



Buckner

**NEW NCAA ENFORCEMENT PROCESS:
INVESTIGATIVE RESOURCE NO. 3**

March 2014

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INTRODUCTION

Buckner provides the “New NCAA Enforcement Process: Investigative Resource No. 3” to supplement the checklists, forms and resources included in the “NCAA Enforcement Investigations Toolkit”. This resource and the Toolkit, which are available for download on the law firm website (www.bucknersportslaw.com), contains information and recommendations that are designed to assist campus and athletics administrators with preparing policies, procedures, strategies and protocols to address investigations of alleged NCAA rules-violations that are processed under the new enforcement process (revised Bylaw 19).

RESOURCES

Level II and III Case Upgrade Checklist

1. Review available facts and apply to Bylaws 19.1.1, 19.1.2, 19.1.3 and 19.1.4:
 - a. What level(s) is applicable based on available facts?
 - b. What is the evidence supporting the relevant case level(s)?
 - c. Based on the evaluation in Item Nos. 1-a and 1-b, is the case ripe for an upgrade by the enforcement staff? If “yes”, proceed to Item No. 2.
2. If case is ripe for an upgrade by the enforcement staff, then use investigative activities and techniques to:
 - a. Develop or supplement the record with evidence to support appropriate case level.
 - b. Identify case-precedent and other authority to base an argument relating to the appropriate case level.
3. If an upgrade of the case is at issue, then communicate (orally and in writing) argument to the enforcement staff.

Authorization for Release of Information

TO: [ADD]

I hereby authorize and consent that the records and files described below that are within your custody and control, and which in any way pertain to me, may be released or disclosed by you to a duly authorized representative of _____ (the "University"), upon receipt of this authorization or a copy thereof. The purpose of this authorization is to collect information to refute or corroborate alleged violations of National Collegiate Athletic Association rules during an intercollegiate athletics investigation conducted by _____ (the "Investigator"), on behalf of the University. If you have any questions concerning this authorization, the Investigator can be reached at _____.

This authorization includes the full and complete disclosure of the records and files pertaining to:

[ADD]

A photocopy of this release form will be valid as an original hereof, even though the said photocopy does not contain an original writing of my signature.

Name (Print)

Signature

Date of Signature

State of _____

County of _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____ 20____, by _____ (name of person making statement).

Signature of Notary Public

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known: _____ OR Produced Identification: _____

Type of Identification Produced: _____