

**Ruling of Canadian Interuniversity Sport (CIS) Discipline Committee  
Regarding a self-disclosure of the University of Manitoba**

Decision Rendered: April 5, 2004

**CIS DISCIPLINE COMMITTEE:**

Pat Murray, Athletic Director, York University (chair)  
Sandy Slavin, Athletic Director, University of Lethbridge  
Bob Dubeau, Athletic Director, McGill University  
Derryl Smith, Athletic Director, St. Thomas University

**PROCESS:**

In accordance with Section 90.40 – Conduct and Enforcement: Complaints, Investigation and Discipline Policy of the 2003 Canadian Interuniversity Sport (CIS) Policies and Procedures, the CIS Discipline Committee convened a discipline hearing on March 16 to hear the formal charge and to impose sanctions, if any, with respect to a self-disclosed breach of CIS regulations by the University of Manitoba. The hearing was conducted by way of a review of documentary evidence and an oral hearing.

**DETAILS:**

- In the process of submitting a compassionate appeal on behalf of men's wrestling team member Jeffrey Schellenberg, it was determined that Mr. Schellenberg had participated while ineligible during academic year 1999-2000.
- Mr. Schellenberg enrolled at the University of Manitoba during the 1998 fall semester, where he trained with the University wrestling team; he was enrolled in two fall semester courses (6 credit hours) and one full fall/winter course (6 credit hours).
- Due to personal circumstances, Mr. Schellenberg withdrew from all of his courses on November 9, 1998, and was provided authorized withdrawals for those courses from the University.
- As Mr. Schellenberg was not registered in sufficient courses to satisfy CIS course load requirements, he was never listed on the initial eligibility roster submitted to the CIS during the 1998 fall semester.
- Mr. Schellenberg resumed his studies at the University for the 1999 winter semester, registering for two winter semester courses (6 credit hours) on December 14 and one winter semester course (3 credit hours) on December 21.
- The University incorrectly recognized Mr. Schellenberg as a January entering student, a designation which carried a requirement to register for and successfully complete 9 credit hours of course work; as such, the University incorrectly advised Mr. Schellenberg of the CIS course load and academic standing requirements to maintain his eligibility.
- In actual fact, as Mr. Schellenberg had registered at the University in the 1998 fall semester, CIS regulations required Mr. Schellenberg to successfully complete 18 credit hours of course work, or be provided a compassionate appeal, in order to be eligible for a subsequent academic year; this was the root of the administrative error by the University.

- Mr. Schellenberg resumed his involvement with the wrestling team during the 1999 winter semester where he participated in sufficient competitions to be charged one year of CIS eligibility.
- Upon conclusion of the wrestling season, but prior to the completion of the academic year, Mr. Schellenberg received an authorized withdrawal from the University for one of his winter term courses, successfully completing his remaining two winter term courses (6 credit hours); Mr. Schellenberg subsequently enrolled and successfully completed a 3 credit hour course in the 1999 summer semester, finishing the academic year with a 4.0 GPA and satisfying the requirements that he was advised of by the University.
- At the time, both the Athletic Director and the Administrative Assistant to the Athletic Director reviewed the academic records of student-athletes as part of the University's eligibility verification and monitoring system, with neither recognizing that Mr. Schellenberg had been a September-entry student.
- Mr. Schellenberg continued his participation with the wrestling team during academic year 1999-00, where he achieved CIS Academic All-Canadian honors.
- The remainder of Mr. Schellenberg's academic and athletic history is not considered relevant to the present matter.
- Mr. Schellenberg's compassionate appeal was withdrawn following his compassionate appeal hearing.

## **DECISION:**

Upon hearing the matter, the Discipline Committee has determined that the formal charge has been satisfied, specifically, the University of Manitoba is found to have breached two CIS Regulations:

40.30.1.1 Overview Of Canadian Interuniversity Sport Member Responsibilities

*Each member institution shall put in place an eligibility verification system to accurately monitor the academic status and eligibility of its Canadian Interuniversity Sport student-athletes on an on-going basis. While the Director of Athletics is ultimately responsible for determining eligibility of all athletes at their respective institution, the success of any eligibility verification system is reliant on the combined efforts of the institutions administrators, coaches, and student-athletes.*

40.10.3.3.4 Academic Standing

*Any student-athlete who is ineligible to compete in Canadian Interuniversity Sport competition because the athlete is no longer a student in good standing, must, over and above previously attained academic credits, successfully complete within an academic year; three full courses, or six half courses, or eighteen semester hours at a recognized post-secondary institution where courses are recognized for credit at the member institution registering the Canadian Interuniversity Sport athlete. The student-athlete is eligible for participation immediately upon successful completion of the above academic requirements.*

In the absence of information to the contrary, the student-athlete (Jeff Schellenberg) is considered to be an unwitting participant in the breach.

**SANCTIONS:**

In accordance with Section 90.40, the Discipline Committee has imposed the following sanctions:

- 1) That the University be fined \$500, payable to CIS by May 21.

For information, this decision will be posted to the "Discipline/Appeals Results" section of the CIS website, with a corresponding communication forwarded to all member institution Athletic Directors.

Failure to comply with a penalty shall result in immediate suspension from participation in any and all activities of Canadian Interuniversity Sport, until such time as the University of Manitoba complies. Failure to comply may also give rise to a complaint and the laying of a formal charge.

**RATIONALE:**

In the opinion of the CIS Discipline Committee, the University of Manitoba Athletic Department appears to have had a reasonable eligibility verification and monitoring system in place at the time of the participation of the ineligible student-athlete. Inadvertent human error appears to have been the cause of the breach.

In rendering its decision, the Committee does not consider the breach to have involved a willful or deliberate intention on the part of the University or its Athletic Department to circumvent any eligibility rules. Further, the Committee acknowledges and recognizes the University's immediate acknowledgement and assumption of responsibility for the breach when it was identified, as well as the University's cooperation in the investigation of this self-disclosed breach.