

GOVERNANCE AND COMMITMENT TO RULES COMPLIANCE

Operating Principle 1.1 Institutional Control, Presidential Authority and Shared Responsibilities

Self-Study Items

1. List all “corrective actions,” “conditions for certification” or “strategies for improvement” imposed by the NCAA Division I Committee on Athletics Certification in its first-cycle certification decision (if any) as they relate to Operating Principle 1.1 (Institutional Control, Presidential Authority and Shared Responsibilities).

Not applicable due to the fact that there were no Institutional Control, Presidential Authority and Shared Responsibilities issues.

2. List all actions the institution has completed or progress it has made regarding all plans for improvement/recommendations developed by the institution during its first-cycle certification process for Operating Principle 1.1 (Institutional Control, Presidential Authority and Shared Responsibilities).

Not applicable due to the fact that there were no Institutional Control, Presidential Authority and Shared Responsibilities issues.

3. Describe any plans for improvement/recommendations relating to Operating Principle 1.1 (Institutional Control, Presidential Authority and Shared Responsibilities) developed by the institution since the first-cycle certification decision was rendered by the Committee on Athletics Certification.

Effective Summer 2006, Western Michigan University follows the NCAA standards for academic eligibility.

In February 2005, the University President instituted a full review of Western Michigan University’s 2.00 grade point average standard for eligibility. When the Academic Progress Rates (APR) were reviewed by conference affiliation, the President raised concerns about the negative national impact of having an eligibility standard significantly higher than that of the NCAA and the Mid-American Conference (i.e., though Western Michigan University student-athletes often performed at a higher academic level than students at other institutions, the higher across-the-board eligibility standard negatively impacted APR figures, and made it incorrectly appear as if the University’s student-athletes were performing poorly).

Because of this review, in April 2005, the Athletics Board recommended to the University President that Western Michigan University follow the eligibility standards set

forth by the Mid-American Conference, which still exceeded the NCAA standards. During the summer prior to the 2006-07 academic year, Mid-American Conference Presidents, similarly concerned about the negative impact of the conference's more restrictive eligibility standard on APR results, voted to adopt the NCAA standards for eligibility.

4. Describe how the institution's governing board decisions are consistent with those of other on-campus units. Based upon the institution's experience in the last three years, list the decisions (if any) related to intercollegiate athletics in which the institution's governing board or individual board members have been significantly involved.

Among its actions in the oversight of Western Michigan University, the Board of Trustees acts on budget, personnel, and facilities for all units. As such, the Board deals with Intercollegiate Athletics in the same manner as it does other units of the University. One such area is budgetary oversight. The Board of Trustees approves the University general fund budget, which includes the general fund portion of the Division of Intercollegiate Athletics' budget. In the 2003-2006 cycle, the annual university budget was approved on the following dates: 16 July 2003, 16 April 2004, 16 September 2005, and 14 July 2006.

A major decision that demonstrates the oversight of Intercollegiate Athletics by the Board of Trustees over the past three years was the decision in December 2003 to eliminate four varsity sports: 1) men's outdoor track, 2) men's indoor track, 3) men's cross country, and 4) women's synchronized skating. The decision to cut these sports was rooted in a larger effort by the University to reduce costs due to a 2003-2004 state appropriation cut of \$12.5 million (a 9.9% cut), as well as additional cuts of \$2.3 million in 2004-2005 (a 2.03% cut). The decision to cut the sports resulted in an annual savings of more than \$535,000, beginning in the 2004-2005 fiscal year (a 4.65 % cut).

Another area of Board oversight is in the area of personnel. Its personnel actions include the appointment, resignation, termination, and retirement of head coaches, which are included in the personnel reports submitted for Board approval. For instance, in May, 2003, the Board approved the appointment of Steve Hawkins as men's basketball coach, and in June 2004 the Board approved Randy Ford as baseball coach. Additionally, in December 2004, the Board oversaw the appointment of Bill Cubit as the head coach of the Bronco football team (to replace Gary Darnell whose contract it terminated in December 2004). The Board also has approved the hiring of Colleen Munson as the head volleyball coach in January 2005.

In terms of major construction projects, the most recent project related to Athletics was the \$25 million Donald J. Seelye Center, an indoor practice facility. This project was approved by the Board in 2001 and was completed in 2003.

5. Based upon the institution's experience in the last three years, list the decisions related to intercollegiate athletics in which the institution's chief executive officer has been significantly involved.

Judith Bailey, President from 2003-2006, provided direct and ongoing oversight of athletics. In particular, in response to declining state appropriations, in October 2003 President Bailey created a Sports Sponsorship Review Committee that reviewed current athletics programming. Based on the work of the committee, President Bailey, with Board approval, eliminated the men's indoor and outdoor track and cross country programs, as well as women's synchronized skating.

President Bailey also approved the search committees for a variety head coach positions. These searches led to the hiring of Steve Hawkins in 2003 as basketball coach, the hiring of Randy Ford in May 2004 as baseball coach, the hiring of Bill Cubit in 2004 as head football coach, and the hiring of Colleen Munson in 2005 as volleyball coach.

In terms of construction and renovation of facilities, the most recent construction occurred when the upper tennis courts were replaced in 2006, as well as the renovation of the lower levels of the Lawson Ice Arena and Gable Natatorium (That President has the authority to approve projects, without Board of Trustees approval, that do not require the issuing of bonds or borrowing funds).

The President was involved in athletics in other ways. For instance, she oversaw the development and approval of the Division's budget, approved all staff travel over \$1000, annually met with the Athletics Board which included faculty appointed by the AAUP and the Faculty Senate. She also appointed Eileen Evans to chair the NCAA Self-Study Committee, as well as approved the recertification steering committee and subcommittee membership. President Bailey also participated at the MAC level, in that MAC Presidents participate in choosing sites for championship games.

Since a presidential transition has occurred in the midst of the Self Study, the new Interim President, Diether Haenicke has reviewed and approved the membership of the NCAA Self-Study Committee, as well as the Steering Committee and Subcommittee members.

6. Describe the process by which the institution makes major decisions regarding intercollegiate athletics. In so doing, describe the role and authority of the institution's governing board, the chief executive officer, the athletics board or committee (if one exists), the faculty athletics representative(s), the director of athletics, and any other appropriate campus constituencies (e.g., faculty, students, institutional personnel involved in rules-compliance activities) in this process.

The primary responsibility for the oversight of athletics occurs with the Board of Trustees. The Board has the authority to govern the university, provides general supervision of the institution, and directs and controls all expenditures of university funds. The bylaws under which the Board operates specifically address the fact that the

Board of Trustees governs all programs and specifically includes intercollegiate athletics in that designation.

Most of the Board's authority, however, is delegated to the President of the University. The President has broad personnel authority, the freedom to restructure administrative positions, prepares the annual university budget for Board approval, and offers annual reports to the Board. In making decisions, the President meets with the Athletics Board (at minimum once a year) and/or the Faculty Athletics Representative as the need arises and seeks its input and advice. As appropriate, the President seeks approval from the Board of Trustees as it relates to critical organizational decisions, particularly in the areas of the approval of significant expenditures, major construction contracts, and personnel appointments (i.e., head coaches). Presidential signature is required on all head coaches contracts.

In terms of decision-making with regards to athletics, the Director works closely and meets regularly with the President, and keeps the President apprised of the ongoing activities in Athletics as well as key issues that emerge. The Director also seeks the approval of the President for major decisions, such as the hiring and termination (or non-renewal) of coaches' contracts, or the decision to build or renovate facilities. The Director also works closely with the President on NCAA and MAC issues, and informs the President of any major NCAA rules violations as well as disciplinary actions with regards to student-athletes.

The Director of Intercollegiate Athletics has the responsibility to ensure that the Division complies with all University policies and procedures. This includes the proper signature authority on all contracts entered into on behalf of the University. In addition the Director is responsible for requiring the following: that University Business policies and procedures are followed as it relates to both in-state and out-state travel for all Athletic personnel and student-athletes, that all expenditures are properly authorized and in compliance with University Procurement card policies, that cash receipts are deposited in accordance with the University Cashiering policies, that scholarships are awarded in accordance with the Donor's Declaration of Intention, and that payment to Athletic personnel, students and contract employees follows University guidelines.

The decision-making process within the Division of Intercollegiate Athletics tends to develop and emerge from within the Division, but also is dependent upon input from the NCAA and the conferences that regulate Intercollegiate athletic sports. The Athletic Director makes final decisions following standard university operating procedures based on the advice of appropriate committees and constituencies and, in some instances, the approval of the Athletic Board.

The Athletics Board is an advisory board that reports to the President, and is composed of representatives from faculty, administration, community, students and the WMU athletic staff. The Athletics Board is chaired by a Faculty Athletic Representative (nominated and approved by the Faculty Senate and the AAUP), and regularly works with the NCAA, the MAC, and the CCHA. In its capacity, the Athletics Board approves sports schedules and

team travel schedules, reviews team squad lists, and the awarding of varsity letters. In addition to the Faculty Athletic Representative chairing the Athletics Board, faculty also are a part of its committee structure. Topics that the Athletic Board discusses and provides feedback to the President and the Director include gate attendance, Title IX issues, scholarships, athletic events, academic performance, coach issues, and community matters.

The Director of Intercollegiate Athletics also has an annual meeting with the Student-Athlete Advisory Board. This committee is organized with representatives from each team and meets every month during the academic year in order to discuss academic and athletic issues that affect student-athletes. Membership on the board occurs from the nomination of coaches of two upperclassmen from each team. These Student-Athlete Advisory Board members also are active as a group within the MAC. Not only do student-athletes participate in the Student-Athlete Advisory Board, they also serve on the Athletics Board, as well as have two members on the Gender-Equity Oversight Committee.

Perhaps the decision that best illustrates how major decisions are made in the University was the work of the Sports Sponsorship Review Committee. This committee was appointed by President Bailey in 2003 with the charge of presenting to the Athletic Director a recommendation on the cutting of sports, due to the difficult budget climate the University faced. As such, the committee gathered a great deal of information from the Division, as well as held a number of meetings with the Director and her staff, individual coaches of all sports, as well as hosted public forums. The committee was composed of four members who held faculty rank (including the FAR), two institutional staff members, one "W" club member, and a member from the community.

7. Please provide the composition of the athletics board or committee (including titles and positions).

Fred Sitkins, Chair, Professor of Industrial & Manufacturing Engineering
(Term Expires June 2009)

Halbert Bates, Director of Recruitment & Retention/Haworth College
of Business (Term Expires June 2009)

Andrew Brogowicz, Professor and Chair of Marketing
(Term Expires June 2007)

Michael Miller, Associate Professor of Health, Physical Education and Recreation
(Term Expires June 2008)

Laura Van Zoest, Associate Professor of Mathematics
(Term Expires June 2009)

Charles "Bud" Donnelly, Community Representative
(Term expires June 2009)

Ex-Officio Members

Kathy Beauregard, Director of Athletics

Dave Corstange, Senior Associate Athletic Director

WMU Athletic Staff (Monthly Guests)

Paul DeVries, Director of Compliance

Monty Porter, Associate Athletic Director/Business Operations

Jeffrey Stone, Associate Athletic Director Academic and Compliance Services

Student Members (2)

Keon Jordan, Business Administration

Kelly Koerber, Physical Education/Sports Management (Kathy Beauregard
Athletic Administration Intern)

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Operating Principle 1.2 Rules Compliance

Self-Study Items

1. List all “corrective actions,” “conditions for certification” or “strategies for improvement” imposed by the NCAA Division I Committee on Athletics Certification in its first-cycle certification decision (if any) as they relate to Operating Principle 1.2 (Rules Compliance).

Strategy

Create and implement a system for periodic evaluation of the institution’s compliance program, conducted by an authority outside of the athletic department.

Action

The March 1, 2000 response to this strategy documented that a Campus Athletic Compliance Committee was established during Fall Semester 1999 to provide a periodic review of compliance systems in place at Western Michigan University. The Athletics Board created the Campus Athletic Compliance Committee as a standing committee of the Athletics Board, the Faculty Athletic Representative was to serve as the chair. Other members were to include one additional member from the Athletics Board, a college director of academic advising, the Registrar, the Director of Student Financial Aid, and one student-athlete representing the Student-Athlete Advisory Board. Ex-officio members were the Athletic Director, an Associate Athletic Director, and the Director of Compliance. Meetings were to occur three times per year and the Mid-American Conference Compliance Handbook was to serve as a guide for analysis in the areas of compliance materials, financial aid coordination, student-athlete guidelines, compliance oversight, and certification testing.

This committee met November 30, 1999 to establish preliminary guidelines. Subsequent lack of committee progress prompted the Associate Athletic Director for Academic and Compliance Services to discuss, in the summer of 2003, the use of the ACUA (Association of College and University Auditors) Athletic Audit System with the University Director of Internal Audit, using this guide as an established and reliable evaluation instrument. The revised external committee, with new leadership and committee members, reconfirmed its charge on October 9, 2003 to conduct a yearly audit of compliance procedures. A three year cycle of compliance audits was established under the following schedule: Cycle One (General Compliance, Eligibility, Certification of Compliance, Rules Education, Team Travel, and Playing and Practice Seasons); Cycle Two (General Compliance, Financial Aid, Employment of Student-Athletes, Complimentary Admissions, Student-Athlete Vehicles, Athletic Equipment and Apparel); and Cycle Three (General Compliance, Recruiting, Camps and Clinics, Coaching Staff Limits and Contracts, Representatives of Athletic Interests).

Date of Action

See above narrative.

Non-completion

Before the audit system could be put in place, the University underwent a campus-wide updating of its Student Information System (SIS) which delayed the implementation of the athletic compliance audit system due to significant time demands on university employees who were to serve on the committee. The final major step of the University transition to the Banner system occurred at the beginning of the 2006-07 academic year (with the transition of the financial aid office to the Banner system).

The Faculty Athletics Representatives during this time period were the following: Pat Forrest (1998-2003) and Gary Mathews (2003-2006).

Given the completion of this SIS project, the reconstituted Campus Compliance Committee began its Cycle One evaluation during Winter 2007 (General Compliance, Eligibility, Certification of Compliance, Rules Education, Team Travel, Playing and Practice Seasons, and Complimentary Admissions). Future Audit Reports are to be completed prior to August 15th and submitted by the chair of the committee to the Athletics Board for approval.

Current members of the Campus Athletic Compliance Committee include:

Halbert Bates, Chair, Director of Recruitment & Retention/Haworth College of Business

Pam Liberacki, Associate Director of Admissions

Lunny Green, Registrar's Office Statistician

Jodie Laraway, Associate Director for Student Financial Aid & Scholarships Student-Athlete (chosen during the summer, based on class schedules)

Colleen Lewis, Director of Audits

Jeffrey Stone, Associate Athletic Director Academic and Compliance Services

Paul DeVries, Director of Compliance

The Mid-American Conference compliance staff visits every fourth year, as mandated by NCAA rules, to conduct an external evaluation of the institution's compliance program. The most recent evaluation occurred in October 2006.

2. List all actions the institution has completed or progress it has made regarding all plans for improvement/recommendations developed by the institution during its first-cycle certification process for Operating Principle 1.2 (Rules Compliance).

Though not mandated by the peer review team during the first-cycle review, two suggestions from the Governance and Commitment to Rules Compliance subcommittee were developed. The Student-Athlete Handbook now contains a statement as to the

mission and goals of the Division. It also directs student-athletes to the coaching staff or compliance staff should they have questions about NCAA rules. The Associate Athletic Director of Academics and Compliance Services and the Director of Compliance Reinforce this message in team meetings at the beginning of each academic year.

3. Describe any additional plans for improvement/recommendations related to Operating Principle 1.2 (Rules Compliance) developed by the institution since the first-cycle certification decision was rendered by the Committee on Athletics Certification.

Further compliance improvements include a monthly compliance newsletter entitled the Deputy Bronco, Third Thursday Thirty compliance meetings once each month for coaching staff members, booster guidelines incorporated into season ticket packets and posted in football preferred seating areas, and regular monitoring of booster activities and postings on websites and blogs. As mandated by the NCAA, a Student-Athlete Recruiting Policy was developed and approved by the University President on November 15, 2004.

4. Describe how the activities of the institution's athletics booster groups, support groups and other representatives of the institutions interests are maintained under the clear control of the institution, including whether institutional personnel serve on booster-club, support group or foundation boards.

Currently, there are four different types of organizations that function to support WMU's athletics interests through special events, programs, and social activities.

Booster Clubs

Booster clubs function to develop community support for specific athletic programs at Western Michigan University. Currently, the functioning sport-specific booster clubs are:

- Blue Line Club (hockey)
- Fastbreak Club (men's basketball)
- Spikers Club (volleyball)
- Straight Shooters Club (women's soccer)
- The Gallery (golf)

Previous booster clubs that are now defunct include:

- Diamond Club (softball)
- Dugout Club (baseball)
- Touchdown Club (football)

A number of institutional personnel do serve on booster club boards. Lowell Rinker, Associate Vice President for Business and Finance serves as the President of the Spiker's Club, while Trustee Ken Miller is Board member and Pamela Liberacki, Associate Director of Admissions is a club member. Lew Walker, Director of the Lew Walker

Institute for Race and Ethnic Relations is a member of the Fast Break Club, as is Dave Rozelle, Associate Professor of Accountancy.

While they do not rise to the level of a “booster group,” a number of informal (no dues or membership) groups meet as “breakfast clubs,” interested people who meet irregularly to get updates on WMU Athletics. They are specific to the sports of football and basketball and meet in Grand Rapids. They do not have contact with student-athletes.

Membership in WMU booster clubs is open to the general public and, as such, may include Western Michigan University personnel. All booster clubs are subject to the oversight of the Division and, as such, provide the Division with a list of all club members, the club’s bylaws and operating procedures, its membership requirements, and their membership benefits.

In terms of organization, all booster groups have elected boards, typically comprised of a president, vice-president, treasurer and a secretary (though some have additional officers). Clubs usually meet every month and conduct business according to Robert’s Rules of Order.

Booster clubs host meetings for a wide-variety of occasions: breakfasts, noon luncheons, media days and “meet the team” events. They must secure approval from the athletic administration before scheduling events. The Associate Athletic Director in charge of their sport first reviews the event with regards to coaches’ schedules, then takes the request to the senior staff and onto the Director for final approval. By and large, these booster clubs meet as a group with Division staff, and all the approvals for the year are reviewed at once.

Given that some of these events do have a fundraising component, fiscal control is an important component of booster oversight. When this is the case, all funds raised are submitted to the Athletic Business Office after which they are deposited into the appropriate club account. As such, the Athletic Business Office, with oversight from the Assistant Athletic Director for Business Operations, maintains and controls all funds raised by booster groups. Funds raised by booster groups tend to support sport-specific needs and expenditures such as facilities and out-of-region trips or tournaments.

In addition to fiscal control, a second critical area of oversight is rules education. The Director of Compliance is directly involved in the education of boosters in order to ensure their compliance with NCAA rules. This is done through appropriate written materials, such as the publication of the *Bronco Boosters 101: A Guide for Representatives of Bronco Athletics* and other mailings to boosters and members of the local community. This *Bronco Boosters 101: A Guide for Representatives of Bronco Athletics* addresses issues that concern boosters, in terms of educating them with regards to NCAA regulations. Finally, rules education materials are included in all season ticket mailings.

In an effort to positively facilitate rules compliance with booster clubs, a plan is being developed that will require each booster club to have a rules education liaison. As such, each designee will attend an annual rules education training seminar, conducted by the Director of Compliance.

Further oversight occurs through the assignment of an associate or assistant athletic director who has responsibility for each respective sport. These individuals on occasion may attend booster club functions.

The Gary Fund/WMU Foundation

The Gary Fund is a community-based program that seeks to provide support and funding for WMU athletics in an effort to improve the quality of sports programs at Western. As such, it provides direct financial support for all varsity men's and women's sports at Western. It is an annual fund raising effort that is controlled and managed by the WMU Foundation, and is the primary vehicle by which donations are made to support WMU Athletics. The Gary Fund is administered according to the Policy and Procedure Manual of the WMU Development Office. It is overseen by the by the Director of Development for Intercollegiate Athletics, Rob Hunt, who works closely with the Director of Compliance to make certain that its activities follow NCAA regulations. Mr. Hunt reports directly to the Foundation.

Current WMU personnel who are involved in the Gary Fund include Lewis Walker, Interim Director of the Lewis Walker Institute for Race and Ethnic Relations, who served as a past Chair of the Gary Fund Campaign; Fred Sitkins, Professor of Industrial and Manufacturing Engineering, who also has served as Chair of the Gary Fund Campaign and continues to serve on the committee; as well as Robert Miller, Associate Vice President for Community Outreach, who is a member of the committee.

The WMU Foundation is governed by an independent board, which includes the following institutional personnel: Bud Bender, Vice-President for Development, who serves as the Executive Director/Secretary; Robert Beam, Vice-President for Business and Finance, who serves as Treasurer; Jan Van Der Kley, Assistant Vice President for Finance who serves as Assistant Treasurer; and Diether Haenicke, Interim President and Kenneth Miller, Trustee, who both serve as Designated Directors.

The Alumni Association

The Alumni Association, through the direction of the Executive Director of the WMU Alumni Association, schedules alumni functions that often are organized around WMU athletic events. The purpose of these activities is to facilitate and grow the support of the University by WMU alumni.

The W Club

The W Club is an organization composed of former WMU letter winners; because of this, its membership is limited. The purpose of the W Club is to facilitate support for the Division as well as all individual sports. All funds raised are delivered to the Athletic Business Office, which then manages the account on behalf of the W Club. These funds then are used to support sport-specific needs. The Director of the Gary Fund and the Coordinator of Corporate Relations act as the Division's staff liaisons with the W Club.

5. Identify how the institution has organized itself to maintain compliance with NCAA rules. Specify the individual (other than the institution's compliance officer/coordinator) who the CEO designates as being responsible for the institution's rules compliance. Also, include a description of the reporting lines for and responsibilities assigned to the faculty athletics representative, director of athletics, compliance coordinator, coaches, and other key individuals inside and outside athletics (e.g., registrar, financial aid officer, admissions director, internal auditor) who are responsible for documenting and monitoring compliance with NCAA rules, including but not limited to eligibility certification, investigation and self reporting of violations and monitoring of financial aid.

Institutional Organization

The University President is responsible for the overall administration of the athletic department and appoints an Athletic Director who has responsibility for the enforcement of NCAA rules. The Faculty Athletics Representative (FAR) regularly assesses rules compliance systems and maintains signatory authority over various compliance processes. Under the direction of the Athletic Director, the Associate Athletic Director for Academics and Compliance Services and the Director of Compliance have primary departmental responsibility for daily compliance monitoring.

The President of the WMU acts on behalf of the Board of Trustees who holds authority over all aspects of the University, including Intercollegiate Athletics. In so doing, the President regularly confers with the Director as well as with the Faculty Athletics Representative as it relates to matters of compliance. Both the Director of Intercollegiate Athletics and the Faculty Athletics Representative report directly to the President. This ensures that in matters relating to governance and compliance, the President receives relevant information and advice from sources both internal and external to Athletics.

Division of Athletics

Internally, the Division is well organized to ensure compliance. A number of key individuals hold direct compliance responsibilities.

The Athletic Director has responsibility for enforcement of NCAA rules within the department and reports to the University President. This individual has signature authority on a variety of compliance documents including NCAA sport and student-athlete forms, eligibility appeals, letters-of-intent, and special assistance fund distributions.

The Associate Athletic Director for Academics and Compliance Services oversees the development of compliance procedures that maintain the principles of institutional control and reports to the Athletic Director. This individual has primary responsibilities in the following areas: eligibility certification computations, primary NCAA Clearinghouse contact, daily interpretations, pre-season team meetings, official visit certification, squad list development, grant-in-aid and letter-of-intent oversight, roster management, sport participation rates, self-report analysis, internal compliance forms, book loan procedures, transfer releases and permission to contact student-athletes.

The Director of Compliance oversees the daily compliance functions of the department and reports to the Associate Athletic Director for Academics and Compliance Services as well as keeps the Faculty Athletics Representative informed. This individual has primary responsibilities in the following areas: daily interpretations, eligibility analysis, recruiting legislation and monitoring, booster education and oversight, student-athlete employment, playing and practice seasons, outside income, camps and clinics, sports agents, gambling and sports wagering, letter-of-intent oversight, staff compliance meetings, internal compliance forms, staff compliance meetings and newsletters, sports counseling panel, and self-report analysis and preparation.

Head coaches have the responsibility of actively monitoring compliance functions within their program with assistant coaches, student-athletes, and other support groups. Their daily activities are supervised by associate athletic directors who in turn report to the athletic director. Coaches maintain records for areas such as recruiting, official and unofficial visits, playing and practice seasons, student-athlete participation, and team travel.

University-Wide

External to the Division, there are a number of key personnel who work to ensure rules compliance across campus.

The Faculty Athletics Representative (FAR) regularly assesses rules compliance systems and maintains signature authority over various compliance processes such as sport eligibility certifications, squad lists, self-reports, and eligibility appeals. This individual reports to the University President. The Faculty Athletic Representative serves as the official university representative to the NCAA, MAC, and CCHA, as well as reports to the Faculty Senate on behalf of the Athletics Board.

The Athletics Board is an advisory board composed of approximately ten individuals drawn from across the university (including three faculty and one department chair). Its chair also serves as the Faculty Athletic Representative. The Athletics Board's primary responsibilities vis a vis compliance typically concerns scheduling and academic matters. Athletics Board membership is recommended by the Faculty Senate and the AAUP. The Athletics Board meets with the President annually and by request. It also maintains a

number of standing committees, including the Campus Compliance Oversight Committee.

The Registrar's Office Statistician is the primary athletic eligibility contact in the registrar's office and reports to the Registrar. This individual has primary responsibility in eligibility certification computations and maintains signature authority on sport eligibility certifications. This individual reports to the Registrar who reports to the Vice-Provost for Enrollment Management and by extension to the Provost.

The Associate Director of Admissions is the primary athletic contact in the admissions office and reports to the Director of Admissions. This individual oversees the admission of student-athletes, as well as has primary responsibility to assess freshman initial eligibility and to assess questions about credit evaluations for transfer students (including special admits). This individual reports to the Director of Admissions who reports to the Vice-Provost for Enrollment Management and by extension to the Provost.

The Director of Student Financial Aid serves as the contact person for student-athlete financial aid appeals and chairs appropriate appeal committees. This individual reports to the Vice-Provost for Enrollment Management and by extension to the Provost.

The Assistant Director of Student Financial Aid for Scholarships is the primary athletic department contact in the student financial aid office and reports to the Director of Financial Aid. This individual maintains signature responsibility on squad lists, letters-of-intent, and the special assistance fund and also oversees athletic grant-in-aid processing. The Assistant Director reports to the Director of Student Financial Aid who reports to the Vice-Provost for Enrollment Management and by extension to the Provost.

The Assistant Director WMU Bookstore serves as the primary athletic department contact regarding book loan issues and reports to the manager of the WMU Bookstore. This individual oversees proper coding procedures for student-athletes and directs reviews to confirm proper selection of mandatory textbooks and course packs. Books charged inappropriately or not returned to the bookstore are assessed to the students' accounts. The Assistant Director reports to the Director of the WMU Bookstore.

College academic advisors report to college advising directors and provide guidance to student athletes as well as athletic department or Registrar's Office officials on the degree application of courses at Western Michigan University or from other institutions. College advising directors report to the Registrar, who reports to the Vice-Provost for Enrollment Management and by extension to the Provost.

The Director of Internal Audit verifies attendance figures of home football games and communicates the results to the Director, the President, and the Board of Trustees. This individual reports directly to the Board of Trustees.

Other positions who may intersect with compliance issues include Kyle Blecha, Director of Medical Services who reports to Dennis Corbin, Assistant Athletic Director for

Medical/Support Services; Jeff Rank, Director of Sports Marketing and Publicity, who reports to Bob D'Amelio, Assistant Athletic Director of Marketing, Publicity, and Licensing; Maria Sanchez, Director of Athletic Academic Services who reports to Jeffrey Stone, Associate Athletic Director for Academics and Compliance Services; Dannie Alexander, Director of Facilities who reports to Dave Corstange, Senior Associate Athletic Director; Don Beyer, Director of Ticket Operations, Patty Moore, Financial Clerk of Business Operations, and Kim Hemmingway, Insurance Coordinator, all of whom report to Monty Porter, Associate Athletic Director of Business Operations. Clerical staff who intersect with compliance matters include: Latonja Wilson, Men's and Women's Basketball Secretary (who reports to Dave Corstange); Sarah McChesney, Football Secretary, who reports to Monty Porter), and Amy Washington, Administrative Assistant to the Director of Athletics.

6. Describe how the institution ensures that rules compliance is a central element in personnel matters for individuals inside the athletics department. Specifically, the institution must provide evidence that all individuals inside the athletics department who are involved or associated with athletics have statements regarding the importance of rules compliance in all of the following documents: contracts or letters of appointment, performance evaluations and job descriptions.

Contracts/Letters of Appointment

Coaches

As it relates to full-time head coaches and assistant coaches, rules compliance is an explicit feature in all contracts and violation of NCAA and/or MAC regulations is articulated as reason for possible termination.

Administrative Staff

As part of most letters of offer, all administrative staff in the Division of Athletics at Western Michigan are subject to University policies and procedures. According to the Western Michigan University Employee Handbook, it is each employee's responsibility to know the campus-based rules and abide by them. These campus-based rules are not all-inclusive, and other departmental or University regulations may exist. Employees are expected to know and abide by these rules as well. Ignorance of work rules is not an acceptable excuse for noncompliance and violations shall be regarded as cause for disciplinary action. Furthermore, compliance to a governing body is implicit in any hire in any profession.

Effective January 1, 2007 all future letters of appointment for administrative staff members will include a reference to the employee's expected adherence to NCAA compliance obligations.

Performance Evaluations

Coaches

Compliance language is present in the performance goals and evaluation forms for head coaches. Though no formal evaluation form is mandated for assistant coaches, head coaches include compliance functions as part of their staff assessments.

Administrative Staff

The Associate Athletic Director for Academic and Compliance Services and the Director of Compliance have significant compliance responsibilities incorporated into their job performance evaluations. Beginning in the 2007-2008 Performance Review Cycle, a statement will be added to all athletic administrative staff evaluations; in the future, incumbents must choose the Organizational Awareness competency which measures adherence to organizational policies, of which compliance is one measure.

Job Descriptions

Coaches

Rules compliance responsibilities are included in all job descriptions for full-time head coaches and assistant coaches.

Administrative Staff

Staff members in Athletics with direct responsibilities in compliance (Associate Athletic Director of Academics and Compliance Services, Director of Compliance, Athletic Academic Services staff members) have detailed statements with regards to compliance responsibilities in their job descriptions. Senior-level athletic administrators (Athletic Director, Senior Associate Athletic Director, Associate Athletic Directors) also have compliance responsibility documented in their job descriptions.

Below this level, staff members in Athletics also have a statement regarding compliance responsibilities included in their job descriptions. They, along with all returning athletic department staff members, annually sign the NCAA mandated form attesting that they have reported any knowledge of possible violations to an appropriate administrator.

7. Describe how the institution ensures that rules compliance is a central element in personnel matters for individuals outside the athletics department who are involved in rules-compliance activities. Specifically, the institution must provide evidence that all individuals outside the athletics department who are involved or associated with athletics have statements regarding the importance of rules compliance in all of the following documents: contracts or letters of appointment, performance evaluations and job descriptions.

Contracts/Letters of Appointment

As part of letters of offer, all campus staff who intersect with Athletics are subject to University policies and procedures. According to the Western Michigan University Employee Handbook, it is each employee's responsibility to know the campus-based rules and policies and abide by them. These campus-based rules and policies are not all-inclusive, and other departmental or University regulations may exist. Ignorance of work rules is not an acceptable excuse for noncompliance and violations shall be regarded as cause for disciplinary action. Furthermore, compliance to a governing body is implicit in any hire in any profession.

Effective January 1, 2007 all future letters of appointment for administrative staff members in the staff compensation system will include a reference to the employee's expected adherence to compliance obligations. Similarly, all positions governed by the Vice Provost for Academic Affairs for Budget and Personnel with compliance responsibilities will have a similar reference.

Performance Evaluations

Other athletic department personnel and appropriate campus administrative positions from outside athletics who have a role to play in compliance responsibilities across campus include the Registrar, Director of Admissions, Director of Financial Aid, the college advising directors, Registrar's Office Statistician, Associate Director of Admissions, Assistant Director for Financial Aid for Scholarships, college academic advisors, the Assistant Director WMU Bookstore, and the Director of Internal Audit. Beginning in the 2007-2008 Performance Review Cycle, these individuals will have a statement added to all athletic administrative staff evaluations that incumbents must choose the Organizational Awareness competency which measures adherence to organizational policies, of which compliance is one measure.

Job Descriptions

A general statement of compliance responsibilities is also included in the job descriptions of staff members outside of athletics who have athletic compliance responsibilities. The primary individuals who may evaluate student-athlete and NCAA compliance issues with athletic department personnel are the Registrar, Director of Admissions, Director of Financial Aid, the college advising directors, Registrar's Office Statistician, Associate Director of Admissions, Assistant Director for Financial Aid for Scholarships, college academic advisors, and the Assistant Director WMU Bookstore, and the Director of Internal Audit.

8. Please indicate by clicking "yes" or "no" by the areas below, whether the institution has written policies and step-by-step procedures that include assignment of specific responsibilities pertaining to rules compliance.

- Initial-eligibility Yes
- Continuing-eligibility certification Yes
- Transfer-eligibility certification Yes

- Financial aid administration Yes
- Recruiting Yes
- Camps and clinics Yes
- Investigations and self-reporting of rules violations Yes
- Rules education Yes
- Extra benefits Yes
- Playing and practice seasons Yes
- Student-athlete employment Yes

9. Describe the institution’s rule-education efforts for all individuals associated with the athletics department, including student-athletes, coaches, other athletics department staff members, other institutional staff members and representatives of the institution’s athletics interests.

Student-Athletes

In order to facilitate a rigorous rules education effort for student-athletes, the Associate Athletic Director for Academics and Compliance Services and Director of Compliance host an annual pre-season meeting for each team. In this meeting, each student-athlete receives a copy of the Summary of NCAA Regulations and completes an eligibility form packet (which are held on final in the Division for 7 years). To assist in the student-athlete’s comprehension of NCAA rules at this meeting, the athletic department officials develop a yearly quiz which focuses on areas that have generated previous concerns or questions and on newly established NCAA legislation and institutional policies. Furthermore, at team meetings, as well as at meetings of the Student-Athlete Advisory Board, Division staff and coaches encourage student-athletes to get clarification of any questions that they might have with regards to NCAA or MAC rules and regulations by approaching a member of the coaching staff, the Director of Compliance or the Associate Athletic Director for Academics and Compliance Services.

The *Student-Athlete Handbook*, revised annually, contains the following topics in its table of contents, many of them compliance-related:

- Student-Athlete Code of Conduct,
- Academics,
- Medical Services,
- Strength and Conditioning,
- Equipment,
- Financial Aid Awards,
- Special Assistance Fund,
- Summer and Post-Eligibility Grants,
- Employment,
- Complimentary Admissions,
- Playing and Practice Seasons,
- Official Visit Host Instructions,

- Student-Athlete Advisory Board,
- Professional Sports Counseling Panel, and
- E-Mail as Official Notice.

Coaches also play a role in rules education for student-athletes as it relates to NCAA, MAC, WMU and team rules, regulations and policies that concern student-athletes. The Division of Intercollegiate Athletics *Policies & Procedures Manual* requires coaches to inform student-athletes of team rules and regulations at the beginning of each academic year. Furthermore, coaches frequently discuss NCAA compliance information at team meetings. Additionally, coaches regularly meet one-on-one with student-athletes to answer their individual questions with regards to NCAA rules.

Student-athletes also are encouraged to utilize the Student-Athlete Advisory Board as another vehicle by which to get clarification of rules questions.

Athletics Department Staff

The Director oversees all rules education efforts for student-athletes, Athletics staff, relevant University personnel as well as individuals and organizations external to the University who have an interest in Intercollegiate Athletics.

The Director along with the Director of Compliance works to ensure that all Division staff members are educated on the topic of rules compliance as well as are made aware of recent NCAA rules changes. As such, the Director holds weekly meetings with senior staff.

The Director of Compliance in conjunction with the Associate Athletic Director of Academics and Compliance Services oversee an ongoing education effort. One such effort is the Third Thursday Thirty Rules Education Sessions, organized by the Director of Compliance. These efforts are designed for Division staff (as well as coaches/sports representatives) with regards to “Hot Topics in Rules Compliance,” on areas such as recruiting, financial aid, athletic scholarships, and extra benefits. The Director of Compliance also produces the “Deputy Bronco” compliance newsletter which is distributed to all staff.

Other areas in which the Director of Compliance along with the Associate Athletic Director of Academics and Compliance Services contribute to a culture of compliance include participation in monthly MAC conference calls on issues of compliance as well as in annual participation in NCAA and MAC seminars on the topic of compliance.

Coaches

Both the Director and the Director of Compliance work to educate coaches on the topic of rules compliance. Along with the Director, the Director of Compliance addresses pertinent and relevant compliance topics in the monthly coaches’ meetings. In addition,

the Director of Compliance hosts the aforementioned Third Thursday Thirty Rules Education Sessions. Coaches also are a primary target audience for the “Deputy Bronco.”

Finally, at the beginning of each academic year, coaches have to take a certification exam that demonstrates their knowledge of NCAA and MAC rules with regards to rules for off-campus recruiting (administered by the Faculty Athletics Representative). Results from this multiple choice examination, designed by the NCAA, are forwarded to the MAC Office.

Institutional Staff Members

Supervisors are responsible for ensuring the competence of their staff. To varying degrees, staff members attend MAC seminars and workshops. They also regularly receive updates on evolving compliance issues from the Associate Athletic Director for Academics and Compliance Services, as well as access online NCAA resources. Additional education of institutional staff members occurs as compliance issues arise that require interaction with compliance staff.

Going forward, the development of the Campus Compliance Committee will allow for the Office of Admissions, Registrar, and Student Financial Aid to be actively involved in compliance matters in order to give them a better understanding of compliance matters.

External Groups

Rules education is ongoing in its efforts to educate external groups about rules compliance. Staff from the Division regularly attend meetings of booster clubs and other external groups in order to educate. Booster groups also receive a Booster Club handbook, the *Bronco Booster*, in which they are informed of NCAA compliance issues, as well as receive inserts with ticket orders and other mailings. The Faculty Athletic Representative also is external to the Division and attends annual NCAA, MAC, and CCHA meetings in order to gain updated information on the topic of compliance.

10. Indicate the individual or individuals responsible for conducting the institution’s rules-compliance evaluation. Further, describe the process used in selecting this authority outside of athletics to ensure the individual or individuals do not have day-to-day compliance responsibilities for the institution’s athletics department and are knowledgeable in NCAA legislation and rules-compliance practices. Also, provide the date of the institution’s most recent rules-compliance evaluation.

The most recent compliance review was conducted by Brad Wachler. Mr. Wachler was selected because he serves as the Director of Compliance for the Mid-American Conference. His conduct of the most recent review was done in fulfillment of NCAA bylaw 23.2.1.7. Given his position, he is highly knowledgeable about NCAA regulations and rules compliance. The most recent review was performed October 11-12, 2006.

11. The rules-compliance evaluation must consist of a review to determine that the compliance practices are engaged and functioning and must include, at minimum, specific areas. Please indicate by clicking “yes” or “no” which areas were included in the rules-compliance evaluation.

- | | |
|---|-----|
| • Initial-eligibility | Yes |
| • Continuing-eligibility certification | Yes |
| • Transfer-eligibility certification | Yes |
| • Financial aid administration | Yes |
| • Recruiting | Yes |
| • Camps and clinics | Yes |
| • Investigations and self-reporting of rules violations | Yes |
| • Rules education | Yes |
| • Extra benefits | Yes |
| • Playing and practice seasons | Yes |
| • Student-athlete employment | Yes |

12. Describe relevant corrective actions planned or implemented from the rules-compliance program evaluation(s).

Overall, the 2006 MAC Compliance Report showed that Western Michigan University does an excellent job in terms of compliance matters. In particular, the review showed that in most areas, the administration of compliance at WMU is either “Complete” or “Demonstrated.” Furthermore, there were no areas in which the review resulted in an area designated as “Poor.”

There were three areas in the review that Mr. Wachler labeled, “Enhancement Needed:” Complimentary Admission, Booster Organizations, and Extra Benefits.

As to complimentary admission, the review suggested that there is a need for a more structured program in this area, particularly one that goes beyond rules education. With the implementation of a computer system which monitors complimentary admissions, a more structured program was in place at the time of the review. The use of a computer program lessens the opportunity for abuse, given that the problem is taken out of human control. The data from the computer program is reported after each event to the Director of Compliance. However, based on the enhancement requested in the review, the Campus Compliance Committee will now move complimentary admission into its first audit cycle to be conducted in Spring 2007.

A second area of enhancement raised was Booster Organizations. In order to strengthen compliance in this area, by October 1, 2007, the Division will now require that all booster organizations submit the following: 1) an annual list of its members; 2) a constitution and bylaws; and, 3) all booster groups will appoint a rules compliance liaison appointed who will attend regular rules education sessions. This will strengthen rules education efforts beyond annual meetings with coaches and players.

A final area of enhancement raised during the compliance review was Extra Benefits. Given the difficulty of reactively monitoring any gifts or special treatment, in order to address this concern, by 1 October 2007, the Division will put in place a comprehensive program to educate all student-athletes as well as all individuals and groups likely to inadvertently provide an extra benefit.

Currently, the Division tracks and monitors the wide-variety of potential issues relative to Extra Benefits via educational sessions, meetings, mailings, forms and paperwork, newsletters, electronic mail, flyers and regular review of online chat rooms and blogs. These ongoing efforts within the Division include but are not limited to: 1) addressing compliance information at department-wide staff meetings; 2) having head coaches attend monthly meetings that include compliance topics; 3) having all coaches and staff members attend monthly Third Thursday Thirty rules education sessions; 4) distributing the *Deputy Bronco* compliance newsletter monthly to coaches, staff members and University senior staff; and, 5) upon the release of emergency legislation from the NCAA, disseminating information via Red-Flag emails to coaches, staff members and in some cases, across the University.

As it concerns student-athletes, efforts to address issues with regards to Extra Benefits include: 1) required annual NCAA academic and compliance team meetings; 2) the gathering of student-athlete employment information during annual team meetings; and, 3) tracking equipment and apparel distribution and retention, awards and benefits and occasional meals by reviewing invoices submitted for reimbursement to the business office.

Finally, in terms of Extra Benefits with regards to the community, Division efforts include: 1) requiring professional sports agents to register annually with the Division prior to any communication with student-athletes about careers in professional sports; 2) the posting of the *Bronco 101 Guide to NCAA Compliant Boosters* in football game-day suites; 3) the mailing of an NCAA rules insert to season ticket holders; 4) regulating camps and clinics by requiring Division permission prior to conducting such events; and, 5) controlling participation in charity and promotional events by requiring that the Director, via the Director of Compliance as designee, proactively grant permission to both the student-athlete and the respective charity or promotional organization.

Yet, in an effort to fully address Extra Benefit concerns raised during the Department's compliance review, the following areas will be implemented and/or enhanced by October 1, 2007. Within the institution, 1) the distribution of the *Deputy Bronco*, a primary rules education tool, will be widened to include the directors and staff members of the Office of Admissions, Financial Aid, and the Registrar's Office; and, 2) Compliance Committee cycles will now include regular review of Extra Benefits (i.e., Representatives of Athletics Interest).

With regards to booster groups, the Division will require that they: 1) annually submit a membership roster including leadership structure, 2) disclose membership fees and benefits; and, 3) designate a liaison from each booster group to annually attend a rules

education session with the Director of Compliance. As to donors, they now will receive a statement included in all contribution thank you letters emphasizing the importance of abiding by all NCAA rules. Finally, as it relates to the larger community, the Director of Compliance will reinstitute the mailing of an NCAA rules letter to local retailers.

DRAFT

Western Michigan University

Rules Compliance Plan #1

Issues in the Self-Study (1.2.4)

Given the turn-over in booster groups, rules education is an ongoing challenge.

Measurable Goals

To reach booster groups with relevant rules compliance education.

Steps to Achieve Goals

The Division will require that all booster groups appoint a rules education liaison who will meet annually with the Director of Compliance for training in rules education, reporting formally back to their groups, and documenting the reporting in their minutes.

Individuals/Officers Responsible for Implementation

Paul Devries, The Director of Compliance.

Specific Timetable for Completing the Work

1 October 2007.

Western Michigan University

Rules Compliance Plan #2

Issues in the Self-Study (1.2.4)

It is highly difficult to communicate rules education material to individuals who are not members of an organized booster group.

Measurable Goals

To effectively communicate rules education material to individual boosters.

Steps to Achieve Goals

As part of letters thanking individuals for their donation to the Athletics program, a short insert will be created that provides basic rules information as well as the phone number and email address of the Director of Compliance.

Individuals/Officers Responsible for Implementation

Rob Hunt, Director of Development for Intercollegiate Athletics, Kathy Beauregard, Athletic Director, and Paul Devries, The Director of Compliance.

Specific Timetable for Completing the Work

1 July 2007.

Western Michigan University

Rules Compliance Plan #3

Issues in the Self-Study (1.2.5)

The Director of Compliance reports to the Associate Athletic Director for Academics and Compliance Services and not the Athletic Director. As such, the Director of Compliance does not have direct dotted-line access to the Athletic Director.

Measurable Goals

Provide the Director of Compliance direct dotted-line access (though not day-to-day reporting) to the Athletics Director.

Steps to Achieve Goals

The Director of Compliance's job description will be re-written to include direct access to the Athletic Director.

Individuals/Officers Responsible for Implementation

Laureen Summerville, Vice-President of Human Resources, Kathy Beauregard, Athletic Director, and Monty Porter, Associate Athletic Director/Business Operations.

Specific Timetable for Completing the Work

1 July 2007.

Western Michigan University

Rules Compliance Plan #4

Issues in the Self-Study (1.2.6)

Assistant and volunteer coaches do not sign contracts with compliance responsibilities detailed therein.

Measurable Goals

To have assistant and volunteer coaches sign contracts which detail their compliance and rules education responsibilities.

Steps to Achieve Goals

Within an appropriate period of time, the Director of Compliance will identify individuals who are assistant and volunteer coaches who do not currently operate with contracts and require them to sign contracts.

Individuals/Officers Responsible for Implementation

Paul Devries, Director of Compliance, Dave Corstange, Senior Associate Athletic Director, and Monty Porter, Associate Athletic Director/Business Operations.

Specific Timetable for Completing the Work

1 October 2007.

Western Michigan University

Rules Compliance Plan #5

Issues in the Self-Study (1.2.5)

No formal process is present for training the Director of Admissions, the Registrar, and the Director for Student Financial Aid with regards to compliance matters.

Measurable Goals

Going forward, to have the Director of Admissions, the Registrar, and the Director for Student Financial Aid receive opportunities for compliance education and training within the first year of appointment.

Steps to Achieve Goals

The Division of Intercollegiate Athletics will work with the Director of Admissions, the Registrar, and the Director for Student Financial Aid to identify appropriate educational opportunities both on and off campus, support attendance and participation. This process will be documented by the Faculty Athletics Representative.

Individuals/Officers Responsible for Implementation

Paul Devries, Director of Compliance, Jeffrey Stone, Associate Athletic Director for Academics and Compliance Services, and Fred Sitkins, Faculty Athletics Representative.

Specific Timetable for Completing the Work

1 December 2007.