



June 19, 2008

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VIA FACSIMILE/OVERNIGHT

Ms. Robin Green Harris
Ice Miller LLP
One American Square, Suite 3100
Indianapolis, Indiana 46282-0200

Dear Ms. Harris:

As you are aware, the NCAA Division I Committee on Infractions has the authority to add allegations to a Notice of Allegations if, subsequent to considering the evidence at an infractions hearing, the committee feels that further violations may have been established. Such a situation has arisen in the case of Indiana University. After the conclusion of the Indiana University hearing on June 14, the committee deliberated and agreed that the following allegation is appropriate:

Allegation 6

FAILURE TO MONITOR. [NCAA Constitution 2.8.1, NCAA Bylaws 13.1.3.1.2; Infractions Report No. 250 (University of Oklahoma) Penalties E, F and L; August 1, 2006 Indiana University Compliance Report, Part II-B]

From May 25, 2006 to July 31, 2007, the university failed to monitor the men's basketball program in terms of (a) the general monitoring required of all NCAA member institutions; and (b) the heightened monitoring required by the prior infractions history of the former head coach; and (c) the required strict adherence to those additional processes it put in place pursuant to its adoption of penalties imposed in Infractions Report 250. Particular instances demonstrating the university's failure to monitor include:

- (a) The university's failure to adhere to its self-imposed corrective actions set forth in Part II B of its August 1, 2006 report to the committee on infractions;
- (b) the scope and nature of the violations set forth in Allegation 1 of the enforcement staff's case summary in Case No. M285 regarding violations of penalties E, F, and L of Infractions Report 250 that were adopted by the university;
- (c) the scope and nature of the violations set forth in Allegation 2 of the enforcement staff's case summary in Case No. M285 regarding violations of NCAA Bylaw 13.1.3.1.2;

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(d) its failure to uncover in a timely fashion violations of NCAA Bylaw 13.1.3.1.2 and of penalties E, F, and L of Infractions Report 250 that were adopted by the university;

(e) its failure to provide meaningful follow-through when it knew that members of the men's basketball staff were not adhering to the additional processes the university put in place pursuant to its adoption of penalties E, F, and L of Infractions Report 250 and its self-imposed corrective actions set forth in Part II B of its August 1, 2006 report to the committee on infractions;

(f) its failure to provide the extra close oversight and scrutiny of all aspects of the men's basketball program that was required by the prior infractions record of the former head coach, including the conduct of members of the men's basketball coaching staff in failing to document, or improperly documenting, recruiting calls, and the university's approach to investigation of secondary violations committed by members of the men's basketball coaching staff; and

(g) the atmosphere of non-compliance in the men's basketball program.

This allegation is a continuation of Case No. M285. The evidence on which the committee relies in support of this allegation is the record in Case No. M285 as it existed at the conclusion of the June 13-14 hearing.

The university has 3 options in responding to this allegation;

1. To rest on what was said at the hearing;
2. To submit a response in writing and rest on that response and the presentation at the hearing, or;
3. To file a written response and request an in-person hearing.

Please notify the office of the committees on infractions as soon as possible regarding which of the above three options the university wishes to exercise. Also, please provide the earliest date by which the university can respond in writing to the above allegation.

If you have any questions regarding this matter, please feel free to contact me

Sincerely,


Shepard C. Cooper
Director - Committee on Infractions

SCC:ksm

cc: NCAA Division I Committee on Infractions
Selected NCAA Staff Members