

SELF-REPORT FOR SECONDARY VIOLATIONS CONFERENCE RULE VIOLATIONS/ NCAA BYLAW VIOLATIONS

1.	Institution: Indiana University 2. Sport(s) Involved: Men's Basketball
3.	Date Institution Determined Violation Occurred: 4/13/11
4.	Date Reported to: NCAA: 4/25/11 (via phone) Conference: 4/25/11 (via phone)
5.	Location of Violation: Bloomington, IN
6.	Date of Violation:
7.	How was the violation discovered?
	See attached memo.
8.	Legislation Involved: NCAA: 13.2.1, 14.01.1
	Conference: N/A
9.	For NCAA violations, indicate whether this is a Level I or II violation. Report Level I violations directly to the NCAA.
	Level I: In general: violations of bylaws outside of Bylaws 10-17, all intentional violations, any violations not isolated or limited to a single occurrence, and any similar violations that previously have occurred in the same sport during that same year. Refer to the NCAA website for a complete list of Level I violations (http://www1.ncaa.org/membership/enforcement/secondary_violations/index). Level II: All inadvertent violations of the operating bylaws (Bylaws 10-17) not identified as Level I violations. Level II violations do not require reinstatement by the NCAA. If this self-report involves restitution, please attach documentation of repayment.
10.	Individual(s) Involved (include Name/Position or Title):
	Mark Adams, Representative of the Institution's Athletics Interests.
11.	Prospective or Enrolled Student-Athlete(s) Involved:
	Hanner Perea, Peter Jurkin, prospective student-athletes, Tijan Jobe, former student-athlete.
12.	Eligibility reinstatement required? Yes No
	If yes, requested to: NCAA If YES, request eligibility reinstatement directly from NCAA.
	Or Conference If YES, request eligibility reinstatement directly from Conference.
	A) Date Institution declared prospect/student-athlete ineligible Date:
	B) Name(s) of Prospect(s) or Student-Athlete(s) declared ineligible:
	Hanner Perea, Peter Jurkin, Tijan Jobe.
	C) Are there other eligibility issues with this prospect or student-athlete (e.g., petition pending; additional
	reinstatement pending, etc.)? Yes Ves No If YES, please clarify:

13. Facts of the Case (Please include an explanation as to why the violation occurred. Attach additional documentation if necessary.):
See attached memo.
14. Corrective Actions Taken by Institution:
See attached memo.
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15. Punitive & Disciplinary Actions — Level II Violations:
If this is a Level II violation for which a penalty has been prescribed, has the institution imposed those prescribed actions?
Yes No N/A If YES, please attach any required documentation.
If NO, and the institution believes that the circumstances are such that the prescribed action is not appropriate, submit a copy of the violation directly to the NCAA for processing with an explanation as to why relief from the prescribed action should be avoided.
Under the provisions of Rule 32.2.1.C, this report is to be countersigned by the Faculty Representation and Director of Athletics.
Submitted by
Submitted by Signature: Date: 6/22/2012 Figure 1
Signature: 0. Vil align Date: 6-22-20/2
Director of Athletics
REMINDER: Institutions are required to submit copies of all letters of admonishment and/or reprimand issued with a self-report.
Copies to: President Michael McRobbie Chris Reynolds Fred Glass Tom Crean Kurt Zorn Iulie Cromer

INDIANA UNIVERSITY

DEPARTMENT OF
INTERCOLLEGIATE ATHLETICS
Office of the Director
Bloomington

TO:

Chris Strobel, Director of Enforcement Services, Secondary Violations

National Collegiate Athletic Association

FROM:

G. Frederick Glass, Vice President and Director of Intercollegiate Athletics

Indiana University

DATE:

June 22, 2012

RE:

Secondary Violations

This memorandum summarizes Indiana University's findings related to relationships between a nonscholastic youth basketball coach, who also is a representative of Indiana University's athletics interests, and four individuals participating in the sport of men's basketball. After an extensive and thorough review, Indiana University has concluded that secondary violations occurred when the nonscholastic youth basketball coach provided impermissible expenses to one former student-athlete and two prospective student-athletes. Additional secondary violations occurred when the nonscholastic youth basketball coach signed paperwork required for two former men's basketball student-athletes to meet financial requirements for international student-athletes. As discussed below, these violations were unintentional in that the nonscholastic youth basketball coach did not realize he was a representative of Indiana University's athletics interests and, therefore, believed this support was permissible. Further, our athletics compliance staff failed to appropriately determine the eligibility of one former men's basketball student-athlete and to subsequently seek reinstatement at the time of his enrollment at Indiana University. As a result, for two seasons one former men's basketball student-athlete competed for Indiana University while ineligible.

Upon discovering this matter, I personally contacted the NCAA Enforcement Services staff to notify appropriate officials and to agree to a course of action. Julie Roe Lach, Vice President for Enforcement Services, advised that we conduct an internal review in consultation with the NCAA Basketball Focus Group. Following Ms. Lach's advice, we worked with representatives from the NCAA Basketball Focus Group, which has agreed with our findings that the violations reported in this summary constitute secondary violations and will require reinstatement of the two prospective student-athletes before they represent our institution in competition.

Summary of Inquiry

The nonscholastic youth basketball coach, Mark Adams, is a long-time Bloomington resident who also is a graduate of Indiana University. After completing his degree in 1980, Adams donated nominal amounts to the Indiana University Varsity Club through a campaign targeting recent graduates. In total, Adams donated \$185 to the Varsity Club from 1986 to 1992, as outlined in Attachment A. Since his last donation in 1992, Adams has made no additional financial contributions in support of Indiana University Athletics.

Adams has been involved in nonscholastic youth basketball for over 20 years. Nine years ago, Adams became a coach for the organization now known as Indiana Elite. In 2004 Adams founded A-HOPE, a nonprofit organization intended to support aspiring athletes from other countries as they pursue their educational and athletic endeavors here in the United States. Over the years, some members of Adams' youth basketball teams have received financial support from A-HOPE for fees and costs associated with immigration requirements, travel, clothing and miscellaneous living expenses. A-HOPE has provided assistance to more than 30 kids, including at least 22 who have gone on to attend 18 different collegiate institutions. Among those receiving expenses from A-HOPE are Tijan Jobe, who competed as a member of Indiana University's men's basketball team during the 2008-09 and 2009-10 seasons and two prospective student-athletes, Hanner Perea and Peter Jurkin, who enrolled at Indiana University this summer. In addition, with the cooperation of Perea's family, Adams took steps to become Perea's legal guardian in June 2010. Attachment B outlines the expenses reported and estimated to have been provided by A-HOPE to Jobe, Perea and Jurkin.

Among the services provided by A-HOPE are support in obtaining student visas and security clearances for international students. As part of this process, students must present financial documentation guaranteeing their ability to pay educational and living expenses throughout the term of their respective student visas. In 2008, Mark Adams co-signed the International Student Financial Aid Documentation required by Indiana University for Tijan Jobe's admission. This documentation ensures that each international student will have alternate sources of financial support, if needed, and it is intended to demonstrate that adequate resources will be available during the student's time of study. Adams signed the same documentation for another former men's basketball student-athlete, Guy-Marc Michel, on June 8, 2010. Michel never competed for Indiana University due to issues stemming from his amateurism and the NCAA's five-year clock for intercollegiate competition.

Indiana University was aware that Adams and A-HOPE had provided support to Perea and Jurkin, but believed such support generally would be permissible given Adam's status as their nonscholastic coach and Perea's apparent guardian. From the summer of 2010 through April 2011, during the course of planning the recruitment of Perea and Jurkin, the Indiana University athletics compliance staff reviewed with the men's basketball staff an NCAA Official Interpretation (issued June 6, 2000) that gives specific guidance regarding permissible expenses provided by nonscholastic coaches. This interpretation outlines the circumstances under which a prospective student-athlete may receive reasonable benefits from a nonscholastic coach, provided the nonscholastic coach is not also a representative of the institution's athletics interests. In addition, on multiple occasions the athletics compliance staff consulted the Big Ten, NCAA Academic and Membership Affairs and the NCAA Basketball Focus Group regarding A-HOPE, the relationship between Adams and the Indiana University men's basketball program, and how to ensure the permissible recruitment of prospective student-athletes with ties to the Indiana Elite program. On October 7, 2010 the Assistant Athletics Director for Compliance and the Director of Compliance, Monitoring visited the NCAA National Office and met with Basketball Focus Group representatives to discuss A-HOPE and the Indiana Elite program specifically. Despite his personal, active and long-term involvement in reviewing the eligibility of Perea and Jurkin (including the underlying assumption that Adams was not a "booster"), it was not until April 13, 2011, that the Assistant Athletics Director for Compliance revealed for the first time to the Senior Associate Athletics Director for Compliance and Administration and others within the Department that he had knowledge of Adams' prior donations to the Indiana University Varsity Club (and consequential "booster" status), which had been disclosed to him during the certification of Jobe's eligibility in 2008. Later that day, the Senior Associate Athletics Director for Compliance and Administration reviewed Jobe's student-athlete eligibility file and concluded that his eligibility was not appropriately determined and that he likely

competed while ineligible. The Senior Associate Athletics Director for Compliance and Administration immediately notified me, and I promptly reported the discovery to the President, the Faculty Athletics Representative, the Office of the General Counsel and the Chairwoman of the Faculty Athletics Committee. Pursuant to direction from the President, I also briefed the Chairman of the Board of Trustees.

Application of Facts to NCAA Bylaws

After reviewing the facts summarized above, Indiana University has concluded that Adams meets the definition of a representative of Indiana University's athletics interest as outlined in NCAA Bylaw 13.02.14. Though the donations concluded more than 15 years before Adams provided expenses to an Indiana University prospective student-athlete and the total amount of contributions (i.e. \$185) was relatively minimal, NCAA Bylaw 13.02.14.1 stipulates that once an individual meets the definition outlined in Bylaw 13.02.14, he or she retains that designation forever. Further, while the June 6, 2000, NCAA Official Interpretation permits prospective student-athletes to receive "normal and reasonable living expenses from an individual with whom the student-athlete has an established relationship (e.g., high-school coach, nonscholastic athletics team coach, family of a teammate), even if the relationship developed as a result of athletics participation," they may only do so if the provider of such expenses is not also a booster of an institution recruiting the prospect. While many of the expenses provided to the three students in question could have been permissible under this interpretation, the fact that Adams also meets the NCAA's definition of a booster renders this interpretation moot when applied to this fact scenario. As a result, the expenses provided to Jobe, Perea and Jurkin constitute violations of NCAA Bylaw 13.2.1. Indiana University will continue to work with the NCAA to determine whether the expenses received by Perea after Adams filed for legal guardianship are permissible. We note that the basis for Adams being deemed a representative of Indiana University's athletics interests is his \$185 in contributions to the Varsity Club between 1986 and 1992. The NCAA Basketball Focus Group worked with our staff to review the interaction between our men's basketball program and Adams, A-HOPE, and Indiana Elite and have found no impermissible access or additional basis to further establish Adams as a representative of Indiana University's athletics interests.

Regarding the financial aid documentation required for all international students, an NCAA Staff Interpretation issued January 18, 1991 clarifies that a booster may not co-sign financial aid documents that verify the availability of funds should an international prospective student-athlete not meet his or her financial obligation to the institution. As noted previously, in two instances, Adams signed such documentation for Indiana University men's basketball student-athletes. Though he was not called upon to provide the financial support referenced in the documentation, the act of signing such paperwork constitutes a violation of NCAA Bylaw 13.2.1, as outlined in the 1991 NCAA Staff Interpretation.

In addition, Indiana University has determined that the athletics compliance office did not properly certify Jobe before he represented our institution in competition during the 2008-09 and 2009-10 men's basketball seasons. Though at the time of Jobe's initial eligibility determination in 2008 our compliance office was aware of Adams' prior donations to the Indiana University Varsity Club, the Assistant Athletic Director for Compliance falled to appropriately consider Adams' status as a representative of Indiana University's athletics interests when determining Jobe's eligibility. Adams willingly disclosed his prior donor status in 2008 during interviews to determine the extent of expenses provided to Jobe. He fully cooperated more recently, throughout the review of these matters, while providing extensive information regarding his organization's payment of expenses for these student-athletes. However, while the Assistant Athletics Director for Compliance reviewed the expenses to determine that no

preferential treatment violations occurred, he did not follow outside counsel's advice to seek additional NCAA guidance regarding whether Adams' "booster" status rendered the expenses impermissible. Further, Indiana University did not seek reinstatement for Jobe in 2008 and, as a result, Jobe competed for the 2008-09 and 2009-10 seasons while ineligible. As a result, Indiana University has concluded that violations of NCAA Bylaw 14.01.1 occurred when Jobe competed in 44 games over two seasons.

Penalties and Corrective Actions

Based upon this analysis and the resulting conclusions outlined in the preceding sections, Indiana University will take the following actions:

- 1. Issue an immediate payment of a \$5,000 fine for failure to properly certify one former studentathlete prior to competition. This amount was determined using the NCAA's established formula for such cases.
- 2. Seek reinstatement of Perea and Jurkin via the NCAA Student-Athlete Reinstatement process, as a required step to certify their eligibility for competition.
- 3. Suspend communication between Adams and the Indiana University men's basketball coaching staff for a period of one year commencing July 1, 2012. Notwithstanding Adams' complete cooperation in this matter, including the full disclosure in 2008 of his Varsity Club contributions and his good faith belief that the expenses provided were permissible, Indiana University understands NCAA precedent for similar cases would indicate some penalty is warranted due to the determination that the expenses provided our student-athletes were not permissible. Further, while NCAA precedent in similar cases would indicate complete disassociation with a booster as a potentially appropriate measure, Mr. Adams is no longer a member of the Varsity Club and has not been for many years. As a result, discontinuing benefits typically provided to Indiana University athletics donors would have no impact, since he has not been receiving any. As a nonscholastic coach, Adams currently receives permissible complimentary admissions from the institution to some men's basketball games and is in communication with our men's basketball staff. During the imposition of this penalty, the men's basketball coaching staff will not be permitted to communicate with Adams, with the exception of conversations related exclusively to the welfare of Hanner Perea, for whom Adams has legal responsibility. If such conversations are necessary, the men's basketball staff will notify their sport administrator, Senior Associate Athletic Director Chris Reynolds, prior to communication. Further, Adams will not be provided complimentary admissions typically provided to non-scholastic coaches and as permitted per Bylaw 13.8.1 to Indiana University men's basketball events.

Conclusion

This issue was detected by our institution and institutional procedures for investigating potential violations were followed as specified in the Indiana University Athletics Department Manual. Appropriate Indiana University and Big Ten constituents have been notified of these findings, and we will continue to engage institutional entities in applying the penalties and corrective actions previously outlined.

Cc: Michael McRobbie

Julia Lamber Kurt Zorn Julie Cromer Anne Rohlman Ian Rickerby Tom Crean Chris Reynolds

Attachment A

Indiana University Varsity Club Individual Giving History Mark A. Adams

Transaction ID	Account	Account Number	Credit Date	Category	Amount
686163	Scholarship for Athletes	I37A017013	7/30/1986	Gift	30
686164	Scholarship for Athletes	I37A017013	8/19/1987	Gift	30
686165	Scholarship for Athletes	137A017013	5/17/1990	Gift	30
686166	Scholarship for Athletes	I37A017013	1/16/1991	Gift	20
686167	Scholarship for Athletes	I37A017013	8/19/1991	Gift	25
686168	Scholarship for Athletes	I37A017013	6/18/1992	Gift	25
686169	Scholarship for Athletes	I37A017013	11/20/1992	Gift	25

Total Donations \$185

Summary of Reported Expenses Provided to Men's Basketball Prospective Student-Athletes As of June 2012

Hanner Mosquera Perea

Expense	Estimated Costs
Prior to 6/18/2010	
SEVIS Fee	\$100.00
VISA	\$140.00
One-way airfare from Colombia to Chicago	\$630.00
Round-trip airfare from Colombia to Chicago	\$1,000.00
Automobile transportation (mileage to multiple secondary schools from 2008-2009)	\$700.00
+ Meals (summer 2009)	\$243.84
+ Housing (summer 2009)	\$700.00
Used iPod	\$50.00
Phone cards	\$40.00
+ Personal items (toiletries, school supplies, occasional movie tickets)	\$30.00
+ Clothing (4-5 t-shirts, 4-5 shorts)	\$118.69
	total \$3,752.53
After 6/18/2010	
Round-trip airfare from Indianapolis to Colombia (Purchased 11/10)	\$912.70
Round-trip airfare from Indianapolis to Colombia (Purchased 12/11)	\$1,088.10
Automobile transportation (mileage to multiple secondary schools from 2010-2011)	\$202.00
Laptop	\$320.99
Phone cards	\$5.00
Cell phone	\$50.00
Cell phone plan (24 months @ \$50)	\$1,200.00
+ Meals (summer 2010)	\$246.52
+ Meals (summer 2011)	\$124.08
+ Housing (summer 2010)	\$350.00
+ Housing (summer 2011)	\$700.00
+ Personal items (toiletries, school supplies, occasional movie tickets)	\$30.00
+ Clothing	\$26.00
	total \$5,255.39
Total Estimated Expe	nses \$9,007.92

	Rey
Symbol	Definition
+	Expenses outlined in June 6, 2000 NCAA Official Interpretation

Attachment B

Peter Jurkin

Expense	Est	imated Costs
SEVIS Fee	\$	100.00
VISA	\$	140.00
One-way airfare from Sudan to Detroit, MI	\$	1,000.00
Automobile transportation (mileage and bus fare to multiple secondary schools from 2008-2011)	\$	215.00
+ Housing for February 2008 through May 2008	\$	1,400.00
+ Meals (summer 2008)	\$	266.17
+ Meals (summer 2009)	\$	266.17
+ Meals (summer 2010)	\$	266.17
+ Housing (summer 2008)	\$	700.00
+ Housing (summer 2009)	\$	700.00
+ Housing (summer 2010)	\$	700.00
+ Personal items (toiletries, school supplies, occasional movie tickets)	\$	60.00
Phone cards	\$	45.00
+ Clothing (1 collared shirt, 4-5 t-shirts, 4-5 shorts, 1 pair of Jeans)	\$	145.00
Total Estimated Cost	s	\$6,003.51

Tijan Jobe

Expense	Est	timated Costs
One-way airfare from Gambia to US	\$	850.00
+ Meals (summer 2005)	\$	250.00
+ Meals (summer 2006)	\$	85.00
Meals (occasional meals at Olney CC)	\$	40.00
+ Housing (summer 2005)	\$	1,050.00
+ Housing (summer 2006)	\$	350.00
+ Personal items (toiletries, school supplies, occasional movie tickets)	\$	30.00
Total Estimated Costs	\$	2,655.00

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Symbol	Definition
+	Expenses outlined in June 6, 2000 NCAA Official Interpretation



P.O. Box 6222 Indianapolis, Indiana 46206 Telephone: 317/917-6222

Shipping/Overnight Address: 1802 Alonzo Watford Sr. Drive Indianapolis, Indiana 46202

www.ncaa.org

G. Frederick Glass
Vice President & Director
of Intercollegiate Athletics
Indiana University
1001 East 17th Street
Bloomington, Indiana 47408-1590

Dear Mr. Glass:

This is in reference to your June 22 report concerning violations of NCAA rules involving representative of the institution's athletics interests Mark Adams, and then prospective men's basketball student-athletes Hanner Perea, Peter Jurkin, Tijan Jobe and Guy-Marc Michel.

Please note that the matter has been reviewed in accordance with the provisions of NCAA Bylaws 19.5.1 and 32.4, and it was determined that violations occurred in that Mr. Adams, a representative of the institution's athletics interests and also a nonscholastic youth basketball coach, provided impermissible expenses to Mr. Perea, Mr. Jurkin and Mr. Jobe, which is contrary to the provisions of Bylaw 13.2.1. In addition, Mr. Adams signed paperwork required for Mr. Jobe and Mr. Michel in order to meet financial requirements for international student-athletes, which also is contrary to the provisions of Bylaw 13.2.1. Further, the institution failed to declare Mr. Jobe ineligible after it should have discovered the violations involving Mr. Jobe, and allowed him to compete for two seasons prior to seeking reinstatement of his eligibility, which is contrary to the provisions of Bylaw 14.11.1.

Mr. Adams is a long time local resident and a graduate of the institution, and has been involved in nonscholastic basketball for over 20 years. In 2004, he founded a nonprofit organization intended to support aspiring athletes from other countries as they pursue their educational and athletic endeavors in the United States. Over the years, some members of Mr. Adams' nonscholastic team have received financial support from his nonprofit organization for fees and costs associated with immigration requirements, travel, clothing and miscellaneous living expenses. Mr. Adams' nonprofit organization has provided assistance to more than 30 young men, including 22 who have gone on to attend 18 different collegiate institutions. Among those receiving expenses from the nonprofit organization are Mr. Perea and Mr. Jurkin, who both enrolled at the institution in the summer of 2012, and Mr. Jobe, who competed for the institution during the 2008-09 and 2009-10 academic years. In addition, with the cooperation of Mr. Perea's family, Mr. Adams took steps to become Mr. Perea's legal guardian in June 2010.

Among the services provided by Mr. Adam's nonprofit organization are support in obtaining student visas and security clearances for international student-athletes. As part of this process, students must first present financial documentation guaranteeing their ability to pay educational and living expenses throughout the term of their student visas. In 2008, Mr. Adams co-signed the International Student Financial Aid Documentation required by the institution for Mr. Jobe and Mr. Michel. Mr. Michel never competed for the institution.

The institution was aware that Mr. Adams and his nonprofit organization had provided support to Mr. Perea and Mr. Jurkin, but believed such support was generally permissible pursuant to an NCAA June 6, 2000, interpretation, given Mr. Adams' status as their nonscholastic coach and Mr. Perea's apparent legal guardian. At the time, the institution did not believe Mr. Adams to be a representative of their athletics interests. From the summer of 2010 through April 2011, during the course of planning the recruitment of Mr. Perea and Mr. Jurkin, the institution's compliance staff worked closely with the conference office, the NCAA AMA staff and NCAA enforcement basketball focus group staff regarding the relationship between Mr. Adams and the institution's men's basketball program and how to ensure the permissible recruitment of prospective student-athletes with ties to Mr. Adams' nonscholastic team.

It was not until April 2011 that the then assistant athletics director for compliance revealed for the first time that he had knowledge that Mr. Adams previously had made donations to the institution's booster club. After completing his degree in 1980, Mr. Adams donated nominal amounts to the institution's booster club. In total, Mr. Adams donated \$185 between 1986 and 1992. He has made no other additional financial contributions in support of the institution's athletics program.

Despite the minimal nature of Mr. Adams' donations, and the fact that the last donation he made was more than 15 years before he provided expenses to a prospective student-athlete who enrolled at the institution, Mr. Adams must be considered a representative of the institution's athletics interests. As a result of his representative status, the expenses Mr. Adams provided to Mr. Jobe, Mr. Perea and Mr. Jurkin, which otherwise may have been permissible, constitute a violation of Bylaw 13.2.1. Similarly, due to his status as a representative, a violation of Bylaw 13.2.1 also occurred when Mr. Adams co-signed the financial aid verification documents for Mr. Jobe and Mr. Michel. Finally, the former assistant athletics director for compliance did not make a proper assessment of Mr. Jobe's eligibility prior to the 2008-09 season when he became aware that Mr. Adams had made financial donations to the booster club. As a result, Mr. Jobe was permitted to compete during the 2008-09 and 2009-10 seasons prior to having his eligibility reinstated, which is contrary to the provisions of Bylaw 14.11.1.

In that regard, it was determined that the case should be classified as secondary and that, inasmuch as the actions taken by the institution are substantial and meaningful, no further action should be taken by the NCAA enforcement staff in the matter.

Your cooperation and assistance in the review of this case are appreciated.

Sincerely,

Christopher S. Strobel

Director of Enforcement for Secondary Infractions

CSS:fj/53115

cc: Ms. Julie Cromer

Mr. James Delany Ms. Kristine Fowler

President Michael McRobbie

Dr. Kurt Zorn