the director of Athletics, associate Athletics Director for Internal Operations, assistant Athletics Director for Compliance, or the FAR determine that a violation has occurred, appropriate and adequate corrective measures will be taken, and a report of the violation will be submitted to the NCAA and Conference offices. In responding to rule violations, the institution will evaluate factors such as whether the violation was intentional, if any recruiting or competitive advantage was gained, and whether it was a repeat violation (either same sport or same type).

Texas State emphasizes the importance of educational programming to help the university community be aware of rules and regulations. The institution firmly believes that education is the most effective means of preventing violations. In addition to this focus on education, and in recognition of the complex regulatory framework within which a Division I intercollegiate athletics program operates, policies and procedures have been established to address potential violations.

05.02 Procedures for Reporting Violations

Texas State requires anyone who has knowledge of a potential NCAA or Conference violation to report the information to the director of Athletics, associate Athletics Director for Internal Operations, assistant Athletics Director for Compliance, or the FAR.

Important facts to have available include:

1. date of the violation;
2. individuals involved in the violation; and
3. a description of the violation.

After a potential violation has been reported, the assistant Athletics Director for Compliance will review the information and conduct an investigation to determine if a violation has occurred. The associate Athletics Director for Internal Operations and the FAR will assist in the review of the facts, as needed, and will work with the assistant Athletics Director for Compliance to determine the investigatory procedures. Possible responsibilities include, but are not limited to:

1. reviewing the persons who will be interviewed;

1. selecting the individuals who will be involved in conducting the interviews;
2. creating the interview questions;
3. collecting the necessary documentation; and
4. keeping other officials (e.g., NCAA, The Texas State University System vice chancellor and TSUS General Counsel, Conference) who need to be informed of the allegations up to date with review and outcome of violations.

During the investigation, the assistant Athletics Director for Compliance, associate Athletics Director for Internal Operations, and the FAR will keep each other informed of the progress of the investigation and findings. When the findings are determined, the assistant Athletics Director for Compliance, associate Athletics Director for Internal Operations and the FAR will formulate an action plan to share with the director of Athletics and, if necessary, the university president. The director of Athletics (and the university president, if necessary) shall ultimately approve the action plan before corrective measures are implemented. Once corrective and punitive measures are approved, the assistant Athletics Director for Compliance will prepare a written report to submit to the Conference and NCAA offices. The FAR, the director of Athletics and the associate Athletics Director for Internal Operations will be copied on the submission of all violations.

The assistant Athletics Director for Compliance is responsible for ensuring that all corrective and punitive actions are clearly communicated to the appropriate individuals and carried out.

The Conference and NCAA will review the institution’s report, determine if additional penalties or corrective actions should be taken by the institution and will provide notification to the institution, in writing.

The assistant Athletics Director for Compliance will inform all involved parties of the NCAA findings and will ensure the implementation of any additional required actions.

The director of Athletics is primarily responsible for ensuring that the university president is informed of all investigations and outcome of violations. The assistant Athletics Director for Compliance may communicate issues pertaining to violations directly to the university president as needed or at the request of the university president.

05.03 Procedures for Reporting Alleged Violations Involving other Institutions

If an individual has knowledge of an alleged violation that involves another NCAA member institution, they may report the alleged violation to the assistant Athletics Director for Compliance. The assistant Athletics Director for Compliance will discuss how best to address the situation with the individual who has filed the accusation, coaching staff members in the involved sport, and other departmental staff members, as necessary. After evaluating the allegation, the assistant Athletics Director for Compliance may then contact the compliance director at the accused member’s institution to request that the alleged violation be investigated. In some cases, the assistant Athletics Director for Compliance or the director of Athletics may choose to communicate directly with the Conference or NCAA enforcement staff to request that they initiate contact with the accused institution or its conference office.

05.04 Special Procedures for Reporting Notice of Inquiry from the NCAA

Upon receipt of a Notice of Inquiry from the NCAA enforcement staff regarding a possible major violation, the assistant Athletics Director for Compliance, and the director of Athletics shall inform the university president who shall, in turn, provide immediate notification to the TSUS chancellor, the vice chancellor, and General Counsel. The notification shall include the nature of the alleged major infraction; the NCAA, conference, or institutional bylaw involved; the plan for investigating the allegation; and a corrective action plan.

**06. EDUCATIONAL PROGRAMMING**

06.01 Education programming sessions are conducted each semester to discuss rules and regulation, and attendance is expected for all coaching staff members to discuss required topics, as well as additional topics presented throughout the academic year. Additionally, education sessions are conducted with other departmental and institutional constituents. Educational programming brochures are provided to student-athlete parents or guardians, as well as boosters. Additional education programming sessions for any group is provided based on need, current events, or requests.

**07. INTERPRETATIONS**

07.01 Any individual may request a rule interpretation. Interpretation requests may occur verbally or in writing, via email, phone call, or in-person. Written requests are strongly recommended whenever complicated situations are involved, in order to minimize the chance for potential misunderstandings. All requests for NCAA rules interpretations should be handled through the Athletics Compliance Office. Coaches and staff members outside of the Athletics Compliance Office are not permitted to contact the NCAA National Office or the Sun Belt Conference Office directly to request a rules interpretation.

**08. COMPLIANCE MANUAL**

08.01 The [Athletics Compliance Manual](http://www.txstatebobcats.com/sports/2010/7/27/GEN_0727101251.aspx) should be referenced for additional compliance policies and procedures.

**09. REVIEWERS OF THIS PPS**

09.01 Reviewer of this PPS includes the following:

Position Date

Director, Athletics November 1 E3Y

**10. CERTIFICATION STATEMENT**

This PPS has been approved by the following individuals in their official capacities and represents Texas State Athletics policy and procedure from the date of this document until superseded.

Director, Athletics; senior reviewer of this PPS

President