



November 18, 2019

## Penalties Assessed to Southport Boys' Basketball Team, Coach, and Athletic Program

Following violations of undue influence, the Indiana High School Athletic Association, Inc. announces that it is removing the Southport boys basketball program from this year's state tournament, ruled a player ineligible, and has placed the entire athletic department on probation for the next year. The school also has suspended its coach for the first two contests of the upcoming season.

Southport, a public high school located in Indianapolis and first admitted to the Association as a member school in 1914, is one of 412 members who voluntarily subscribe to uphold the by-laws and policies of the Association.

The IHSAA has investigated potential violations of Rule 20-1 of the IHSAA by-laws regarding student Nickens Paul Lemba and Head Boys' Basketball Coach Eric Brand. On Wednesday, November 13, 2019, representatives of Southport High School and Perry Township Schools met with Commissioner Bobby Cox and staff at the IHSAA to discuss this investigation and provide an opportunity for the school to respond to these breaches.

On November 15, 2019, the IHSAA received a letter from Assistant Superintendent Robert Bohannon outlining sanctions the school intends to implement in a corrective attitude of these violations. The IHSAA appreciates and supports these initial steps to insure compliance to the rules.

1. Southport High School Head Boys' Basketball Coach Eric Brand has violated Rule 20-1 of the IHSAA by-laws. As incorporator and director of the Southport Basketball Club, Inc., he has provided a tuition payment to Perry Township Schools in the amount of \$5,548.00 on behalf of student Nickens Paul Lemba originally from the Democratic Republic of the Congo.
2. Perry Township Schools accepted the tuition payment on behalf of Nickens Paul Lemba in order to remain compliant with U.S. immigration law and meet requirements of an F-1 student.

Rule 20-1 provides the following:

### 20-1 Recruitment Prohibited

The recruitment or attempted recruitment of a prospective student, through the use of undue influence is prohibited. Undue influence is the act of encouraging or inducing a prospective student to attend a school for athletic purposes.

- a. It is a violation of this rule for a prospective student to be unduly influenced, with or without the offer of a tangible benefit.
- b. Any successful or unsuccessful attempt to recruit a prospective student through the use of undue influence will subject the school(s) benefited, or to be benefited, by the recruitment to sanctions to be determined by the Commissioner.
- c. If, following any recruitment through the use of undue influence, a prospective student enrolls at a member school, the prospective student will be ineligible for athletics in accordance with the penalty described at Rule 19-4.
- d. The offer or the acceptance of any of the following shall constitute prima facie evidence of undue influence:

- (2.) Free or reduced tuition, room or board for the prospective student, provided, however that schools which charge tuition or which may make room and board available to students, may adjust tuition, room and/or board for children of faculty members provided there is no undue influence or under an objectively determined need-based financial aid program for tuition, room and/or board.

Respective of Rule 20 of the IHSAA by-laws, the response from Southport High School and Perry Township Schools, the following determinations have been made:

1. The Southport High School athletic department is placed on probation for 365 days from the date listed above. This probation is a severe type of warning. It is official notice that unacceptable and serious violations have occurred, are a matter of record and future, similar incidents will not be tolerated.
2. The IHSAA accepts the suspension of Head Coach Eric Brand by Southport High School for the first two contests of the 2019-20 season yet notes this suspension falls woefully short of the expectations of the IHSAA from its voluntary member school.
3. Southport High School student Nickens Paul Lemba is hereby declared ineligible for the 2019-20 school year.
4. Southport High School is hereby removed from the 2019-20 IHSAA Boys' Basketball Tournament Series.

As per the provisions of Rule 17-4.1 of the IHSAA by-laws, an affected party may seek review or an appeal of these determinations.

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***About the Indiana High School Athletic Association, Inc. (IHSAA)***

*The IHSAA is a voluntary, not-for-profit organization that is self-supporting without the use of tax monies. Since its founding in 1903, the Association's mission has been to provide wholesome, educational athletics for the secondary schools of Indiana. Its 412 member high schools - public, institutional, parochial and private - pay no annual membership fee or incur entry fees to play in the Association's tournaments. A state tournament series is conducted annually in 22 sports, 10 for girls, 10 for boys and two co-ed (unified flag football and unified track and field). A 19-person board of directors, elected by member school principals, governs the organization.*