



Date: September 25, 2008

### **Trinity Western University – men’s basketball (2007-08)**

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In accordance with Section 90.40 – Conduct and Enforcement: Complaints, Investigation and Discipline Policy of the 2007 Canadian Interuniversity Sport (CIS) Policies and Procedures, the CIS Discipline Committee determined on September 5 that Trinity Western University (“TWU”) was in breach of CIS regulations, specifically with respect to the participation of an ineligible men’s basketball student-athlete in 8 league games and 2 exhibition contests in 2007-08.

#### **DETAILS**

- The TWU men’s basketball team used an academically ineligible student-athlete in 8 conference games and 2 exhibition games during 2007-08.
- Prior to his attendance and participation in men’s basketball at TWU, the aforementioned student-athlete attended the University of Victoria in 2000-01 and 2001-02, where he did not consume a year of eligibility. The student-athlete then transferred to Queen’s University (Queen’s), consuming a year of eligibility in each of 2002-03 and 2003-04.
- Upon conclusion of 2003-04 at Queen’s, the student-athlete successfully completed 15 credit hours, and as per CIS Policy 40.10.3.3.1 - Academic Standing, became academically ineligible for CIS competition. As per CIS Policy 40.10.3.3.4 - Academic Standing, the student-athlete was then required to successfully complete 18 credit hours within an academic year in order to regain his academic eligibility.
- In 2006-07, the student-athlete resumed his academic studies at Royal Military College (RMC). Despite being academically ineligible for CIS participation, RMC permitted the student-athlete’s participation in 6 pre-season competitions and tournaments, which has already been addressed via CIS Discipline Policy. In any event, the student-athlete consumed his third year of CIS eligibility while at RMC, with his last participation occurring on October 26, 2006. The eligibility status of the student-athlete following his participation at Queen’s in 2003-04 did not come to light until a compassionate appeal was submitted by TWU and processed by CIS in January 2008.
- The student-athlete left RMC in early November 2006 for personal reasons and without formally withdrawing from the school. He did not earn any academic credits at RMC or any other institution in 2006-07. Irrespective of the student-athlete’s ineligibility when entering RMC in the fall of 2006, his academic record for 2006-07 was sufficient to make him academically ineligible until such time that he successfully completed 18 credit hours within an academic year in order to regain his academic eligibility.
- On August 13, 2007, TWU forwarded an Athlete Eligibility Verification Form (for transfer students) to RMC in regard to the student-athlete. RMC returned the form, which indicated (i) that he attended RMC for two months in 06-07, (ii) that he had consumed a year of eligibility in 06-07, and (iii) that he had not successfully completed any academic credits at RMC in 06-07.

- Prior to the start of 2007-08, TWU experienced some staff turnover that saw a new person in the Eligibility Officer position as of August 2007, and a new Registrar. Further, the men's basketball coach was released from his duties in December 2007.
- TWU hosts "SpartanU", which is a full-day orientation session for student-athletes. TWU was unable to confirm if SpartanU specifically addressed the issue of Academic Standing Requirements for transfer student-athletes. Further, the student-athlete in question was excused for a portion of the orientation session, and TWU could not confirm which portion of the presentation (and information) he might have missed during his absence.
- As part of its eligibility verification and monitoring process, TWU requires all its student-athletes to complete and submit the following forms: (i) Student-Athlete Acknowledgement Form, (ii) Student-Athlete Registration Form, and (iii) Participant Waiver. These forms are traditionally completed at the first day of practice for each respective team.
- Due to an administrative oversight, TWU student-athletes were not provided a Student-Athlete Registration Form to complete in 2007-08. This one form was inadvertently missed in the forms that were provided to student-athletes for the academic year; the other two forms were provided.
- The Admissions Office had not received a copy of the student-athlete's 2006-2007 RMC transcript prior to his TWU admission, and therefore the Office could not verify the student-athletes academic eligibility coming out of 2006-07; the student-athlete was admitted on the basis of his earlier university academic record.
- The standard process for developing a team's eligibility certificate at TWU is as follows:
  - Student-athletes complete the requisite paperwork at TWU.
  - The Coach compiles the initial eligibility list of players who are expected to compete for the team; the Coach is the first level of review for both athletic and academic eligibility based upon the forms submitted by the student-athletes
  - The list is then provided to the Eligibility Officer for a second and more thorough review of athletic and academic eligibility, inclusive of transfer-related forms.
  - The above list is then forwarded to the Registrar's Office to verify the academic eligibility of the players list.
  - The Eligibility Certificate is completed, and any new names or additions undergo the same process before being added.
  - TWU prepares its game rosters by using the Eligibility Certificate in conjunction with its weekly academic monitoring system.
- With respect to the role of the Registrar's Office, the Office experienced staff turnover prior to the start of 2007-08 and in the transition it appears as though athlete eligibility verification was limited to the current year's Course Load Requirements, and not the prior year's Academic Standing Requirements for the student-athlete in question
- On November 2, the student-athlete participated in his first of eight league games and two exhibition games as a TWU student-athlete; TWU appropriately held him out of competition until at least October 27 in accordance with Policy 40.10.5.4.2 – Transfer Rule.
- In December 2007, the TWU Admissions Office placed a "hold" on the student-athlete's account that could "de-enroll" him from his spring semester (January-April) courses; the Admissions Office took this action as it had not yet received a copy of the student-athlete's 2006-07 RMC transcript.

- On January 2, 2008, the TWU Athletic Department was made aware that the student-athlete was being “de-enrolled” from his spring term courses, and thus would be ineligible for competition until such time that he was registered in sufficient courses to comply with Policy 40.10.3.2.1 – Course Load Requirements. Immediately thereafter, it was identified that the student-athlete had been academically ineligible on the basis of not satisfying Academic Standing Requirements in 2006-07.
- TWU’s academic monitoring system for Course Load Requirements is an automated system that is completed every Tuesday from mid- August through to April; the student-athlete was registered in 12 credit hours in the fall term and until the actions of the Admissions Office, he had been pre-registered in 12 credit hours in the spring semester.
- TWU immediately forwarded notification to Canada West and CIS that there may be an issue with the eligibility of the student-athlete in question.
- TWU submitted a compassionate appeal on behalf of the student-athlete to waive Academic Standing Requirements for 2006-07, which was subsequently denied.
- Upon receiving notification of the denied compassionate appeal, TWU immediately issued a formal apology to all affected parties and requested that all games won by TWU (in which the ineligible student-athlete participated) be forfeited. Canada West subsequently confirmed the forfeiture of those games.
- In the end, the student-athlete was never “de-enrolled” from his spring semester courses and went on the successfully complete 21 credit hours in the academic year.

## **Regulations in Issue**

The applicable regulations that are confirmed to have been breached by TWU include:

- 40.30.1.1 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.
- 40.30.1.3 Each member institution shall be responsible for ensuring that their Canadian Interuniversity Sport student-athletes are aware of Canadian Interuniversity Sport Eligibility Rules (Policy 40.10) and Doping Control Rules (Policy 90.20).
- 40.30.3.2.2 The Student-Athlete Registration Form for each student-athlete must be retained by the institution, and must be able to be provided to the CIS office immediately upon request.

Specific to 40.30.1.1 above and the participation of the student-athlete, the following regulation is confirmed to have been breached:

- 40.10.3.3.4 Any student-athlete who is ineligible to compete in CIS competition because the athlete is no longer a student in good standing, must 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 CIS athlete. The

student-athlete is eligible for participation immediately upon successful completion of the above academic requirements.

**IT IS DETERMINED THAT:**

1. TWU did not adequately prepare and support the individual who was newly assigned to be responsible for athlete eligibility and monitoring in advance of academic year 2007-08.
2. There was uncertainty within the TWU Registrar's Office with respect to the application of Academic Standing Requirements to the student-athlete in question that was transferring from another CIS member institution; this was likely the result of the recent turnover in staff within the Office.
3. TWU was negligent in its oversight of not providing a Student-Athlete Registration Form to its student-athletes in 2007-08.
4. It was the combination of the above three shortcomings, particularly the first two, that resulted in TWU permitting the ineligible student-athlete to participate in competition; had only one of the above occurred, it is expected TWU would have identified the ineligibility of the student-athlete prior to his eventual participation.
5. Notwithstanding the above occurrences, TWU is considered to have an adequate system for verifying the eligibility of students-athletes and for educating its student-athletes, although as with any system, improvements can be made.
6. The student-athlete in question shares responsibility for his participation while ineligible, however it is acknowledged that due to a variety of personal circumstances and choices, he has consumed four years of eligibility for his participation in what equates to a little more than two seasons of competition.
7. The student-athlete in question provided the information that was asked of him by TWU prior to TWU approving his participation.
8. The above determinations are made without prejudice and subject to change should subsequently discovered facts or evidence suggest otherwise.

**THE FOLLOWING SANCTIONS ARE IMPOSED:**

1. TWU is hereby fined \$1,500 for the errors and deficiencies that led to the breach of CIS regulations, payable by October 31, 2008;
2. TWU shall undertake such procedural, structural or other changes as may be required to minimize the chance of future violations, and shall provide a progress report regarding its efforts to the CIS by December 1, 2008;
3. TWU shall pay \$250 to the CIS for its costs of these proceedings, payable by October 31, 2008.
4. The student-athlete will receive a letter of reprimand from the CIS and will be required to confirm his sharing of that letter to another CIS member institution should he choose to use his fifth and final year of CIS eligibility at another CIS member institution.