



5055 Santa Teresa Blvd., Gilroy, CA 95020

www.gavilan.edu

(408) 848-4800

Dr. Kathleen A. Rose, Superintendent/President

August 30, 2017

Amended Letter

Mr. Gary Kollenborn
Commissioner, NCFC
791 Westmont Court
Chico, CA 95926

RE: Self-Report of Violations Involving Gavilan College Football

Dear Commissioner Kollenborn:

Gavilan College values its membership with CCCAA and is aware that it is our responsibility to uphold the rules and regulations of the CCCAA Constitution and Bylaws to the fullest extent and in doing so, report any and all violations when they occur. In accordance with Article 7 of the CCCAA Constitution and Bylaws, this letter serves as our self-report of multiple violations of Bylaw 2 involving both coaches and student-athletes of the Gavilan College football program at the beginning of the 2017 season.

HISTORY

On Tuesday, August 8, 2017, my office was contacted by (*name removed*), the mother of one of our new student-athletes, (*name removed*). (*name removed*) indicated that 14 members of our football program, including her son, were living in one home in Hollister and were going to be evicted. My executive assistant Nancy Bailey, who took the initial phone call, contacted Ron Hannon, Dean of Kinesiology & Athletics and I to notify us of the situation. Dean Hannon immediately contacted Mike Dovenberg, Head Football Coach, to gather information. As a result of the initial information gathered, Dean Hannon began a preliminary investigation into potential allegations of violations committed and kept my office informed. Several students and the homeowner were interviewed. As a result of those discussions, Dean Hannon reported back to me that he believed multiple violations of applicable Bylaws and Constitution had possibly occurred. At that time, we made contact with our legal counsel to be advised of our next steps.

Our district counsel recommended that a comprehensive investigation be implemented due to the potential violations contained in the allegations. It was their recommendation that Mr. Dale Murray, Commissioner of the Coast Conference, be retained under legal counsel to conduct a full investigation. On Thursday, August 10, 2017, Mr. Murray began his investigation into the matter.



Board of Trustees: Jonathan Brusco
Laura A. Perry, Esq.

Kent Child
Lois Locci, Ed.D.

Mark Dover
Rachel Perez

Walt Glines
Daniel Chavez

PRELIMINARY FINDINGS

Mr. Murray’s investigation began two days after the college was initially informed that a potential issue was occurring within the football program. Mr. Murray interviewed 9 individual witnesses which included college employees and community members involved, 23 student-athletes, and 11 coaches and support staff. The charts below indicate which student-athletes and coaches have been found, on this preliminary basis, to be in violation of Bylaw 2 in accordance with the Constitution. Violations ranged from subsidizing student-athletes with free or discounted housing; receipt of meals without payment; arranging housing for student-athletes; acting as an agent on behalf of Gavilan College; and providing transportation outside of Gavilan College’s recruiting area. Additionally, evidence emerged to support that Assistant Coach (*name removed*) did not complete the required CCCAA certification process after being directed to do so and began recruiting on his own. We anticipate that further information may develop in connection with a separate personnel investigation we are conducting, but at least on a preliminary basis the following information was obtained:

COACHES	FIRST CONTACT BYLAW 2.5.1	HOUSING BYLAW 2.11.2C	TRANSPORTATION BYLAW 2.11.2B	AGENT BYLAW 2.2.2B
(<i>name removed</i>)			YES	
(<i>name removed</i>)			YES	
(<i>name removed</i>)		YES		YES
(<i>name removed</i>)	YES	YES		YES

PLAYERS	HOUSING BYLAW 2.11.2C	MEALS BYLAW 2.11.2B	AGENT BYLAW 2.2.2A
(<i>name removed</i>)	YES	YES	
(<i>name removed</i>)	YES	YES	
(<i>name removed</i>)	YES	YES	
(<i>name removed</i>)	YES	YES	
(<i>name removed</i>)	YES	YES	
(<i>name removed</i>)	YES	YES	
(<i>name removed</i>)	YES	YES	
(<i>name removed</i>)	YES	YES	
(<i>name removed</i>)	YES	YES	
(<i>name removed</i>)	YES	YES	
(<i>name removed</i>)	YES	YES	
(<i>name removed</i>)	YES	YES	
(<i>name removed</i>)	YES	YES	
(<i>name removed</i>)	YES	YES	YES
(<i>name removed</i>)	YES	YES	
(<i>name removed</i>)	YES	YES	

SANCTIONS

As outlined in Article 7.4.11 per Bylaw 2.13, Gavilan College will be adhering to the following penalties:

1. The college shall be placed on probation for two years;
2. The football team will not be eligible for post-season competition during the 2017 season; and,
3. Each student-athlete listed on the above chart will be deemed athletically ineligible.

Furthermore, Gavilan College will be taking additional action:

4. Appropriate personnel actions will be taken, up to and including potential termination of employment, following completion of a pending personnel investigation, and following appropriate process, against Gavilan College employees who we determine were involved in recruiting and subsidizing student athletes in violation of CCCAA rules;
5. Dean Hannon will conduct additional in-service training with the remaining football coaching staff specifically regarding Bylaw 2. Each coach will be required to be recertified with the CCCAA prior to any additional recruiting activities. This includes an in-service meeting as well as the online exam;
6. All head coaches will meet bi-monthly with Dean Hannon to discuss all details regarding recruiting practices and provide written details about prospects, first contact and all activities taken by head coaches and their coaching staff for one full year. These meeting will be documented and shared with the Superintendent/President.

Due to the nature and severity of the infractions committed by both members of the Gavilan College football staff and its student-athletes, Gavilan College acted both swiftly and aggressively to address these issues and to take immediate action. Although I understand as the Commissioner, you and the CCCAA may invoke additional sanctions as appropriate; I am requesting that you take into consideration the actions taken above as well as our history of being a member institution in good standing with both the NCFC and the CCCAA.

On August 29, 2017 the head coach, the Dean and the Vice President of Human Resources and Labor Relations began meeting with each of the students to notify them of the initial findings of the investigation and the status of ineligibility. For humanitarian reasons and in consultation with our Board of Trustees, the affected students who chose not to remain enrolled were offered either a plane ticket or gas cards to their home destination through the Gavilan College Educational Foundation. Many of the students have no means to return home due to their socioeconomic status. To the extent that the commission may view this as an additional violation of bylaws, I believe that the harsh sanctions described above will cover the district's responsibility. We recognized that many of these students needed to make quick decisions about the next step in their academic and athletic careers and wanted to provide the most expedient method for them to get home.

Should you have any questions regarding this situation, please contact me directly at 408-848-4711 or via email at krose@gavilan.edu.

Sincerely,

Kathleen A. Rose, Ed.D.
Superintendent/President