



**SEWANEE, UNIVERSITY OF THE SOUTH  
PUBLIC INFRACTIONS DECISION  
February 13, 2024**

## **I. INTRODUCTION**

The NCAA Division III Committee on Infractions (COI) is an independent administrative body of the NCAA comprised of individuals from the Division III membership and public. The COI is charged with deciding infractions cases involving member institutions and their staffs. This case centered on sports wagering activities carried out by the former head women's basketball coach at Sewanee, University of the South.<sup>1</sup> Specifically, over approximately a two-year period, the head coach knowingly placed wagers on college and professional sport competitions. The activities began when the head coach was an assistant men's basketball coach and continued after he became the head women's basketball coach. As a result, the head coach also violated the principles of head coach responsibility.

The COI considered this case through the cooperative summary disposition process in which Sewanee, the head coach and the enforcement staff agreed to the primary facts and violations as fully set forth in the summary disposition report (SDR). The COI proposed additional penalties for Sewanee and the head coach. Because both accepted those penalties, neither may appeal.

Sewanee, the head coach and the enforcement staff agreed that over 26 months, the head coach engaged in sports wagering activities where he placed over \$93,000 in bets on both college and professional sports competitions. His betting activity broke down to include 407 wagers on college sports competitions totaling \$28,000 (including 20 wagers on women's basketball) and an unknown number of wagers on professional sports competitions totaling more than \$65,000. The COI concludes that the violation is major.

The parties also agreed that because the head coach was directly involved in the violations, he did not promote an atmosphere for compliance and therefore violated head coach responsibility legislation. Sewanee educated the head coach on sports wagering rules, and he knew such activities were impermissible. Despite that education, the head coach knowingly committed NCAA violations by placing bets on college and professional sports competitions. The head coach agreed that he failed to promote an atmosphere for compliance, and the COI concludes the violation is major.

The COI accepts the parties' factual agreements and concludes that major violations occurred. Utilizing NCAA bylaws authorizing penalties, the COI adopts and prescribes the following

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<sup>1</sup> A member of the Southern Athletic Association, Sewanee's total enrollment is approximately 1,700 students. Sewanee sponsors 10 men's, 13 women's sports and one co-ed sport. This is Sewanee's first major infractions case.

principal penalties: public reprimand and censure; one year of probation; a \$1,500 fine; NCAA Regional Rules attendance and a two-year show-cause order for the head coach that includes targeted education and a five-game suspension.

## **II. CASE HISTORY**

The violations in this case came to light in March 2023 when the Tennessee Sports Wagering Advisory Council informed Sewanee about the sports wagering activities of the head women's coach (head coach). Around the same time, a sports wagering platform notified the NCAA enforcement staff about the same activities. Sewanee began an internal investigation and provided the enforcement staff with regular updates. On April 26, 2023, Sewanee placed the head coach on administrative leave. In May 2023, Sewanee submitted a self-report to the enforcement staff. On July 7, 2023, Sewanee accepted the head coach's resignation, and on July 11, 2023, the enforcement staff issued a written notice of inquiry. In late September 2023, the enforcement staff shared draft allegations with Sewanee and the head coach, and roughly one week later both Sewanee and the head coach agreed to process the case through the summary disposition process. The parties submitted the SDR to the COI on December 5, 2023, and the COI considered the case on January 18, 2024. On January 22, 2024, the COI proposed additional penalties for Sewanee and the head coach. The parties accepted the additional penalties on January 30 and February 2, 2024, respectively.

## **III. PARTIES' AGREEMENTS**

The parties jointly submitted an SDR that identified an agreed-upon factual basis, violations of NCAA legislation and type of violations.<sup>2</sup> The SDR identified:

### **1. [NCAA Division III Manual Bylaws 10.01.1 and 10.3 (2020-21 through 2022-23)] (Major)**

The institution, head coach and enforcement staff agree that from January 2021 through March 2023, the head coach violated the NCAA principles of honesty and sportsmanship when he knowingly participated in sports wagering activities.<sup>3</sup> Specifically, the head coach placed at least 407 wagers totaling approximately \$28,000 on intercollegiate sports competitions, including 20 wagers on NCAA women's basketball, and an unknown number of wagers totaling at least \$65,547 on professional sports competitions.

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<sup>2</sup> This decision provides the agreed upon factual basis, violations and type of violations exactly as stated in the SDR, except for shortening references to the parties.

<sup>3</sup> The head coach served as assistant men's basketball coach from July 2019 until August 2022 and head women's basketball coach from August 2022 through June 2023.

## **2. [NCAA Division III Manual Bylaw 11.1.2.1 (2022-23)] (Major)**

The institution, head coach and enforcement staff agree that from August 2022 through March 2023, the head coach is presumed responsible for the violations detailed in Violation No. 1 and did not rebut the presumption of responsibility.<sup>4</sup> Specifically, the head coach did not demonstrate that he promoted an atmosphere for compliance due to his personal involvement in the violations.

## **IV. REVIEW OF CASE**

The SDR fully detailed the parties' positions and included the agreed-upon primary facts, violations and type of violations. After reviewing the parties' principal factual agreements and respective explanations surrounding those agreements, the COI accepts the SDR and concludes that the conduct resulted in two major violations. Specifically, the COI concludes that, for a little over two years, the head coach knowingly participated in sports wagering activities. His involvement in the activities began when he was an assistant men's basketball coach and continued after he was elevated to the head women's basketball coach. The head coach's continued and knowing involvement in impermissible sports wagering activities while at the helm of the women's basketball program failed to demonstrate that he promoted an atmosphere for compliance. The conduct violated Bylaws 10 and 11.<sup>5</sup>

Bylaw 10 outlines the principles of ethical conduct. Specifically, Bylaw 10.01.1 states that individuals employed by member institutions shall act with honesty and sportsmanship. Bylaw 10.3 prohibits athletics staff members from participating in sports wagering activities concerning college, amateur or professional sports. Bylaw 11.1.2.1 holds head coaches responsible for their conduct and the conduct of their direct and indirect reports. Bylaw 11.1.2.1 requires that head coaches promote an atmosphere for compliance within their program.

Sewanee, the head coach and the enforcement staff agreed that the head coach violated NCAA legislation prohibiting sports wagering activities. Over a 26-month period, the head coach placed over \$93,000 in bets on college and professional sports competitions. His betting activity broke down to include 407 wagers on college sports competitions totaling \$28,000, including 20 wagers on women's basketball, and an unknown number of wagers on professional sports competitions totaling more than \$65,000. Sewanee educated the head coach on sports wagering rules, and he knew such activities were impermissible. Despite that knowledge, the head coach reported that he placed the wagers because he did not have insider knowledge about, or influence over, the outcome of contests. Regardless of his lack of insider knowledge or influence, athletics staff members' involvement in sports wagering is strictly prohibited. Thus, the head coach violated Bylaws 10.01.1 and 10.3. The head coach was personally involved in the violations and therefore did not promote an atmosphere for compliance. As a result, the head coach violated Bylaw 11.1.2.1.

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<sup>4</sup> The head coach served as head women's basketball coach from August 2022 through June 2023.

<sup>5</sup> The full text of all bylaws violated in this case is at Appendix Two.

The COI acknowledges that the violations in this case—sports wagering activities—were individual in nature. Moreover, these types of behaviors have become normalized in society and, at least in this case, do not appear to have had any influence on the integrity of intercollegiate competitions or resulted in any competitive advantage. Regardless of the evolving views and prevalence of sports wagering, such activities remain against NCAA rules. Given the prevalence of sports wagering activities on college campuses, it is arguably even more important that those closest to student-athletes refrain from such behaviors to protect student-athletes and the integrity of the game. To that end, institutional educational efforts pertaining to sports wagering activities are critical.

Pursuant to Bylaw 19.02.2.2, the conduct resulted in major violations of NCAA legislation. Although this is the first major case involving sports wagering activities presented to the Division III COI, the COI regularly concludes that major head coach responsibility violations occur when head coaches personally commit underlying major violations. *See The State University of New York at Fredonia (2022)* (concluding that the head men’s ice hockey coach violated head coach responsibility legislation due to his involvement in directing impermissible athletically related activities) and *The College of St. Scholastica (2022)* (concluding that the former head men’s ice hockey coach failed to promote an atmosphere for compliance when he committed fundamental violations of playing and practice season and benefits legislation).

## V. PENALTIES

For the reasons set forth in Sections III and IV of this decision, the COI concludes that this case involved major violations of NCAA legislation. Major violations are not isolated or inadvertent and provide more than a minimal advantage. *See* Bylaw 19.02.2.2. Because the institution and head coach agreed to the facts, violations and additional proposed penalties, no party has the opportunity to appeal.

In prescribing penalties, the COI evaluated relevant mitigating factors pursuant to Bylaw 32.7.1.3. As part of its evaluation, the COI specifically notes that, once the institution was alerted to the head coach’s sports wagering activity by the Tennessee Sports Wagering Advisory Council, it took immediate and collaborative action with the enforcement staff. Likewise, the COI considered Sewanee’s corrective actions as set forth in Appendix One.

After considering all information relevant to the case, the COI prescribes the following penalties (self-imposed penalties are so noted):

### **Penalties for Major Violations (Bylaw 19.5.2)**

1. Public reprimand and censure through the release of the public infractions decision.
2. Probation: One year of probation from February 13, 2024, through February 12, 2025.

3. During this period of probation, Sewanee shall:
  - a. Continue to develop and implement a comprehensive compliance and educational program on NCAA legislation to instruct coaches, the faculty athletics representative, all athletics department personnel and all institutional staff members with responsibility for ensuring compliance with NCAA legislation;
  - b. Submit a preliminary report to the Office of the Committees on Infractions (OCOI) by March 31, 2024, setting forth a schedule for establishing this compliance and educational program;
  - c. File with the OCOI a final compliance report indicating the progress made with this program by January 15<sup>th</sup> during each year of probation. Particular emphasis shall be placed on educating administrators, coaches, staff, student-athletes, and prospects and their families on NCAA rules related to sports wagering activities. Examples of the educational efforts should be included in the institution's annual report;
  - d. Inform prospects in the women's basketball program in writing that Sewanee is on probation for one year and detail the violations committed. The information shall be provided as soon as practicable after the prospect is recruited pursuant to Bylaw 13.02.8 and, in all instances, before the prospect signs a financial aid agreement or initially enrolls at the institution, whichever is earlier; and
  - e. Publicize specific and understandable information concerning the nature of the infractions by providing, at a minimum, a statement to include the types of violations and the affected sport program and a direct, conspicuous link to the public infractions decision located on the athletics department's main webpage "landing page" and in the media guides for women's basketball. The institution's statement must: (i) clearly describe the infractions; (ii) include the length of the probationary period associated with the case; and (iii) give members of the general public a clear indication of what happened in the case to allow the public (particularly prospects and their families) to make informed, knowledgeable decisions. A statement that refers only to the probationary period with nothing more is not sufficient.
4. Sewanee shall pay a \$1,500 fine. (Self-imposed.)
5. Show-cause order: The head coach violated fundamental and well-established rules around sports wagering activity. The head coach's involvement in impermissible sports wagering activities began when he was an assistant coach and continued during his time as the head women's basketball coach. The head coach admitted that he knew participating in such activities was impermissible yet did it for personal reasons. Although the head coach claimed that his activity did not affect the outcome of any intercollegiate competitions, he had a responsibility to adhere to NCAA rules and promote an atmosphere for compliance within his program. The head coach admitted that his conduct failed to do

so. Due to his personal involvement in violations the head coach agreed that a penalty associated with his conduct is appropriate. Therefore, the head coach shall be subjected to a two-year show-cause order from February 13, 2024, through February 12, 2026.

In accordance with Bylaw 19.5.2.2.1 and COI Internal Operating Procedure 5-16-1-2, any NCAA member institution employing the head coach in an athletically related position during the two-year show-cause period shall suspend the head coach for the first five regular season contests of the first season of employment during the two-year period. Any employing institution shall abide by the terms of the show-cause order unless it contacts the OCOI to make arrangements to show cause why the terms of the order should not apply. The provisions of this suspension require that the head coach not be present in the facility where the contests are played and have no contact or communication with the program's coaching staff members or student-athletes during the five contest-suspension period. The prohibition includes all coaching activities for the period of time that begins at 12:01 a.m. on the day of the first contest and ends at 11:59 p.m. on the day of the last contest. During the period of the suspension, the head coach may not participate in any coaching activities, including, but not limited to team travel, practice, video study, recruiting and team meetings. Any employing institution may not replace the head coach on a temporary or limited basis during the period of the suspension. Additionally, any employing institution shall provide the head coach with individual monthly rules education during the two-year show-cause period. Particular attention shall be placed on education related to sports wagering activity.

Although each case is unique, this show-cause order is consistent with prior cases involving head coach responsibility violations. *See Fredonia* (prescribing a one-year show-cause order that included a three-month suspension from all hockey-related activities, NCAA Regional Rules attendance and prohibitions related to participation in camps and youth hockey activities) and *St. Scholastica* (accepting the institution's suspension of the head coach for three-games during the season, eight practices during the off-season and requirements that the head coach not be present in the hockey arena at time that student-athletes used the facilities for voluntary activities and also prescribing a one-year show-cause order with that required attendance at NCAA Regional Rules Seminars). Although recent show-cause orders have involved a one-year period, the COI prescribes a two-year show-cause order because it aligns with the length of the time the head coach engaged in impermissible sports wagering activities.

6. Sewanee shall require in-person attendance by a member of the athletics staff at the 2024 and 2025 NCAA Regional Rules Seminars. (Self-imposed.) Sewanee must document the staff member and the sessions attended in its annual report. If a sports wagering session is offered, it must be one of the sessions attended.
  7. Following receipt of the final compliance report and prior to the conclusion of probation, Sewanee's president shall provide a letter to the COI affirming that Sewanee's current athletics policies and practices conform to all requirements of NCAA legislation.
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As required by NCAA legislation for any institution involved in a major infractions case, Sewanee shall be subject to the provisions of Bylaw 19.5.2.3 concerning repeat violators for a five-year period beginning on the effective date of the penalties in this case, February 13, 2024. The COI further advises Sewanee that it should take every precaution to ensure that it observes the terms of the penalties. The COI will monitor Sewanee while it is on probation to ensure compliance with the penalties and terms of probation and may extend the probationary period, among other action, if Sewanee does not comply or commits additional violations. Likewise, any action by Sewanee or the head coach contrary to the terms of the penalties or any additional violations shall be considered grounds for prescribing more severe penalties and/or may result in additional allegations and violations.

NCAA DIVISION III COMMITTEE ON INFRACTIONS

Tom DiCamillo

Kenneth Elmore

Donna Ledwin, Chair

Tom Simmons

**APPENDIX ONE**

**SEWANEE CORRECTIVE ACTIONS AS IDENTIFIED IN THE  
DECEMBER 5, 2023, SUMMARY DISPOSITION REPORT**

The University of the South has taken the following measures to strengthen the compliance program:

1. “Don’t Bet on It” campaign posters have been hung throughout the athletics center.
2. Regular compliance conversations with athletics staff in monthly meetings.
3. Detailed sport wagering education with student-athletes during preseason team meetings.

Sewanee also plans to utilize the new NCAA sports wagering e-learning module as a tool for future education. The goal is to educate all that are involved with the Sewanee athletic programs of NCAA rules surrounding sports wagering. As online betting platforms are becoming more abundant and are advertised everywhere, Sewanee is working to make staff and student-athlete aware of the implications associated with gambling.



**APPENDIX TWO**  
**Bylaw Citations**

**Division III 2020-21 Manual**

**10.01.1 Honesty and Sportsmanship.** Individuals employed by (or associated with) a member institution to administer, conduct or coach intercollegiate athletics and all participating student-athletes shall act with honesty and sportsmanship at all times so that intercollegiate athletics as a whole, their institutions and they, as individuals, shall represent the honor and dignity of fair play and the generally recognized high standards associated with wholesome competitive sports.

**10.3 Sports Wagering Activities.** The following individuals shall not knowingly participate in sports wagering activities or provide information to individuals involved in or associated with any type of sports wagering activities concerning intercollegiate, amateur or professional athletics competition:

- (a) Staff members of an institution's athletics department;
- (b) Nonathletics department staff members who have responsibilities within or over the athletics department (e.g., chancellor or president, faculty athletics representative, individual to whom athletics reports);
- (c) Staff members of a conference office; and
- (d) Student-athletes.

**Division III 2021-22 Manual**

**10.01.1 Honesty and Sportsmanship.** Individuals employed by (or associated with) a member institution to administer, conduct or coach intercollegiate athletics and all participating student-athletes shall act with honesty and sportsmanship at all times so that intercollegiate athletics as a whole, their institutions and they, as individuals, shall represent the honor and dignity of fair play and the generally recognized high standards associated with wholesome competitive sports.

**10.3 Sports Wagering Activities.** The following individuals shall not knowingly participate in sports wagering activities or provide information to individuals involved in or associated with any type of sports wagering activities concerning intercollegiate, amateur or professional athletics competition:

- (a) Staff members of an institution's athletics department;
- (b) Nonathletics department staff members who have responsibilities within or over the athletics department (e.g., chancellor or president, faculty athletics representative, individual to whom athletics reports);
- (c) Staff members of a conference office; and
- (d) Student-athletes.

**Division III 2022-23 Manual**

**10.01.1 Honesty and Sportsmanship.** Individuals employed by (or associated with) a member institution to administer, conduct or coach intercollegiate athletics and all participating student-athletes shall act with honesty and sportsmanship at all times so that intercollegiate athletics as a whole, their institutions and they, as individuals, shall represent the honor and dignity of fair play and the generally recognized high standards associated with wholesome competitive sports.

**10.3 Sports Wavering Activities.** The following individuals shall not knowingly participate in sports wagering activities or provide information to individuals involved in or associated with any type of sports wagering activities concerning intercollegiate, amateur or professional athletics competition:

- (a) Staff members of an institution's athletics department;
- (b) Nonathletics department staff members who have responsibilities within or over the athletics department (e.g., chancellor or president, faculty athletics representative, individual to whom athletics reports);
- (c) Staff members of a conference office; and
- (d) Student-athletes.

**Bylaw 11.1.2.1 Head Coach Responsibility.** It shall be the responsibility of an institution's head coach to promote an atmosphere for compliance within the program supervised by the coach and to monitor the activities regarding compliance of all assistant coaches and other administrators involved with the program who report directly or indirectly to the coach.