Texas Tech University

Review of Certain Components of the Athletics Department's Academic Support Program

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I.   INTRODUCTION

A.   Overview of Project

The Compliance Group (TCG) was retained by Texas Tech University (TTU or University) to conduct an: (i) academic services review; and (ii) audit. The purpose of the review was for TCG to provide recommendations that would reduce the likelihood of academic fraud for student-athletes at the institution. To the extent possible, TCG attempted to understand existing procedures in order to determine whether a revision or modification of those procedures or monitoring processes was warranted.

The institution determined that the review and audit should include the following areas within the academic services area:

–   Organization
–   Involvement in Various Processes
–   Academic Progress and Monitoring
–   Tutorial/Learning Assistance Programs

B.   Overview of Systems Review and Audit

1.   Methodology – Prior to and during the on-campus visit, the University provided TCG information detailing procedures, forms, compliance and academic manuals, and who has what responsibilities. This type of review is intended to be an analysis or "snapshot" of the current program. The review only can examine those systems, processes, materials, and programs in place at or around the time of the review.

Chuck Smrt and Amy Mallet with TCG conducted on-campus interviews June 17 to 18, 2015, with the following individuals:

–   Dr. Rob Stewart, Senior Vice Provost
–   Brian Shannon, Faculty Athletics Representative
–   Ronald Phillips, University Counsel – President's Office
–   Jennifer Brashear, Associate Athletics Director/Compliance

- Felicia Martin, Associate Athletics Director/Academic Services
- Brittany Todd, Associate Director – The Office of Student Conduct
- Samantha Fuentes, Analyst – Undergraduate Admissions
- Matthew Jordan, Assistant Director for Continuing Eligibility/Athletic Academic Advisor (Baseball/Men's Tennis)
- Josh Collier, Director of Initial Eligibility
- Justin Opperman, Director of Education (Compliance)
- Rodney Lackey, Assistant Athletics Director/Athletic Academic
- Suzanne Dickenson, Assistant Director/Athletic Academic Advisor (Track & Field/Cross Country/Women's Tennis)
- Audrey Branch, Athletic Academic Advisor (Football)
- Jesse Funk, Athletic Academic Advisor (Football)
- Katie Chapman, Athletic Academic Advisor
- Chloe Barnes, Director Student-Athlete Affairs/Athletic Academic Advisor (Men's & Women's Golf)
- Lyndee Kiesling, Director of Learning Assistance Program (LAP)
- Candice Laster, Learning Specialist
- Brooklyn Moore, Tutorial Coordinator
- Shelby Ball, Athletic Academic Advisor (Women's Basketball/Softball)
- Carol Bonner, Athletic Certification Officer
- Candi Whitaker, Head Coach – Women's Basketball
- Wes Kittley, Head Coach – Track & Field
- ███████████, Men's Basketball Student-Athlete
- ███████████, Men's Track & Field Student-Athlete
- ██████████, Tutor
- ██████████, Study Hall Monitor

Following the on-campus interviews, TCG requested certain information that was considered part of the audit. This information was provided over the next few weeks, and TCG requested additional information. The final requested information was received by TCG on August 30, 2015.

On September 2, 2015, a draft copy of the report was forwarded to the University. The purpose of this initial review was to evaluate the factual basis for and general feasibility of TCG's preliminary recommendations. It is unrealistic for TCG to have a detailed and thorough knowledge of all aspects of the University's academic services systems based upon a review of documentation and some interviews. Further, while TCG attempts to assess the possible impact of its recommendations prior to including them in the report, the University has a better understanding of their

implications. As a result, it was appropriate for University staff to review all draft recommendations.

On November 15, 2015, the institution accepted the report, including all recommendations contained therein. On November 19, 2015, TCG forwarded the final report to the institution.

C.   <u>Executive Summary</u> – The depth of TCG's review in each of the academic services areas listed in Section A above varied depending upon available information and issues that may have arisen within a certain area. For example, and not specific to this review, if an issue arose with personnel in tutoring support concerning training and education, a thorough discussion of that area might reduce the time available for discussions of other issues such as admissions evaluations. Please note that in this type of review, emphasis is placed on recommendations in areas where changes may be needed as opposed to highlighting existing quality compliance components in these or other areas.

Similar to many institutions, the University historically has relied upon its Marsha Sharp Center (MSC) staff to undertake activities to reduce the likelihood of academic fraud occurring with student-athletes. The MSC staff has responsibility for all academic processes, including academic services, admissions, and eligibility certification. The MSC staff work directly with main campus contacts to accomplish their responsibilities. Due to the duties currently assigned to the MSC staff and current processes, the compliance staff does not regularly participate in the compliance efforts related to those areas. While this does not inherently create a compliance deficiency, it does make it more difficult for the compliance staff to demonstrate there are active and functioning compliance systems used to ensure institutional control in this area.

The MSC staff chiefly has been involved in providing rules education to its non-full-time staff members, such as tutors, etc. Its monitoring activities chiefly have related to tutoring or study hall. Until the past academic year, few monitoring activities have occurred relating to identification of clustering of certain courses, certain number of student-athletes in certain courses, or high grades in certain courses. A significant change was made in January 2015 when the Associate Athletics Director for Academics (AADA) began requesting certain

information from the Registrar. The efforts of the Faculty Athletics Representative (FAR) and Associate Athletics Director for Compliance (AADC) to reduce academic fraud recently have focused upon the review of certain information, primarily through the AADA. A more detailed analysis of these three institutional control components is provided later in this section.

The responsibility of monitoring in all of the other compliance areas rests with the Compliance Office. For example, the Compliance Office undertakes certain activities to check the veracity of the information being submitted. As noted above, the AADC has not been involved in the monitoring of certain types of courses. This report will recommend more involvement by the AADC in this area, including the receipt of more information. Several other recommendations relate to the gathering and sharing of information between the Compliance Office, MSC staff, and the FAR. Further, while the institution has many exemplary procedures (e.g., continuing eligibility, employment, etc.), less written detail exists in determining responsibility for the monitoring of ongoing, non-traditional classes and the analysis of student-athlete academic information on a semester or annual basis. Several recommendations in the report will include placing such delegation of responsibilities in writing.

Compliance is risk management, and risk-taking behavior often occurs when a coach or a student-athlete are "pushed" into a corner. The majority of academic misconduct and fraud occurs later in the semester since, at that time, the realization occurs that sufficient work and effort are not being made in order to receive a passing grade. As a result, the institution's monitoring efforts should be cognizant of efforts later rather than sooner in the semester.

Further, TTU's athletics successes, combined with the rapid growth and intensity of Division I FBS intercollegiate athletics, also have influenced the athletics academic support services area. Nationally, the efforts to recruit top student-athletes all too often initiates student-athletes arriving on campus academically underprepared for the rigors of college coursework. This, in turn, results in a bigger strain on resources available to support the academic demands of the student-athlete population. Student-athletes who are admitted below the regular admission standards are challenged to keep pace with their regularly admitted

classmates. Combining that dynamic with the fact that those under-prepared student-athletes are competing in a nationally competitive environment, with heightened awareness of athletic performance plus schedules that include influences from media (i.e., televised games), the result is a more academically needy population of student-athletes. TCG did not examine in detail whether some of the national trends in fact are occurring but is cognizant of these trends, which influenced some of the recommendations in this report.

1.   Institutional Control – The three components frequently used to evaluate the level of institutional control at an institution are: (i) education and training programs; (ii) monitoring programs; and (iii) administrative procedures.

      Regarding rules education, the institution should be commended for the extensive amount of rules education in which it provides. In the MSC, many individuals discussed the extensive rules education program currently in existence. It is noted that the MSC staff meets frequently with the compliance staff. Tutors and learning assistants are trained on NCAA legislation by the compliance staff prior to each term and have additional training required through the MSC's Learning Assistance Program (LAP). The MSC has a comprehensive Tutor and Learning Assistant Manual with valuable information made available to each tutor and learning assistant during these training sessions. TCG has included only a few minor recommendations in this report to broaden the scope of the educational efforts in an attempt to assist TTU in identifying all circumstances wherein individuals may find themselves in contact with student-athletes seeking academic assistance.

      Regarding monitoring, this is the institution's most significant vulnerability of the three components of institutional control, and one that is common among peer institutions. The MSC serves approximately 425 student-athletes in 17 different sports. MSC advisors are responsible for advising multiple sports as well as other department administrative duties such as certification, orientation, and recruiting.

      Regarding procedures, though typically only a few written procedures generally are needed, the institution currently has several in draft form ready for publication.

2.   Strengths – Based upon TCG's interviews, several strengths exist at the institution:

a.   Experience and Leadership – The MSC has had consistency in leadership of the AADA (Felicia Martin) since November 2008. Martin is in her second occasion of employment at TTU, so she began this recent tenure as director with advanced knowledge of the advantages and challenges facing the MSC. The MSC staff has grown from eight full-time members in 2008 to 13 in 2015. The progress and framework of services that have been established during this time have been progressive and accomplished with a culture of compliance.

Martin's daily tasks surround facilitating the admissions and other eligibility certification responsibilities, service to various campus and athletics department committees, student-athlete conduct issues, and other senior staff activities. In addition to compliance-related activities, Martin manages day-to-day operation and problem solving for the academic services area.

b.   Grades First – The institution should be commended for its use of Grades First. The organization and tracking that can be accomplished is a valuable asset to the program. For example, MSC LAP tutors submit reports of all tutor session through Grades First. Graduate assistants then review each report to identify areas of concern and pass the information along to the athletic academic advisor to take appropriate corrective action.

c.   LAP Duties – The LAP staff plays a very important role in the institution's compliance efforts to reduce the likelihood of academic fraud. They: (i) are the institution's first line of defense; (ii) are CRLA certified; and (iii) receive additional rules education. This is a very significant part of the institution's academic fraud program, and the institution should be commended for their efforts in this area.

3.   Challenges – Based upon TCG's interviews, several challenges will exist for the institution over the next few years. Several of the recommendations in this report relate to the following challenges:

   a.   Strategic Collaboration – As noted above, evolution of the compliance program for academics has resulted in Martin and the MSC staff retaining primary responsibility for creating policy, monitoring, and executing numerous academic compliance tasks.   The number of compliance responsibilities in the academic area has increased over the past few years, and the MSC staff has assumed those responsibilities. Over time, the compliance staff has become less engaged with academic compliance activities, as their compliance efforts in other areas have evolved and become more comprehensive and complex. A few recommendations in this report relate to the compliance staff becoming more involved in monitoring the institution's academic activities. With the Compliance Office becoming more engaged in this area to reinforce and strengthen the current compliance efforts, increased collaboration between the MSC and compliance staffs will be necessary. TCG believes that in order for the institution to protect itself from a potential Bylaw 2.8.1 (failure to monitor) violation, it needs to undertake more monitoring of academic activities. The Compliance Office should be involved in these additional compliance activities, while the MSC staff should remain involved.

   b.   Staffing – A recommendation in this report is for the institution to continue to review the appropriate level of staffing in the MSC. Staffing is predicated on assigned responsibilities, which are predicated on the desire or services to be provided. As a result, this analysis should begin with a determination of what activities are desired and what can be provided. In essence, three questions should be asked:

      i.   What activities are we conducting now, primarily in the educational, support, and monitoring areas?

ii.   What additional activities (if any) do we want versus should we be doing?

iii.   What staffing do we need to accomplish those tasks?

At some institutions, due to philosophical or fiscal decisions, academic support staffing remains at a certain capacity. In those cases, decisions are made about prioritization of support, education, and monitoring activities. The determination of whether adequate staffing exists cannot be determined until a decision is made on what services are needed and the level of need of the population of student-athletes served. The institution is in the best position to determine what its constituencies' desires and what its staffing needs are.

c.   <u>Lack of Identification of Special Admissions by the Admissions Office</u> – At most institutions, the identification of special admits stems from a person getting classified as at-risk or academically under-prepared upon admission by the institution (and not necessarily by the athletics department). This is particularly challenging for the institution since the current admissions policy does not include such designations or classifications. Regardless of the policy, similar to other institutions, some student-athletes who are academically or emotionally under-prepared for college are being admitted. An at-risk student-athlete usually requires more frequent meetings with the academic advisor and with a learning assistant (once or twice a week). The number of at-risk student-athletes affects the number of meetings with academic advisors and LAP staff. The number of under-prepared and at-risk students that is put into the academic services system determines the level of necessary support (i.e., more services than non-at-risk students). It is important for the institution to regularly monitor the number of at-risk and under-prepared student-athlete admits in order to determine whether adjustments need to be made in the infrastructure or resources of academic services.

II.   OBSERVATIONS AND RECOMMENDATIONS

A.   Recommendations for the Academic Services Area - Organization

1.   **Observation:** The AADA has a direct reporting line to the Director of Athletics. She has been appointed as a voting member of the Academic Council, which meets monthly. This group is chaired by the Senior Associate Vice Provost (SAVP) and includes individuals from each of the various academic departments.

   Recommendation: Ensure that the AADA remains on the Academic Council. For the majority of Division I institutions, the individual who has primary responsibility for providing academic services to student-athletes has a direct or a dotted reporting line outside of the athletics department. Due to the interaction between the AADA and the SAVP as part of the Academic Council, TCG is comfortable with the existing situation. If the AADA does not remain on the Academic Council, the institution should revisit whether a dotted or reporting line outside of the athletics department for the AADA should occur.

   University's Response: Texas Tech University agrees with this recommendation and will work with the Office of the Provost to ensure that the AADA remains on the Academic Council.

2.   **Recommendation:** Develop a plan for the compliance staff to be involved in monitoring the academic compliance activities surrounding matters such as continuing eligibility certification, admissions, transfer eligibility determinations, academic misconduct, and academic extra benefits. As mentioned earlier, the compliance staff's involvement in monitoring academics has not evolved to the level provided other areas of the compliance program. TCG is not suggesting that issues exist; rather, it believes that the compliance staff should work with the MSC staff to identify areas in which the compliance staff can assist in monitoring the academic program. This collaboration on monitoring will support the joint efforts already established for rules education and policy development.

University's Response: Texas Tech University agrees with this recommendation. The Offices of athletics academics and athletics compliance in conjunction with the Faculty Athletics Representative will collaborate to identify areas in which compliance can assist with monitoring. The compliance office currently assists in monitoring incidents that involve allegations of academic misconduct.

3.   **Observation:**   The Office of Student Conduct conducts hearings involving student disciplinary issues, including student-athletes.   Over the past few months, the Office has allowed the AADC and the FAR to be present when the Office has conducted interviews.

Recommendation: Review the policy allowing the attendance of athletics department staff members in Office of Student Conduct hearings.   TCG is not recommending that such attendance not occur, but such a decision should be a decision made in conjunction with input from outside the athletics department.   This might be a topic for the Campus Compliance Committee (CCC).   TCG has previously recommended at other institutions that athletics department staff members not be present, although the FAR could be present.   Nevertheless, the Office of Student Conduct should be encouraged to tape-record their interviews involving student-athletes and to provide the student-athletes with the Bylaw 10.1 ethical conduct notice.

University's Response: Texas Tech University agrees with this recommendation. The Campus Compliance Committee will review the attendance by athletics department staff members at conduct hearings and discuss with the Office of Student Conduct.

4.   **Observation:**   The Director of Initial Eligibility inserts information to the PSA Spreadsheet.   The spreadsheet includes information concerning the status of the prospective student-athletes' NCAA academic and amateurism eligibility, admission

status, etc. The spreadsheet is provided to the Registrar's Office and coaching staff members.

Recommendation: <u>Revise the PSA Spreadsheet, and encourage the Director of Initial Eligibility to insert onto the spreadsheet those courses currently enrolled by an incoming prospect during the summer that will be used to certify eligibility for immediate practice and competition</u>. The focus is on two-year prospects who are enrolled in courses during the summer prior to fall enrollment in TTU. It is believed that there are less than 10 prospects annually in this scenario. The Director of Initial Eligibility may have knowledge that a certain number of courses are being taken by a particular prospect to complete eligibility requirements. Occasionally, these courses are taken at another institution, forwarded to a junior college, accepted by the junior college, and then used by the junior college for graduation and correspondingly by the University for eligibility. It would be beneficial for TTU to identify these courses, especially if they are being taken at a different institution besides the junior college in order to determine whether, if any, review or monitoring of these courses is necessary. TCG is not suggesting that every one of these courses needs to be monitored, but based upon the knowledge that student-athletes are enrolled in certain courses at other institutions to complete eligibility requirements, the University should review a few of them.

University's Response: Texas Tech University agrees with this recommendation and has updated the PSA spreadsheet to include a column to identify incoming prospective students who are enrolled in courses that will be used to certify eligibility for immediate practice and competition.

5.   **Observation:** The University uses an Academic Incident Spreadsheet that is initially completed by the MSC staff to monitor potential academic misconduct incidences. This is a "score card" that has information related to the student-athlete, sport, instructor, allegation, name and titles of persons involved, etc.

Recommendation: Add a column to the Academic Incident Spreadsheet indicating whether potential academic misconduct incidences were referred to the Office of Student Conduct, the date of referral, and by whom the incident was referred. The spreadsheet includes a column for a resolution and status. Any referrals to the Office of Student Conduct could be included in the "resolution" columns. By adding a column specifically related to the Office of Student Conduct, it provides a visual demonstration of whether the incident has been referred.

University's Response: Texas Tech University agrees that there should be documentation related to whether academic misconduct incidents were referred to the Office of Student Conduct. This process has recently been reviewed, and involves the academic services unit completing an academic misconduct incident form that is submitted to the compliance office and the FAR. This form documents whether or not the incident was referred to Student Conduct, and if so the date and by whom.

6. **Recommendation:** Develop a flexible working definition of "under-prepared" or "at-risk" student-athletes by the MSC for purposes of standardizing academic support services and reporting. During interviews, it was reported that the MSC staff does not have a baseline definition for the parameters of an "at-risk" or "under-prepared" student-athlete for purposes of a uniform department classification. As a result, advisors may support student-athletes differently based upon whether the advisor believes a student-athlete is "at-risk" or "under-prepared". Services can vary dramatically from one student-athlete to another depending upon their advisor, despite having similar academic profiles and need. TCG recognizes the need and desire to have flexibility in developing appropriate individualized support plans, so this recommendation is intended only to serve as a standard to begin the assessment rather than a rigid prescriptive classification. For example, some institutions have had success by analyzing their population with the NCAA's FLAG/GRO assessment tool. Others have used admissions categories coupled with internally developed characteristics.

University's Response: Texas Tech University agrees with this recommendation and will better define "under-prepared" and/or "at-risk" and will also implement an assessment tool to analyze and establish a standard for services.

7.   **Recommendation:** <u>Monitor annually the number of "under-prepared" or "at-risk" student-athletes and the impact of that number on the services required by the MSC</u>. Institutional policy dictates that if any campus department commits to a prospect by offering a scholarship, the prospect is granted enrollment. The athletics department relies on this campus policy to admit student-athletes who are qualifiers. Though they may be qualifiers, many of these admits could be considered at-risk, which necessitates the use of more time by the academic advisor, use of a learning assistant, and an increased number of tutorial sessions. A part of this analysis is determining whether such a number dictates the expansion of staff and services.

       University Response: Texas Tech University agrees with this recommendation and when the assessment tool identified in recommendation number 6 is completed, the institution will undertake annual monitoring.

8.   **Recommendation:** <u>Conduct a workload analysis for each full-time MSC advising staff member to determine what the appropriate student-athlete need relative to the staff contact hours that are available</u>. The area of academic support services is an ever-growing area of need due to factors both within and outside of an institution's control, such as missed-class time and academically under-prepared student-athletes. It is important for the institution to understand both the specific needs of its student-athlete population as well as what quantifiable resources exist to serve those needs. A workload analysis is insufficient unless services are first measured against a standardized set of expectations based upon student-athlete risk level. In order to ensure all student-athletes have fair and equal access to services, it is important to understand what is needed and what is currently available. Much of the type of work conducted in the area of academic support services requires human interaction or contact hours, which are limited resources. A workload analysis will assist leadership in delegating assignments for the most objective and efficient use of available assets.

University's Response: Texas Tech University agrees with this recommendation and will perform an analysis to assess athletic academic advisor/staff workload.

9. **Recommendation**: <u>Develop a standardized, but flexible, inventory or plan of services provided to each group of student-athletes with similarly identified needs</u>. It is impossible to budget the amount of contact hours of support and the types of support a population of student-athletes will need unless an analysis is undertaken about the number of student-athletes who will need the services and at what frequency. The institution should compile a list of services that could be used by each student-athlete, regardless of sport or advisor, based upon the level of risk.

    University's Response: Texas Tech University agrees with this recommendation and will develop such an inventory or plan of services for these groups.

10. **Recommendation:** <u>Identify those areas in the MSC in which specific operating procedures are necessary</u>. The MSC has an operations manual that is in the process of being updated. It is the intent of the MSC staff to have the updated manual completed in the near future. However, it is not necessary to have a "manual". The core responsibilities assigned to the MSC should be detailed in the event of turnover and as a protection to defend the program should issues arise. These procedures should be online and accessible to the MSC, coaches, and the compliance staff, at a minimum. Attention should be focused on identifying the core responsibilities and detailing the steps on how to accomplish each task.

    University's Response: Texas Tech University agrees with this recommendation and will identify areas of services in which additional operating procedures are necessary.

11. **Recommendation:** <u>Increase the availability and use of a writing specialist by student-athletes</u>. There is a campus writing center, and many student-athletes utilize this service. Unfortunately, due to time constraints of competition and travel, some

student-athletes are unable to utilize the service as much as they would like. The MSC does not have a writing specialist.

Consider collaborating with the institution's writing center to have a writing specialist available for a period of time each week in the MSC. It was reported during campus interviews that LAP staff and advisors know that they should not help student-athletes with any written assignments and encourage student-athletes to use the writing center on campus. TCG applauds the use of campus resources and integration of services with the main campus. Providing a few hours of writing specialists time within the MSC could help to ensure that student-athletes are on the right path with their writing assignments. Additionally, as more student-athletes become familiar with the writing specialists and the support they provide, more will be apt to go across campus for their services when needed.

University's Response: Texas Tech University agrees with this recommendation; however, the institution will further investigate this recommendation to ascertain whether adding an "in house" writing specialist would provide the level of service, accessibility, and expertise that is available at the University Writing Center.

B.   Recommendations for the Academic Services Area – Communication

1.   **Observation:** As is customary at most institutions, information concerning potential academic misconduct by student-athletes often is reported to the athletics department's academic staff. This could come from the involved instructor, a member of the MSC staff, or outside source.

Recommendation: Develop a protocol for the MSC staff to follow concerning the reporting of potential academic misconduct, and insert this protocol into the MSC procedures. The specific steps to be undertaken probably will depend upon the status of the information that was reported. For example, if the involved professor informs the MSC staff that he or she already has forwarded the information to the Office of Student Conduct, it would not be necessary for the MSC staff to forward the

information. Nevertheless, the protocol should: (i) involve the FAR and AADC; and (ii) ensure that the information ultimately would be forwarded to the Office of Student Conduct in some fashion.

[NOTE: The institution has developed an Academic Incident Spreadsheet form that tracks information regarding academic misconduct. This form should be mentioned in the protocol.]

University's Response: Texas Tech University agrees and currently has established protocol and procedures outlining the specific steps staff should take to report potential academic misconduct. This process has recently been reviewed, and involves the athletic academic services office completing an alleged academic misconduct incident form. The form is submitted to the AADC and the FAR. This form documents whether or not the incident was referred to Student Conduct, and if so the date and by whom.

2. **Observation:** The FAR meets weekly with the AADC and monthly with the AADA. The FAR attends numerous meetings of the Campus Academic Council and CCC and attends the monthly head coaches and senior executive staff meetings. The Compliance Office conducts monthly rules education training for the MSC staff. The CCC, which includes representatives from the MSC area, compliance staff, and other University departments with NCAA compliance responsibilities, meets quarterly.

Recommendation: Require the AADC and AADA to meet monthly, preferably in conjunction with the FAR and AADC meeting. As noted above, the FAR and AADC are meeting weekly, and one of these meetings could be utilized as a group meeting to include the AADA. The purpose is to ensure that communication is occurring regarding any potential academic issues involving academic irregularities or monitoring activities.

University's Response: Texas Tech University agrees with this recommendation and has established monthly meetings for the FAR, AADC and AADA.

Recommendation: Schedule a meeting between the AADA and the Senior Vice Provost (SVP) each semester. As noted above, the AADA reports to the Director of Athletics, with a dotted reporting line to the SVP. It is noted that the AADA is involved in many regular athletics department and campus academic meetings. The AADA attends the athletics department management team meetings in which all directors of the various units of the athletics department attend. The AADA also attends the Intercollegiate Athletic Council and CCC meetings and occasionally makes presentations. The AADA has the opportunity to sit on several campus committees where she represents the interests of the athletics department when institutional academic policy is discussed. Nevertheless, it is important for the AADA to have a direct resource for academic issues. This occasional meeting with a leader within the academic community provides an opportunity to obtain a different academic perspective for the AADA.

University Response: Texas Tech University agrees and has established a meeting between the AADA and the SVP each semester.

Recommendation: Develop an alert system or signal that will inform study hall monitors of student-athletes who are working on graded assignments while on a computer in the lab. The study hall monitors are in a unique position to observe student-athlete, tutor, and advisor interactions on a regular basis.   They are well-trained on the permissible level. The challenge is knowing whether a student-athlete is working on graded or non-graded work while at the computers. Developing a way for the study hall monitor to identify graded work would increase monitoring of the situation. For example, some peer institutions have utilized items as simple as a flag that gets posted atop a computer to identify a student who is working on material to be submitted for a grade.

University's Response: Texas Tech University has taken this recommendation into consideration and will continue to explore opportunities to better identify when

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"graded assignments" are completed while student-athletes are in the MSC computer lab.

C.   Recommendations for Academic Services Area – Rules Education

1.   **Observation:** The compliance staff meets monthly with the MSC staff to provide rules education. The compliance staff also meets monthly with coaching staff members to address NCAA legislation. The MSC staff currently does not review with coaching staff members its policies relating to the restrictions on the assistance it can provide to student-athletes, advising, etc.

Recommendation: Require the MSC staff to annually provide an educational session with coaching staff members regarding academic support services and policies. This educational session could be in conjunction with the monthly coaching staff meetings conducted by the compliance staff. There are several policies that the MSC staff has (e.g., not asking for the username and password in Blackboard, not touching a keyboard for a student-athlete, etc.) that should be guiding principles for coaching staff members and their interactions with student-athletes, including on road trips. These guidelines are not necessarily related to specific NCAA legislation.

University's Response: Texas Tech University agrees. In conjunction with monthly coaches' compliance meetings, athletic academic services staff will provide educational sessions to coaching staff members regarding academic support services, policies and applicable legislation.

Recommendation: Consider using components of GradesFirst to send NCAA education tips or a list of "dos and don'ts" to tutors and student-athletes for individual tutoring sessions via text or e-mail. GradesFirst software is equipped to serve the needs of the institution in ways that are not currently being utilized. One such opportunity would be to use the e-mail or text function to educate tutors and student-athletes on a more regular basis about NCAA legislation or provide updates on department matters.

University's Response: Texas Tech University agrees and currently utilizes GradesFirst for educational tips, notifications, and reminders.

Recommendation: <u>Increase the level of education for coaching and support staff members on applicable NCAA academic legislation focusing on the level of assistance they can provide to student-athletes.</u> Reinforce to coaches what role they are to serve in academically supporting their student-athletes, including information on what coaches can and cannot do to help student-athletes while traveling or otherwise away from their traditional support system. When student-athletes are traveling for competition, they are still required to complete coursework, and since they do not have their regular academic support services, it is reasonable to assume they look to their coaches and staff for assistance. Coaches and support staff members need to be prepared for that situation and know how to appropriately respond.

University's Response: Texas Tech University agrees and will focus on educating athletic staff on the level of support they can provide to student-athletes. Currently, during monthly coaches' compliance meetings, the compliance staff provides NCAA academic legislation education related to academic misconduct.

D.   <u>Recommendation for Academic Services Area – Tutoring and Learning Assistant</u>

1.   **Observation:** The compliance staff provides certain training on NCAA legislation for the members of the academic services staff and tutors. Regarding the tutors, education sessions are provided in the fall to all new and returning tutors. Subsequent training is provided to new tutors on one or two additional occasions throughout the year. The training provided by the compliance staff is one component of the overall training provided by the MSC staff.

Recommendation: <u>Ensure that the compliance staff reviews the tutorial manual, including any occasional revisions, during educational sessions with new and</u>

returning tutors. TCG believes adequate training is occurring; however, some of the information presented by the MSC staff, which is the tutorial manual, relates to NCAA legislation. The MSC staff utilizes the compliance staff to address certain NCAA extra benefit and academic fraud legislation, but other information that is presented by the MSC staff should be reviewed by the compliance staff to be sure it is in compliance with NCAA legislation.

University's Response: Texas Tech University agrees with this recommendation and will annually review the tutorial manual as well as utilize the tutorial manual for educational sessions with new and returning tutors.

Recommendation: Consider updating the quality of the cameras used to video LAP sessions and study halls to allow MSC staff the ability to zoom in to get important factual details when academic misconduct is at issue. The MSC has video equipment in the areas serviced by the LAP. The technology assists the MSC staff with maintaining an environment that discourages academic misconduct. There have been occasions when the facts surrounding potential academic misconduct could have been resolved by reviewing video, but the current equipment is not clear enough to provide that information.

University's Response: Texas Tech University agrees with this recommendation and plans to upgrade the quantity and quality of the surveillance cameras throughout the MSC.

E.   Recommendations for Academic Services Area – Extra Benefits

1.   **Observation:** In January 2015, the AADA and the Registrar's Office developed certain analyses regarding clustering of student-athletes in certain courses, comparison of grades of student-athletes to non-student-athletes in certain courses, and information concerning other non-traditional courses. The final types of analyses to be undertaken are still being reviewed. Currently, no procedures exist that detail

the specific analyses that will be undertaken or the time when these analyses will be undertaken.

Recommendation: <u>Develop a procedure that specifically identifies the analyses that will be undertaken, a time period for these analyses, and the individuals who will receive this information</u>. The University has undertaken a few queries in the spring semester of 2015 and shared a few of these with TCG during its visit. TCG believes that the institution should be reviewing the following:

a.   Courses in which a significant number of student-athletes are enrolled in proportion to the number of non-student-athletes in the class (the current query identifies courses in which at least 20 percent of the courses involve student-athletes, which seems appropriate);

b.   An analysis of student-athlete grades versus non-student-athlete grades in these courses and the number of student-athletes and non-student-athletes in each course;

c.   The identification of all internships, the instructor of record, and the location of the internship. (The location of the internship may require additional discovery other than that being downloaded from the institution's information system); and

d.   The number of student-athletes in each independent study course.

The CCC should be responsible for this process, including identifying the information to be requested from the Registrar and what, if any, follow up is appropriate. It is important that this request come from an entity outside of the athletics department that also has some responsibility for reviewing it. Copies of the information should be forwarded to the FAR, AADA, and AADC. TCG has developed a form that can be used as a starting point for the requested information. It is included as Attachment A.

Regarding timeliness, these queries should be completed following the conclusion of each semester.

University's Response: Texas Tech University agrees with this recommendation and will continue to work with the Office of Registrar to gather the aforementioned data. Copies of the information will be forwarded to the FAR, AADA, and AADC for a joint review.

Recommendation: Require the AADC to undertake sufficient monitoring concerning the non-traditional courses during the semester. Monitoring during the period of the course may be necessary. While the query above relates to the information gathered from the previous semester, monitoring needs to occur during the current semester. This monitoring should be undertaken by the AADC. The CCC, which contains the AADC and AADA, should develop dashboard indicators each semester (and annually) in order to identify potential issues to be monitored during the semester. The purpose is for the institution to monitor ongoing courses that could present potential issues. It is paramount for the University to identify any academic irregularities during the period in which they are occurring in order to ensure that the courses are not utilized to certify athletics eligibility. Attachment A can be used as a starting point in the institution's efforts to undertake monitoring during the semester.

University's Response: Texas Tech University agrees with this recommendation and will utilize the template provided by the Compliance Group to document enrollment in non-traditional courses. The Campus Compliance Committee will review the enrollment and identify monitoring activities to be conducted if deemed necessary.

2. **Observation:** Some student-athletes participate in internships, and some of the hours for the internship could occur in the athletics department, with an athletics department staff member being responsible for monitoring these hours.

    Recommendation: Review whether it is appropriate to continue having student-athletes performing hours for an internship under the supervision of an athletics department staff member. The institution should determine the extent that these

internships are occurring and analyze the risk they provide. Such supervision of hours by athletics department staff typically presents potential liability to the institution. TCG generally believes it is best if athletics department staff members are not the individuals responsible for monitoring and signing off on hours for a student-athlete's internship.

University's Response: Texas Tech University agrees with this recommendation and will utilize the template provided by the Compliance Group to document the extent that these internships are occurring and will analyze the risk involved.

3. **Observation:** The University offers an ESS 4000 Leadership course. The composition of the class is student-athletes, athletics department staff members, and other individuals connected with the athletics department. Class attendees are approved by the athletics department. There were approximately 16 individuals in the class, it was offered only in the fall, and the 2014-15 academic year was the first occasion it was offered.

    Besides this course, it was reported that a few other courses in which student-athletes are enrolled are taught by athletics department employees.

    Recommendation: Continue to review the grades provided in the ESS 4000 leadership class. An opportunity exists for a coaching staff member to be in a class with one of his or her student athletes. While this course is not accepted for many of the majors and subsequently not used to meet progress toward degree, the potential for academic misconduct still exists since the course could be used for increasing GPA and passing of a certain number of hours.

    University's Response: Texas Tech University agrees with this recommendation and will continue to review the ESS 4000 class grades.

    Recommendation: Develop a method to monitor courses in which student-athletes are enrolled where the instructor is an athletics department employee. It was reported

that there are courses taught by athletics department personnel in which current student-athletes are enrolled. Similar to during- and post-semester monitoring, the CCC should review the courses and the grades assigned to the student-athletes in these courses.

University's Response: Texas Tech University agrees with this recommendation and has established a process to identify athletics department staff who are instructors of record and a procedure to review the class syllabi and grades assigned to student-athletes in the course. Following each fall, spring and summer semester, a subcommittee of the CCC will review the courses and the grades assigned to the student-athletes in these courses.

4. **Observation:** A student is allowed to enroll in courses off of campus during their enrollment at the institution. Prior to this occurring, the student is to receive the approval of the dean of his or her college.

Recommendation: <u>Develop a means to identify specific courses taken off campus by student athletes</u>. The academic advisor should be aware of the courses taken by their student-athletes. If several student-athletes enroll in a particular course and these student-athletes have different advisors, the specific course may not be identified by the advisors as a course that might warrant some monitoring activities. The institution should be able to identify the use of: (i) the same course or awarding institution for several prospective student-athletes; or (ii) numerous prospective student-athletes taking the same course at a particular institution.

University's Response: Texas Tech University agrees with this recommendation and has established a process to identify specific courses taken off-campus by student-athletes. The information will be documented and updated on the shared server, which will allow the AADC and the FAR to review and monitor such enrollment activity.

AUDIT

TCG requested and the institution submitted the information in italics below as part of this review and audit. TCG's reactions to this information follow the requested information.

1. *A copy of the attendance records and agendas for each tutorial session for August, September, October, and November 2013 and 2014.*

   Reaction: TCG reviewed the following educational materials and attendance records to ensure that appropriate education is being provided and that attendance records exist for each educational session:

Date of Session	Topics Discussed	Attendance Sheet Provided?
08/25/13	Tutor Orientation; social media; life skills; student-athletes; institutional policies; NCAA legislation; academic integrity/honesty; tutor exclusions; scheduling; student binders; GradesFirst;	Y
09/19/13	Questions of the Week (e.g., e-mailing steps to work a problem or link to a good video); providing cancellation notice; alerting academic advisor and LAP staff when questionable paper is presented; not allowing student to make up sources; not revising papers	Y
10/17/13	Discussion on and completing FERPA training and quiz; scheduling	Y
10/27/13	Discussion on and completing FERPA training and quiz; scheduling	Y
11/21/13	Tutor manual – policies and expectations	Y
08/22/14	Tutor Orientation; Institutional policies; NCAA legislation; social media; tutor training and certification; tutor manual; cancellations; student-athlete and tutor agreement	Y
09/18/14	UNC tutor academic fraud case; reporting information; completing session reports and student binders; providing cancellation notice; scheduling; assisting student-athletes in composing e-mails to professors; what can be provided by a tutor (i.e., providing student-athlete with notes that tutor took when in a specific class)	Y
10/16/14	Reporting anything suspicious (provided examples of two investigations); completing sessions reports; night monitoring; completing student binders; student issues, tutor training, and no-show (these are the only two words on the three slides)	Y
Nov 2014	No presentation materials provided	Y

   Recommendation: Include the specific date and times on all tutor educational session agenda or PowerPoint presentations – This is only being mentioned to ensure that the institution can easily reference the date and times of each educational session provided to tutors. It may be helpful to use the same tutorial forms for all sessions, as the ones forwarded often varied by session.

   University's Response: Texas Tech University agrees with this recommendation. Effective immediately, dates and times were added to all tutorial educational session agendas and Power Point presentations.

2. *A copy of the Course Outcome Comparison form for the 2014-15 academic year for the following types of courses in which student-athletes compose 20 percent of the student population of the course:*

i.   *All independent study courses; and*
ii.   *All internship courses.*

Reaction: TCG reviewed the information and prepared the charts below. A review of both enrollment and grade distributions demonstrated both were within normal limits. (Section II.E.1 of this report includes a recommendation regarding an annual audit and a series of assessments to compare and contrast annual independent study courses taken by student-athletes should be part of the annual academic review report).

Semester	Course	# of SAs Enrolled	Supervisor	Sports Represented	Instructor
Internships					
Fall 2014	CFAS 4000	2	Unknown	2 (WTF/MTF)	Jordan
Fall 2014	ESS 7000	1	Unknown	FB	Lochbaum
Spring 2015	COMS 4000	1	Unknown	1 (WTF)	Langford
Spring 2015	ESS 4000	2	Unknown	1 (WTF)	Chung
Spring 2015	HRDV 4000 D01	1	Unknown	1 (FB)	McCourt
Spring 2015	HRDV 4000 D02	1	Unknown	1 (FB)	McCourt
Spring 2015	WE 4320 D04	1	Unknown	1 (FB)	Ruiz
Spring 2015	WE 4320 D01	1	Unknown	1 (FB)	Pattison
Independent Study					
Fall 2014	ESS 4000	1	0	Independent Studies	Lochbaum
Fall 2014	ESS 4000	19	0	Independent Studies-Leadership Class	Henry
Fall 2014	ESS 7000	3	1	Independent Studies	Lochbaum
Fall 2014	ESS 4325	7	3	Adv Techs Athletic Train	Munger
Fall 2014	IS 1200	21	0	Interdisciplinary Studies	Barnes
Fall 2014	IS 1200	21	0	Interdisciplinary Studies	Barnes
Fall 2014	IS 1200	22	0	Interdisciplinary Studies	Barnes
Fall 2014	CFAS 4000	2	1	Individual Study In CFAS	Jordan
Fall 2014	IS 1100	6	2	Raider Ready: Freshman Seminar	Frazier
Spring 2015	COMS 4000	1	0	Independent Research in Coms	Langford
Spring 2015	ESS 4000	2	1	Independent Studies	Chung
Spring 2015	ESS 4327	4	4	Therapeutic Exer & Modalities	Garcia
Spring 2015	WE 4320	1	0	Ind. Study in Wind Energy	Pattison
Spring 2015	WE 4320	1	0	Ind. Study in Wind Energy	Ruiz
Spring 2015	ESS 3321	12	11	First Aid	McKenzie
Spring 2015	HDRV 4000	1	0	Independent Study	McCourt
Spring 2015	WE 3100	3	0	Wild Energy Lab	Rozsavolgyi
Spring 2015	HRDV 4000	1	1	Independent Study	McCourt

3.   *The course number of all courses in which student-athletes were enrolled during the 2014-15 academic year that included an internship program requirement, the number of hours to be completed, and the location of the internship and the name and title of the individual who signs the time sheet. If the internship occurs within the athletics department, indicate the name of the staff who signs the time sheets, and provide a copy of the time sheets.*

Reaction: TCG reviewed the information in the charts above but was unable to determine the location of any internships in the athletics department, if they existed. (Section II.E.2 of this report includes a recommendation regarding a method for monitoring internships for credit in which an athletics department employee serves as a student-athlete's supervisor.).

4. *The total number of students in ESS 4000 (Leadership) during the 2014-15 academic year, the number of student-athletes, and a listing of all grades for all class participants (the identities of the class participants are not necessary, although a distinction should be made between non-student-athletes and student-athletes). For all other class members, provide a detailing of the position at the institution held by these members of the class.*

Reaction: The chart below contains the information provided by the institution concerning the ESS 4000 course for the Fall 2014 semester. There were a total of 19 student-athletes enrolled in this course, and the instructor was Judith Henry:

Student Name	Sport	Final Grade	Hrs Attemp	Hrs Earned	Qual Pts	Crs GPA
██████████	WVB	A	3	3	12	4
██████████	WGO	A	3	3	12	4
██████████	WSO	A	3	3	12	4
██████████	WBB	A	3	3	12	4
██████████	WBB	B	3	3	9	3
██████████	WSO	A	3	3	12	4
██████████	MGO	A	3	3	12	4
██████████	MBA	A	3	3	12	4
██████████	MBB	B	3	3	9	3
██████████	MBA	A	3	3	12	4
██████████	WSB	A	3	3	12	4
██████████	WTC	A	3	3	12	4
██████████	MTC	A	3	3	12	4
██████████	MFB	B	3	3	9	3
██████████	MTE	A	3	3	12	4
██████████	WTE	A	3	3	12	4
██████████	MBB	B	3	3	9	3
██████████	MFB	B	3	3	9	3
██████████	MFB	A	3	3	12	4

Below is additional information provided by the institution concerning grades for the ESS 4000 course:

% GRADE	Strategic Plan (out of 400)	% GRADE	Total Points Earned	Total Possible Points	Final Course Grade
99%	360	0.9	757	800	95%
93%	380	0.95	699.36	733.36	95%
99%	390	0.975	717.81	733.36	98%
98%	360	0.9	752.53	800	94%
99%	350	0.875	746.53	800	93%
99%	390	0.975	788	800	99%
93%	360	0.9	726.86	783.37	93%
95%	370	0.925	737.23	783.37	94%
92%	320	0.8	640.43	750	85%
97%	300	0.75	694	800	87%
96%	380	0.95	771	800	96%
93%	370	0.925	719.19	800	90%
96%	370	0.925	755.91	800	94%
87%	360	0.9	705.74	800	88%

% GRADE	Strategic Plan (out of 400)	% GRADE	Total Points Earned	Total Possible Points	Final Course Grade
99%	360	0.9	755.53	800	94%
99%	380	0.95	774.53	800	97%
96%	330	0.825	646.28	750	86%
91%	330	0.825	670.17	766.7	87%
97%	380	0.95	773	800	97%
98%	380	0.95	776	800	97%
			0	600	0%

The "Strategic Plan" files reviewed are the individual grade sheets the professor used in assessing the final project submitted by each student. Variances of total points required for each student are normal and reflect flexibility the professor has for dropping missed assignments. As a result, TCG concluded that there are sufficient, detailed notes from the professor to conclude that the course is genuine.

5. *Select three LAP at-risk student-athletes, at least two should be from a revenue sport, and provide all e-mails between the student-athlete and Marsha Sharp Center staff associated with their academic support and eligibility for the months of October and November 2013 and 2014.*

Reaction: The purpose of this item was to verify that MSC staff was following department policy. TCG did not receive any documents specifically related to this item to audit. TCG notes that there was no indication during campus interviews that there was a problem in this area.

Recommendation: Conduct a random audit of MSC staff/tutor communication for a sample of student-athletes during a set period of time and include the findings in the MSC annual report. An annual audit of communication can prove valuable in learning how staff is applying MSC policies and procedures in real life situations. Additionally, the institution will develop a record of demonstrating another layer of monitoring in the student services area. TCG recommends reviewing approximately two weeks of e-mail each of a total of six MSC staff members annually. The identities of the staff members and time periods would be chosen by an appropriate constituent outside the MSC staff such as the AADC or CCC.

University's Response: Texas Tech University agrees with this recommendation. A random audit will be conducted annually of MSC staff/tutor communication with a sample of student-athletes. The staff members and time periods will be chosen by an appropriate constituent outside the MSC staff such as the AADC or CCC.

IV.   CONCLUSION

The review is not an assessment of the University's overall academic support program. This type of analysis focuses on recommendations for change rather than detailing all quality compliance and academic processes that are in place.

Consideration should be given to the overall nature of the recommendations in a specific area as opposed to the number of recommendations. Also, the number of recommendations in one area versus another should not be given significant weight, as the depth of the area reviewed could affect the number of recommendations. For example, the rules education area is a major responsibility for any compliance and academic services staff and TCG may have devoted more time to this than other areas.

A two-day visit to campus and the review of various forms does not allow for an in-depth analysis of the compliance culture on a particular campus. However, such a review does provide an opportunity to understand the processes, structure, and environment in which the academic support and compliance staff operates.

TCG greatly appreciates the cooperation provided by TTU staff in and outside of the athletics department during the conduct of this review. Interviewees were forthcoming and provided all information and documentation requested by TCG.