



FAIRMONT STATE UNIVERSITY
STUDENT-ATHLETE HANDBOOK
2022 - 2023

Fairmont State University
Department of Athletics
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Dear Student-Athletes:

Welcome to Fairmont State University for another exciting academic and athletic year. As Director of Athletics, I look forward to developing strong relationships with student-athletes and helping you achieve your goals here at Fairmont State University.

Please use this handbook as a resource when making decisions that may affect your career as a Fairmont State University student-athlete. This handbook contains important information about NCAA, Mountain East Conference, University, and Department of Athletics rules and policies that may be helpful to you. Please keep in mind that there are NCAA rules not listed in this handbook that may be important in regard to your eligibility. Therefore, if you have any questions do not hesitate to contact the Athletics Department.

I look forward to seeing every Fairmont State University student-athlete perform at a high level in the classroom, in the community, and in their sport, as we begin our 10th season together in the Mountain East Conference. Remember that we are representatives of Fairmont State University and the Fairmont community and must uphold the great image of our University and community. I wish you the best in the upcoming academic and athletic year.

Sincerely,

Greg Bamberger

Greg Bamberger
Director of Athletics



MISSION STATEMENT

The mission of Fairmont State University Department of Intercollegiate Athletics is to actively support the University's mission of teaching, research, and service by providing an atmosphere in which student-athletes can succeed at championship levels within the spirit of fair play, sportsmanship, and integrity.

Toward this mission, the following athletics-related objectives are promoted:

- a. Development of the total person;
- b. Demonstrated academic achievement;
- c. Adherence to NCAA and MEC rules of competition and integrity;
- d. Development of programs and services which ensure equitable treatment, respect and opportunity for men and women;
- e. Expectation of success in all sponsored programs; and
- f. Programmed outreach initiatives for student-athletes, coaches, and athletics staff to serve the university, local communities, and be contributors to society.

PHILOSOPHY AND GOALS

Such an intercollegiate program will be conducted in a manner that promotes learning and discipline and assists the student-athlete in growing physically, mentally, socially, and emotionally. The athletics program functions as an integral part of the mission of the University and the total academic program. Furthermore it plays a vital role in fostering a positive image of Fairmont State University in particular, and the community of Fairmont as a whole.

It is our philosophy to offer a variety of sports for men and women so that they meet the needs and interests of individual students, as well as those of the student body as a whole. Furthermore, the athletics program serves as a cohesive agent in bringing about good university-community relationships, and it provides a rallying point where students, faculty, staff, and administrators come together in one common place to show pride, enthusiasm, and loyalty to Fairmont State University.



MOUNTAIN EAST

Beginning competition in 2013, this newly formed conference brought together some of the strongest public and private institutions in West Virginia, Virginia, and Ohio. The Mountain East Conference resulted from the dissolution of the West Virginia Intercollegiate Athletic Conference and the incorporation of institutions from Virginia and Ohio giving the institutions of the former WVIAC the opportunity to build off the great traditions of their past and create new traditions in this new and highly competitive conference.

MEMBER INSTITUTIONS¹

<u>School</u>	<u>City</u>	<u>Enrollment</u>
Alderson Broaddus University.....	Philippi, W.Va.	915
Concord University.....	Athens, W.Va.	2,800
Davis & Elkins College	Elkins, W.VA.	805
Fairmont State University.....	Fairmont, W.Va.....	4,100
Frostburg State University	Frostburg, MD	5,294
Glenville State University.....	Glenville, W.Va.....	2,000
Notre Dame College	South Euclid, Ohio	2,100
University of Charleston.....	Charleston, W.Va.	2,300
University of UNC Pembroke	Pembroke, NC	6,251
West Liberty University.....	West Liberty, W.Va.....	2,776
West Virginia State University	Institute, W.Va.	3,000
West Virginia Wesleyan College.....	Buckhannon, W.Va.	1,400
Wheeling University	Wheeling, W.Va.....	1,171

¹ The enrollment statistics were provided by the Mountain East Conference webpage:
http://mountaineast.org/sports/2013/5/9/GEN_0509133116.aspx.



2022-2023 ACADEMIC CALENDAR

2022 Fall Semester

Monday-Thursday, August 1-4.....	Professional Meetings and Activities
Friday, August 5	New Student Convocation
Monday, August 8	Classes Begin (Full Term & 1st 8-Week)
Monday, September 5	Labor Day, University Closed
Monday, September 26.....	Last Day 1 st 7-Week Classes
Tuesday, September 27.....	2 nd 7-week Classes Begin
Thursday, September 29	Mid-term
Monday, November 14.....	Last Day of Classes
Tuesday-Friday, November 15-18.....	Final Exams
Saturday, November 19	Commencement

2022 Winter Term

Monday, November 28	Classes Begin
Monday, December 26.....	Christmas Day Observed, No Classes
Monday, January 2.....	New Year’s Day Observed, No Classes
Tuesday, January 3	Last Day of Classes
Wednesday, January 4	Finals

2023 Spring Semester

Tuesday, January 3	Campus Reopens – Faculty & Staff
Monday, January 9.....	Classes Begin
Monday, January 16.....	Martin Luther King Day, University Closed
Friday, February 24	Mid-term
Monday, February 27.....	Last Day 1 st 7-Week Classes
Monday-Friday, February 27-March 3	Spring Break (*See Note Below)
Monday, March 6.....	2 nd 7-Week Classes Begin
Friday, April 21	Last Day 2 nd 7-week Classes
Monday, April 24.....	Last Day of Classes
Tuesday – Friday, April 25-28.....	Final Exams
Saturday-Sunday, April 29-30	Commencement

*** Spring Break is tentative based on where West Virginia and the Nation are in terms of “normalcy” given the COVID-19 situation.**

Summer 2023 (Twelve Week Term with two 5 Week Sessions)

Monday, May 8.....	Classes Begin (1 st 5-Week Classes)
Monday, May 29.....	Memorial Day, University Closed
Monday, June 12.....	Last Day of 1 st 5-Week Classes
Tuesday, June 13	Final Exams for 1 st 5-Week Classes
Wednesday, June 14	Classes Begin (2 nd 5-Week Classes)
Tuesday, July 4	Independence Day, University Closed
Wednesday, July 19.....	Last Day of 2 nd 5-Week Classes
Thursday, July 20.....	Final Exams for 2 nd 5-Week Classes



Monday, July 31 Classes End
Tuesday, August 1 Finals Day

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Section 1: Student-Athlete Resources

The Faculty Athletics Representative

All NCAA member institutions are required to have a Faculty Athletics Representative (“FAR”). A FAR is member of our faculty or administration that serves to help maintain academic integrity, institutional control, and student-athlete well-being. Our FAR is Janet Floyd, Associate Professor School of Business. Janet’s office is located in Room 116D Jaynes Hall. Janet can also be reached via telephone (304.367.4942) and email (jfloyd@fairmontstate.edu).

Student-Athlete Advisory Committee

The Student-Athlete Advisory Committee (“SAAC”) is a committee comprised of two student-athletes from each athletics team at Fairmont State University. Each SAAC representative is required to be an active member of his or her athletics team and be in good academic standing. All SAAC representatives are required to attend every meeting. If a SAAC member is unable to attend a meeting he or she must send a team member as a substitute. At the first SAAC meeting of every academic year, an election will be held to elect officers to the following positions: president, vice-president, secretary, and treasurer. Additionally, two SAAC members will be elected to represent Fairmont State University on the Mountain East Conference Student-Athlete Advisory Council. Kristi Kiefer, Fairmont State University Department of Athletics SWA is the administrator for SAAC on campus.

Academic Support & Other Student-Athlete Services

The Academic Support Center provides academic support services to all students who encounter difficulty with their courses or need instruction in basic skills and development. The Academic Support Center is comprised of two distinctive components: the Tutoring Center and the Learning Skills Lab. Each component offers students a comprehensive approach to skill development necessary to achieve academic success at the collegiate level. Student-athletes may access these services for free. Services are available for both individual and group sessions and may be arranged via appointment or walk-in.

Athletics Study Hall

Each head coach will organize a supervised study hall for his or her team each year. Study hall is required for all new student-athletes, and for student-athletes with a GPA below their coach’s required minimum GPA. The minimum GPA indicated by each coach will be established prior to the start of each season by the coach and the athletics department.

Priority Scheduling

Fairmont State student-athletes have the privilege to preregister for the next term the first date in which preregistration may occur. They do not have to wait to preregister based upon their academic year, thereby allowing the best opportunity to avoid taking classes during their team’s practice



times. Student-athletes are encouraged to meet with their respected Academic Advisors prior to registration.

Section 2: Fairmont State University Facilities

Duvall-Rosier Field (Football, Softball)

Dedicated in 1927, Duvall-Rosier Field was named for former President Joseph Rosier. In 2000, the name Duvall was added to honor Harold S. “Deacon” Duvall, FSU football coach from 1952-1971. Duvall led the Falcons to the 1967 NAIA National Championship.

During the home opener of the 2014 season on September 4, 2014, a statue of Deacon Duvall was unveiled during a pregame dedication ceremony.

Over the last several years, field turf, a state-of-the-art video board, and substantial grounds work have been added. The field also includes a generous sized press box, president’s suite, and complete lighting for night contests.

During football season, Duvall-Rosier Field comes alive with Falcon pride. The field also serves as the home for Fairmont State University softball and the newly-added women’s soccer program.

Feaster Center/Joe Retton Arena (Men's and Women's Basketball, Volleyball, Acrobatics and Tumbling, Men's Wrestling)

Completed in 1978, the Feaster Center was named for former President Easton Feaster. This is the official home of Fairmont State Athletics, including our basketball arena, competition pool, video room, newly renovated men’s and women’s locker rooms, and the athletics training suite. Also, the Athletics Director and coaching staff for most teams have offices here.

Joe Retton Arena was dedicated in 2000 to Joseph “Jo Jo” Retton Jr., the FSU basketball coach from 1963-1982.

The summer of 2014 featured a \$1.2 million renovation of Joe Retton Arena, including a new gym floor, seating, lighting, sound system, and LED scorer's table.

Feaster Center Pool (Men's and Women's Swimming)

Located in the Feaster Center on the Fairmont State campus, the pool is home to the Fighting Falcon men's and women's swim teams. The 25-yard, six-lane pool includes a six-lane Daktronics digital readout for meets. In addition to hosting numerous Fairmont State meets throughout the year, the pool has also hosts several club meets and high school championships.

Bridgeport Recreational Complex (Baseball)

In 2014, Fairmont State baseball began playing its home games at the Bridgeport Recreation Complex in nearby Bridgeport, W.Va. The state-of-the-art facility was opened in 2012 and includes irrigated grass areas, warning tracks, large dugouts, bullpens, and two batting cages for batting practice. The right and left field fence are 325’ while center field is 375’.



FSU Tennis Courts (Men's and Women's Tennis)

Located on campus and adjacent to Duvall-Rosier Field, Fairmont State's men's and women's tennis teams have six courts to use for play and practice.

Section 3: Financial Aid and Scholarships

Institutional Financial Aid

Institutional financial aid may be awarded to a student-athlete for any term, which that student-athlete is in regular attendance as an undergraduate student with athletics eligibility remaining (as determined by the NCAA), or as a graduate student during post-baccalaureate participation.

Student-athletes may receive academic scholarships, athletics scholarships (“athletics grant-in-aid”), grants from the G.I. Bill, payments for participation in advanced ROTC, a Pell Grant, and certain other governmental benefits. Student-athletes may also borrow from a legitimate lender, such as a bank, and may receive legitimate loans that are based upon a regular repayment schedule, available to all students and administered on the same basis to all students. Please contact the Fairmont State University Financial Aid Office to determine if you are eligible to receive any student loans of federal grants.

Please be advised that receiving financial aid whether from Fairmont State University or an outside source may impact a student-athlete’s eligibility. A student-athlete’s ability to receive financial aid is dependent upon a number of factors. If you have any questions regarding your financial aid, please contact the Director of Financial Aid or the Director for NCAA Compliance, Bryan Spitzer.

Athletics Grant-In-Aid Agreement

Student-athletes may be awarded an athletics grant-in-aid (GIA), commonly referred to as an “athletics scholarship,” because of their athletic ability. The GIA is considered institutional financial aid and may range from a small stipend to a full grant-in-aid covering tuition and fees, room and board, and required course-related books.

If your athletics and/or academic scholarship is above the costs set forth by the University, your athletics scholarship and/or academic scholarship will be reduced accordingly. If a student-athlete receiving a full GIA chooses to make different accommodations, additional charges may apply.

It is important to remember that any GIA commitment made by Fairmont State University is for one year only. The GIA may be renewed from year to year, and notification of renewal must be made in writing to the student-athlete before July 1st of each year. If a student-athlete decides to study abroad during their primary season, a GIA will not be awarded to that student-athlete.

Renewal and Non-Renewals of Grants-In-Aid

Institutional Obligation

Notification of the renewal or non-renewal of the GIA must be made on or before July 1st prior to the start of the academic year in which it is to be effective. The institution shall notify in writing each student-athlete who received a GIA the previous academic year and who still has eligibility remaining in the sport in which the GIA was awarded for the previous academic year whether aid has been renewed for the upcoming academic year and



in what amount. Notification of GIA renewals and non-renewals must come from the Office of Financial Aid and not from the athletics department.

Hearing Opportunity Required

If the institution decides to reduce or not renew a student-athlete's GIA for the upcoming academic year, that student shall be notified in writing by the institution and shall be provided a hearing before the awarding institutional agency upon request. The institution has procedures for promptly hearing such a request, which is available from the office of the Vice President for Student Services and is provided to the student-athlete with the written notice of non-renewal or reduction. The decision to renew or not to renew the GIA is left to the discretion of the institution, to be determined in accordance with its normal practices for students generally.

NCAA Transfer Bylaws

Four-Year College Transfers – *NCAA Bylaw 14.5.5*

A transfer student-athlete from a four-year institution shall not be eligible for intercollegiate competition at a member institution until that student-athlete has fulfilled a residence requirement of one full academic year at that member institution.

One-Time Transfer Exception – *NCAA Bylaw 14.5.5.2.10*

A transfer student-athlete from a four-year collegiate institution is not subject to the residence requirement for intercollegiate competition if the following conditions, among others, are present:

The student-athlete is a participant in a sport other than basketball, baseball, bowl subdivision football, or ice hockey at the institution to which he or she is transferring;

The student-athlete has not transferred previously from a four-year institution unless, in the previous transfer, the student-athlete received an exception per *NCAA Bylaw 14.5.5.2.6*;

The student-athlete is in good academic standing and meets satisfactory progress requirements. The transferring student must have been academically eligible had he or she remained at the institution from which the student transferred, and he or she also must be eligible at the certifying institution as a regularly enrolled, full-time, degree-seeking student who was admitted in accordance with the regular, published entrance requirements of the institution; and



The student-athlete's previous institution shall certify in writing that it has no objection to the student-athlete being granted an exception to the transfer-residence requirement.

Fairmont State University Transfer Policy – General

Fairmont State University recruits student-athletes in good faith, offering student-athletes the ability to develop to their full potential both academically and athletically while adhering to the standards of the University. As such, Fairmont State University reserves the right to grant or not grant a release or permission to contact a different four-year institution in accordance with the NCAA guidelines. Each transfer request will be determined on a case by case basis.

Procedure (Requesting Permission to Contact and Releases)

In order to potentially transfer to another four-year institution, a student-athlete must adhere to the following procedures in obtaining a "Permission to Contact" or a "Release:"

Transfer Portal: A Fairmont State University student-athlete seeking permission to contact another institution or who wants a release from Fairmont State University must submit a written request via email to the Director of Compliance (Bryan Spitzer). The Director of Compliance will discuss the request with the student-athlete in person, via email, or by telephone. The Compliance Coordinator will then discuss the request with the head coach and Director of Athletics. Approval of the request may be dependent upon the completion of a withdrawal form by the student-athlete. The student-athlete is responsible for having the desired institution contact the Director of Compliance at Fairmont State University.

The Transfer Portal is an NCAA application to manage the transfer process for Division I and II student-athletes. The portal is the first step in the application of the Division I notification of transfer and Division II permission to contact. Students are entered into the portal by the Director of Compliance or designee. The student's record is then managed by the Director of Compliance, including the transfer tracer. The Transfer Portal also features search navigation, email notifications, and integration with other NCAA systems.

Notification: Notification of the Athletics Director's (or appointee) decision shall be provided to the student-athlete in writing. If a request is granted, the Compliance Coordinator will add the student-athlete to the Transfer Portal. If a request is denied, the notification document will inform the student-athlete of his/her right to appeal the decision to the Faculty Athletics Representative (Janet Floyd).

Be advised that once the Director of Compliance receives a written request from a student-athlete requesting for another institution to contact the student-athlete about transferring or requesting a release, Fairmont State University shall grant or deny the request within 14 business days of receipt of request. If Fairmont State University fails to respond to the student-athletes written request within 14 business days, permission shall be granted by



default, and Fairmont State University shall provide written permission to the student-athlete.

Appeal Process (Upon Denial of Request)

If a Fairmont State University student-athlete is not granted a release, he or she, once notified, will have 72 hours to notify the Director of Compliance in writing via email that he or she wishes to appeal the athletics department's decision. The FAR shall conduct the hearing and provide written results of the hearing to the student-athlete with 30 consecutive calendar days of receipt of the student-athletes written request for a hearing. If Fairmont State University fails to conduct the hearing or provide the written results to the student-athlete within 30 consecutive calendar days, the One-Time-Transfer Exception shall be granted by default and Fairmont State University shall provide written permission to the student athlete.

The hearing shall be conducted either in person or by telephone and may be audio taped. If, however, the student-athlete declines the opportunity to appear in-person or participate in the hearing via telephone, the hearing will be conducted solely based on written materials. The hearing shall be limited to the following parties: the student-athlete, the student-athlete's (maximum of two) adviser(s), two representatives of the athletics department (including the Director of Athletics or his designee), and any witnesses that either party, or the FAR, may wish to testify. Witness participation in the hearing will be limited to relevant testimony. The student-athlete's adviser(s) is/are permitted to advise the student-athlete throughout the hearing but will not be permitted to address the FAR, the representatives from the athletics department, or any witnesses.

After providing introductions and background information, the FAR will hear the basis of appeal from the student-athlete. The representative from the athletics department will then explain the basis for denial of the student-athlete's request for permission for other institutions to contact the student-athlete. Both parties will be permitted one rebuttal opportunity. The FAR will be permitted to question both parties, both parties' witnesses, and any witnesses that the FAR has called to testify. Neither party may question the other; however, each party may question the other party's witnesses. At the conclusion of the hearing, the FAR will begin deliberations. Deliberations may include discussion with additional witnesses or other parties (such as the head or assistant coach, the Director of Compliance, the NCAA, or the Mountain East Conference). The FAR will then notify both parties of the decision in writing within a reasonable period of time following completion of the hearing, but no later than 30 consecutive calendar days from the date of the student-athlete's request for a hearing. The decision of the FAR will be final at the institutional level.



Section 4: Other Financial Resources

Student-Athlete Employment

Remember that during your employment you remain a representative of Fairmont State University. Below are NCAA guidelines involving student-athlete employment:

General Employment Guidelines

NCAA rules permit student-athletes to receive income from employment. Compensation may be paid to a student athlete provided the following criteria are met:

- The student-athlete's reputation, based on athletics ability, is not the basis for employment;
- The student-athlete is compensated only for work done;
- The student-athlete is paid at a rate commensurate with the going rate in that locality for similar services;
- Payment in advance of hours worked is not permitted;
- Transportation to the job site may be provided only if such transportation is made available to all employees.

Student-athletes are responsible for complying with NCAA rules. Please report any irregularities or infractions to the Director of Compliance.

Fee-for-Lesson Instruction

Student-athletes may also receive compensation for teaching or coaching sport skills or techniques in his or her sport on a fee-for-lesson basis, provided:

- No Fairmont State University facilities may be used;
- Playing lessons shall not be permitted;
- The student-athlete provides FSU with documentation of the recipient of the lesson and the fee for the lesson provided;
- The compensation is paid by the lesson recipient (or the recipient's family) and not another individual or entity; and
- Instruction to each individual is comparable to the instruction that would be provided during a private lesson.

Camp or Clinic Employment

A student-athlete may be employed by his or her institution, by another institution, or by a private organization to work in a camp or clinic as a counselor as long as NCAA rules are followed. A student-athlete with remaining eligibility is not permitted to conduct his or her own camp or clinic.

A student-athlete who is employed in any sports camp or clinic must meet the following requirements:

- The student-athlete must perform duties that are of a general supervisory character in addition to any coaching or officiating assignments.
- Compensation provided to the student-athlete shall be proportionate to the going rate for a camp or clinic counselor of like teaching ability and may not be paid on the basis of the value that the student-



athlete may have for the employer because of the athlete's reputation or fame. It is not permissible to establish varying levels of compensation for a student-athlete employed in a sports camp or clinic based on the level of athletics skills of the student-athlete.

- A student-athlete who only lectures or demonstrates at a camp/clinic may not receive compensation for his or her appearance at the camp/clinic.

Section 5: Impermissible Benefits

Extra Benefits

An extra benefit is defined by the NCAA as a special arrangement by an institutional employee or a booster to provide a student-athlete or a student-athlete's relatives or friends a benefit that is not expressly authorized by the NCAA. In general, a student-athlete should avoid any benefit that is "free" or "special" unless he or she is certain that the benefit is equally available to all students and he or she has discussed the situation with the Director of Compliance. Extra benefits are typically provided by coaches or representatives of athletics interests, also known as "boosters."

Boosters are persons that:

- Have participated in or is member of an organization the promotes Fairmont State University;
- Have made financial contributions to the department of athletics or an organization affiliated with FSU athletics;
- Have assisted in the recruitment of student-athletes;
- Have provided benefits to student-athletes or their families; or
- Have somehow been involved with Fairmont State University Athletics.

Preferential Treatment

Preferential treatment occurs when an individual or entity, other than Fairmont State University or one of its boosters, provides a student-athlete with special treatment, benefits or services because of the student-athlete's reputation, skill, or future pay-back potential as a professional athlete.

Examples

Accepting extra benefits and/or preferential treatment is a serious violation of NCAA rules. Thus, a student-athlete's eligibility may be in jeopardy. The following are some examples of benefits that violate NCAA rules:

- Transportation which is not paid for by the student-athlete;
- Gifts of loans of money, clothes, or personal items;
- Long distance telephone calls not paid for by the student-athlete;
- Arrangement for the purchase of an automobile with favorable conditions;
- Allowing a student-athlete to use an automobile that is not his or her own;
- Free admission or special discounts not available to other students or the general public (i.e. movies, concerts, or clubs);
- Special favors to parents or legal guardians;
- Unusual housing or living arrangements;
- Selling the student-athlete's tickets to an athletics event; and
- Special entertainment not available to other students.



Section 6: Academic Policies and Procedures

Class Attendance

Attendance is important if a student hopes to learn and succeed in any course. Your attendance is paramount to your success as a student-athlete. Additionally, each instructor will have an attendance policy, often noted in his or her syllabus. You are responsible for being aware of these policies. Student-athletes should only miss class during scheduled competitions (both home and away) or for medical reasons. No class time shall be missed for practice activities, unless that practice activity takes place during an away-from-home competition and that practice is in conjunction with the competition.

Student-athletes who are members of the baseball, cross country, soccer, softball, and volleyball teams are not permitted to miss class in conjunction with a non-championship segment competition, including activities associated with such competition.

Professor Notification

The Athletics Department will provide the professors of Fairmont State University with a list of competing student-athletes requesting an excused absence. While your professors may be aware of an upcoming absence, it is your responsibility to remind your professor of this absence and identify ways to make up missed assignments. If you are not traveling with the team for any reason outside of an illness or personal issue, you are expected to attend class. Injuries do not exempt you from attending class.

Academic Eligibility

The NCAA requires that student-athletes maintain a certain academic standard in order to remain eligible. Included in the NCAA standards for eligibility is the number of credit hours a student-athlete must carry during the academic year, the number of credit hours a student-athlete must pass each semester, and the number of credit hours that must be earned during the academic year.

Full Time Enrollment

To be eligible for practice or competition, a student-athlete shall be enrolled in at least a full-time program of studies leading to a baccalaureate or equivalent degree as defined by the institution, which the NCAA has determined shall not be **less than 12-semester hours or quarter hours**. Exceptions to this rule, however, may be found in the NCAA compliance manual.

Credit Hours Passed

During the academic year (or twelve month period) immediately preceding the term in which the playing season begins, each student-athlete must have earned 24 semester credits, including



at least 18 semester credits in the preceding two regular (e.g. fall and spring) semesters. Additionally, all student-athletes (except incoming freshmen) must have earned at least 9 credits in the preceding regular academic semester while maintaining a 2.0 cumulative GPA.

Additionally, prior to the student-athlete's third year of collegiate enrollment, he or she must have earned either 24 semester credits during the previous academic year or a total of 48 hours following his or her second year of collegiate enrollment.

Spring Sports

Student-athletes participating in sports whose NCAA post-season competition occurs after the completion of the spring semester must pass at least 9 credits of degree-countable coursework in the spring semester in order to be eligible for post-season competition.

Minimum Grade-Point-Average Requirements

A student-athlete shall meet the "satisfactory completion" provision of this requirement by maintaining a grade-point average that places the individual in good academic standing. To fulfill the "satisfactory completion" provision of this requirement, a student-athlete must achieve a cumulative minimum grade-point average of 2.0 (based on a maximum of 4.000) at the beginning of each year of collegiate enrollment.

Declaring, Pursuing, and Changing a Major

Declaring a Major

A student-athlete shall designate a program of study leading toward a specific baccalaureate degree at Fairmont State University by the beginning of the third year of enrollment (fifth semester) and thereafter shall make progress toward that specific degree. Designation of a specific baccalaureate degree program may be accomplished by:

Formal enrollment by the student-athlete in a specific baccalaureate degree program; or

Approval by an appropriate academic official (who must not be an academic adviser or counselor employed by the athletics department) of the program leading to the specific baccalaureate degree that the student-athlete is pursuing.

Hours Earned or Accepted for Degree Credit

The calculation of credit hours under the progress-toward-degree regulation shall be based on hours earned or accepted for degree credit at the certifying institution in a student-athlete's specific baccalaureate degree program.

However, during the first two years of enrollment, a student-athlete may use credits acceptable toward any of the institution's degree programs. By the beginning of the third year of enrollment (fifth semester), a student-athlete shall be required to have designated a program of studies leading toward a specific baccalaureate degree. From that point, the credits used to meet progress-toward-degree requirements must be degree credit toward the student's designated degree program.



Changing a Major

A student-athlete who changes his or her designated degree program may comply with the progress-toward-degree requirements if:

- The change in programs is documented appropriately by the institution's academic authorities;
- The credits earned before the change are acceptable toward a degree previously sought; and
- The credits earned from the time of the change are acceptable toward the new desired degree.



Section 7: Student-Athlete Code of Conduct Policy

General Policy

The purpose of intercollegiate athletics is to provide an opportunity for the participant to develop his or her potential as a skilled performer in an educational setting. Education seeks to provide ways in which each may know himself or herself and grow emotionally, socially, and intellectually. Thus, the intercollegiate athletics program aims to do the same. In addition, the participant has the opportunity to travel, represent Fairmont State University, and learn the art of being a team member. This opportunity is not without sacrifice because the player may lose some individual rights and privileges when he or she, as a member of the team, accepts the policies of the program.

Notification of Misconduct

All student-athletes are required to notify their head coach, who will in turn notify the Athletics Director, within 24 hours of an incident if the student-athlete has been:

- *Arrested* or otherwise *charged* with a criminal offense by any law enforcement agency. This includes all charges in any jurisdiction, nationally or internationally;
- *Cited for a violation of FSU Student Policies* (including accusations of academic fraud, plagiarism or cheating);
- *Cited for a violation or infraction of the Housing Policies*; or
- *Injured in an incident or accident* that result in a drop in performance levels.

A police report shall be provided to the Department of Athletics within 24 hours of any arrest or citation.

A report on all disciplinary action taken on the student-athlete by the head coach must be sent to the Athletics Director within 24 hours.

Team Travel Policy

The Athletics Department wants to ensure your safety and promote a positive impression of our University, as such the Athletics Department has the following rules for student-athletes when traveling for athletics events:

Team Travel Transportation Policy

All students must travel with the team. That includes traveling to the competition site and returning to Fairmont State University.

Student-athletes who choose not to travel with the team must provide the coach a written permission statement that is signed by his or her parent or legal guardian and approved by the head coach or his or her designee. Student-athletes must travel with a parent or guardian to and from the competition site.



Violations of the team travel policy may result in:

- Suspension from the team;
- Termination of financial aid; or
- Both suspension from the team and termination of financial aid.

Team Travel Drug and Alcohol Policy

Alcohol and drug usage on all Fairmont State University team trips is strictly prohibited regardless of age.

Violations of the team travel drug and alcohol policy may result in:

- Referral to a drug and alcohol rehabilitation program;
- Suspension from the team;
- Termination of financial aid; or
- All of the above.

Fairmont State University Hazing Policy

Fairmont State University forbids any form of hazing. No organization, registered or otherwise, officially or in fact, may participate in the activity of hazing. Hazing is defined as any action or situation created by individuals, clubs, and organizations, on or off campus, that could cause, or has the potential to result in, harassment, emotional or physical abuse, embarrassment, anxiety, ridicule, or the violation of a University rule, no matter how good the end result or intent.

Examples of hazing include but are not limited to:

- Tests of endurance;
- Submission of members or prospective members to potentially dangerous or hazardous circumstances;
- Paddling;
- Forced indulgence of alcohol or food;
- Forced excessive exercise;
- Indecent stunts or dress;
- Deprivation of sleep, normal sleep patterns, or adequate study time;
- Physical harassment such as pushing, shoving, tickling, or yelling;
- Deprivation of normal amounts of food and water;
- Individual or group interrogations such as line-ups;
- Personal servitude;
- Assigning pranks; or
- Forced or coerced trips such as kidnaps, displacement, and “pledge” dumps.

Registered organizations and groups shall be permitted certain initiation ceremonies or activities, which, when examined by the ordinary University student, would seem reasonable under the



circumstances and justified in view of the purpose for which they are conducted. It shall not constitute a defense to the charge of hazing that the participants took part voluntarily, that they voluntarily assumed the risks of hardship of the activity, or that no injury in fact was suffered.

Fairmont State University Department of Athletics Social Networking Policy

The Fairmont State University Athletics Department recognizes the positive aspects of communicating via social networking websites (i.e. Facebook, Twitter, Instagram, YouTube, and personal blogs), and does not prohibit the use of these sites by student-athletes. HOWEVER, we remind you that, as a member of the Fairmont State University Athletics Department, you are an ambassador of the University, and as such you have a responsibility to represent your team, your University, and the Fairmont community in a positive manner. In addition to representing this University in a positive light, the Athletics Department is concerned with your safety and security. Prior to posting materials on social networks remain considerate of the following:

- Before posting materials on a social networking site, understand that anything posted online is available to anyone, including potential employers, predators, and community members, regardless of whether or not your account is “private.”
- Please exercise caution as to the content of the information you post on social networking sites regarding your whereabouts. By letting others know you are away from home, you open your residence to possible criminal activity.

DO NOT post any material on social networking sites, endorse, “retweet,” or otherwise any items that:

- May be interpreted as racial or sexually offensive or charged;
- May be interpreted as derogatory towards teammates, other students, coaches, faculty and staff;
- Show illegal activities (i.e. underage drinking, illegal drug use, etc.); or
- Show violations of team, Athletics Department, University, or NCAA rules and regulations (i.e. hazing, gambling, academic dishonesty, etc.).

In short, do not post information, photos, or other items online that could embarrass you, your team, the Athletics Department, or the University. Additionally, do not place any information online that you do not want to become public, including letting others post pictures of you or about you on your page.

The Athletics Department is not actively monitoring social networking sites. However, the University, including coaches, faculty, and administrators, retain the right to monitor these web sites.

If you are engaging in inappropriate online behavior that violates a team, Athletics Department, University, conference, or NCAA rule, regulation, standard, or philosophy, appropriate action will be taken and you could face disciplinary action or even dismissal as a result.



Section 8: Title IX

They've been called the 37 words that changed everything regarding gender in academics, the text of Title IX signed into law in June 1972:

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance..."

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) is an all-encompassing federal law that prohibits discrimination based on the gender of students and employees of educational institutions which receive federal financial assistance. Moreover, litigation in the 40+ years since Title IX became law has served to expand the concept of "sex" to include sexual orientation as well as gender identity and affiliation.

Title IX has been most recognized for creating more opportunities for women in sports over the past 40 years, but its impact and scope are actually far greater, reaching into every corner and program of academics. (Note that the word "sports" appears nowhere in those 37 words above.) But the intent and outcomes of Title IX are also more than just a good idea or suggestion; and those educational institutions that receive federal funds of any kind are charged to comply with Title IX or face serious consequences, including lawsuits into the millions of dollars. **It is thus very important that all of us who are enrolled at or who are employed by or who act of behalf of our institutions be aware of the requirements and implications of Title IX compliance in regard to students AND employees—not only for the betterment of our students and programs and our workforce, but also to ensure the protection of our institutions.**

In accordance with Title IX regulations, the University has designated Jessica Kropog Furgason as their Title IX Coordinator and Compliance Specialist. She is charged with monitoring compliance with these regulations. Questions regarding Title IX, as well as concerns and complaints of non-compliance, may be directed to her.

Jessica Kropog-Furgason

Chief Title IX Investigator
Public Safety/Wallman Hall
1201 Locust Avenue
Fairmont, WV 26554
jessica.kropog@FairmontState.edu

The Title IX Deputies field inquiries from students, faculty, staff and administrators regarding their rights and responsibilities under Title IX; help to investigate cases of alleged discrimination;



and assist the Title IX Coordinator in oversight and implementation of Title IX compliance and training efforts.

For a thorough explanation of Title IX, its application at Fairmont State, and reporting and investigatory procedures, visit the Title IX link at the bottom of www.fairmontstate.edu.

Section 9: Policy on Participation by the Pregnant Student-Athlete

With increasing numbers of women participating in sports, there are more women who become pregnant while playing intercollegiate sports. The purpose of this policy is to develop guidelines to protect the health, confidentiality, scholarship, and ability of the pregnant student-athlete to participate, while also assisting medical providers, coaches, and administrators with uniform guidelines that address this issue. The Fairmont State University Department of Athletics supports the continued academic success of all female student-athletes who become pregnant.

Although there are few studies related to intense, strenuous physical activity in pregnant student-athletes, there are published guidelines that address this issue. ***The NCAA Guideline 3b Participation by the Pregnant Student-Athlete June 2002*** offer guidelines for the obstetric and team physicians to use in determining participation.

- Fairmont State University complies with Title IX and does not discriminate on the basis of pregnancy. The Department of Athletics will allow a leave of absence for pregnancy as long as medically necessary. Pregnancy is treated no differently than any other type of temporary medical condition. The obstetrician and team physician in conjunction with the student-athlete, determine the length of participation and any activity restrictions. The support team will monitor academic and athletic performance and assist the student-athlete with returning to competition after the pregnancy if the student-athlete chooses to do so.
- Female student-athletes' right to privacy is the same for pregnancy as it is for any other personal medical information. The student athlete should be assured that her medical information will be kept confidential unless she gives permission to release the information. She will be encouraged to discuss her pregnancy with her coach, but the decision to inform a coach about the condition of pregnancy will remain at the discretion of the student-athlete. If coaches are informed, they should maintain the privacy of the information. Coaches and athletic trainers should not counsel the student-athlete on pregnancy issues, such as abortion, adoption, or parenting.

Pregnancy is considered a temporary medical condition, and the **NCAA Manual Rule** is as follows:

- ***Pregnancy Exception.*** *A member institution may approve a two-semester or three-quarter extension of this 10-semester/15-quarter period of eligibility for a female student- athlete for reasons of pregnancy.*



- **What happens to your scholarship?** If you are pregnant and you inform your athletic trainer and coach and you do not voluntarily withdraw from your sport, your scholarship will remain in place for the remainder of the granting year (July 1-June 30). Your coach can help you discuss your situation with the Department of Athletics.

Fairmont State University Department of Athletics Guidelines and Procedures

- The Department of Athletics will allow a pregnant or parenting student-athlete to fully participate on the team, including all team-related activities, unless the student-athlete's physician or other medical caregiver certifies that participation is not medically safe.
- The Department of Athletics will allow a pregnant student-athlete to continue to participate in a limited manner on the team, including all team-related activities, unless the student-athlete's physician or other medical caregiver certifies that partial participation is not medically safe.
- Medically necessary absences from team activities due to pregnancy shall be considered excused absences.
- No coach or other Department of Athletics personnel shall suggest to any student-athlete that his or her continued participation on a team will be affected in any way by pregnancy or parental or marital status.
The Department of Athletics will not allow a hostile or intimidating environment on the basis of pregnancy or parental status to exist. Acts or statements that are hostile toward pregnancy or parenting, or that shun or shame the student-athlete because of pregnancy or parenting will not be tolerated. Such conduct prevents an individual from effectively participating in, or denies a person the benefits of, the educational opportunities provided by this institution.
- The Department of Athletics will not terminate or reduce a student-athlete's athletics aid because of the student-athlete's pregnancy, marital, or parental status during the term of the award.
- Student-athletes may take a medical pregnancy leave, and at the end of that leave they will be reinstated to the same status they had before the leave.
- The Department of Athletics will renew a pregnant, formerly pregnant, or parenting student athlete's award so long as the student-athlete is in Good Academic Standing, remains engaged with the Department of Athletics, and meets NCAA eligibility standards. Returning student-athletes may be evaluated in the same manner as any other team member to determine their specific position on the team.
- The Department of Athletics will not permit the use of any written or verbal contract that requires a student-athlete to not become pregnant or a parent as a condition of receiving an athletics-award.



- Pregnant and formerly pregnant student-athletes who wish to continue to participate in athletics are entitled to assistance and rehabilitation on the same basis as such assistance is provided to all students with other temporary disabilities.

In order to assist Fairmont State University student-athletes:

- The Department of Athletics will help the pregnant or parenting student-athlete plan for his or her continued academic progress in accordance with the university's educational mission.
- The Department of Athletics will help the student-athlete return to their respective sport after pregnancy and during parenting if the student-athlete so desires.
- The Department of Athletics will assist the student-athlete to access the pregnancy and parenting support resources that are available to all students.
- The Department of Athletics will publish this policy in a publicly-available Student- Athlete Handbook, make this policy available to student-athletes and their families online, and provide specific education on this policy for all student-athletes and their families.
- The Department of Athletics will not require any student-athlete to reveal pregnancy or parenting status. Our department will work to create an environment which encourages the student-athlete to voluntarily reveal her pregnancy and his or her parenting status in order for our institution to provide optimal support for physical and mental health with professional health care. The coach's attitude toward pregnancy and parenting can be pivotal in creating such a safe environment.
- No Department of Athletics personnel will publicly release personally identifiable health information about pregnancy without written, timely authorization from the student-athlete.
- When a student-athlete reveals her pregnancy or parenting status to athletics personnel, they should direct the student-athlete to this policy. They should reiterate the department's protection of the student-athlete's team membership status and financial aid. Athletics personnel should refer the student-athlete to the team physician, to the student-athlete's personal physician, or to a college-designated representative trained in providing information about pregnancy and parenting support options.
- Athletics personnel who suspect that a student-athlete is pregnant may report their concerns to the team physician or to a college-designated representative trained in pregnancy and parenting support options.
- Teammates of pregnant student-athletes may report their concerns to the team physician or to a college-designated representative trained in pregnancy and parenting support options.
- Any member of the Department of Athletics found to have violated this policy by threatening to withhold athletics participation or an athletics award, by harassing a student-athlete on the basis of pregnancy or parenting status, or by breaching medical



confidentiality will be subject to disciplinary action up to and including discharge or expulsion from the university.

- Retaliation is specifically prohibited against anyone who complains about pregnancy or parental status discrimination, even if the person was in error about the lawfulness of the conduct complained about. This Department of Athletics will take steps to prevent any retaliation against the individual who made the complaint.

Section 10: NCAA Rules Relevant to the Student-Athlete

Sportsmanship

A major purpose of the National Collegiate Athletic Association (NCAA) and the Mountain East Conference (MEC) is to promote the character development of participants and to promote civility in society, student-athletes, coaches, athletics administrators, sports officials, and other associated with the athletics programs.

A guiding principle of the MEC is that student-athletes, staff members, officials, and other individuals associated with the Conference and its member institutions shall comport themselves with honesty and good sportsmanship. Their behavior shall at all times reflect the high standards of honor and dignity that characterize participation in intercollegiate athletics.

Therefore, athletics department staff members, coaches, student-athletes, sports officials, and other persons associated with intercollegiate athletics in the MEC pledge to uphold the purposes and principles of the MEC and the NCAA *by: (1) treating student-athletes, opponents, officials, and fans with respect; (2) refraining from the use of profanity and obscene gestures on the playing field, court, or competition venue; (3) not engaging in physical or verbal altercations during any competition; and (4) always accepting winning and losing with grace and dignity.* Furthermore, staff members, coaches, student-athletes, sports officials, and other persons associated with intercollegiate athletics understand that this pledge is consistent with the ethical conduct policy of the MEC as stated in the Conference Bylaws and that any violations of this pledge are subject to the penalties described in the those bylaws.

Unethical Conduct

The following are examples of unethical conduct:

- Refusing to furnish information relevant to an investigation of a possible violation of an NCAA regulation when requested to do so by the NCAA or Fairmont State University;
- Knowingly arranging for fraudulent academic credit or false transcripts for a prospective or an enrolled student-athlete;
- Knowingly furnishing or knowingly influencing others to furnish the NCAA or Fairmont State University false or misleading information concerning the individual's involvement in or knowledge of matters relevant to a possible violation of an NCAA regulation;
- Failing to provide complete and accurate information to the NCAA, the NCAA Eligibility Center, or Fairmont State University's admission office regarding an individual's academic records or amateur status;



- Partaking in fraudulence or misconduct in connection with entrance or placement examinations; and
- Engaging in any athletics competition under an assumed name or with intent to otherwise deceive.

Failure to Report NCAA Violations

The NCAA stipulates that each student-athlete is responsible for his or her violation of the NCAA regulations. That condition applies to the period of recruitment as well as participation in college. Each student-athlete is also required to reveal whatever knowledge he or she has about violations by others.

Playing and Practice Seasons

The NCAA limits the amount of organized practice sessions, the length of playing seasons, and the number of contests an institution may compete in during an academic year to minimize the interference with the academic progress of its student-athletes. All sports with the exception of football and basketball divide a sport's playing season into the Championship segment ("in-season") and the Non-championship segment ("out-of-season"). Also, in all sports, limitations for both daily and weekly athletics-related activities must be followed.

In-Season

In-Season is considered the time between the team's first officially recognized practice session and the last practice session or competition, whichever occurs later.

Time Limitation

A student-athlete may participate in a maximum of *20 hours* per week (with a maximum of 4 hours per day) of countable athletically related activity.

Game Day

All competitions and any associated athletically related activities on the day of competition shall count as three hours, regardless of the duration of the event.

Prohibited Activity

No practice or other countable athletics-related activity may occur on the same day of a contest unless such activity is between rounds (tennis, golf), or between double-headers (baseball, softball). Additionally, no activities may take place between the hours of midnight and 5am unless that activity involves:

- Participation in a conference or NCAA championship;
- Participation in any competition that begins before midnight and concludes after midnight; or
- Participation in a promotional practice activity (i.e. first annual practice).

Out of Season Activity



All activity throughout the academic year that is not considered to be during in-season period will be determined as out-of-season.

Permissible Activity

Required weight-training, conditioning, and physical fitness classes conducted by a member of the athletics department and skill-related instruction (4 hours max for a total of 8 hours per week) are permissible.

Impermissible Activity

- Conditioning drills that simulate offensive or defensive alignments are impermissible.
- Equipment related to the sport may NOT be used during conditioning.
- ALL athletically related activities are prohibited one week prior to the institution's final exam period.
- Participation cannot be required during a vacation period outside the declared playing and practice seasons.

Days Off

Student-athletes must have two calendar days off per week.

Additional Playing and Practice Season Rules for Football

Five-Day Acclimatization Period. In football, preseason practice shall begin with a five-day acclimatization for both first-time participants and continuing student-athletes. All student-athletes, including walk-ons who arrive to preseason practice after the first day of practice, are required to undergo a five-day acclimatization period. The five-day acclimatization period shall be conducted as follows:

- A. During the five-day period, participants shall not engage in more than one on-field practice per day, not to exceed three hours in length.
- B. Exception – During the five-day acclimatization period, an institution has the option of conducting one on-field practice per day, not to exceed three hours in length, or one on-field testing session (speed, conditioning or agility tests) per day, not to exceed one hour in length, and one on-field practice, not to exceed two hours in length. In addition, an institution may conduct one one-hour walk-through session per day of the acclimatization period, provided protective equipment (e.g., footballs, blocking sleds) is not used and conditioning activities do not occur. Student-athletes must



be provided with at least three continuous hours of recovery time between any sessions (testing, practice or walk-through) occurring that day. During this time, student-athletes may not attend any meetings or engage in other athletically related activities (e.g. weight lifting); however, time spent receiving medical treatment and eating meals may be including as part of the recovery time. If an institution conducts only a walk-through on a particular day during the acclimatization period, that day does not count toward the required five days of acclimatization, but the walk-through counts toward the limit of 29 on-field practices for the preseason practice period.

- C. First-time participants and continuing students shall not be required to practice separately.
- D. During the first two days of the acclimatization period, helmets shall be the only piece of protective equipment student-athletes may wear. During the third and fourth days of the acclimatization period, helmets and shoulder pads shall be the only pieces of protective equipment student-athletes may wear. During the final day of the five-day period and on any days thereafter, student-athletes may practice in full pads.

Preseason Activities After Five-Day Acclimatization Period. The remaining preseason practice period shall be conducted as follows:

- A. After the five-day period, institutions may practice in full pads. However, an institution may not conduct multiple on-field practice sessions (e.g. two-a-days or three-a-days) on consecutive days;
- B. Student-athletes shall not engage in more than three hours of on-field practice activities on the days that one practice is permitted;
- C. Student-athletes shall not engage in more than five hours of on-field practice activities on the days that more than one practice is permitted; and
- D. On days that institutions conduct multiple practice sessions, student-athletes must be provided with at least three continuous hours of recovery time between the end of the first practice and the start of the last practice that day. During this time, student-athletes may not attend any meeting or engage in other athletically related activities (e.g., weight lifting); however, time spent receiving medical treatment and eating meals may be included as part of the recovery time.
- E. Exception - “Walk-Throughs” - During the preseason practice period only and after the five-day acclimatization period, a walk-through is not considered to be an on-field activity, provided protective equipment (e.g. helmets, shoulder pads) is not used and conditioning activities do not occur. If a walk-through is conducted



on a day in which no other on-field activities occur, the walk-through must be included in the limit of 29 on-field practices for the preseason practice period.

Out-of-Season Activities

- A. Student-athletes and members of the coaching staff shall not engage in countable athletically related activities outside the playing season, except for the following:
 - I. Conditioning Activities – Student athletes may participate in conditioning activities in accordance with *Bylaw 17.1.6.2.3*.
 - II. Spring Practice – Fifteen postseason practice sessions (including intrasquad scrimmages) and the spring game are permissible. An institution is not required to count as one of its 15 designated days any day during which countable athletically related activities are limited solely to required condition activities and/or review of game film. Practice sessions must meet the following conditions
 - III. All practice sessions must be conducted within a period of 36-consecutive days, omitting vacation and examination days officially announced on the institution’s calendar and days during which the institution is closed due to inclement weather.
 - IV. Any practice sessions held during vacation days may not be of longer duration than those normally held when academic classes are in session.
 - V. Only 12 of the 15 sessions may involve contact, and such contact shall not occur before the third practice session.
 - VI. The noncontact practice sessions may involve headgear as the only piece of protective equipment.
 - VII. Of the 12 permissible contact sessions, 8 sessions may involve tackling, and not more than three of the eight tackling sessions may be devoted primarily (greater than 50 percent of practice time) to 11-on-11 scrimmages.
 - VIII. Tackling shall be prohibited in 4 of the 12 contact sessions. An institution has the discretion to determine the practice activities (other than tackling) that may occur during the four contact non-tackling sessions as well as the protective equipment to be worn by the student-athletes.
 - IX. If an institution conducts a “spring game” per *Bylaw 17.9.7.3-(h)*, the game shall be counted as one of the three sessions that can be devoted primarily to 11-on-11 scrimmages.



- X. A student-athlete's participation in countable athletically related activities, including conditioning activities and review of game film, during the spring practice shall be limited to a maximum of 4 hours per day and 20 hours per week.
- XI. All countable athletically related activities shall be prohibited during one calendar day per week.

Section 11: Fairmont State University Intercollegiate Drug Screening Program

Fairmont State Athletics Drug Abuse Deterrent Program

effective 10/15/2013 and may be subject to modification in the future

Introduction

Fairmont State University maintains a drug-free educational environment and requires all student-athletes to remain free of the unlawful and/or inappropriate use of controlled or illegal substances. Any student-athlete is subject to testing to show proof of a physical condition free from the unlawful and/or inappropriate use of controlled or illegal substances or the use of prescription medication for which the student does not have a valid prescription or which a student is using in a manner inconsistent with a physician's directions. Drug testing (at Fairmont State University's expense) will be required whenever the Director of Athletics and/or Head Coach, or designee, suspects or has reason to believe that a student-athlete might be engaging in the unlawful and/or inappropriate use of a controlled or illegal substance, or the inappropriate use or abuse of a prescription medication, whether on or off campus.

For the mutual best interest of Fairmont State University and all Fairmont State University student-athletes, the following drug and alcohol education and testing procedures will be in operation. The purposes of the program are to inform students about the serious physical, mental, and emotional harm caused by illegal/banned substances, serve as a diagnostic aid for the identification of individuals affected by substance abuse, and deter the use of such substances. The program will be administered in a manner consistent with the personal rights and privacy interests of the individual. Substance abuse (whether disclosed through drug testing or otherwise) is inconsistent with academic and athletic excellence, and will not be tolerated. Procedures for implementation of this program are outlined below.

Reasonable Suspicion

Individuals can be tested based on reasonable suspicion. Reasonable suspicion will be based on the observation of behavior or conduct, or the presence of certain physical and emotional characteristics or patterns, which are symptomatic of the use of prohibited drugs or abuse of alcohol. Reasonable suspicion includes, but is not limited to, violations of state laws or university regulations, behavior changes, and outward signs (odor of marijuana or alcohol or possession of drug paraphernalia). Examples include, but are not limited to, prior positive drug tests, DUI, violent conduct, including assault and sexual assault, vandalism, theft, chronic fatigue or loss of



vitality, decreased interest or effort in practices and competitions, prolonged illness or injuries, unexpected weight and/or strength gains or losses, unexplained fluctuations in moods expressed as inappropriate irritability, hostility, anxiety, anger or withdrawal. Further, a report of substance abuse or use provided by a reliable and credible source shall also be considered reasonable suspicion.

Procedures

- a. *As a part of the orientation process for each intercollegiate sport, the head coach will arrange for all squad members to attend a drug education and testing orientation, which will be given by the Department of Sports Medicine. During the orientation program for individual sports, the Department's drug testing program will be explained and consent forms will be distributed to all students who have not previously signed a consent form. The drug education and Testing Program will apply to all athletes participating in intercollegiate sports.*
- b. The testing program will be administered by the Head Athletics Trainer through local physicians acting in a doctor/patient relationship with each student, under the terms of the consent forms signed by all participating students. The testing program is intended primarily to test for the presence of "street drug" residues in the body, but may also include procedures to detect other substances banned by the NCAA (attached).
- c. The testing will be done through chemical analyses of urine specimens ("urinalysis"). The testing procedures will follow appropriate, NCAA approved chain of custody procedures. The analyses will be performed only through qualified professional laboratories. The urine specimens will be collected in a random, unannounced procedure. These collections may be done randomly or due to probable cause suspicion. Failure to provide a urine specimen will constitute a positive test result.
- d. There are three possible categories in which a student-athlete may be placed in the Department's drug testing program: Category 0, 1, 2, or 3. All student-athletes enter the program in category 0 (assumed to be drug-free and/or never have had a positive test). A positive test will result in entry into one of the other three categories as defined on Table I.
- e. The Director of Athletics or designee may recommend professional counseling to any student-athlete who tests positive on one or more occasions. However, unlike the situation where an athlete is injured while participating in his/her sport, the University will not assume financial or other responsibility for continuing treatment and rehabilitation of student-athletes with drug usage or drug dependency problems. Professional counseling is available to students on campus and free of cost. The University will encourage and be supportive of student-athletes who participate in such rehabilitation programs, but will not assume any responsibility



for these programs or for any physical, mental, or emotional damage or disability suffered by a student-athlete related to alcohol or drug usage.

- f. Apart from the drug-testing program, the coaching staff of each intercollegiate sport will have their own training rules and requirements, which include prohibitions concerning the use of drugs. Individual team rules and sanctions may be more comprehensive and/or restrictive than those listed in this drug education and testing document. As in the past, each coach will have the necessary authority to enforce these rules. A student-athlete whose system contains drug residues may not be capable of performing sports activities and may detract from team performance and/or be a hazard to himself/herself and others. Accordingly, coaches may properly take positive drug test results into consideration along with any other indications of drug use, as a factor in determining whether, and to what extent, a particular student-athlete should be permitted to practice, workout, or compete in his/her sport. The coach will consult with the Head Athletics Trainer in such cases. However, the following provision will apply in all situations:

- g. Entities outside of the Fairmont State University Department of Athletics will not be entitled to request information as to results of drug tests of any student-athlete, nor to use any information or evidence as to such test results, for any disciplinary purpose whatsoever. The Department of Athletics will make every effort to keep all such test results confidential, except to the limited extent otherwise provided in Table 1, and will oppose the disclosure thereof to any other persons within or outside the University. The results will be considered part of the student- athlete's medical record and are, therefore, confidential by law.

Table I. Classification for the Department of Intercollegiate Athletics Drug Testing Program

Category 0:

Qualifications: No history of a positive test for banned substances.

Category 1:

Qualifications:

- a. At least one positive test for banned substance; and
- b. Clinical assessment shows only occasional use without evidence of physical or psychological dependence.

Resulting Actions:

- a. Student-athlete shall be subject to mandatory counseling.
- b. Student-athlete will be subject to increased frequency of testing for banned substances.
- c. Student-athlete will meet with Head Coach and Director of Athletics (or designee) and shall be subject to coach/team sanctions, including possible suspension from competition.



- d. Student-athlete will be warned of the consequences of future positive tests or failure to comply with either future drug testing procedures or professional counseling procedures.
- e. Test results will be confined to physicians, Head Athletics Trainer, Director of Athletics, Associate Athletics Director for NCAA Compliance, and Head Coach.
- f. Parents/guardians shall be notified and kept informed of progress.

Category 2:

Qualifications:

- a. At least one positive test and determined by a professional substance abuse counselor to be a regular user with physical or psychological dependence; or
- b. Two or more positive tests within a twelve-month period.

Resulting Actions:

- a. Student-athlete will enter professional counseling, the frequency of which will be determined by a professional substance abuse counselor.
- b. Student-athlete will be subject to increased frequency of drug testing.
- c. Student-athlete will be subject to team/coach sanctions to include further suspension and the possibility of suspension of athletics aid.
- d. Student-athlete will be warned of the consequences of future positive tests or failure to comply with either future drug testing procedures or professional counseling procedures.
- e. Parents/guardians will be notified and kept informed of progress.

*The student-athlete may revert to category 1 by repeated negative tests over an 18-month period and if the student-athlete shows satisfactory progress reports from the professional counseling sessions.

Category 3:

Qualifications:

- a. Student-athlete will have tested positive after having been placed in category 2; or
- b. The student-athlete does not fulfill the professional counseling requirements.

Resulting Actions:

- a. Student-athlete will be permanently suspended from participation in athletics at Fairmont State University.
- b. Permanent loss of athletically related aid.
- c. Parents/guardians will be notified.

Student-Athlete Right to Request a Review



1. If the student-athlete desires to contest the results of the test, he or she has the right to request a review.
2. The request for review must be in writing and must be submitted within two days of the notification of the positive test result to the Director of Athletics, Associate Athletics Director for Compliance, or Head Athletics Trainer.
3. Evidence of the student-athlete's reasonable suspicion, documentation of a positive drug test, and information presented by the student-athlete will be presented to the Director of Athletics, Associate Athletics Director for Compliance, or Head Athletics Trainer for review. The Director of Athletics or designee will render a written decision within five working days of the review which will be the final decision in the matter.

Self-reported Use or Abuse of Drugs or Alcohol

Any student-athlete who feels he or she has a problem with the use of alcohol and/or other drugs may request assistance through any athletics department staff member. Assistance could include assessment, alcohol/substance abuse evaluations, individual therapy, group therapy, and behavior contracts with a professional counselor. This request must occur prior to the student-athlete being notified of an impending drug test (NCAA or departmental) or prior to having legal charges made for alcohol and/or drug related behavior. If such a request is made prior to the above two scenarios, the request shall not be treated as a positive drug test or violation of alcohol policies. The student-athlete shall then be evaluated, treated, and/or counseled in a manner appropriate for his or her problem. It is important to clarify that being in treatment still requires the student-athlete's compliance with applicable NCAA, institutional, and athletics department alcohol and drug policies. This includes participating in any required NCAA drug testing or departmental drug testing based upon other reported reasonable suspicion. All student-athletes are accountable for any violation of these policies including positive drug testing results.



Section 12: NCAA Drug-Testing Program

The NCAA Drug-Testing Program was created to protect the health and safety of student-athletes and to ensure fairness in competition.

NCAA Banned Drugs

- a. Stimulants
- b. Anabolic Agents
- c. Alcohol and Beta Blockers (banned for rifle only)
- d. Diuretics and other masking agents
- e. Street Drugs
- f. Peptide Hormones and Analogues
- g. Anti-estrogens
- h. Beta-2 Agonists
- i. Any Substance chemically related to these classes is also banned. The institution and the student-athlete shall be accountable for all drugs within the banned drug class regardless of whether they have been specifically identified.

Drugs and Procedures Subject to Restrictions

- a. Blood Doping
- b. Local Anesthetics
- c. Manipulation of Urine Samples
- d. Beta-2 Agonists permitted only by prescription and inhalation
- e. Caffeine if concentrations in urine exceed 15 micrograms/ml

Drug Testing Protocol

Medical Code

The presence in a student-athlete's urine of a substance and/or metabolite of such substance belonging to a class of drugs currently banned by the NCAA may be cause for loss of eligibility.

Organization

The NCAA Executive Committee has final authority over the procedures and implementation of the NCAA drug-testing program.



The National Center for Drug Free Sport will support, coordinate, and be responsible for the general administration of the drug-testing program.

Cause for Loss of Eligibility

According to *Bylaw 14.1.4.1*, each academic year a student-athlete shall sign a form prescribed by the Management Council in which the student-athlete consents to be tested for the use of drugs prohibited by the NCAA legislation. Failure to complete and sign the consent form before practice or competition in sports in which the Association conducts year-round drug testing shall result in the student-athlete's ineligibility for participation (i.e. practice and competition) in all intercollegiate athletics. The institution shall administer the consent form individually to each student-athlete each academic year.

All student-athletes found to be positive for a banned substance and/or metabolite are subject to loss of eligibility consistent with existing policies, as designated in *NCAA Bylaw 18.4.1.5*. *Bylaw 18.4.1.5* states that, "A student-athlete who, as a result of a drug test administered by the NCAA, is found to have used a substance on the list of banned drug classes shall be declared ineligible for further participation in postseason and regular-season competition in accordance with the ineligibility provisions in *Bylaw 18.4.1.5.1*. The certifying institution may appeal to the Committee on Student-Athlete Reinstatement for restoration of the student-athlete's eligibility, if the institution concludes that circumstances warrant restoration.

The method for selecting championships, institutions, or student-athletes to be tested will be recommended by the NCAA competitive safeguards committee, approved by the Executive Committee in advance of the testing occasion, and implemented by the assigned certified collectors. All student-athletes are subject to testing.

Student-athletes who test positive will be tested at any subsequent NCAA championship or postseason bowl game at which they appear and at which drug testing is being conducted or at any subsequent year-round NCAA testing event.

Student-athletes competing in Divisions I and II sports are subject to year-round testing.

In year-round testing events, student-athletes may be selected on the basis of position, competitive ranking, athletics, financial-aid status, playing time, an NCAA-approved random selection, or any combination thereof.

Specimen Collection Procedures

Only those persons authorized by a certified collector will be allowed in the collection station.

Upon entering the collection station, the student-athlete will be identified by an NCAA courier, an institutional representative, or through other appropriate identification methods, and then the student-athlete will be officially signed into the station.



Chain of Custody

The collector will deliver the shipping case(s) to the carrier.

A laboratory employee will record that the shipping case(s) has/have been received from the center.

The laboratory will record whether the numbered bar-code seal on each vial arrived intact.

Appeal Process

A positive finding may be appealed by the institution to the NCAA competitive safeguard committee or a subcommittee thereof. The institution shall notify the student-athlete of the right to appeal. The student-athlete will remain ineligible pending the outcome of the appeal.

The institution shall appeal if so requested by the student-athlete.

Restoration of Eligibility

Student-athletes will be tested by the NCAA in order to be considered for eligibility restoration.

Substance Abuse Committee

The Substance Abuse Committee shall be responsible for implementation of all testing provisions. The Substance Abuse Committee consists of athletics and university administrators as well as sports medicine personnel. Specifically, individuals include the appropriate head coach, the director of athletics, the sports medicine staff, and the director of health services.

Sanctions

Failure to execute the consent form will render the student-athlete ineligible for participation in the university intercollegiate athletics program, and will result in the loss of any grant-in-aid consistent with NCAA regulations. Refusal to comply with the drug testing provisions stated in this policy after being selected for testing is carried out will be considered by the Athletics Department administration as a positive test.

Sanctions for Positive Test Results

Fairmont State University follows the NCAA guidelines when it comes to failed drug tests. *Bylaw 18.4.1.5* states “A student-athlete who, as a result of a drug test administered by the NCAA, is found to have used a substance on the list of banned drug classes shall be declared ineligible for further participation in postseason and regular-season competition in accordance with the ineligibility provisions in *Bylaw 18.4.1.5.1*. The certifying institution may appeal to the Committee on Student-Athlete Reinstatement for restoration of the student-athlete’s eligibility, if the institution concludes that circumstances warrant restoration.



The duration of ineligibility is stated in *Bylaw 18.4.1.5.1* and that bylaw states, “A student-athlete who, as a result of a drug test administered by the NCAA, is found to have used a substance on the list of banned drug classes shall be charged with the loss of a minimum of one season of competition in all sports, if the season of competition has not yet begun for that student-athlete or a minimum of the equivalent of one full season of competition in all sports, if the student-athlete tests positive during his or her season of competition (i.e. the remainder of contests in the current season and contests in the following season up to the period of time in which the student-athlete was declared ineligible during the previous year). The student-athlete shall remain ineligible for all regular-season and postseason competition during the time period ending one calendar year (i.e. 365 days) after the collection of the student-athlete’s positive drug test and until the student-athlete tests negative (in accordance with the testing methods authorized by the Executive Committee) and the student-athlete’s eligibility is restored by the Committee on Student-Athlete Reinstatement. If the student-athlete participates in any contests from the time of collection until the confirmation of the positive result, he or she must be withheld from an equal number of contests after the 365-day period.



Section 13: NIL – Name, Image, Likeness

NIL POLICY

Reference: NCAA Bylaw 12.5

Purpose: New NCAA rules/guidelines permit student-athletes to benefit from the use of their names, images, and likenesses in a manner that is consistent with the NCAA guiding principles. These opportunities fall into two categories: 1) activities related to student-athlete business activities; and 2) promotion/endorsement of products and services. In an effort to prioritize student-athlete well-being, these name, image, and likeness opportunities may occur in a manner that is consistent with the core values, mission, and principles of Fairmont State University. This policy is to provide guidance as to the types of activities and circumstances with which a student-athlete would be prohibited from entering into an agreement.

Student-Athlete Obligation

Student-athletes are expected to refrain from engaging in name, image, and likeness activities that are related to “pay for play,” impermissible inducements, or extra benefits. Impermissible name, image, and likeness activities, include, but are not limited to:

1. Agreements without a quid pro quo (e.g., compensation for work not performed);
2. Agreements where compensation is contingent on initial or continued enrollment at Fairmont State;
3. Agreements where compensation is contingent on specific athletic performance or achievement (e.g., financial incentives based on points scored). Note: Athletic performance may enhance a student-athlete’s name, image, and likeness value but athletic performance may not be the “consideration” for a name, image, and likeness activity;
4. Agreements with any current Fairmont State University and/or Fairmont State Athletic Department sponsor/donor.

Benefits provided to student-athletes through name, image, and likeness activities must be consistent with institutional policies of Fairmont State.

Use of Institutional Marks

A student-athlete may not use institutional logos and/or trademarks in noninstitutional name, image, and likeness activities when a student-athlete is engaging in an activity which promotes or endorses a third-party service or product without written approval by Fairmont State University Trademark Licensing. Prohibited examples without authorization include, but are not limited to:



1. Wearing apparel or gear that visibly shows a registered Fairmont State logo/trademark;
2. Social media content that includes a registered Fairmont State logo/trademark.

Prohibited Promotional Activities

Student-athletes must conduct their activities in adherence to a set of ethical standards which are compatible with those of Fairmont State. These include, but are not limited to, honesty, integrity, trustworthiness, and respect for others. Fairmont State in its sole discretion, retains the right to disapprove any activity deemed to suggest an endorsement by Fairmont State or that reflects unfavorably upon Fairmont State and/or Fairmont State student-athletes. Specifically, Fairmont State retains the right to disapprove any activity that promotes or otherwise references certain prohibited categories, including, but not limited to:

1. Illegal products or services;
2. Alcohol and tobacco products;
3. Gambling goods and services;
4. Substances on the NCAA Banned Substance List;
5. Activities that conflict with existing Fairmont State exclusive sponsorship arrangements;
6. Sponsorships which conflict with Fairmont State's exclusive sponsorship entities – a complete list will be provided to the student-athlete upon request;
7. Firearms, explosives, or lethal weapons;
8. Adult entertainment and/or websites including explicit material;
9. Athletic recruiting services;
10. Activities which are, in Fairmont State's sole judgement, misleading, offensive, or in violation of a statute, law, ordinance, NCAA bylaw, or any University contract obligation.

Reference to the Institution

Student-athletes are permitted to include a reference to Fairmont State consistent with institutional policies applicable to any student. For the avoidance of doubt, student-athletes are permitted to identify themselves as "Current Fairmont State Student-Athlete."

Missed Class/Representing Fairmont State University

Student-athletes are not permitted to miss class to participate in any noninstitutional name, image, and likeness activity. Additionally, noninstitutional name, image, likeness activities may not occur while the student-athlete has reported on call for practice or competition and representing Fairmont State.

Institutional Facility Involvement

Use of institutional facilities for noninstitutional name, image, and likeness activities which promote and/or endorse a third-party commercial product or service is not permitted.



International Student-Athletes

International student-athletes should not enter into any activities involving compensation for name, image, and likeness activities without first receiving guidance from Fairmont State University International Students Services to protect themselves against any potential immigration issues.

Need Based Financial Aid

Eligibility for need-based financial aid, including the Pell Grant, could be impacted based on compensation from name, image, and likeness activities. Questions regarding the effect name, image, and likeness activities have on need-based financial aid should be directed to Fairmont State University Office of Financial Services.

Disclosure

Student-athletes should disclose all name, image, and likeness activities, including information related to transactions, compensation arrangements, and details of relationships with any involved individuals, commercial entities, and/or third parties (e.g., contact information, identification of role) within 72 hours prior to the activity occurring.

If agreements and details of an approved arrangement to promote a commercial product or service are amended, the student-athlete should provide written updates within 14 days of the change.