



STATE UNIVERSITY OF NEW YORK AT FREDONIA  
PUBLIC INFRACTIONS DECISION  
June 16, 2022

## 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 involved impermissible athletically related activities in the men's ice hockey program at the State University of New York at Fredonia (Fredonia).<sup>1</sup> Specifically, the head men's ice hockey coach used a physical education course to engage in off-ice conditioning prior to the first permissible practice date. The impermissible activity also occurred prior to student-athletes undergoing mandatory medical examinations or evaluations. This violation demonstrated that the head coach failed to promote an atmosphere for compliance.

The COI considered this case through the cooperative summary disposition process in which Fredonia, 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 Fredonia and the head coach, and they accepted the penalties. Neither party may appeal.

The parties agreed that during the 2018, 2019 and 2021 fall semesters, the head coach taught an advanced conditioning course that resulted in impermissible athletically related activities.<sup>2</sup> The course was advertised in the schedule of classes as open to the general student body for enrollment. Although the ratio of student-athletes to general students varied over the years, during the three semesters at issue in this case, approximately 93 percent of the enrollment was comprised of men's ice hockey student-athletes. Moreover, some men's ice hockey student-athletes who did not officially enroll in the course still attended the class sessions. The course consisted of ice hockey dry-land training such as shuttle drills and cinder block drills and took place twice a week during a five-week period for less than an hour per session.

Due to their participation in this course, men's ice hockey student-athletes engaged in athletically related activities outside of the institution's declared playing season. Several student-athletes also

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<sup>1</sup> Fredonia's men's ice hockey program is a member of the State University of New York Athletic Conference. Fredonia has an enrollment of approximately 3,400 students. It sponsors seven men's and 10 women's sports. This is the institution's first major infractions case.

<sup>2</sup> Although the head coach taught this advanced conditioning course since 1988, the time frame for this violation corresponds with the NCAA's statute of limitations. Thus, it only centers on the 2018, 2019 and 2021 fall semesters. This course was not offered during fall 2020 due to COVID-19 restrictions.

engaged in such activities prior to receiving the required medical examination or evaluation. The COI concludes that the violations are major.

The parties also agreed that the head coach did not rebut his presumed responsibility for the violations. Specifically, the head coach failed to promote an atmosphere for compliance because he was directly involved in the violations. Although the head coach initially received approval to teach the course when he arrived at the institution in 1988, he did not check with the compliance staff about the course's continuing permissibility. The head coach also admitted that he used the physical education course as a way to better prepare the men's ice hockey student-athletes for the playing and practice season. While the head coach was unaware that the course triggered athletically related activity legislation, he acknowledged his responsibility for the violations in this case. 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 principal penalties: public reprimand and censure; two years of probation; a \$1,500 fine; and a one-year show-cause order for the head coach.

## **II. CASE HISTORY**

The violations in this case came to light in September 2021 when a men's swimming student-athlete reached out to the director of athletics to ask about an advanced conditioning course taught by the head men's ice hockey coach (head coach). The student-athlete reported that he was enrolled in the course but had received no information on when and where the course met even though the term had already begun. This prompted the institution to investigate the matter. Through its investigation, Fredonia learned that the course consisted of almost exclusively men's ice hockey student-athletes. As a result, Fredonia contacted the enforcement staff for guidance. In September 2021, the NCAA enforcement staff commenced an investigation into potential NCAA violations.

Fredonia, the head coach and the enforcement staff reached agreement on the facts and violations. Given their agreement, the parties began pursuing summary disposition and jointly submitted a Summary Disposition Report (SDR) on April 6, 2022. The COI reviewed the SDR via videoconference on May 10, 2022. Following that videoconference, the COI proposed additional penalties for Fredonia and the head coach. On May 26, 2022, Fredonia and the head coach accepted the additional penalties via a joint response to the COI.

## **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>3</sup> The SDR identified:

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<sup>3</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.

**1. [NCAA Division III Manual Bylaws 17.13.2.1 (2018-19 and 2019-20); 17.1.1, 17.1.5 and 17.1.6.4 (2018-19, 2019-20 and 2021-22); and 17.14.2.1 (2021-22)] (Major)<sup>4</sup>**

The institution, the head coach and enforcement staff agree that from at least the 2018, 2019 and 2021 fall semesters, the head coach impermissibly conducted athletically related activities under the guise of a physical education class outside of the institution's declared playing season. Specifically, the head coach encouraged men's ice hockey student-athletes to enroll in an advanced conditioning course with a curriculum designed and taught by the head coach. As a result, approximately 93 percent of the advanced conditioning enrollment was comprised of men's ice hockey student-athletes. Additionally, at least 25 men's ice hockey student-athletes engaged in the athletically related activities occurring in this course without having undergone a mandatory medical examination or evaluation.

**2. [NCAA Division III Manual Bylaw 11.1.2.1 (2018-19, 2019-20 and 2021-22)] (Major)**

The institution, the head coach and the enforcement staff agree that during at least the 2018, 2019 and 2021 fall semesters, the head coach is presumed responsible for the violations detailed in Proposed Finding of Fact No. 1 and did not rebut the presumption of responsibility. 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, during three academic years, the head coach conducted impermissible athletically related activities with men's ice hockey student-athletes under the guise of a physical education course. Based on when those activities occurred, they also resulted in violations of legislation related to declared playing seasons and required medical examinations. Further, because the head coach taught the course, he was personally involved in the violations. Therefore, the head coach could not demonstrate that he promoted an atmosphere for compliance. The conduct resulted in violations of Bylaws 17 and 11.<sup>5</sup>

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<sup>4</sup> The parties originally cited Bylaws 17.13.2 (Division III Manuals 2018-19 and 2019-20) and 17.14.2 (Division III Manual 2021-22), which prohibit *on-ice* preseason practice prior to the second Monday in October. Bylaws 17.13.2.1 (Division III Manuals 2018-19 and 2019-20) and 17.14.2.1 (2021-22) prohibit *off-ice* sessions prior to the first Monday in October. Pursuant to Bylaw 32.7.1.4.5, the COI amends the parties' findings to align with the applicable off-ice bylaws. The amendments are immaterial to the final resolution of the case.

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

Bylaw 17 pertains to the playing and practice seasons for each sport program. In particular, Bylaw 17.1.1 outlines that an institution is permitted to conduct athletically related activities between the first permissible practice session and the date of the institution's final practice or competition, whichever occurs later. Bylaw 17 also addresses out-of-season athletically related activities. Specifically, Bylaw 17.1.5 prohibits student-athletes and the coaching staff members from participating in athletically related activities outside the institution's declared playing season. As it relates to the men's ice hockey season, Bylaw 17.14.2.1 states that men's ice hockey off-ice practice shall not occur prior to the first Monday in October, which must be included in the calculation of the 19-week playing season. Bylaw 17.1.6.4 places additional restrictions on out-of-season conditioning activities, stating that student-athletes beginning their initial season of eligibility must undergo a medical examination or evaluation prior to participation.

The parties agreed that, as a result of the physical education course, multiple violations of Bylaw 17 occurred. The head coach encouraged men's ice hockey student-athletes to enroll in the course to prepare for the playing and practice season. During the 2018, 2019 and 2021 fall semesters, approximately 93 percent of course enrollees were men's ice hockey student-athletes, and some men's ice hockey student-athletes who did not officially enroll in the course still attended class sessions. The course consisted of typical off-season ice hockey dry-land training.

The courses occurred outside of the institution's declared playing season and prior to the first permissible date of practice. Moreover, they occurred prior to 25 student-athletes undergoing their required medical examination or evaluation. As a result, the COI concludes that major violations of Bylaws 17.1.1, 17.1.5, 17.1.6.4 and 17.14.2.1 occurred.

The COI has regularly concluded that major violations occur when programs participate in practice or athletically related activities prior to the permissible time period and outside of the program's declared playing season. *See State University of New York at Brockport (Brockport) (2021)* (concluding that, for three years, the head wrestling coach impermissibly conducted athletically related activities under the guise of a physical education class outside of the institution's declared playing season); *University of Wisconsin - Stevens Point (UWSP) (2019)* (concluding that impermissible athletically related activities occurred when, for five years, men's basketball coaching staff directed, observed and engaged men's basketball student-athletes in athletically related activities outside the declared playing and practice season); *Occidental College (2013)* (concluding that impermissible athletically related activities occurred when nine women's volleyball student-athletes participated in the club volleyball practices that their head coach was leading); and *Ohio Northern University (2005)* (concluding that impermissible athletically related activities occurred when football student-athletes attended throwing and catching sessions in the summer, and skill sessions a week before scheduled practice was to begin). Like these cases, the head coach conducted impermissible men's ice hockey activities before the scheduled start of the season allowed by the NCAA rules, constituting a major violation.

Recently, the COI has also concluded that violations occur when student-athletes engage in athletically related activities prior to receiving the required medical examination or evaluation. *See Brockport* (concluding that participation in a physical education course caused 49 student-athletes to impermissibly engage in athletically related activities prior to receiving medical

examinations). Prior to *Brockport*, the COI concluded that a secondary violation occurred when a head track and field coach permitted a student-athlete to practice and compete over a three-month period without first undergoing a required medical examination. See *Alfred State University* (2021). Here, 25 student-athletes participated in athletically related activities in the form of the head coach's advanced conditioning course prior to receiving their required medical examination. Therefore, the COI concludes that this conduct also contributed to a major violation.<sup>6</sup>

Although the head coach did not realize that his conduct was impermissible, his personal involvement in the violations demonstrated that he failed to promote an atmosphere for compliance. Fredonia hired the head coach in 1988. He has taught the advanced conditioning course throughout his employment. At the time the head coach was hired, Fredonia approved the course and it was permissible under NCAA legislation. However, the legislation changed during the coach's nearly four decades at Fredonia, and the head coach never checked back in with the compliance staff about its continuing permissibility. It is also noteworthy that Fredonia never identified the course as potentially problematic, either.

The head coach acknowledged that he wanted men's ice hockey student-athletes to enroll so that they could prepare for the season. This should have caused the head coach to question whether the course triggered athletically related activity legislation. Moreover, the advanced conditioning course allowed men's ice hockey student-athletes to engage in additional off-ice training across three academic years. As a result, the head coach's program received a significant competitive advantage. The head coach's actions failed to meet the required legislated responsibilities under Bylaw 11.1.2.1 and the COI concludes the violation is major.

The COI regularly concludes that head coach responsibility violations occur when the coach is directly involved in the violations. See *Brockport* (concluding that the head wrestling coach failed to promote an atmosphere for compliance when he subverted fundamental bylaws related to athletically related activities and playing and practice seasons); *UWSP* (concluding that the head men's basketball coach failed to promote an atmosphere for compliance when he directed and engaged men's basketball student-athletes in athletically related activities outside the playing and practice season); *York College* (2017) (concluding that the head men's basketball coach failed to promote an atmosphere for compliance when he improperly certified the eligibility of two student-athletes); and *Occidental* (concluding that the head volleyball coach failed to promote an atmosphere for compliance, in part, because of his personal involvement in recruiting, benefits, and playing and practice season violations). Like the coaches in these cases, the head coach was personally involved in the violations when he impermissibly directed athletically related activities while teaching the advanced conditioning course.

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<sup>6</sup> In the SDR, the parties combined violations of Bylaw 17.1.4.6 (participation prior to required medical examination) and all other Bylaw 17 violations into one major violation. This is the third time in the past year that the COI has encountered Bylaw 17.1.4.6 violations in an SDR. This case also represents the third different way Bylaw 17.1.4.6 violations have been packaged and presented to the COI. Previously, the parties presented Bylaw 17.1.4.6 violations as a standalone major violation (see *Brockport*) and as a secondary violation (see *Alfred State*). It appears that the differences are likely attributable to the scope, scale and/or intentionality associated with the underlying violations; however, the parties do not expressly state why it is packaged with the impermissible athletically related activity in this case. .

Notably, *Brockport* involved similar underlying Bylaw 17 violations stemming from the head coach's use of wrestling courses to engage in impermissible athletically related activities with his student-athletes. However, unlike the courses in that case, the head coach's advanced conditioning course focused on off-ice conditioning activities rather than sport-specific instruction and training. Stated differently, the activities in this case involved general conditioning while the activities in *Brockport* involved practice. Further, and unlike the facts in *Brockport*, the head coach in this case also immediately acknowledged and took responsibility for the violations. Despite these differences, the head coach still violated well-established and fundamental bylaws related to permissible athletically related activities and the men's ice hockey playing and practice season. Pursuant to Bylaw 19.02.2.2, the violation is major.

## 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 parties agreed to the facts, violations and additional proposed penalties, Fredonia and the head coach have no 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 issue was brought to the institution's attention, it responded immediately by investigating the matter and reporting the conduct to the enforcement staff. The COI also considered Fredonia's cooperation in all parts of the case and determines it was consistent with Fredonia's obligation under Bylaw 32.1.3. Likewise, the COI considered Fredonia'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: Two years of probation from June 16, 2022, through June 15, 2024.<sup>7</sup>
3. During this period of probation, Fredonia 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 on certification and recruiting;

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<sup>7</sup> Fredonia did not propose any probationary period, however the authority to prescribe probation rests solely with the COI. The COI prescribes an additional penalty of two years of probation to ensure that the institution implements and monitors the appropriate process changes. The two-year period provides the COI with the appropriate length of time to monitor that process. Periods of probation always commence with the release of the infractions decision.

- b. Submit a preliminary report to the Office of the Committees on Infractions (OCOI) by July 31, 2022, setting forth a schedule for establishing this compliance and educational program;
  - c. File with the OCOI annual compliance reports indicating the progress made with this program by May 1 during each year of probation. Particular emphasis shall be placed on rules education and monitoring related to playing and practice seasons and permissible athletically related activity. Moreover, Fredonia should also include specific information related to the policies, procedures and continued coordinated monitoring efforts with the appropriate academic deans and personnel in place to ensure that physical education courses are not being utilized to conduct impermissible athletically related activities;
  - d. Inform prospects in the men's ice hockey program in writing that Fredonia is on probation for two years 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 men's ice hockey. 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. Fredonia shall pay a \$1,500 fine.<sup>8</sup>
5. Show-cause order: The head coach violated fundamental and well-established rules around permissible athletically related activities and playing and practice seasons. As a coach with decades of experience, the head coach should have verified whether his physical education courses, which were populated predominately by his men's ice hockey student-athletes, were permissible under NCAA legislation. That did not occur. Instead, the head coach (and institution) continued to operate under the assumption that the courses were permissible and did not violate athletically related activity legislation. In that way, his men's ice hockey program received a significant competitive advantage because student-athletes engaged in organized off-ice conditioning activities framed as an academic course. Due to his personal involvement in violations the head coach agreed that a show-cause order was appropriate. Therefore, the head coach shall be subject to a one-year show-cause order from June 16, 2022,

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<sup>8</sup> Fredonia proposed a \$1,000 fine. However, given the scope and scale of the violations, the COI increased the fine to \$1,500.

through June 15, 2023. In accordance with Bylaw 19.5.2.2.1 and COI IOP 5-16-1-2, any employing institution shall:

- Suspend the head coach from all ice hockey-related activities for a three-month period (from May 22, 2022, through August 22, 2022) including, but not limited to, all athletically related activities involving the men's ice hockey program, recruiting, alumni events, or administrative interaction with the team.
- Require the head coach to attend the NCAA Regional Rules Seminar in summer 2022.
- Prohibit the head coach from hosting or participating in any youth ice hockey camps from August 1, 2022, through December 31, 2022.

Any institution employing the head coach during the term of the show-cause 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.<sup>9</sup>

Although each case is unique, the duration of the show-cause order is consistent with prior cases involving head coach responsibility violations. *See Brockport* (prescribing a three-year show-cause order on all athletically related activities and required Regional Rules attendance when a head coach utilized a kinesiology course to acclimate new student-athletes to his program and practice prior to the permissible start of the season); *UWSP* (prescribing a two-year show-cause order with required Regional Rules Seminar attendance when a head coach failed to promote an atmosphere for compliance because he was directly involved in impermissible athletically related activity violations); and *York* (prescribing a three-year show-cause order when a head coach failed to promote an atmosphere for compliance because he knowingly certified ineligible student-athletes and provided false and misleading information during the investigation).

In this case, the head coach was a veteran coach with decades of experience. Although the course was permissible at the time the head coach began teaching it more than 30 years ago, he never verified that his teaching of Advanced Conditioning continued to comply with NCAA legislation—particularly when course enrollment almost exclusively consisted of his team. However, the COI also recognizes that the head coach's conduct was distinguishable from the coach in *Brockport* due the type of activities being taught in the course and the head coach's acknowledgement of responsibility. As such, a one-year show-cause order with required NCAA Regional Rules Seminar attendance is appropriate.

6. Fredonia will conduct a defined review of all courses taught by athletic department staff members to ensure compliance. (Self-imposed.) This review should be certified by the appropriate academic dean(s) and athletics leadership. The review must be included in the

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<sup>9</sup> Fredonia and the head coach jointly proposed a one-year show-cause order including the three-month suspension, required NCAA Regional Rules Seminar attendance and prohibition on the head coach from hosting a youth ice hockey camp during fall 2022. The COI modifies the camp-related restriction to include a more specific time frame (August 1 to December 31, 2022). Additionally, the COI clarifies and expands that penalty to include hosting and participating in any youth hockey camps during that time.



institution's first annual compliance report. The COI will review the submission and notify the institution of any further review to be completed during the second year of probation.

7. Fredonia will delay the start of the men's ice hockey team season by one week during the 2022-23 season. (Self-imposed.)
8. The head coach shall not teach any course at Fredonia. (Self-imposed.)
9. Following receipt of the final compliance report and prior to the conclusion of probation, Fredonia's president shall provide a letter to the COI affirming that Fredonia'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, Fredonia 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, June 16, 2022. The COI further advises Fredonia that it should take every precaution to ensure that it observes the terms of the penalties. The COI will monitor Fredonia 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 Fredonia does not comply or commit additional violations. Likewise, any action by Fredonia 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

Sarah Feyerherm, Chair

Richard Lapidus

Donna Ledwin

Jody Mooradian

Angela Givens Williams

**APPENDIX ONE**

**FREDONIA'S CORRECTIVE ACTIONS AS IDENTIFIED IN THE  
APRIL 6, 2022, SUMMARY DISPOSITION REPORT**

Fredonia State will take the following steps:

1. Required, additional NCAA Compliance education for all staff and student-athletes.
2. Fredonia's athletic department will work with the academic deans to monitor courses of all Department staff members teaching, to maintain transparency in syllabus and class rosters.
3. Fredonia's athletic department will work with academic deans to monitor Physical Education courses in which all student-athletes are enrolled.
4. The Advanced Conditioning course will not be taught by a coach.

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

**Division III 2018-19 Manual**

**11.1.2.1 Responsibility of Head Coach.** 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.

**17.1.1 Playing Season.** The playing (i.e., practice and competition) season for a particular sport is the period of time between the date of an institution's first officially recognized practice session and the date of the institution's last practice session or date of competition, whichever occurs later. An institution is permitted to conduct athletically related activities (see Bylaw 17.02.1.1) in each academic year only during the playing season as regulated for each sport in accordance with the provisions of this bylaw. The institution must conduct the same playing season for varsity and subvarsity teams in the same sport.

**17.1.5 Out-of-Season Athletically Related Activities.** Student-athletes and members of the coaching staff shall not engage in athletically related activities outside the institution's declared playing season per Bylaw 17.02.1.1, except as otherwise noted in this bylaw.

**17.1.6.4 Mandatory Medical Examination.** Before participation in any practice, competition or out-of-season conditioning activities (or, in Division I, permissible voluntary summer conditioning or individual workouts, or permissible required summer athletic activities in basketball and football), student-athletes who are beginning their initial season of eligibility and students who are trying out for a team shall be required to undergo a medical examination or evaluation administered or supervised by a physician (e.g., family physician, team physician). A nurse practitioner whose medical licensure allows for health care practice independent of physician supervision may complete the medical examination without supervision by a physician. The examination or evaluation must be administered within six months before participation in any practice, competition or out-of-season conditioning activities. In following years, an updated history of the student-athlete's medical condition shall be administered by an institutional medical staff member (e.g., sports medicine staff, team physician) to determine if additional examinations (e.g., physical, cardiovascular, neurological) are required. The updated history must be administered within six months before the student-athlete's participation in any practice, competition or out-of-season conditioning activities for the applicable academic year.

**17.13.2 Preseason Practice.** A member institution shall not commence on-ice practice sessions in ice hockey before the second Monday in October.

**17.13.2.1 Exception—Off-Ice Training.** A member institution shall not commence off-ice practice sessions prior to the first Monday in October which must be included in the calculation of the 19-week playing season.

### **Division III 2019-20 Manual**

**11.1.2.1 Responsibility of Head Coach.** 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.

**17.1.1 Playing Season.** The playing (i.e., practice and competition) season for a particular sport is the period of time between the date of an institution's first officially recognized practice session and the date of the institution's last practice session or date of competition, whichever occurs later. An institution is permitted to conduct athletically related activities (see Bylaw 17.02.1.1) in each academic year only during the playing season as regulated for each sport in accordance with the provisions of this bylaw. The institution must conduct the same playing season for varsity and subvarsity teams in the same sport.

**17.1.5 Out-of-Season Athletically Related Activities.** Student-athletes and members of the coaching staff shall not engage in athletically related activities outside the institution's declared playing season per Bylaw 17.02.1.1, except as otherwise noted in this bylaw.

**17.1.6.4 Mandatory Medical Examination.** Before participation in any practice, competition or out-of-season conditioning activities (or, in Division I, permissible voluntary summer conditioning or individual workouts, or permissible required summer athletic activities in basketball and football), student-athletes who are beginning their initial season of eligibility and students who are trying out for a team shall be required to undergo a medical examination or evaluation administered or supervised by a physician (e.g., family physician, team physician). A nurse practitioner whose medical licensure allows for health care practice independent of physician supervision may complete the medical examination without supervision by a physician. The examination or evaluation must be administered within six months before participation in any practice, competition or out-of-season conditioning activities. In following years, an updated history of the student-athlete's medical condition shall be administered by an institutional medical staff member (e.g., sports medicine staff, team physician) to determine if additional examinations (e.g., physical, cardiovascular, neurological) are required. The updated history must be administered within six months before the student-athlete's participation in any practice, competition or out-of-season conditioning activities for the applicable academic year.

**17.13.2 Preseason Practice.** A member institution shall not commence on-ice practice sessions in ice hockey before the second Monday in October.

**17.13.2.1 Exception—Off-Ice Training.** A member institution shall not commence off-ice practice sessions prior to the first Monday in October which must be included in the calculation of the 19-week playing season.

### **Division III 2021-22 Manual**

**11.1.2.1 Responsibility of Head Coach.** 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.

**17.1.1 Playing Season.** The playing (i.e., practice and competition) season for a particular sport is the period of time between the date of an institution's first officially recognized practice session and the date of the institution's last practice session or date of competition, whichever occurs later. An institution is permitted to conduct athletically related activities (see Bylaw 17.02.1.1) in each academic year only during the playing season as regulated for each sport in accordance with the provisions of this bylaw. The institution must conduct the same playing season for varsity and subvarsity teams in the same sport.

**17.1.5 Out-of-Season Athletically Related Activities.** Student-athletes and members of the coaching staff shall not engage in athletically related activities outside the institution's declared playing season per Bylaw 17.02.1.1, except as otherwise noted in this bylaw.

**17.1.6.4 Mandatory Medical Examination.** [#] Before participation in any practice, competition or out-of-season conditioning activities (or, in Division I, permissible voluntary summer conditioning or individual workouts, or permissible required summer athletic activities in basketball and football), student-athletes who are beginning their initial season of eligibility and students who are trying out for a team shall be required to undergo a medical examination or evaluation administered or supervised by a physician (e.g., family physician, team physician). A nurse practitioner whose medical licensure allows for health care practice independent of physician supervision may complete the medical examination without supervision by a physician. The examination or evaluation must be administered within six months before participation in any practice, competition or out-of-season conditioning activities. In following years, an updated history of the student-athlete's medical condition shall be administered by an institutional medical staff member (e.g., sports medicine staff, team physician) to determine if additional examinations (e.g., physical, cardiovascular, neurological) are required. The updated history must be administered within six months before the student-athlete's participation in any practice, competition or out-of-season conditioning activities for the applicable academic year.

**17.14.2 Preseason Practice.** A member institution shall not commence on-ice practice sessions in ice hockey before the second Monday in October.

**17.14.2.1 Exception -- Off-Ice Training.** A member institution shall not commence off-ice practice sessions prior to the first Monday in October which must be included in the calculation of the 19-week playing season.