

CHSAA BOARD OF DIRECTORS MEETING
Vail Racquet Club
August 12-13, 2011

Minutes

1.0 ROLL CALL

1.1 Roll Call

P	Harry Bull	P	Nate Smith
P	Wendy Dunaway	P	Nancy Todd
P	Pat Gilliam	P	Lance Villers
P	Jerry Goings	P	Curt Wilson
A	Alex Halpern	P	Paul Angelico
P	Carl Lindauer	P	Rhonda Blanford-Green
P	Jim Lucas	P	Bert Borgmann
P	Randy Miller	P	Bud Ozzello
P	Rick Schmitz	P	Tom Robinson
P	Tom Sifers	P	Bethany Schott
		P	Harry Waterman

1.2 **Introductions**

President Bull asked all members in attendance to introduce themselves and give a brief biography of themselves. The new member biographies were included in the meeting agenda packet.

1.3 **Address, phone, e-mail list of all members verified**

President Bull passed the list around the group to be verified. He asked that Associate Commissioner Rhonda Blanford-Green collect the updated list.

2.0 APPROVAL OF MINUTES

2.1 The minutes of CHSAA Executive Committee Meeting of June 4, 2011 were enclosed in the agenda packet. It was moved (Smith) and seconded (Lindauer) to approve the minutes of the June 4, 2011 Executive Committee Meeting. There was no discussion and the motion was approved unanimously.

3.0 ADDITIONAL ITEMS

No items were added to the agenda.

4.0 PRESIDENT, LEGAL, COMMISSIONER REPORTS

4.1 President's Update

President Bull spoke first of NFHS Summer Meeting and noted that all states were experiencing and dealing with many of the same issues. Having significant experience with student leadership, he praised CHSAA's and Assistant Commissioner Harry Waterman's role in the valuable co-curricular Student Leadership Conference. He next summarized his talk to the athletic directors attending the All-School Summit to say that in the end "We All Are CHSAA". He encouraged the board to enter into as many conversations as possible with their constituents sharing the view that CHSAA is a collective organization where decisions are made in the context of what William Penn once stated, "right is right even when it's unpopular, and wrong is wrong even when it's popular". He then spoke of the CHSAA legislative name change from the Executive Committee to Board of Directors and board members' fiduciary responsibility to consider the bigger picture in all deliberations. Finally he thanked the group in advance for their future work and encouraged each member to reflect on why they are on the board.

4.1.1 Existing Board of Directors Code of Ethics

Commissioner Paul Angelico asked the board to read through the Code of Ethics enclosed in the meeting agenda packet and determine if it needed to be edited. He indicated that a discussion about the topic would take place later in the meeting.

4.2 Legal Update

Alex Halpern was not present to give an update. Commissioner Angelico noted that there was no legal action pending.

4.2.1 Board of Directors Release Form

CHSAA does not share in governmental immunity. Commissioner Angelico suggested that each board member review the enclosed Board of Directors Release Form with its superiors and legal department. Commissioner Angelico noted that each board member was covered under CHSAA's Directors and Officers Insurance.

4.3 Commissioner's Report

Commissioner Angelico stated that the staff is outstanding both locally, state and nationally. He commented on the staff activities and noted that the list gave a small picture of what has been accomplished since the last Board of Directors meeting.

4.3.1 Probation Action List

Because of a lack of paper work submitted by Gateway H.S., Commissioner Angelico noted that they should not be a part of the list of schools to be voted on for removal from probation.

It was moved (Goings) and seconded (Wilson) to remove all schools on the probation list with the exception of Gateway HS. The motion was unanimously approved.

4.3.2 Restriction Clearance list

There were no schools on restriction.

4.3.3 Coaches on Probation beyond One Year

There was no action taken on the enclosed list of coaches on probation beyond one year. Commissioner Angelico asked the board to view the list anyway and see if any were familiar names.

4.3.4 **Commissioner's Goals**

Commissioner Angelico explained the form enclosed with the meeting agenda packet and noted his goals will be created from the discussions generated this weekend. He did suggest that the board put forth high risk, lofty goals that would advance the organization. President Bull concurred and encouraged Commissioner Angelico to challenge his assistant commissioners with similar types of goals.

5.0 REPORTS ON RECENT MEETINGS, ACTIVITIES

5.1 **2011 NF Summer Meeting Review**

The sessions and workshops were great. One session on fines for ejections stimulated President Bull to think about a similar procedure for the CHSAA. Commissioner Angelico was excited about his ability to meet with many CHSAA partners on insurance, tv, etc. The staff and board members in attendance at the Summer Meeting all concurred that the meeting was very productive and that the CHSAA staff was prominent in a number of sessions.

5.2 **Insurance**

Assistant Commissioner Bethany Schott presented the insurance report. She noted that the Association is coverage under property protection, general liability, business equipment, D & O, and catastrophic insurance. She shared that rates have not risen over the past three years. Commissioner Angelico noted that because there were no claims, he was expecting a rebate.

5.3 **New Athletic Director Recap**

Assistant Commissioner Harry Waterman gave a recap of the New AD's Meeting. The meeting preceded the All-School Summit. There were 64 new athletic directors that participated. He indicated that there would be a thorough look at the evaluations to determine how the meeting could be better. A preliminary look at the evaluations showed overwhelming positive feedback.

5.4 **League Presidents/DAD's**

This meeting also preceded the All-School Summit and was hosted by Commissioner Angelico and Associate Commissioner Rhonda Blanford-Green. Both looked to the members of this group for suggestions of the high risk and lofty goals. These leaders are expecting e-mails from the Board of Directors after each Board of Directors meeting soliciting a report. Carl Lindauer led a discussion about how to respond to individuals with seemingly personal agendas. The consensus was that board members should listen and then refer them back to their league representatives.

5.5 **All School Summit**

Associate Rhonda Blanford-Green reported that 327 athletic directors attended an event she thought was one of the best the staff has produced. MaxPrep's top staff flew in from California to present. Carl Lindauer was pleased with open meeting format for all sessions. A survey monkey evaluation will follow shortly.

A break from the meeting was taken for lunch at 11:50 am

5.6 **Student Leadership Workshop**

Assistant Commissioner Harry Waterman presented a report on the 76th Annual Summer Student Leadership Conference workshop where over 500 student and adults were in attendance. The attendees attain the very best in leadership skills. Workshops included sportsmanship, bullying, and event production. Evaluations reflect a profound impact on the participants. The cost per student is \$230. Randy Miller asked for a breakdown of the number schools represented. October 21 & 22, 2011 are the dates for the Fall Leadership Conference at Fossil Ridge High School.

5.7 **All-School Survey Results**

Commissioner Angelico referenced the enclosed All-School Survey that focused on the public vs. private school debate. The data is raw and contains some mistakes. The first part looked at out-of-district students. Eye opening is the number of out-of-district students attending both public and private schools. The second part dealt with financial aid and the percentages of students on financial aid in the student body as opposed to those participating in athletics. Randy Miller felt there has to be action taken by CHSAA and submitted to the membership. Pat Gilliam noted the number of schools in the discussion is around six but a proposal to affect them would have an adverse effect on the many more private schools. A lengthy discussion then ensued. Rick Schmitz noted that for schools like Rifle and Eaton that draw from a fixed radius the playing field is not level in a classification where schools like Colorado Springs Christian and Valor Christian can draw from big city Metropolitan areas. Jerry Goings felt that the scholarship data for some private school showed some significant inconsistencies. The discussion was interrupted because of time constraints.

5.8 **Executive Committee District Rotations**

Commissioner Angelico asked the Board of Directors to be cognizant of the rotations in their districts.

6.0 NEW BUSINESS

6.1 **State Tournament Sites**

Assistant Commissioner Harry Waterman commented on changes and additions to the State Tournament/Activities Sites. The Speech Fall Symposium will be at Cherry Creek HS and CSU Pueblo will not host 2A Basketball.

Larry Villers asked a question about moving tournaments out of Pueblo. Assistant Commissioner Bert Borgmann responded that CSU chose to host the NCAA Division II Wrestling Tournament which conflicted with the 2A Basketball Championship dates. Assistant Commissioner Borgmann also commented on the issues of hotel accommodations and related costs as factoring into the decision to host events in Pueblo.

It was moved (Lucas) seconded (Villers) to accept the State Tournament Sites as presented. The motion passed unanimously.

6.2 **State Ticket Prices**

Commissioner Angelico noted that the 2011-2012 Tournament Ticket Prices were included in the agenda packet.

6.3 **TV Contract**

The Root Sports TV contract was included in the agenda packet. Root Network (Fox Sports Rocky Mountain) will televise live the Football and Basketball Championships. The CHSAA staff will present a by-law proposal where CHSAA shall negotiate television contracts for its membership. The by-law will give more power to schools to negotiate as group. The rights of the broadcasts will still remain with each member school. The CHSAA staff's negotiator is there only to garner additional benefits to the contract such as CHSAA public service announcements.

6.4 **Corporate**

Associate Commissioner Rhonda Blanford-Green shared that Corporate Fundraising was already up \$12,000 for the first two weeks of the 2011 year. Nancy Todd asked " what does the Corporate Campaign look like?" Nancy Todd suggested that CHSAA staff reach out to Home Depot and other similar corporate sponsors.

6.5 **Fines and/or other consequences for Violations**

Many issues and anticipated consequences were discussed, including the following:

1. Checks and balances for officials;
2. Need for an appeal process;
3. Money ups the anti
4. Jerry Goings -The % that should not be ejected, what happens?
5. Jerry Goings - Need to define the line, step by step;
6. Nancy Todd- If there is a problem must address it in some way;
- Randy Miller - present proposals to get discussions going just like the ones around the table;
- Jerry Martin - send out a precursor to the proposal to let membership know what might be proposed;
- Carl Lindauer – be careful to consider what may happen to new officials and make sure they are not ostracized.

The CHSAA was charged with creating some proposals for the board to consider.

7.0 BOARD OF DIRECTORS MEMBER REPORTS

7.1 **Colorado Association of School Boards**

Tom Sifers informed the board that CASB matched the 2% reduction to schools with a 2% discount on dues. CASB lost Douglas County and Adams 12 as members. The lack of dues from these members put CASB in the red.

7.2 **Colorado Department of Education**

Wendy Dunaway noted that Robert Hammond is the new commissioner. Lots of new faces and names have been added to the department. The department is pointing towards high expectations for all constituents, innovation and choice, and accountability with service and support.

7.3 **CADA**

Nate Smith indicated that CADA was happy to be involved with the All-School Summit, particularly conducting education classes for the new athletic directors. Spring meeting will be the Omni Interlocken near Broomfield.

7.4 **CASE**

Randy Miller had no report but stated his apprehension with SB 151 and the potential for further education cuts. Jim Lucas stated that principal evaluation is creating unknowns and fears.

7.5 **District Reports**

District 1 - Western Slope

Rick Schmitz said that the Western Slope was thrilled with the All-School Summit and that motivational speaker Rod Olson was outstanding. He thanked the CHSAA staff.

District 2 - Centennial, Frontier, Northern, Tri-Valley

Harry Bull read from a list of e-mails from his leagues. He noted that the Frontier Leagues' main issue is the number of schools in their league, which is twelve, and the fact that three more schools will be applying. They want no more than a 14 team league. One of the applying teams will be on the outside. The Centennial League was still concerned about recruiting, boundaries, competitive balance, 8th Grade policy (common Spring Date), and private school transgressions.

District 3 - High Plains, Lower Platte, Mile High, North Central, Patriot, Union Pacific, YWKC

Jerry Martin spoke about how the public vs private school debate will affect small private schools. The current conversation is focused on the bigger name private schools.

District 4 - Jefferson County, East Metro

Nate Smith noted that the All-School Summit was very good. Ridge View Academy will be a 3A school. What is the role of CLOC to find schools a home like Ridge View, which is a 3A school? Commissioner Paul Angelico noted that CLOC will not assign a school to a league. Schools must have dialogue with various leagues so as to not be denied membership. The competitive equality is not just public vs. private but also urban vs. suburban.

District 5 - Denver, Metropolitan, Northern Front Range

Pat Gilliam spoke about the Northern Front Range, a 2A conference, has shrunk to two teams, Champion Academy and Union Colony. These two teams will have to actively seek a league.

District 6 - Continental, Front Range, 5280

Jerry Goings had nothing to report but will put more pressure on reports from the League Presidents. He personally maintains concerns about public/private.

District 7 - Black Forest, Colorado Springs Metro, Tri-Peaks, West Central

Lance Villers stated that Springs Metro is wondering how 22 teams in a league will continue to work as CLOC convenes this fall. "Why are players allowed contact immediately at a summer camp but are restricted on the first day of contact for football?". Assistant Commissioner Harry Waterman shared this concern and responded that leagues can submit a by-law proposal to address the issue.

District 8 - Fisher's Peak, Intermountain, San Juan, Southern Peaks, Southwestern

Curt Wilson shared that the San Juan Valley needs more football officials. Future summits might be better served with webinars to save travel and hotel costs. Thirty-two team bracket and soccer seeding create too much travel cost.

District 9 -Arkansas Vy, Santa Fe, South Central, Southeastern

Carl Lindauer stated the Ark Valley, Santa Fe, and Southeastern Leagues are concerned about future 8-man leagues and the potential for extended travel between league schools. \$30 travel payment needs to be consistently applied by all the league schools to be fair. Discussion and concern about the constant issue when the championship dates for baseball should be with track on the same weekend. He noted that track meet was well received.

Motion to adjourn Friday's meetings was moved (Todd) and seconded (Dunaway). It was unanimously approved.

Saturday's meeting came to order at 9:30 AM.

8.0 2010-2011 AUDIT REVIEW

Mark Elmshauser presented a package that 1. Reflected financials; 2. No significant issues were discussed by management with the auditors; 3. There were no consultation with other accountants; 4. There were no significant accounting policies or their application; 5. Accounting estimates are essential to an audit and organizations depreciation expense is an estimate; 6. There were no significant financial disclosures. Kukulski Brothers' receivable is a concern. If it is not paid, future reimbursements to our schools is at issue since the amount is tied in to the receivable.

- 8.1 Investments. There were no comments about investments.
- 8.2 Clifton Gunderson Representation Letter-This letter was prepared based on the information above.
- 8.3 Potential Refund-\$203,504
- 8.4 Management Letter-Internal controls and Segregation of Duties were highlighted. There is a lack of separation of duties because of the size of the organization which is not unusual but may be a risk.
- 8.5 Preliminary Audit – Financial Statement Move (Miller) and seconded(Schmitz) to accept the preliminary audit. The motion was unanimously approved.
- 8.6 Acceptance – First reading of audit review- it was moved(Wilson) and seconded (Martin) to accept the first reading of the audit review. The motion was unanimously approved.

9.0 LEGISLATIVE REVIEW

- 9.1 Legislative Overview
Nancy Todd talked about the SB 40 (Jake Snakenberg Youth Act) essentially providing training for coaches rather dissuading them from coaching. She feels that raising sales tax minimally is the only way to allow K-12 education to catch up and Initiative 25 is sound bill to do that. Randy Miller noted that per pupil funding is at the 2006 levels.
- 9.2 Legislative Agenda 2011-2012
Steve Durham spoke of an early start with Concussion Bill, SB 40, had no change in policy for CHSAA. He noted there were just the standard conversations about possible legislation. He spoke of Initiative 25 to raise taxes that would supposedly raise funds for education. Finally he asked the staff and board to contact him if they encounter a disgruntled parent seeking a legislator to address a concern.

Appeal for Lawrence Lucero, Pueblo South High School

The information on the appeal was included in the agenda packet. President Bull provided introductory remarks about the appeal process. Introductions were made by all in attendance, including, the guests: Paul Entrada-interim coach at Pueblo East, Andrew Watts-Middle School Coach, Mike Bayer-Pueblo East AD, Rick Macias-Pueblo South AD; Jesse Gomez-middle school coach/power of attorney, Sheila Gomez – Grandmother, and Lawrence Lucero.

Commissioner Paul gave the background of the appeal. Then Pueblo East AD, Rick Macias, presented the waiver to the league, which voted 1-6, and then to Commissioner Angelico who denied the waiver. The 19 year old age rule does not allow the Commissioner to waive the rule. An appeal was granted and the result upheld the Commissioner's denial of the waiver, 2-1. After conversation with Lawrence Lucero's grandmother and knowing that the particular bylaw had little or no chance to be overturned, a final appeal was granted.

Mike Bayer asked that the Board of Directors, in their deliberations, to hold Lawrence accountable for what he did, but not what was done to him. His disability is everything that happened to him and nothing he had control over. He is on track to graduate as a successful three-sport athlete in Football, Wrestling, and Track. Mr. Bayer gave examples of the hardship waiver, unforeseen, unavoidable and therefore uncorrectable. He felt that Lawrence is the victim of his circumstances of things that have been done to him.

His grandmother supported the fact that he put himself on the right track. Football means everything to him.

Lawrence knows the rationale of the 19 year old age rule. He is not physically imposing and size will not be a factor in his competition with other high school students.

Coach Gomez made the fact known that his mother was 14 years old when Lawrence was born.

Paul Entrada was passionate about Lawrence's journey and fact that he has done everything right. He has been the hardest worker since he has been a freshman. Why Lawrence and not another student? He is exceptional.

Andrew Watts feels that the Board of Directors will make the right decision.

It was moved (Smith) seconded (Schmitz) to enter into executive session to deliberate the Lawrence Lucero appeal. The motion was unanimously approved.

It was moved (Dunaway) seconded (Villers) to close the executive session on the Lawrence Lucero appeal and unanimously approved.

President Bull noted that the executive session was emotionally charged. He alluded to the comments of Mr. Villers to take two steps back before deciding on an emotionally charged issue.

It was moved (Miller) seconded (Lucas) to reverse the decision of the Appeals Committee's decision to deny the Lawrence Lucero waiver. The vote was 0-13. The Appeals Committee's decision was upheld.

The meeting adjourned at 2:40 PM Saturday afternoon.

Respectfully submitted:

Approved by:

Tom Robinson
Assistant Commissioner

Paul Angelico
Commissioner