

NOTE: The first bullet of the penalty for the former head men's basketball coach has been changed. "[E]valuation and/or contact period" was changed to "recruiting period(s)."



INDEPENDENT ACCOUNTABILITY RESOLUTION PROCESS

FOR RELEASE: June 22, 2023

Louisiana State University failed to monitor its football and men's basketball programs, resulting in impermissible benefits and recruiting violations; former head men's basketball coach committed multiple violations, failed to cooperate with the infractions investigation, and knowingly provided false or misleading information

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INDIANAPOLIS – According to a decision released by the Independent Resolution Panel of the NCAA's Independent Accountability Resolution Process, Louisiana State University failed to monitor representatives of athletics interests in its football program and the activities of individuals recruiting in its men's basketball program, resulting in the provision of impermissible benefits and recruiting violations. Additionally, a former head men's basketball coach committed multiple violations, including failing to report potential NCAA violations, providing impermissible cash payments to impede disclosure of information of potential NCAA violations in contradiction to NCAA unethical conduct legislation, and failing to cooperate with the infractions investigation. The hearing panel also found that the former head men's basketball coach violated the head coach responsibility rules by failing to promote an atmosphere of compliance within the men's basketball program. However, the hearing panel found no violations for the former assistant men's basketball coach No. 1.

This infractions case consisted of violations occurring from 2012 through 2020 in the football and men's basketball programs and involved numerous procedural requests. In addition, the chief panel member resolved multiple procedural issues primarily related to the complete and timely production of records during the investigation.

Football Program

According to the case decision, the football program portion of this infractions case involved the provision of impermissible benefits by two of LSU's representatives of athletics interests and an impermissible recruiting contact by the former head football coach. A portion of the football conduct in this infractions case came to light through disclosure in a federal criminal investigation of a money-laundering scheme perpetrated by representative of athletics interests No. 1. The hearing panel found that the institution failed to monitor two representatives of athletics interests (representative of athletics interests Nos. 1 and 2). Representative of athletics interests No. 1 provided impermissible benefits which resulted in former football student-athlete No. 1 competing in 50 contests while ineligible, and representative of athletics interests No. 2 provided \$2,000 in impermissible cash payments to four football student-athletes. Further, the hearing panel found that the former head football coach had an impermissible recruiting contact with a football prospective student-athlete.

Extra Benefits Provided to the Family of Former Football Student-Athlete No. 1

The case decision states that beginning in or about 2012 and continuing through September 2018, representative of athletics interests No. 1 was a resident of Baton Rouge, Louisiana, and was employed as a former president at a non-profit foundation. During this time, representative of athletics interests No. 1 was also a donor to the Tiger Athletic Foundation and LSU season ticket holder.

According to the case decision, the representative of athletics interests No. 1 was introduced to the parents of former football student-athlete No. 1 in 2012/early 2013 by the assistant athletic director,

football operations at LSU. Representative of athletics interests No. 1 offered to employ the mother of former football student-athlete No. 1 at a hospital system affiliated with foundation and to also employ the father of former football student-athlete No. 1 at the foundation. The case decision states that February 16, 2012, the representative of athletics interests No. 1 paid the father of former football student-athlete No. 1 \$3,150, followed by recurring monthly payments of \$3,000 for nearly five years as a retainer from the foundation. The total value of the benefits was approximately \$180,150; however, the father of former football student-athlete No. 1 worked no more than five events during this time.

Father of former football student-athlete No. 1 received payments for work that was not performed from the foundation, which the hearing panel determined to be extra benefits provided to the family member of a student-athlete, in violation of NCAA Bylaw 16.11.2.1. The case decision states that the father of former student-athlete No. 1 received the extra benefits from February 16, 2012, through January 2017, making former football student-athlete No. 1 ineligible to compete. Former football student-athlete No. 1 competed while ineligible in 50 contests during this time. The institution did not become aware of, nor report, former football student-athlete No. 1's ineligibility to the NCAA until November 2018, and the representative of athletics interests No. 1 continued to be a representative of athletics interests until October 1, 2020, according to the case decision.

Because of the former representative of athletics interests No. 1's status as a representative of athletics interests, LSU had a heightened obligation to monitor his interactions with any student-athletes or their families. The institution failed to do so. Therefore, the hearing panel found a violation for LSU for failure to monitor the activities of a representative of athletics interests.

Extra Benefits Provided by Representative of Athletics Interests No. 2

On January 13, 2020, following the College Football Playoff National Championship game, representative of athletics interests No. 2 (a former football student-athlete), provided \$800 and \$500 in cash to football student-athletes Nos. 1 and 2, respectively, while on the field immediately

following the contest. The same night, representative of athletics interests No. 2 provided football student-athletes Nos. 3 and 4 with \$500 and \$200 in cash, respectively. The hearing panel found these payments were extra benefits in violation of Bylaw 16.11.2.1, according to the case decision.

Because representative of athletics interests No. 2 had access to student-athletes following the National Championship game, LSU had a heightened obligation to monitor representative of athletics interests No. 2's activities in and around student-athletes. The institution failed to do so. Therefore, the hearing panel found a failure to monitor violation for LSU regarding monitoring the activities of a representative of athletics interests.

Impermissible Recruiting Contact by Former Head Football Coach

On January 17, 2019, the former head football coach had an impermissible recruiting contact with a 2020 football prospective student-athlete in the office of the football prospective student-athlete's high school coach. The former head football coach engaged in dialogue in excess of a greeting during the meeting, did not take appropriate steps to terminate the encounter when he discussed recruiting with the high school coaches in the presence of the football prospective student-athlete, and invited the football prospective student-athlete to the institution's Junior Day. Because the meeting occurred prior to July 1 following the completion of the football prospective student-athlete's junior year, the hearing panel found that the meeting violated Bylaws 13.01.2 and 13.1.1.1.

Men's Basketball Program

The case decision states that the men's basketball portion of this infractions case initially arose from the U.S. Attorney's Office for the Southern District of New York case. However, the majority of the allegations argued by the Complex Case Unit in this infractions case were not primarily related to activities in the SDNY case. After reviewing the comprehensive case record, the hearing panel found violations in the men's basketball program related to a failure to report potential NCAA violations, impermissible cash payments to impede disclosure of information regarding potential NCAA

violations in contradiction to NCAA unethical conduct legislation, failure to cooperate with the investigation, failure to promote an atmosphere of compliance by the former head men's basketball coach, impermissible recruiting, and impermissible in-person contact with the parents of a prospective student-athlete.

Payment to Former Fiancée of Former Men's Basketball Student-Athlete at NCAA Division I Institution A and Efforts to Prevent Disclosure of Potential Violations

The former head men's basketball coach began coaching former men's basketball student-athlete at NCAA Division I Institution A at the collegiate level in 2015. The two developed a close relationship, with the former head men's basketball coach later helping former men's basketball student-athlete at NCAA Division I Institution A find a career playing basketball in Europe. In June 2017, former men's basketball student-athlete at NCAA Division I Institution A sustained career-ending basketball injuries and subsequently encountered difficulties financially supporting himself, his former fiancée and their child.

On July 25, 2017, the former head men's basketball coach exchanged several text messages with the former fiancée of former men's basketball student-athlete at NCAA Division I Institution A as detailed on pages 15 through 21 of the case decision. Also on July 25, 2017, the former fiancée and the former head men's basketball coach spoke on the telephone. The case decision notes that the next day, the former head men's basketball coach retained legal counsel because he believed the former fiancée was trying to extort him by threatening to publicly disclose information regarding potential NCAA violations related to impermissible extra benefits and inducements. On advice of counsel, the former head men's basketball coach continued his communications with the former fiancée. Based on a comprehensive review of the text message exchanges with the former fiancée prior to August 2017, the hearing panel concluded that credible and persuasive information supports the conclusion that the former head men's basketball coach violated NCAA unethical conduct bylaws when he made payments to the former fiancée in direct proximity to her requests for money to avoid disclosure of potential impermissible benefits and activities. Additionally, the former head men's basketball coach

did not report the request for money and the threat to publicly disclose potential violations to LSU's compliance office, which the hearing panel found to be in violation of NCAA general principles of honesty and sportsmanship.

Former Head Men's Basketball Coach Involved Former Men's Basketball Student-Athlete at NCAA Division I Institution A in Recruiting

The case decision also contains a series of text message exchanges between former men's basketball student-athlete at NCAA Division I Institution A, the former head men's basketball coach and the wife of former head men's basketball coach occurring from August 2017 through April 2018. Based on the information noted in the case decision, the hearing panel determined these text exchanges suggested the former head men's basketball coach provided payments to former men's basketball student-athlete at NCAA Division I Institution A. In or around April 2018, basketball prospective student-athlete No. 4 from another university contacted former men's basketball student-athlete at NCAA Division I Institution A about the NCAA basketball transfer process, as LSU was among the institutions to which basketball prospective student-athlete No. 4 was considering transferring. Former men's basketball student-athlete at NCAA Division I Institution A was a friend of basketball prospective student-athlete No. 4's family and told the former head men's basketball coach he had influence over basketball prospective student-athlete No. 4's transfer decision.

Between April 2 and 7, 2018, a series of text messages between the former head men's basketball coach and former men's basketball student-athlete at NCAA Division I Institution A occurred, followed by text message exchanges April 9, 2018, between the former head men's basketball coach, the LSU director of basketball operations, and former men's basketball student-athlete at NCAA Division I Institution A, as detailed on pages 26 through 34 of the case decision. The hearing panel concluded the content of the text messages demonstrated that the former head men's basketball coach provided direction to former men's basketball student-athlete at NCAA Division I Institution A regarding the recruitment of basketball prospective student-athlete No. 4, and this direction makes former men's basketball student-athlete at NCAA Division I Institution A an impermissible recruiter,

per Bylaw 13.1.2.1. However, the hearing panel determined that the August 2017 through April 2018 text message exchanges between former men's basketball student-athlete at NCAA Division I Institution A and the former head men's basketball coach did not contain sufficient credible information to find that the payments were related to former men's basketball student-athlete at NCAA Division I Institution A's recruitment of basketball prospective student-athlete No. 4. As such, the hearing panel did not find those payments to be recruiting inducements.

Failure to Cooperate and the Provision of False and Misleading Information by the Former Head Men's Basketball Coach

The case decision states that from the beginning of the infractions case investigation December 3, 2018, through August 20, 2021, the former head men's basketball coach delayed full production of records and documents and knowingly provided false or misleading information regarding his knowledge of and/or involvement in possible violations of NCAA legislation. These actions seriously undermined and threatened the integrity of the NCAA Collegiate Model; therefore, the hearing panel found these actions constituted violations of ethical conduct and a failure to cooperate bylaws for the former head men's basketball coach.

Failure to Promote an Atmosphere of Compliance by the Former Head Men's Basketball Coach

The hearing panel also found that the former head men's basketball coach was presumed responsible for the violations found in the men's basketball program, and due to his direct involvement in these violations, he failed to rebut the presumption of responsibility. Due to his personal involvement in the violations, the former head men's basketball coach failed to promote an atmosphere of compliance in the men's basketball program, in violation of Bylaw 11.1.1.1.

Violations Not Found for the Former Head Men's Basketball Coach

The hearing panel found no violations for the former head men's basketball coach in regard to

portions of allegation Nos. 4, 7 and 9, including insufficient credible and persuasive information to establish that the former head men's basketball coach offered recruiting inducements in the form of cash payments or job offers related to the recruitment of basketball prospective student-athlete No. 1. Additionally, the hearing panel found that the former head men's basketball coach did not fail to cooperate with the NCAA enforcement staff's and Complex Case Unit's investigations related to allegation No. 9. The former head men's basketball coach was not an account holder, authorized signatory, or authorized user of a bank account jointly held by the wife of former head men's basketball coach and his mother and, therefore, the former head men's basketball coach had no authority to relinquish the bank records to enforcement or the Complex Case Unit, according to the case decision.

Recruiting Inducements Were Not Offered or Provided by Former Assistant Men's Basketball Coach No. 1

The hearing panel determined there was insufficient credible and persuasive information to establish that former assistant men's basketball coach No. 1 offered or provided recruiting inducements to basketball prospective student-athlete No. 1, his family members or associates, according to the case decision. The case record did not contain specific corroborating information other than recollections of conversations between former assistant men's basketball coach No. 1 and the cousin of basketball prospective student-athlete No. 1; however, their accounts of the situation were conflicting. Therefore, the hearing panel's determination rested on which of the two individuals it found credible. Based on the information contained in the case record and at the hearing, the hearing panel found former assistant men's basketball coach No. 1 to be highly credible, and his version of events to be persuasive. As a result, the hearing panel found no violations for former assistant men's basketball coach No. 1, according to the case decision.

Impermissible In-Person Contact with the Parents of Basketball Prospective Student-Athlete No. 3 by the Former Head Men's Basketball Coach and Former Assistant Men's Basketball Coach No. 1

According to the case decision, February 28, 2019, the former head men's basketball coach and former assistant men's basketball coach No. 1 traveled to Birmingham, Alabama, to watch the boys' basketball state finals, which included a game played by basketball prospective student-athlete No. 3's high school team. Following the game, the former head men's basketball coach and former assistant men's basketball coach No. 1, along with some family and friends, went to a local restaurant. While they were finishing their meal, the parents of basketball prospective student-athlete No. 3 ordered their food and sat down at the same table as the former head men's basketball coach and former assistant men's basketball coach No. 1. The former head men's basketball coach exchanged a brief greeting with the parents of basketball prospective student-athlete No. 3. After a few minutes, the former head men's basketball coach, former assistant men's basketball coach No. 1 and the rest of their group left the restaurant. Neither coach reported the encounter to LSU's compliance office, and a photograph of the meeting surfaced on Instagram a few days later. Based on the facts noted in the case decision, the hearing panel found that the former head men's basketball coach and former assistant men's basketball coach No. 1 had impermissible in-person contact with the parents of basketball prospective student-athlete No. 3 on the same day in which the student-athlete competed, which is in violation of Bylaw 13.1.6.2.1-(a). However, the hearing panel did not find sufficient credible and persuasive information to support that the in-person contact had been prearranged or any other information that would support the hearing panel finding the violation to be Level II as alleged.

Failure to Monitor by the Institution

Because of the scope and nature of the violations for the LSU football and men's basketball programs, the hearing panel found a failure to monitor violation for the institution. After reviewing the comprehensive case record, the hearing panel found the institution failed to monitor the activities of representatives of athletics interests in its football program and failed to monitor the individuals involved in recruiting in its men's basketball program based on the facts underlying allegation Nos. 1, 2, 5 and 7. The hearing panel found that LSU demonstrated it had a thorough rules education program for its representatives of athletics interests and men's basketball coaches. However, the institution did not actively and fully monitor and investigate the activities of representatives of

athletics interests in its football program concerning one representative of athletics interests' interactions with the family of a student-athlete where there was institutional awareness of their connection. The institution also failed to monitor one representative of athletics interests' interactions with student-athletes during comingled celebratory activities following the winning of a national championship, nor did it meet the heightened monitoring obligations expected in an effectively monitored men's basketball program concerning permissible recruiters.

For more procedural details, please visit <https://iarpc.org/referred-cases/louisiana-state-university/> to view the procedural case timeline and case decision.

Violations and Levels

The Independent Resolution Panel determined that this case involves Level I, II and III violations of NCAA legislation. Based on its review of the case record, the hearing panel concluded the following violations:

Level I Violations:

1. The institution failed to monitor a representative of athletics interests in its football program, which resulted in \$180,150 in impermissible benefits paid by a representative of athletics interests to the father of former football student-athlete No. 1 for unperformed work. Former football student-athlete No. 1 received extra benefits as the result of the impermissible payments to his father, resulting in the student-athlete competing in 50 contests while ineligible.
2. The former head men's basketball coach failed to report that the former fiancée of former men's basketball student-athlete at NCAA Division I Institution A, and an individual in close proximity to men's basketball programs and student-athletes, indicated having information about potential NCAA violations. Further, the former head men's basketball coach made

impermissible payments to the former fiancée to avoid public disclosure of the potential NCAA violations.

3. The former head men's basketball coach violated the NCAA principles of ethical conduct by failing to cooperate in an NCAA investigation and knowingly providing false or misleading information.
4. The former head men's basketball coach failed to promote an atmosphere of compliance and therefore did not rebut the presumption of head coach responsibility for violations in Section V.a.(2) and V.b.(2) of the case decision. His active involvement in these violations demonstrates that he failed to promote an atmosphere of compliance.

Level II Violations:

1. The institution failed to monitor a representative of athletics interests in its football program, resulting in representative of athletics interests No. 2 providing impermissible cash payments to four student-athletes following the January 13, 2020, College Football Playoff National Championship game.
2. The institution failed to monitor the individuals involved in the recruiting activities of its men's basketball program resulting in former men's basketball student-athlete at NCAA Division I Institution A being engaged as an impermissible recruiter in the recruitment of basketball prospective student-athlete No. 4.

Level III Violations:

1. The former head football coach had an impermissible recruiting in-person contact with a 2020 football prospective student-athlete during a January 2019 evaluation period.
2. The former head men's basketball coach and former assistant men's basketball coach No. 1

had an impermissible in-person contact with the parents of basketball prospective student-athlete No. 3 on the same day the prospective student-athlete competed.

Penalties

Based on its assessment, the Independent Resolution Panel classifies this case as **Level I-Standard for LSU and Level I-Standard for the former head men's basketball coach.**

The Independent Resolution Panel was intentional in not prescribing penalties that would have a negative impact on current student-athletes as evidenced by the hearing panel's decision to retain the records for individual finishes and any awards for all eligible football student-athletes. The hearing panel also applied significant weight to LSU's self-imposed penalties, especially the 2020-21 postseason competition ban for its football program. LSU self-imposed the postseason ban in December 2020, at a time when the football program would have been eligible for a bowl game for that season. That decision resulted in student-athletes not participating in a postseason bowl game and a significant financial impact to LSU under Southeastern Conference policy.

The Independent Resolution Panel accepted the institution's self-imposed penalties and used the Division I membership-approved penalty guidelines to prescribe additional penalties:

1. Core Penalties:

a. Football Program Self-Imposed Penalties

- During the 2020-21 academic year, the football program imposed a postseason ban.
- A reduction in football scholarships by eight over the 2020-21 and 2021-22 seasons (four in 2020-21 and four in 2021-22).
- A seven-week ban on unofficial visits in football over the 2021-22 academic year.

- Reduction in the number of total official visits permitted in football by eight during the 2021-22 academic year.
- A six-week ban on telephonic communications with all prospective football student-athletes during the 2021-22 academic year.
- An off-campus recruiting restriction in football of 26 days in fall 2021 and 30 days in spring 2022.
- The former head football coach was prohibited from recruiting off-campus for 30 days during September 2019.
- Vacation of records.
 - Vacation of all wins in which the former football student-athlete No. 1 competed in the 2012 through 2016 seasons.

b. Men's Basketball Program Self-Imposed Penalties

- A reduction in men's basketball scholarships by one over the 2023-24 season and by one over the 2024-25 season.
- A 15-week ban on unofficial visits in men's basketball during the 2022-23 academic year.
- Reduction in the total official visits permitted in men's basketball by two during the 2022-23 academic year.
- A seven-week ban on telephonic communication with all prospective men's basketball student-athletes during the 2022-23 academic year.
- An off-campus recruiting restriction in men's basketball of 20 days in 2022-23.
- An off-campus recruiting restriction for the former head men's basketball coach, former assistant men's basketball coach No. 1, and then-assistant men's basketball coaches for 30 days in April-May 2019.
- The then-men's basketball staff were prohibited from visiting a certain prospective-student-athlete's high school, attending his contests, or otherwise

communicating with him for 30 days in April-May 2019.

c. Other Self-Imposed Penalty

- A financial penalty fine in the amount of \$5,000, plus 0.5% of its average men's basketball and football budgets based on the average of the men's basketball and football programs' previous three total budgets.

d. Former Head Men's Basketball Coach

- A two-year show-cause order that shall run from June 22, 2023, to June 21, 2025. Specific prohibitions included in the show-case order include:
 - No off-campus recruiting related activities during any applicable April or summer recruiting periods.
 - Reduction in official visits by four each during the 2023-24 and 2024-25 academic years.
 - No recruiting conversations between September 1, 2023, and October 15, 2023, and September 1, 2024, and October 15, 2024.
 - No unofficial visits from September 1, 2023, through October 15, 2023, and September 1, 2024, and October 15, 2024.
- Suspension from the first 10 contests of the first season of any Division I employment, which shall not include exhibitions or practice scrimmages.

2. Additional Penalties for the Institution

a. Self-imposed additional penalties

- Disassociated representative of athletics interests No. 1 for 10 years.
- Banned representative of athletics interests No. 2 from all non-public areas of its athletics facilities for two years.

b. Public reprimand and censure.

- c. Additional financial penalty fine in the amount of 0.5% of its average men's basketball and football budgets based on the average of the men's basketball and football programs' previous three total budgets.
- d. Three years of probation to run from the conclusion of the probationary period assigned as part of the NCAA Division I Committee on Infractions Decision No. 567 currently set to conclude September 21, 2023. During the period of probation, LSU shall:
 - Inform all football and men's basketball prospective student-athletes in writing that the institution is on probation for three years, detailing violations committed. If a prospective student-athlete takes an official paid visit, information regarding violations, penalties, and terms of probation must be provided in advance of the visit; otherwise, the information must be provided before a prospective student-athlete signs a National Letter of Intent.
 - Publicize specific and understandable information concerning the nature of the infractions by providing, at a minimum, a statement to include the types of violations and the affected sport programs and a direct, conspicuous link to the public infractions report located on the athletics department's main webpage. The information shall also be included in media guides and in an alumni publication.
 - File with the NCAA Office of the Committees on Infractions annual compliance reports regarding the implementation of the prescribed penalties and monitoring related to representative of athletics interests' activities in the football program and involvement of individuals in the recruiting process in the men's basketball program by June 1 during each year of probation.
 - Following the submission of the final compliance report and prior to the conclusion of probation, the president of LSU shall provide a letter to the

Committee on Infractions affirming that LSU's current athletics policies and practices conform to all requirements of NCAA regulations.

- e. Vacation of team and individual records. The hearing panel provided additional details regarding LSU's self-imposed vacation of records penalty.
- The individual records of former football student-athlete No. 1 shall also be vacated. However, the individual finishes and any awards for all eligible student-athletes shall be retained.
 - LSU's records regarding its football program, as well as the records of its then head football coaches, shall reflect the vacated records and be recorded in all appropriate publications.
 - Any institution that may subsequently hire the affected then head football coaches shall similarly reflect the vacated wins in his career records.
 - Any public references to the vacated records shall be removed from the athletics department stationery and banners displayed in public areas.
 - Any trophies awarded by the NCAA in the affected sport program shall be returned to the Association.
 - The institution's media relations director must contact the NCAA and appropriate conference officials to identify student-athletes and contests impacted by the penalties and then provide the NCAA with a written report detailing those discussions no later than 14 days following the infractions decision release.

More information about the case, including the case decision and case timeline, can be found at <https://iarpc.org/referred-cases/louisiana-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.

About the Independent Resolution Panel

The Independent Resolution Panel is comprised of 13 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. A quorum for a hearing panel to conduct a hearing and deliberate is four panel members. The Independent Resolution Panel members who reviewed this case are: Bruce Meyerson, retired court of appeals judge, adjunct professor, mediator and arbitrator, and the chief panel member for this Independent Resolution Panel; Jodi Balsam, a law professor; Bernetta Bush, a mediator, arbitrator and former judge; and Corey Jackson, a chief human resources officer.

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Media Contact:

Amy Hanna

Borshoff@iarpcc.org

812-785-8114