



November 1, 2022

Level III (Non-Suspension) Violation

Summary: The following violations occurred during the 2021-22 academic year: CARA occurred on three required days off for the women's swimmers, CARA occurred on one required day off for the men's swimmers, six hours of CARA occurred on two days which were outside of the playing season during a vacation period, RARA occurred on one required day off for the women's swimmers, the men's swimmers only met 13 of the 14 additional required days off, CARA occurred on the civic engagement day off, 22 non-postseason women's swimmers participated in an overage of CARA by 21 minutes, 14 postseason women's swimmers participated in an overage of CARA by 19 minutes, 14 non-postseason men's swimmers participated in an overage of CARA by 9 minutes, and a men's administrative team meeting occurred with less than adequate notice.

How the violation was discovered: A Swimming SA reviewing her CARA activity logs informed the athletic compliance office that they had mandatory practice on a day off.

Facts: The University of Kentucky (UK) is self-reporting violations of NCAA Bylaws 17.1.7.7 *Required Day Off -- Playing Season*, 17.1.7.8 *Required Days Off -- Outside of the Playing Season*, 17.1.1.1 *Playing Season -- Athletically Related Activities*, 17.1.7.2.1 *Institutional Vacation Period and Summer*, 17.1.7.9 *Additional Required Days Off*, 17.1.7.6 *Required Day Off -- Civic Engagement*, 17.1.7.1 *Daily and Weekly Hour Limitations -- Playing Season*, 17.1.7.2 *Weekly Hour Limitations -- Outside of the Playing Season*, 17.1.8 *Student-Athlete Time Management Plan* in which the men's and women's swimming programs had multiple Bylaw 17 issues during the course of the 2021-22 academic year. CARA logs were reviewed and approved by the Athletic Compliance Office (ACO) over the course of the year, as the violations were not present in the CARA logs. Once the ACO reviews the log, the log is sent to a random selection of student-athletes for review. During a student-athlete's review of a practice log, the student-athlete commented the logs were not accurately reflecting their required participation.

After conversations with the SA, other potential violations were alleged and the ACO scheduled meetings with two randomly selected men's and two randomly selected women's swimmers for the morning of March 30, 2022. After meetings with the swimmers on March 30, 2022, the ACO met with the swim coaches on multiple occasions to discuss the specific allegations.

Following conversations with swimmers, a noncoaching staff member (with department-wide responsibilities) and coaches, as well as the ACO receiving and reviewing documentation consisting of GroupMe messages, timed out workouts and Teamworks calendars, the following violations occurred:



- CARA occurred on three required days off for the women’s swimmers;
- CARA occurred on one required day off for the men’s swimmers;
- Six hours of CARA occurred on two days which were outside of the playing season during a vacation period;
- RARA occurred on one required day off for the women’s swimmers;
- The men’s swimmers only met 13 of the 14 additional required days off;
- CARA occurred on the civic engagement day off;
- 22 non-postseason women’s swimmers participated in an overage of CARA by 21 minutes;
- 14 postseason women’s swimmers participated in an overage of CARA by 19 minutes;
- 14 non-postseason men’s swimmers participated in an overage of CARA by 9 minutes; and,
- A men’s administrative team meeting occurred with less than adequate notice.

A detailed account of the violations are as follows:

- 1) CARA occurred on three required days off for the women’s swimmers and on one required day off for the men’s swimmers:
 - a. **August 25, 2021 was scheduled as one of the two weekly required days off outside the playing season, however, two hours of CARA occurred for women’s swimmers in violation of 17.1.7.8 Required Days Off -- Outside of the Playing Season.** The activities were listed as voluntary in the swimmers’ Teamwork calendar, however, an associate head coach sent the following GroupMe Message on August 23, 2021 to the women’s swimmers: “Wednesday 6am: Practice; 2pm: Practice”. The 6 a.m. practice was cancelled due to COVID shutdown, therefore, only the 2 p.m. practice occurred and only those women’s swimmers who were fully vaccinated and asymptomatic were permitted to attend. Due to the nature in which the messages were sent and received, swimmers believed the activities to be required. Therefore, these activities were not voluntary safety-exception activities and CARA occurred on the required day off.
 - b. September 4, 2021 was scheduled as one of the two weekly required days off outside the playing season, however, ten minutes of an abs workout occurred before a safety-exception swimming workout for women’s swimmers in violation of 17.1.7.8 *Required Days Off -- Outside of the Playing Season*. Bylaw 17.22.7 *Safety Exception* permits coaches to be present when the SA is engaged in swimming and diving, but coaches are not permitted to be present during abs and/or dryland workouts outside of the pool unless it is countable. The conducting of the abs confirms the activity as required.
 - c. **Monday, January 3, 2022 was scheduled as the one weekly required day off during the playing season, however, four hours of CARA occurred for both the men’s and**



women's swimmers in violation of 17.1.7.7 Required Day Off -- Playing Season. The team is not typically off on Mondays, but a COVID shutdown caused the shift in schedule. The activities were listed as voluntary in the swimmers' Teamwork calendar, however, an associate head coach sent the following GroupMe to the men's swimmers on January 2, 2022: "Monday: normal". An associate head coach also sent the following GroupMe to the women's swimmers on January 2, 2022: "6am tomorrow! Normal Monday." Due to the nature which the messages were sent and received, swimmers believed the activities to be required. Therefore, these activities were not voluntary safety-exception activities and CARA occurred on the required day off.

- d. **March 28, 2022 was scheduled as one of the two weekly required days off outside the playing season, however, a 50 minute administrative meeting occurred for the women's swimmers before a safety-exception swimming workout for women's swimmers in violation of 17.1.7.8 Required Days Off -- Outside of the Playing Season.** The women's swimmers mentioned this meeting in their meeting with the ACO on March 30, 2022, confirming the meeting was a required activity.

- 2) **Two hours of CARA occurred on December 23, 2021 and four hours of CARA occurred on December 29, 2021. These days were not part of the playing season and therefore were outside of the playing season during a vacation period in violation of 17.1.1.1 Playing Season - Athletically Related Activities and 17.1.7.2.1 Institutional Vacation Period and Summer.** The activities were listed as voluntary in the swimmers' Teamworks calendar, however, an associate head coach sent the following GroupMe messages to the women's swimmers and through interviews with the men's swimmers, they also confirmed the activities were mandatory:

- a. Message on November 8, 2021 "CHRISTMAS: our last practice will be on Thursday AM, 12/23 and our first practice back will be on Wednesday AM, 12/29."
- b. Message on December 28, 2021 "Safe travels back to LEX today! Practice tomorrow will be at 7am instead of 6am."

At least one swimmer missed the "voluntary" activity on December 23rd and was required to make-up the activity on January 4th. Although CARA occurred on two vacation period days outside of the playing season, the men's and women's swimming programs did not exceed 144 playing season days. The women's swimming program was only scheduled for 142 playing season days. The men's swimming program was scheduled for 144 playing season days but had two days of COVID shutdown on December 31 and January 1. This pause was during the vacation period, resulting in the playing season remaining at a total of 144 days.



- 3) Ten minutes of abs generally occurred on Tuesdays, Thursdays and Saturdays for the women's swimmers and on Tuesdays and Thursdays for the men's swimmers. Tuesdays and Thursdays were not typically days off. Within this framework, **abs were conducted for the men's swimmers on the flex day of Tuesday, November 2, 2021, a violation of Bylaw 17.1.7.9 Additional Required Days Off.** Bylaw 17.22.7 *Safety Exception* permits coaches to be present when the SA is engaged in swimming and diving; however, the ten minutes of abs on this date is not permissible under the safety exception legislation and a violation occurred. The result was this day did not count as a "flex day" and the men's team only satisfied 13 of the 14 required flex days.
- 4) **Ten minutes of abs for both the men's and women's swimmers occurred before safety-exception swimming workouts on November 2, 2021 in violation of Bylaw 17.1.7.6 Required Day Off -- Civic Engagement as this was the first Tuesday of November.** Bylaw 17.22.7 *Safety Exception* permits coaches to be present when the SA is engaged in swimming and diving. However, the ten minutes of abs on this date is not permissible under the safety exception legislation and a violation of conducting a countable activity on the civic engagement day occurred. This occurred for both the men and women's programs.
- 5) **Violations of NCAA Bylaws 17.1.7.1 Daily and Weekly Hour Limitations -- Playing Season & 17.1.7.2 Daily and Weekly Hour Limitations – Outside of the Playing Season, during the following time periods (both inside and outside of the playing season), the men and women's had overages as noted:**
 - a. **Women –**
 - i. November 28 - December 4, 2021(in-season) – 3 minutes;
 - ii. February 27 – March 5, 2022 (out-of-season) – 2 minutes for non-postseason swimmers;
 - iii. March 20 – 26, 2022 (out-of-season) – 13 minutes;
 - iv. March 27 – April 2, 2022 (out-of-season) – 3 minutes;
 - v. **Total –**
 1. **14 swimmers that participated in postseason – 19 minutes;**
 2. **22 Swimmers that did not participate in postseason – 21 minutes;**
 - b. **Men –**
 - i. **February 27, 2022 – March 5, 2022 (out-of-season) – 7 minutes for 14 non-postseason swimmers;**

These overages were all due to ab workouts with coaches present which were not accounted for in the weekly CARA hours. The weekly CARA logs were typically submitted with the maximum



number of CARA allowed for the week (i.e. logs reflected 20 hours in a 20-hour week). However, on many occasions, practices did not last the entire time for which they were scheduled. All practices were preset practice plans and the coaches were able to time out each and every workout to ensure accurate CARA logs. After careful review of the timed workouts, it was discovered that there were in fact overages for the weeks outlined above.

- 6) **A men's swimming administrative meeting was scheduled with less than adequate notice on March 29, 2022 in violation of 17.1.8 Student-Athlete Time Management Plan.** The men's swimmers mentioned this meeting and short notice in their meeting with the ACO on March 30, 2022. Specifically, the men's swimmers received a GroupMe at 12:40pm on March 29, 2022 for a team meeting at 3:45pm. They received less than four hours' notice, which is not adequate notice for a change that is not of extenuating circumstances per institutional policy.

The ACO staff has been clear and had multiple conversations with the swim coaches about the NCAA rules related to required days off, time management, dryland workouts and the expectation and need to clearly communicate the difference between voluntary and required activities. The coaching staff fell short of those expectations and due to the lack of communication, activities were assumed to be required.

Mitigating Circumstances: 1) Due to monitoring systems in place with student-athlete review of CARA logs, the violations were discovered; 2) There was minimal competitive advantage as some of these activities could have been permissible if they had followed the requirements to be considered voluntary.

Institutional Action: 1) One week (seven consecutive days) head coaching suspension from all CARA and safety exception workouts during the 144 day playing season; 2) Reduction in playing season days for 2022-2023 playing season from 144 to 132 for the women and from 144 to 134 for the men; 3) Increase in additional flex required days off from 14 to 16 from the men; 4) Letter of reprimand to the head coach and two associate head coaches; and 6) Additional education with the swimming staff and education with all coaching staffs in the monthly coaches meeting

Conference Action: The Conference has accepted the institution's actions and has imposed additional penalties. Given the nature and number of violations and their impact on student-athlete welfare, the Conference has added the following penalties: (1) the head coach will be suspended from the next competition (including all coaching and recruiting activities on the day of the competition); and (2) the head coach will attend an NCAA regional rules seminar prior to the beginning of the 2023-24 academic year. The institution and coaching staff are notified that violations in the future could result in enhanced penalties.



NCAA Conditions: No further action should be taken by the NCAA enforcement staff in the matter.:: However, future similar violations in the swimming program could result in more significant penalties and/or processing at a different level.



February 23, 2023

Level III (Non-Suspension) Violation

Summary: Student-athletes participated in practice on Sunday, November 27, 2022, a day that was scheduled to be a required day off.

How the violation was discovered: Upon arrival in London, England on December 1, 2022 for an away from home competition, the men's basketball staff discussed practicing later in the day. A staff member noted that practice could not occur because that day (12/1/22) was the required day off for the week. The Sr. Associate Athletic Director of Compliance overheard the conversation and reminded them that team travel cannot occur on a day off and because it was mid-morning and they had been traveling all night, that day couldn't satisfy the requirement. The team was scheduled to be off on Sunday, November 27th, but with a game Tuesday, the coaching staff decided to practice on Sunday. This information was not updated in the team's time management calendar and the situation was not able to be remedied due to international travel.

Facts: The men's basketball team was scheduled to be off on Sunday, November 27 as the required day off for the in-season week of November 27-December 3. However, the decision was made to practice on Sunday due to the competition on Tuesday, which is the normal practice structure for the team and staff. The coaching staff thought they were able to change this day off and take Thursday, December 1 off. While a change occurred, the official team calendar was not updated to reflect this change. The team ultimately traveled Wednesday night through Thursday morning and therefore, Thursday could not be considered a day off. The decision was then made to practice that afternoon. The week's RARA and CARA included: two-hour practice on Sunday; 90-minute practice and media on Monday; competition and activities surrounding the competition on Tuesday; one-hour total of individual shooting and weight training prior to travel to London, England on Wednesday - the team departed at 6:45 PM; 90-minute practice and a 90 minute reception in London on Thursday; 90-minutes of RARA at Chelsea football club followed by two-hours of practice on Friday; and a two-hour practice on Saturday. In total, there were only 13 hours of CARA this week, well under the 20-hour in-season limit. This was all in preparation for the home game on Tuesday and the away game in London on Monday, December 5.

Mitigating Circumstances: 1.) Typically the team would have been off on Wednesday due to the Tuesday game, however the team was traveling to London, England for a competition and travel cannot occur on a required day off; 2.) The team only participated in 13 hours of CARA during the November 27 through December 4 week, which is well under the 20-hour in-season limit.



Institutional Action: Institutional actions include: 1.) Education at the monthly compliance meeting for all sports; 2.) Student-athletes are required an additional two days off, a 2-for-1 penalty; 3.) A letter of admonishment will be issued to the Associate AD for Basketball Operations.

Conference Action: The Conference has accepted the institution's actions and has not imposed additional penalties.

NCAA Conditions: No further action should be taken by the NCAA enforcement staff in the matter.

February 27, 2023



Level III (Non-Suspension) Violation

Summary: Institutions Men's Golf coach evaluated and had off campus contact with a prospect during a quiet period.

How the violation was discovered: Half way through the prospects practice, the institutions coach double-checked at their calendar and realized it was a quiet period. The coach immediately left and reported the violation to the compliance office that evening.

Facts: The day after the dead period concluded on November 27th, the institutions Men's Golf coach drove to the Bluegrass Golf Academy intending to evaluate a training session from the scheduled time of 4:00 PM to 6:00 PM on November 28th. The assistant coach initially thought that since the dead period was over, that it went back into a contact period. Institutions coach used a contact with 2024 prospect [REDACTED]. Halfway through the session the institutions coach looked at their calendar and realized that November 28th started the quiet period. Institutions coach immediately told the coach he was leaving and then proceeded to contact the compliance office to notify of their mistake.

Mitigating Circumstances: 1.) Institution coach mistakenly believed he was in a contact period; 2.) Contact and evaluation with the prospect was for a minimal time and minimal competitive advantage was gained. 3.) Once the institutions coach realized it was a quiet period, the institutions coach immediately reported the violation to the compliance office and left the golf course.

Institutional Action: The involved institutional staff member was not permitted to participate in any off-campus recruiting activity for 60 calendar days. In addition, in-person contact (on or off campus) with the psa involved was prohibited for 30 days. A reduction in two off-campus contact for the involved PSA for their both Junior and Senior year. A letter of admonishment will be issued to the head coach.

Conference Action: The Conference has accepted the institution's actions and has imposed the following additional penalty: the institution is limited to one off-campus in-person contact with the involved prospect each year during his junior year (with the contact underlying the violation serving as the one contact for his junior year). The institution is limited to two off-campus in-person contacts with the involved prospect during his senior year (as self-imposed by the institution).

NCAA Conditions: No further action should be taken by the NCAA enforcement staff in the matter.