

NOTICE OF ALLEGATIONS

to the

President of Oklahoma State University

A. Processing Level of Case.

Based on the information contained within the following allegations, the NCAA enforcement staff believes this case should be reviewed by a hearing panel of the NCAA Division I Committee on Infractions pursuant to procedures applicable to a severe breach of conduct (Level I violation).

B. Allegations.

1. [NCAA Division I Manual Bylaws 10.01.1, 10.1, 10.1-(d), 11.1.3 and 11.3.2.2 (2015-16 through 2017-18); and 10.1-(b) and 16.11.2.1 (2017-18)]

It is alleged that from April 2016 through September 2017, Lamont Evans (Evans), then associate head men's basketball coach and recruiting coordinator, violated the NCAA principles of ethical conduct when he knowingly solicited and received benefits for facilitating or arranging a meeting between student-athletes and financial advisors. Evans also violated extra benefit legislation. Specifically, Evans received at least \$18,150¹ of supplemental pay in the form of bribes from Marty Blazer (Blazer) and Munish Sood (Sood), financial advisors, in exchange for Evans' agreement to (a) arrange meetings with at least two men's basketball student-athletes including one from the institution where Evans previously coached and (b) influence them to retain Blazer's and Sood's financial advisory and business management services. Additionally, in August and September 2017, Evans provided impermissible cash benefits totaling \$300 to a men's basketball student-athlete.

Level of Allegation No. 1:

The enforcement staff believes a hearing panel could conclude that Allegation No. 1 is a severe breach of conduct (Level I) because the violations (a) provided or were intended to provide a substantial or extensive impermissible benefit to a staff member and student-athlete, (b) involved unethical conduct, (c) were intentional or showed reckless indifference to the NCAA constitution and bylaws, (d) seriously undermined or threatened the integrity of the NCAA Collegiate Model and (e) demonstrated egregious conduct inconsistent with the affirmative responsibility and behavioral expectations of college coaches. [NCAA Bylaws 19.01.5, 19.1.1, 19.1.1-(d) and 19.1.1-(h) (2019-20)]

¹ And possibly as much as \$46,000.

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Involved Individual:

The enforcement staff believes a hearing panel could enter a show-cause order pursuant to NCAA Bylaw 19.9.5.4 regarding Evans' involvement in Allegation No. 1.

C. Potential Aggravating and Mitigating Factors.

Pursuant to Bylaw 19.7.1, the enforcement staff has identified the following potential aggravating and mitigating factors that a hearing panel may consider.

1. Institution:

a. Aggravating factors. [NCAA Bylaw 19.9.3]

- (1) A history of Level I, Level II or major violations by the institution or involved individual. [NCAA Bylaw 19.9.3-(b)]²

January 19, 1978 – Improper financial aid, lodging and transportation; extra benefits; improper recruiting contact, employment, entertainment, inducements, lodging and transportation; excessive number of official visits; questionable practice; institutional control; certification of compliance.

January 18, 1980 – Improper financial aid, lodging and transportation; extra benefits; improper recruiting entertainment, inducements, lodging and transportation; unethical conduct; outside fund; institutional control; certification of compliance.

January 6, 1989 – Improper financial aid and transportation; extra benefits; improper recruiting contacts, employment, entertainment, inducements, lodging and transportation; eligibility; improper administration of financial aid; unethical conduct; institutional control; certification of compliance.

November 4, 1992 – Impermissible recruiting: provision of cash, meals, transportation and lodging to prospective student-athletes by head coach; tryouts. Extra benefits: advance earnings; provision of cash, lodging, meals, entry fees and transportation to several student-athletes.

April 24, 2015 – Institution did not follow its drug testing policy and the athletics department allowed the Orange Pride student group to participate in hosting prospects in violation of NCAA legislation.

² The dates of previous Level I, II or major infractions and accompanying descriptions are provided directly from the Legislative Services Database (LSDBi).

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- (2) Persons of authority condoned, participated in or negligently disregarded the violation or related wrongful conduct. [NCAA Bylaw 19.9.3-(h)]

As outlined in Allegation No. 1, Evans as the then associate head men's basketball coach and recruiting coordinator was a person of authority and personally involved in the violations.

b. Mitigating factor. [NCAA Bylaw 19.9.4]

- (1) An established history of self-reporting Level III or secondary violations. [NCAA Bylaw 19.9.4-(d)]

The institution reported 92 Level III or secondary violations over the past five years, approximately 18 violations each year.

2. **Involved Individual (Evans):**

a. Aggravating factors. [NCAA Bylaw 19.9.3]

- (1) Unethical conduct. [NCAA Bylaw 19.9.3-(e)]

As detailed in Allegation No. 1, Evans engaged in unethical conduct when he knowingly received benefits from a financial advisor, arranged meetings between student-athletes and the financial advisor and provided impermissible extra benefits to a men's basketball student-athlete.

- (2) Persons of authority condoned, participated in or negligently disregarded the violation or related wrongful conduct. [NCAA Bylaw 19.9.3-(h)]

As outlined in Allegation No. 1, Evans as the then associate head men's basketball coach and recruiting coordinator was a person of authority and personally involved in the violations.

- (3) One or more violations caused significant ineligibility or other substantial harm to a student-athlete or prospective student-athlete. [NCAA Bylaw 19.9.3-(i)]

Evans' efforts to influence an enrolled student-athlete to retain the services of a financial advisor could have led to significant ineligibility for the student-athlete. Additionally, Evans' provision of money to the student-athlete did render the young

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man ineligible, requiring him to go through the reinstatement process. Finally, Evans' involvement of the student-athlete caused harm to the young man as he had to retain an attorney and was questioned by the FBI in the criminal investigation of Evans.

- (4) Conduct or circumstances demonstrating an abuse of a position of trust. [NCAA Bylaw 19.9.3-(j)]

As detailed in Allegation No. 1, Evans committed violations when he used his position and rapport with a student-athletes to influence their decision of entrusting Blazer. Further, he used his position and rapport when he provided a student-athlete with impermissible benefits.

- (5) Conduct intended to generate pecuniary gain for the involved individual. [NCAA Bylaw 19.9.3-(l)]

As detailed in Allegation No. 1, Evans received at least \$18,300 in bribes to influence and arrange meetings between student-athletes and a financial advisor.

- (6) Intentional, willful or blatant disregard for the NCAA constitution and bylaws. [NCAA Bylaw 19.9.3-(m)]

As detailed in Allegation No. 1, Evans engaged in unethical conduct when he knowingly received benefits from a financial advisor, arranged meetings between a student-athlete and the financial advisor and provided impermissible extra benefits to a men's basketball student-athlete.

- b. Mitigating factor. [NCAA Bylaw 19.9.4]

The absence of prior conclusions of Level I, Level II or major violations committed by the involved individual. [NCAA Bylaw 19.9.4-(h)]

Evans has no prior history of Level I, Level II or major violations in his eight-year NCAA coaching career.

D. Hearing Attendance.

In addition to the involved individuals and institutional representatives as outlined in Bylaw 19.7.7.5.2, the hearing panel may benefit from asking the following individual(s) to attend the hearing pursuant to Bylaw 19.7.7.5: [REDACTED]

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E. Factual Information.

The attached exhibit details the factual information on which the enforcement staff relies for Allegation No. 1. The enforcement staff incorporates the factual information referenced throughout this document, its exhibits and all other documents in the secure filing system.

F. Response to Allegations.

1. Please indicate whether the information contained within these allegations is substantially correct and whether the institution and involved individuals identified in these allegations believe violations of NCAA legislation occurred. Submit materials to support your response.
2. If the institution and involved individuals believe NCAA violations occurred, please indicate whether there is substantial agreement on the level of the violation. Submit materials to support your response.
3. Please indicate whether the factual information is substantially correct and whether the institution and involved individuals have additional pertinent information and/or facts. Submit facts in support of your response.
4. In accordance with Bylaw 19.7.8.3.4, the hearing panel may view the failure by an institution or involved individual to submit a timely response to a notice of allegations as an admission that an alleged violation, for which the party may be subject to penalty pursuant to Bylaw 19.9, occurred.

G. Request for Supplemental Information.

1. Provide mailing and email addresses for all necessary parties to receive communications from the hearing panel related to this matter.
2. Indicate how the violations were discovered.
3. Provide a detailed description of any corrective or punitive actions implemented by the institution as a result of the violations acknowledged in this inquiry. In that regard, explain the reasons the institution believes these actions to be appropriate and identify the violations on which the actions were based. Additionally, indicate the date that any corrective or punitive actions were implemented.

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4. Provide a detailed description of all disciplinary actions taken against any current or former athletics department staff members as a result of violations acknowledged in this inquiry. In that regard, explain the reasons the institution believes these actions to be appropriate and identify the violations on which the actions were based. Additionally, indicate the date that any disciplinary actions were taken and submit copies of all correspondence from the institution to each individual describing these disciplinary actions.
5. Provide a short summary of every past Level I, Level II or major infractions case involving the institution or individuals named in this notice. In this summary, provide the date of the infractions report(s), a description of the violations found, the individuals involved, and the penalties and corrective actions. Additionally, provide a copy of any major infractions reports involving the institution or individuals named in this notice that were issued within the last 10 years.
6. Provide a chart depicting the institution's reporting history of Level III and secondary violations for the past five years. In this chart, please indicate for each academic year the number of total Level III and secondary violations reported involving the institution or individuals named in this notice. Also include the applicable bylaws for each violation, and then indicate the number of Level III and secondary violations involving just the sports team(s) named in this notice for the same five-year time period.
7. Provide the institution's overall conference affiliation, as well as the total enrollment on campus and the number of men's and women's sports sponsored.
8. Provide a statement describing the general organization and structure of the institution's intercollegiate athletics department, including the identities of those individuals in the athletics department who were responsible for the supervision of all sport programs during the previous four years.
9. State when the institution has conducted systematic reviews of NCAA and institutional regulations for its athletics department employees. Also, identify the agencies, individuals or committees responsible for these reviews and describe their responsibilities and functions.
10. Provide the following information concerning the sports program(s) identified in this inquiry:
 - The average number of initial and total grants-in-aid awarded during the past four academic years.

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- The number of initial and total grants-in-aid in effect for the current academic year (or upcoming academic year if the regular academic year is not in session) and the number anticipated for the following academic year.
 - The average number of official paid visits provided by the institution to prospective student-athletes during the past four years.
 - Copies of the institution's squad lists for the past four academic years.
 - Copies of the institution's media guides, either in hard copy or through electronic links, for the past four academic years.
 - A statement indicating whether the provisions of Bylaws 31.2.2.3 and 31.2.2.4 apply to the institution as a result of the involvement of student-athletes in violations noted in this inquiry.
 - A statement indicating whether the provisions of Bylaw 19.9.7-(g) apply to the institution as a result of the involvement of student-athletes in violations noted in this inquiry.
11. Consistent with the Committee on Infractions IOP 4-16-2-1 (Total Budget for Sport Program) and 4-16-2-2 (Submission of Total Budget for Sport Program), please submit the three previous fiscal years' total budgets for all involved sport programs. At a minimum, a sport program's total budget shall include: (a) all contractual compensation including salaries, benefits and bonuses paid by the institution or related entities for coaching, operations, administrative and support staff tied to the sport program; (b) all recruiting expenses; (c) all team travel, entertainment and meals; (d) all expenses associated with equipment, uniforms and supplies; (e) game expenses and (f) any guarantees paid associated with the sport program.

Any additional information or comments regarding this case are welcome.