Lightfoot

NEWS & INSIGHTS

LIGHTFOOT'S TAKE ON CHARLESTON SOUTHERN UNIVERSITY'S FAILURE TO MONITOR

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On October 17, 2018, the Division I Committee on Infractions (COI) found that Charleston Southern University (CSU) failed to monitor its athletics program when it improperly certified 55 student-athletes in 12 sports over a six-year period. The university also did not monitor policies designed to ensure the correct administration of book scholarships. The case, resolved via the summary disposition process, was classified as Level II-Standard. After reviewing the summary disposition report, the COI panel proposed additional penalties in addition to those self-imposed by the institution, all of which CSU accepted.

BACKGROUND

There was no dispute as to the improper certification of student-athletes. The COI determined that many of the improper certifications resulted from the institution's failure to verify student-athletes' final amateurism status with the NCAA Eligibility Center. As a result of these missteps, student-athletes practiced, competed, received athletically related aid and/or received actual and necessary expenses while ineligible.

There was also no disagreement that CSU failed to monitor its athletics programs over the multi-year period despite knowing of potential shortcomings in its compliance program as early as 2011. The panel determined that CSU failed to adequately address these known compliance issues, which resulted in violations continuing through the 2016-17 academic year. Instead of implementing recommended measures, CSU continued to use inadequate or non-existent policies and procedures and failed to provide sufficient rules education to appropriate individuals.

KEY TAKEAWAYS

1. The panel concluded that CSU's certification violations were consistent with other Level II cases even in light of the other systemic failures at CSU (*i.e.*, book scholarships and neglect in addressing highlighted compliance issues). The panel stated that these additional facts "may have supported a lack of institutional control" violation, but ultimately determined to accept the parties' agreed-upon failure to monitor violation; and

2. The panel reiterated that, while "some Division I institutions face unique funding challenges, the commitment to compliance is a basic requirement. When inadequate compliance systems and operations are identified, dedicating the sufficient resources to remedy those issues is not optional. Rather, it is an obligation of Division I membership. . . . [I]nstitutional leadership must act swiftly to address known compliance failures with adequate resources."