

5. George H. Young, chairman of the Committee on Infractions, appeared before the Council to submit the report of his Committee. He referred to the written report involving the University of Arizona (Case No. 138), University of North Carolina (Case No. 143) and Loyola University of Louisiana (Case No. 153). After summarizing the pertinent features of each case, he answered questions of various Council members.

- (a) The following representatives of the University of North Carolina appeared before the Council: W. B. Aycock, chancellor; C. P. Erickson, athletic director; Frank McGuire, head basketball coach, and Dean Smith, assistant basketball coach. [NOTE: Mr. Cornwell was absent from the Council meeting throughout all discussions and actions pertaining to the University of North Carolina case.]
- (b) Following the departure of the North Carolina representatives, M. R. Clausen, athletic director, and Thomas L. Hall, faculty athletic representative, appeared before the Council in regard to the case involving the University of Arizona. After a general discussion of the case, the Arizona representatives withdrew.
- (c) Chairman Young read a letter dated January 6, 1961, from Rev. W. Patrick Donnelly, president, Loyola University, setting forth his comments upon the report of the Committee on Infractions.

Monday, January 9

The meeting was called to order at 8:05 a.m. All present except Mr. Harder.

5. (d) The Council returned to consideration of Case No. 138, University of Arizona.

(1) It was VOTED

"That the Committee on Infractions' report of Case No. 138 be accepted and the findings approved."

(2) It was moved and seconded

"That the University of Arizona be placed on probation for a one-year period."

(3) It was moved and seconded

"That during the period of probation, the University of Arizona shall be ruled ineligible to compete in post-season football competition or to appear on television programs subject to the administration or control of the Association." [MOTION DEFEATED -- For: 6; Against: 9.]

(4) The motion set forth in (2) then was put to a vote and adopted.

[NOTE: The resolution, as approved by the Council, is attached hereto as Appendix AA and made a part of these minutes.]

(e) The meeting turned to Case No. 143, University of North Carolina.

(1) It was VOTED

"That the report be received."

(2) It was VOTED

"That the findings of the Committee on Infractions be approved except that the finding in III, A, 1, and III, C, be revised to reflect questionable practices and procedures on the part of the University of North Carolina instead of direct violations of the Constitutional provisions noted."

(3) It was moved and seconded

"That the University of North Carolina be placed on probation for a two-year period and during the first year the University shall be ineligible for the NCAA Basketball Tournament and cooperating events."

(4) The following was submitted as a substitute motion for (3) and it was VOTED

"That the University of North Carolina be placed on probation for a one-year period and during this time the University shall be ineligible to compete in the NCAA Basketball Tournament and cooperating basketball events."

[NOTE: The resolution, as approved by the Council, is attached hereto as Appendix BB and made a part of these minutes.]

(f) The Council considered Case No. 153, Loyola University of Louisiana.

(1) It was VOTED

"That the Committee on Infractions' report be received and the findings approved."

(2) It was VOTED

"That Loyola University be placed on probation for a one-year period and during this time the University's basketball team shall be ineligible for the NCAA Basketball Tournament and cooperating basketball events."

[NOTE: The resolution, as approved by the Council, is attached hereto as Appendix CC and made a part of these minutes.]

(g) Chairman Young presented to the meeting the results of his Committee's review of cases involving four member institutions.

RESOLUTION

(University of North Carolina, Chapel Hill)

WHEREAS, the NCAA Committee on Infractions has investigated alleged violations of NCAA legislation by the University of North Carolina, Chapel Hill, and reported its findings to the Council;

WHEREAS, the Council has found the University of North Carolina to have violated the provisions prohibiting excessive entertainment of prospective student-athletes (Article VI, Section 2, (c), of the NCAA By-laws) in that the University paid the expense statements of its head basketball coach, Frank McGuire, which showed items for entertainment of prospective student-athletes which were excessive;

WHEREAS, the Council has found the University of North Carolina to have violated the provisions governing financial aid (Article III, Sections 1 and 4, (a) and (b), of the NCAA Constitution) in that it has been the practice of the University of North Carolina to provide entertainment and lodging for the parents of members of its basketball team which, in the Council's judgment, were special arrangements designed to provide and which did provide student-athletes with extra or fringe benefits which are not made available to the student body in general and which constitute improper financial assistance. In addition, it has been the practice of the University to pay the lodging and some of the food costs incurred by parents of student-athletes when they visit during the Christmas vacation to watch their sons compete in the Dixie Classic basketball tournament;

WHEREAS, the Council notes that a substantial contributing factor in the above violations has been inadequate and ineffective accounting procedures and controls in regard to the expenditures of the University's department of athletics. It appears that most of the expense accounts submitted to the University by Mr. McGuire were not valid in the sense that the explanation of the expenses incurred bear no particular relationship to the amount of reimbursement claimed. It has proved impossible to verify with any degree of accuracy the expenditures of large sums of money on behalf of the basketball program at the University of North Carolina over an extended period of time. The Council believes that a member institution should maintain records with a reasonable degree of accuracy so that adequate and documented explanations can be made for expenditures in the areas of recruiting and financial aid to student-athletes and the Council views the failure to do so as an extremely questionable practice. The Council is advised that the Chancellor of the University has effected a reorganization of the accounting procedures and controls;

WHEREAS, the Commissioner of the Atlantic Coast Conference has been kept informed of the developments in this case, has cooperated fully with the Committee and has conducted a diligent investigation of his own;

NOW, THEREFORE, BE IT RESOLVED, that the University of North Carolina be placed on probation for a period of one year from this date (January 10, 1961) it being understood that the Committee on Infractions shall review the athletic policies and procedures of the University prior to the expiration of this probation;

RESOLUTION

University of North Carolina

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BE IT FURTHER RESOLVED, that during the year of this probationary period the University of North Carolina's basketball team shall be ineligible to compete in the National Collegiate Basketball Championship and those other invitational and like basketball events which cooperate with the Association in the administration of its enforcement program;

BE IT FINALLY RESOLVED, that record be made of the cooperation extended the NCAA Committee on Infractions by the executive and athletic administrations of the University.

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