



## INDEPENDENT ACCOUNTABILITY RESOLUTION PROCESS

FOR RELEASE: December 20, 2021

**NC State former assistant men's basketball coach arranged and accepted \$40,000 payment; men's basketball program provided other impermissible entertainment and recruiting benefits**

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INDIANAPOLIS – The NC State men's basketball program provided numerous impermissible entertainment and recruiting benefits that resulted in various violations related to recruiting inducements, extra benefits, head coach's responsibility, unethical conduct and the monitoring of the men's basketball office pass list, according to a decision released by the Independent Resolution Panel of the NCAA's Independent Accountability Resolution Process.

The case primarily arose from a \$40,000 payment the former assistant men's basketball coach arranged and accepted from an apparel company outside consultant, based on the representation that he would deliver the money to the family of prospective student-athlete No. 1 to ensure his continued commitment to NC State.

The former assistant men's basketball coach provided numerous impermissible entertainment and recruiting benefits to various prospective student-athletes, prospective student-athlete No. 1's family and friends, and individuals responsible for directing the activities of prospective student-athletes. The former assistant men's basketball coach also failed to cooperate with the NCAA enforcement staff and the Complex Case Unit's investigations.

Additionally, the former head men's basketball coach failed to monitor the former assistant men's basketball coach with respect to the role of an apparel company outside consultant in the recruitment of prospective student-athlete No. 1.

NC State failed to monitor the provision of complimentary admissions on the men's basketball office pass list; provided impermissible recruiting benefits to prospective student-athletes; and exceeded the countable coach limit for men's basketball.

### Violations

The Independent Resolution Panel determined that this case involves Level I, II and III violations of NCAA legislation. The Independent Resolution Panel concluded that the following **Level I violations occurred**:

1. The former assistant men's basketball coach was involved, directly or indirectly, in arranging to provide prospective student-athlete No. 1 with a recruiting inducement of \$40,000 and knew of third-party involvement in a recruiting violation. He was involved in a cash payment from the apparel company outside consultant to secure the enrollment of prospective student-athlete No. 1. These intentional violations demonstrate a reckless indifference to NCAA constitution and bylaws.
2. The former assistant men's basketball coach falsified the designation of the former trainer on the men's basketball office pass list, so he would appear eligible for complimentary admissions, thus knowingly providing recruiting inducements. He acted intentionally, unethically and with dishonesty, violating the principle of ethical conduct and demonstrating a reckless indifference to the NCAA constitution and bylaws.
3. The former assistant men's basketball coach falsified the designation of prospective student-athlete No. 1's friends and family so they would appear eligible for complimentary admissions on the men's basketball office pass list, thus knowingly providing an extra benefit to prospective student-athlete No. 1 after his enrollment at NC State. The former assistant men's basketball coach acted intentionally, unethically and with dishonesty, violating the principle of ethical conduct and demonstrating a reckless indifference to the NCAA constitution and bylaws.
4. The former head men's basketball coach failed to monitor the activities of his direct report, the former assistant men's basketball coach, which led to a direct or indirect arrangement for financial benefits to prospective student-athlete No. 1.
5. The former assistant men's basketball coach failed to cooperate with the enforcement staff and the Complex Case Unit by refusing to participate in interviews; failing to respond to records requests; failing to provide information relevant to the investigation; failing to respond to the amended notice of allegations; and failing to appear at the hearing.

The Independent Resolution Panel concluded that the following **Level II violations occurred**:

1. The former assistant men's basketball coach violated restrictions on entertainment benefits on 26 occasions when he provided approximately \$2,119 in entertainment benefits to a former trainer in

the form of 44 impermissible complimentary admissions on the men's basketball office pass list.

2. The former assistant men's basketball coach violated restrictions on entertainment benefits on 13 occasions when he provided approximately \$4,562 in benefits in the form of 106 impermissible complimentary admissions on the men's basketball office pass list to prospective student-athlete No. 1's family and friends.
3. Men's basketball staff members violated restrictions on entertainment benefits when they provided approximately \$862 in benefits in the form of 14 impermissible complimentary admissions on the men's basketball office pass list to two individuals responsible for directing activities in which prospective student-athletes were involved.
4. NC State failed to adequately monitor the provision of complimentary admissions on the men's basketball office pass list. NC State also failed to establish an adequate system to monitor the provision of complimentary admissions on the men's basketball office pass list.

The Independent Resolution Panel concluded that the following **Level III violations occurred**:

1. The then-director of basketball operations arranged for approximately \$80 in impermissible recruiting inducements in the form of special parking during an unofficial campus visit.
2. The former head men's basketball coach's former colleague attended a recruiting event at the invitation of the former head men's basketball coach, which caused him to be a countable coach, resulting in NC State exceeding the countable coach limitations. The former colleague is also considered a representative of athletics interests.

#### Penalties

The Independent Resolution Panel concluded that this case involves Level I, II and III violations of NCAA legislation. Based on its assessment, the Independent Resolution Panel classifies this case as Level I-Mitigated for NC State, Level I-Mitigated for the former head men's basketball coach and Level I-Aggravated for the former assistant men's basketball coach. The Independent Resolution Panel used the Division I membership-approved 2020-21 penalty guidelines to prescribe the following penalties:

1. Core penalties
  - a. NC State
    - A \$5,000 fine (self-imposed), plus 0.5% of its 2021-22 men's basketball budget.

- A reduction in the total number of men's basketball scholarships for the incoming class of the 2021-22 academic year by one, from the permissible total of 13, or if a scholarship becomes available prior to the 2021-22 academic year (self-imposed).
  - For the 2022-23 academic year or the first available opportunity, a reduction in the total number of grant-in-aid awards by one men's basketball scholarship.
  - A reduction in the number of official visits in men's basketball by one during the 2019-20 and 2020-21 academic years (self-imposed).
  - A ban on unofficial visits in men's basketball during a two-week period during the 2019-20 academic year (self-imposed).
  - A four-week recruiting communication (telephone and written correspondence) ban in men's basketball for the 2021-22 academic year.
  - An eight-day reduction in the number of recruiting person days in men's basketball for the 2021-22 academic year including the summer.
  - One-year probation.
- b. Former Head Coach  
A one-year show-cause order.
- c. Former Assistant Coach  
A six-year show-cause order.
2. Additional Penalties:
- a. Public reprimand and censure.
  - b. Vacation of records in the men's basketball program in which an ineligible student-athlete participated.

**More information about the case, including the case decision and case timeline, can be found at [iarpcc.org/referred-cases/north-carolina-state-university/](http://iarpcc.org/referred-cases/north-carolina-state-university/).**

About the Independent Accountability Resolution Process

The Independent Accountability Resolution Process is responsible for reviewing select complex Division I infractions cases with the goal of increasing accountability in intercollegiate athletics by creating an alternative to the NCAA's peer-review process. For more information, visit: [iarpcc.org](http://iarpcc.org).

About the Independent Resolution Panel

The Independent Resolution Panel is comprised of 15 Independent Accountability Resolution Process members with legal, higher education and/or sports backgrounds. Once a Division I infractions case is accepted into the Independent Accountability Resolution Process, a software program randomly generates a five-member panel, plus one alternate, to serve as the hearing panel for that infractions case. The Independent Resolution Panel five-member panel, plus one alternate, is then appointed by the Independent Accountability Resolution Process' Independent Accountability Oversight Committee. The Independent Resolution Panel members who reviewed this case are: Dana Welch, an arbitrator, who served as chief panel member for this Independent Resolution Panel; David Benck, vice president, general counsel and assistant secretary for a retail company; Joan Cronan, the former women's director of athletics (retired); Javier Flores, a managing partner and litigator; and Hugh Fraser, a mediator and arbitrator.

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Media Contact:  
Amy Hanna  
[Borshoff@iarpcc.org](mailto:Borshoff@iarpcc.org)  
812-785-8114