Academic Misconduct Policies and Procedures

Office of Compliance Services – University at Albany

POLICY

The University at Albany and the Department of Athletics are committed to a core set of values and principles: integrity, honesty, hard work, and determination. Maintaining high standards of academic integrity ensures the value of the University’s degrees and the roles of both the students and the University faculty and staff members. It is the responsibility of students and University faculty and staff members to familiarize themselves with the University at Albany’s policy on Academic Integrity and the Department of Athletics policy on Academic Misconduct.

In the case of potential post-enrollment or pre-enrollment misconduct activities the following procedures will be adhered to in accordance with NCAA and University at Albany regulations.

The Athletics Academic Investigative Committee (hereinafter referred to as the "Committee") has been created collectively to navigate cases of potential academic impropriety. The Committee consists of the following individuals:

1. Deputy Athletic Director
2. Senior Women’s Administrator
3. Associate Athletic Director for Academic Services
4. Associate Athletic Director for Compliance

PROCEDURES

1. NOTIFICATION OF POTENTIAL ACADEMIC IMPROPRIETY

In the event of any potential academic impropriety involving a prospective student-athlete, student-athlete, student employee, institutional staff member, or representative of athletics interest, the Associate Athletic Director for Compliance is immediately notified. In the event the Office of Community Standards receives a Violation of Academic Integrity Report (VAIR), the Associate Athletic Director for Compliance is immediately notified. Subsequently, the Sport Supervisor, Director of Athletics and Faculty Athletics Representative will be notified and continually updated on the investigation. The Director of Athletics will be responsible for notifying and updating the President. The appropriate Conference Office Compliance Director will be consulted if necessary.

2. ASSEMBLY OF ATHLETICS ACADEMIC INVESTIGATIVE COMMITTEE

At the earliest available opportunity, the Associate Athletic Director for Compliance will summon the Committee to meet to discuss the initial evidence presented to the Department of Athletics and/or Faculty Athletics Representative.

3. INVESTIGATION

Once informed of the alleged impropriety, the Associate Athletic Director for Compliance will steer the fact finding in collaboration with the Faculty Athletics Representative. If the potential academic impropriety involves an employee of the University at Albany, the Office of Human Resources and University Senior Managing Counsel must be notified. If necessary, Outside Counsel may be requested.
A written record will be collected with the following facts documented:

1. Date when the alleged impropriety was reported, to whom, by whom;
2. Detailed account of the alleged impropriety (i.e. date(s) that it occurred, who was involved, the circumstances surrounding, and bylaw(s) violated); and
3. Chronology for all actions taken during the investigation.

Simultaneously, the Faculty Athletics Representative will communicate with the faculty member and Division of Student Affairs to verify appropriate course of action is being followed pursuant to the University at Albany Standards of Academic Integrity.

4. DETERMINATION OF NCAA VIOLATION

The Associate Athletic Director for Compliance will determine if the facts surrounding the matter result in any of the following:

1. Academic misconduct violation;
2. Impermissible academic assistance violation;
3. Unethical conduct violation;
4. Extra benefits violation; or
5. No NCAA violation.

In the case of a Level III violation, the Director of Athletics and Associate Athletic Director for Compliance will recommend action. When the violation involves an eligibility issue, the student-athlete(s) in question will be immediately declared ineligible until further notice from the NCAA. In all other cases, meaningful corrective and disciplinary measures will be taken against the individual(s) involved. A report of the violation including all relevant information will be sent to the NCAA through the NCAA Requests/Self-Reports Online system.

In the case of a Level I or Level II violation, Legal Counsel may be retained. If necessary, Outside Counsel may be requested. The investigation’s findings will be reported to the Director of Athletics through the President’s Office. The Director of Athletics or Designee will utilize sources at the America East, Colonial Athletic Association or Metro Atlantic Athletic Conference office to determine the appropriate corrective and disciplinary actions for those individuals involved.

The Associate Athletic Director for Compliance will be responsible for notifying the Faculty Athletics Representative, the President of the University, University Counsel, the Commissioner of the AE, CAA, or MAAC, and the NCAA Enforcement staff of violations of NCAA rules when appropriate.

UNIVERSITY AT ALBANY STANDARDS OF ACADEMIC INTEGRITY

Note: The policies and procedures in the following section on Standards of Academic Integrity are effective beginning Fall 2013 by action of the University Senate.

As a community of scholars, the University at Albany has a special responsibility to integrity and truth. By testing, analyzing, and scrutinizing ideas and assumptions, scholarly inquiry produces the timely and
valuable bodies of knowledge that guide and inform important and significant decisions, policies, and choices. Our duty to be honest, methodical and careful in the attribution of data and ideas to their sources establishes the foundations of our work. Misrepresenting or falsifying scholarship undermines the essential trust on which our community depends. Every member of the community, including both faculty and students, shares an interest in maintaining academic integrity.

When the entire University community upholds the principles of academic integrity, it creates an environment where students value their education and embrace experiences of discovery and intellectual growth. In this environment, grades and degrees are awarded and applauded as the recognition of years of learning, achievement, discipline, and hard work. Maintaining the highest standards of academic integrity insures the value and reputation of our degree programs; these standards represent an ethical obligation for faculty intrinsic to their role as educators, as well as a pledge of honor on the part of students. If a violation of academic integrity occurs, faculty, deans, and students all share in the responsibility to report it.

Violations of trust harm everyone. The academic community needs to trust that its members do not misrepresent their data, take credit for another’s ideas or labor, misrepresent or interfere with the work of other scholars, or present previous work as if it were new. Acts of academic dishonesty undermine the value and credibility of the institution as a whole, and may distract others from important scholarship or divert resources away from critical research. In particular, students who plagiarize or falsify their work not only fail to adhere to the principles of scholarly inquiry and fail their peers by taking undeserved credit or reward, but they also fail to demonstrate their learning.

These guidelines define a shared context of values to help both students and faculty to make individual and institutional decisions about academic integrity. Every student has the responsibility to become familiar with the standards of academic integrity at the University.

Faculty members must specify in their syllabi information about academic integrity, and may refer students to this policy for more information. Nonetheless, student claims of ignorance, unintentional error, or personal or academic pressures cannot be excuses for violation of academic integrity. Students are responsible for familiarizing themselves with the standards and behaving accordingly, and UAlbany faculty are responsible for teaching, modeling and upholding them. Anything less undermines the worth and value of our intellectual work, and the reputation and credibility of the University at Albany degree.

**Resources for Students**

The University Libraries offer two important resources for students needing additional orientation to academic integrity.

**Information Literacy Courses**

These courses help students learn how to locate and evaluate information effectively — skills that will help not only with university studies, but also in the workplace. Students who have taken an information literacy course note that the process of doing research for a paper or project becomes much more transparent. Some of these courses also investigate ethical, social, and legal issues connected to information in today’s world. The University Libraries offer two such courses, one focusing on
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humanities and social sciences (U UNL 205) and the other aimed toward the sciences (U UNL 206).

CitationFox

The University Libraries offer CitationFox, an extensive resource developed by UAlbany librarians that provides citation guidance and examples for both the MLA and APA style. Students may also access the Plagiarism 101 Tutorial available through University Libraries for a primer on when sources must be cited.

Students should consult syllabi, their instructors, and in relevant circumstances their advisors for information about specific policies on academic integrity in courses or other academic exercises such as comprehensive/qualifying examinations, theses, and dissertations.

Graduate students may access additional information on Academic Integrity, Conduct, and Research Regulations via the Graduate Education website (www.albany.edu/graduate).

Examples of Academic Dishonesty

The following is a list of acts considered to be academically dishonest and therefore unacceptable. Committing such acts is a breach of integrity and is subject to penalty. No such list can, of course, describe all possible types or degrees of academic dishonesty.

Therefore this list should be viewed as a set of examples, rather than as an exhaustive list. Individual faculty members, Deans of Schools and Colleges as appropriate, and Community Standards will continue to judge each breach according to its particular context.

Plagiarism

Presenting as one’s own work the work of another person (for example, the words, ideas, information, data, evidence, organizing principles, or style of presentation of someone else). Some examples of plagiarism include copying, paraphrasing, or summarizing without acknowledgment, submission of another student’s work as one’s own, the purchase/use of prepared research or completed papers or projects, and the unacknowledged use of research sources gathered by someone else. Failure to indicate accurately the extent and precise nature of one’s reliance on other sources is also a form of plagiarism. Students are responsible for understanding legitimate use of sources, the appropriate ways of acknowledging academic, scholarly, or creative indebtedness. Examples of plagiarism include: failure to acknowledge the source(s) of even a few phrases, sentences, or paragraphs; failure to acknowledge a quotation or paraphrase of paragraph-length sections of a paper; failure to acknowledge the source(s) of a major idea or the source(s) for an ordering principle; failure to acknowledge the source (quoted, paraphrased, or summarized) of major sections or passages in the paper or project; the unacknowledged use of several major ideas or extensive reliance on another person’s data, evidence, or critical method; submitting as one’s own work, work borrowed, stolen, or purchased from someone else.
Cheating on Examinations

Giving or receiving unauthorized help before, during, or after an examination. Examples of unauthorized help include collaboration of any sort during an examination (unless specifically approved by the instructor); collaboration before an examination (when such collaboration is specifically forbidden by the instructor); the use of notes, books, or other aids during an examination (unless permitted by the instructor); arranging for another person to take an examination in one's place; looking upon someone else's examination during the examination period; intentionally allowing another student to look upon one's exam; unauthorized discussion of exam questions during the examination period; and the passing of any examination information to students who have not yet taken the examination. There can be no conversation while an examination is in progress unless specifically authorized by the instructor.

Multiple Submission

Submitting substantial portions of the same work for credit more than once without receiving the prior explicit consent of the instructor to whom the material is being submitted the second or subsequent time.

Forgery

Imitating another person's signature on academic or other official documents, including class material.

Sabotage

Willfully destroying, damaging, or stealing of another's work or working materials (including lab experiments, computer programs, term papers, digital files, or projects).

Unauthorized Collaboration

Collaborating on projects, papers, or other academic exercises when this is forbidden by the instructor(s). The default faculty assumption is that work submitted for credit is entirely one's own. At the same time, standards on appropriate and inappropriate collaboration as well as the need for collaboration vary across courses and disciplines. Therefore, students who want to confer or collaborate with one another on work receiving academic credit should seek the instructor's permission to collaborate.

Falsification

Misrepresenting material or fabricating information in an academic exercise or assignment (for example, the false or misleading citation of sources, the falsification of experimental or computer data, etc.).

Bribery

Offering or giving any article of value or service to an instructor in an attempt to receive a grade or other benefits not legitimately earned or not available to other students in the class.
Theft, Damage, or Misuse of Library or IT Resources

Removing uncharged library materials from the library, defacing or damaging library materials, intentionally displacing or hoarding materials within the library for one's unauthorized private use, or other abuse of reserve-book privileges. Any violation of the University’s Responsible Use of Information Technology policy. This includes, but is not limited to, unauthorized use of the University's or another person's computer accounts, codes, passwords, or facilities; damaging computer equipment or interfering with the operation of the computing system of the University.

Penalties and Procedures for Violations of Academic Integrity

The course instructor is responsible for determining when a student has violated academic integrity in a course. Students engaging in other academic activities such as qualifying or comprehensive examinations, theses, dissertations must also adhere to the standards of academic integrity outlined in this policy. In these cases, academic advisors and department, college, or school officials responsible for a student's program of study are charged with determining if a student has violated academic integrity.

a. Warning without further penalty, or with a requirement that an assignment be redone without a breach of academic integrity and resubmitted;
b. Lowering of an assignment/exam grade;
c. Assigning a failing grade on a paper containing plagiarized material;
d. Assigning a failing grade on any examination in which cheating occurred;
e. Lowering a course grade; or
f. Giving a failing grade in a course or other academic exercise

In addition, faculty members encountering a violation of academic integrity in their courses are required to complete and file the Violation of Academic Integrity Report. The report should indicate the sanction imposed and a brief description of the incident. Faculty filing a VAIR will submit copies both to the Vice Provost for Undergraduate Education or Graduate Education, as appropriate, and to the student.

If a faculty member informs the student that he or she will receive a failing grade for the course as a whole or for a component of the course as a result of academic dishonesty, the student receiving such a penalty will not be permitted to withdraw from the course, or to change the grading basis of the course from A-E to S/U.

Students who feel they have been erroneously penalized for an academic integrity infraction, or who think that a penalty is inappropriate, may make use of the grievance procedures, beginning with the Department and the College/School where the course was offered. Each College/School of the University has procedures for students who seek to dispute grades assigned or penalties imposed for academic infractions. Copies of the procedures are maintained in the College/School Deans' Offices or on their respective websites.

If a student is cleared of wrongdoing through the grievance process, the student will not be subject to any penalties and the Violation of Academic Integrity Report associated with the case will be destroyed.
A violation confirmed by admission on the part of the student, by the student’s acceptance of the charges and penalties outlined in the Violation of Academic Integrity Report, or through the grievance process will result in the enforcement of the penalty determined by the faculty member reporting the incident.

Under either of the following two conditions, a violation may be forwarded to Community Standards for further adjudication and, potentially, further sanction:

The faculty member reporting the incident has determined that the violation is serious enough to merit a failing grade in the course, and would like to have the case formally adjudicated at this higher level.

A faculty member or College/School Dean responsible for the academic program in which the offense has occurred deems it to be a particularly egregious case of academic dishonesty, regardless of the penalty imposed by the instructor, and would like to see the case formally adjudicated at this higher level.

In these circumstances, the faculty member or College/School Dean may request that the Office of the Vice Provost for Undergraduate Education or Graduate Education, as appropriate, forward the case to Community Standards.

However, the following circumstance will automatically result in the case being forwarded to Community Standards for adjudication:

A previous Violation of Academic Integrity Report on the student. When a student violates academic integrity in more than one academic exercise, whether those infractions occurred during the same or different periods of time, or in the same or different courses, the University regards the offense as an especially serious subversion of academic integrity. The matter becomes particularly severe when the student has been confronted with the first infraction before the second is committed. Whenever the Offices of Undergraduate Education or Graduate Education receive a second Violation of Academic Integrity Report on a student, the Vice Provost will request a hearing before Community Standards.

If a case is referred to Community Standards, that office will act in accordance with its standard procedures to determine the final disposition of the case, which may include revoking a student’s scholarship or fellowship, or teaching or research assistantship, as well as or in addition to disciplinary probation, suspension, or expulsion. If a hearing is held and a student is found “not in violation,” no punitive action may be taken against the student and the Violation of Academic Integrity Report associated with the incident will be destroyed.

A copy of the Violation of Academic Integrity Report associated with any incident in which the student is not cleared of wrongdoing (through the grievance process or by Community Standards) will be retained in the Offices of Undergraduate Education or Graduate Education, as appropriate. The Offices of Undergraduate Education or Graduate Education will maintain a copy of such reports for periods in accordance with SUNY student record retention policies: three years beyond the academic year in which the violation occurred, in the case of minor code violations (a single offense resulting in a sanction or
sanctions short of a failing grade in the course), and seven years beyond the academic year in which the violation occurred, in the case of major code violations (a failing grade in the course, or any offense referred to and confirmed by Community Standards). A student's record of violations of academic integrity may be communicated to graduate or professional schools or employers who request such information about applicants who have attended the University at Albany.

The Director of Libraries or Chief Information Officer, upon a finding of theft, damage, misuse of facilities or resources, or a violation of University policies, will forward all such cases to Community Standards for review and disposition, which can include suspension or expulsion from the University. The Director of Libraries or Chief Information Officer may, in individual cases, limit access to the Libraries or IT resources pending action by Community Standards. In all other cases of academic dishonesty by students, which come to the attention of any staff, faculty member, or student, it is expected that the Vice Provost for Undergraduate Education or Graduate Education, as appropriate, will be consulted about such infractions. In addition, University Police may elect to pursue the breaches, consistent with their policies.

Community Standards was established by the governing bodies of the University at Albany and is administratively the responsibility of the Vice President for Student Success. Any questions about the procedures of Community Standards may be secured by inquiry to that office.
FIGURES

Academic Misconduct: Staff Involvement

Adopted:

Conduct violates the institution’s academic misconduct policies & procedures

- Alteration or Falsification of Transcript or Academic Record
- Competed or Received Aid Based on Erroneous Declaration of Eligibility

Institutional Staff or Booster Involvement?

Yes to any? -or- No to all?

NCAA Academic Misconduct Violation

No NCAA Violations
Impermissible Academic Assistance

**Adopted:**

Conduct does not violate institution’s academic misconduct policies & procedures

1. Substantial academic assistance or exception;
2. Not generally available to institution’s students;
3. Not permissible under Bylaw 16.3;
4. Provided by current or former institutional staff or representative of athletics interests; and
5. Results in certification of eligibility.

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**Yes to all?**

**NCAA Impemissible Academic Assistance Violation**

**No to any?**

**No NCAA Violations**
DEFINITIONS

Enrolled Student-Athlete (Reference: NCAA Bylaw 13.02.6)

An enrolled student-athlete is an individual whose enrollment was solicited by a member of the athletics staff or other representative of athletics interests with a view toward the student's ultimate participation in the intercollegiate athletics program. Any other student becomes a student-athlete only when the student reports for an intercollegiate squad that is under the jurisdiction of the athletics department.

Prospective Student-Athlete (Reference: NCAA Bylaw 13.02.13)

A prospective student-athlete is a student who has started classes for the ninth grade. In addition, a student who has not started classes for the ninth grade becomes a prospective student-athlete if the institution provides such an individual (or the individual's relatives or friends) any financial assistance or other benefits that the institution does not provide to prospective students generally. An individual remains a prospective student-athlete until one of the following occurs (whichever is earlier):

a. The individual officially registers and enrolls in a minimum full-time program of studies and attends classes in any term of a four-year collegiate institution's regular academic year (excluding summer);
b. The individual participates in a regular squad practice or competition at a four-year collegiate institution that occurs before the beginning of any term;
c. The individual officially registers, enrolls and attends classes during the certifying institution's
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summer term prior to his or her initial full-time enrollment at the certifying institution; or
d. The individual reports to an institutional orientation session that is open to all incoming
students within 14 calendar days prior to the opening day of classes of a regular academic year
term.

Institutional Staff Member (Reference: NCAA Bylaw 14.02.11)

For purposes of Bylaw 14, an institutional staff member is any individual, excluding a student employee,
who performs work for the institution or the athletics department, regardless of whether he or she
receives compensation for such work.

Student Employee (Reference: NCAA Bylaw 14.02.11.1)

For purposes of Bylaw 14, a student employee is an institutional staff member if:

a. He or she has institutional responsibilities to provide academic services to student-athletes; or
b. He or she engages in academic misconduct or provides impermissible academic assistance at the
direction of a nonstudent employee, an institutional staff member per 14.02.11.1-(a) or a
representative of the institution's athletics interests.

Unethical Conduct (Reference: NCAA Bylaw 10.1)

Unethical conduct by a prospective or enrolled student-athlete or a current or former institutional staff
member, which includes any individual who performs work for the institution or the athletics
department even if he or she does not receive compensation for such work, may include, but is not
limited to, the following:

a. Refusal to furnish information relevant to an investigation of a possible violation of an NCAA
regulation when requested to do so by the NCAA or the individual's institution;
b. Knowing involvement in offering or providing a prospective or an enrolled student-athlete an
improper inducement or extra benefit or improper financial aid;
c. Knowingly furnishing or knowingly influencing others to furnish the NCAA or the individual's
institution false or misleading information concerning an individual's involvement in or
knowledge of matters relevant to a possible violation of an NCAA regulation;
d. Receipt of benefits by an institutional staff member for facilitating or arranging a meeting
between a student-athlete and an agent, financial advisor or a representative of an agent or
advisor (e.g., "runner");
e. Knowing involvement in providing a banned substance or impermissible supplement to
student-athletes, or knowingly providing medications to student-athletes contrary to medical
licensure, commonly accepted standards of care in sports medicine practice, or state and federal
law. This provision shall not apply to banned substances for which the student-athlete has
received a medical exception per Bylaw 31.2.3.2; however, the substance must be provided in
accordance with medical licensure, commonly accepted standards of care and state or federal
law;
f. Engaging in any athletics competition under an assumed name or with intent to otherwise
deceive; or
g. Failure to provide complete and accurate information to the NCAA, the NCAA Eligibility Center or the institution's athletics department regarding an individual's amateur status.

Post Enrollment Academic Misconduct (Reference: NCAA Bylaw 14.02.1)

All institutional staff members and student-athletes are expected to act with honesty and integrity in all academic matters. Post-enrollment academic misconduct includes any violation or breach of an institutional policy regarding academic honesty or integrity (e.g., academic offense, academic honor code violation, plagiarism, academic fraud).

Impermissible Academic Assistance: Institutional Staff Member or Representative of Athletics Interests (Reference: NCAA Bylaw 14.02.10)

Impermissible academic assistance by a current or former institutional staff member or a representative of an institution's athletics interests includes, but is not limited to, the provision of or arrangement of:

a. Substantial assistance that is not generally available to an institution's students and is not otherwise expressly authorized in Bylaw 16.3, which results in the certification of a student-athlete's eligibility to participate in intercollegiate athletics, receive financial aid, or earn an Academic Progress Rate point; or

b. An academic exception that results in a grade change, academic credit or fulfilment of a graduation requirement when such an exception is not generally available to the institution's students and the exception results in the certification of a student-athlete's eligibility to participate in intercollegiate athletics, receive financial aid, or earn an Academic Progress Rate point.

Institutional Staff Member Responsibility: Academic Performance Program (Reference: NCAA Bylaw 14.8.4)

An institutional staff member shall not knowingly submit erroneous material information to the academic performance program.

Validity of Academic Credentials (Reference: NCAA Bylaw 14.1.2)

As a condition and obligation of membership, an institution is responsible for determining the validity of a student-athlete's academic record.

Policies and Procedures (Reference: NCAA Bylaw 14.9.1)

An institution must:

a. Have written institutional policies and procedures regarding academic misconduct applicable to the general student body, including student-athletes. The policies and procedures must be approved through the institution's normal process for approving such policies and must be kept on file or be accessible on the institution's website.
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b. Investigate and adjudicate alleged academic misconduct in accordance with established policies regardless of whether the misconduct is reported to the NCAA or whether the student-athlete acted alone or in concert with others.

Exception
An institution may establish a policy that permits an expedited investigation and adjudication of academic misconduct by a student-athlete, provided other applicable policies and procedures are observed and the policy for expedited review is approved through the institution's normal process for approving such policies and is approved by the institution's president or chancellor (or his or her designee). Further, the policy that permits an expedited review must be kept on file or must be accessible on the institution's website.

Student-Athlete (Reference: NCAA Bylaw 14.9.2.1)
A student-athlete shall not be involved in:

a. Academic misconduct involving a current or former institutional staff member or representative of athletics interests;

b. Academic misconduct, without the involvement of a current or former institutional staff member or representative of athletics interests, that results in:
   1. An erroneous declaration of eligibility to participate in intercollegiate athletics and the student-athlete subsequently competes for the institution while ineligible;
   2. An erroneous declaration of eligibility to receive financial aid and the student-athlete subsequently receives financial aid while ineligible; or
   3. The erroneous awarding of an Academic Progress Rate point; or

c. Academic misconduct involving the alteration or falsification of a student-athlete's transcript or academic record.

Institutional Staff Member or Representative of Athletics Interests (Reference: NCAA Bylaw 14.9.2.2)
A current or former institutional staff member or a representative of an institution's athletics interests shall not be involved (with or without the knowledge of the student-athlete) in:

a. Academic misconduct related to a student-athlete; or

b. The alteration or falsification of a student-athlete's transcript or academic record.

Impermissible Academic Assistance: Institutional Staff Member or Representative of Athletics Interests (Reference: NCAA Bylaw 14.9.2.3)
A current or former institutional staff member or a representative of an institution's athletics interests shall not provide impermissible academic assistance to a student-athlete.

Application
If an institution determines, pursuant to its policies and procedures, that academic misconduct has occurred, a violation of Bylaw 14.9.2.3 (Impermissible Academic Assistance).
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Assistance: Institutional Staff Member or Representative of Athletics Interest) shall not be cited by the institution or through an enforcement investigation. If an institution determines, pursuant to its policies and procedures, that academic misconduct has not occurred, the conduct in question may still constitute a violation of Bylaw 14.9.2.3 (Impermissible Academic Assistance: Institutional Staff Member or Representative of Athletics Interest).

Pre-Enrollment Academic Misconduct (Reference: NCAA Bylaw 14.1.2.1)

A prospective student-athlete, student-athlete, representative of athletics interests or a current or former institutional staff member shall not:

a. Arrange for a false or inaccurate academic record (e.g., courses, grades, credits, transcripts, test scores) for a prospective student-athlete; or
b. Provide false, inaccurate or incomplete information to the NCAA or an institution regarding a prospective student-athlete's academic record.