

BOARD OF TRUSTEES MEETING

August 27, 2015

Those in attendance: Dean Oborn, Terry Bawden, Richard Osborn, Scott Carlson, Heather Bennett, Belinda Johnson, Michelle Kaufusi, Craig Seegmiller, Scott Rogers, Neil Carrigan, Dale Whitlock, Joe Houston, Richard Orr, Greg Miller, Kim Pickett, Jerre Holmes, David Brotherson, Kody Hughes, Bill Boyle, Mike Savage, Amber Shill, Tamara Lowe, Robyn Ellis, Stan Young, George Henrie, Rick Nielsen, John Penrod, Alan Parrish, Spencer Stokes, Rob Cuff, Kim Monkres, Ryan Bishop, Josh Taylor and Jeff Cluff. Excused: Kristen Betts and Allen Huber. Minutes: Jeanne Widerburg.

1. **Welcome and Chairperson Business:** Chairman Boyle welcomed members to the meeting and thanked them for their attendance. He excused Kristen Betts and Allen Huber. Superintendent Rick Nielsen from Nebo District was representing Ms. Betts.

A. Welcome New BOT Members: Mr. Boyle welcomed the new member of the Board.

- Neil Carrigan, Morgan School District Board Member
- Jerre Holmes, North Summit School Superintendent
- Kodey Hughes, Tintic School District Superintendent
- George Henrie, 2A Principal, Manti High School Principal

B. New UHSAA Staff Members: Mr. Cuff introduced new staff members.

- Curt Pettingill is the new receptionist in the front office. He has worked with the UHSAA previously doing stats. He comes to us from Davis County and has worked with the Davis HS athletic programs for 38 years.
- Dave Vande Veegaete is the new director over wrestling. He has worked for many years with Bart Thompson assisting at the wrestling tournaments. He is well known in the wrestling community. Mr. Vande Veegaete is also the AD for Granite School District. Mr. Taylor will be assisting him in wrestling.

C. New UHSAA Member Schools: New schools for 2015-2016: American International School of Utah, American Preparatory (Draper), Daniel's Academy, Liahona Academy, and Water Canyon. Uintah River has withdrawn their membership making 146 member schools in the Association. There are 105 member schools participating in football which includes three independent football teams.

D. Pledge of Allegiance/Patriotic Thought: Mr. Miller shared the story of King David. King David wanted to build a temple for God, but the prophet came back and said the Lord didn't want him to build the temple. Mr. Miller said the interesting part of the story is King David's reaction to being told "no." His reaction was, "Who am I?" Mr. Miller has traveled to 40 countries and he tells the students they should believe their country is the greatest in the world. We need to be grateful because we are one of the luckiest people on the face of the earth. "Who am I" to be born in the greatest country of the world? He won the lottery being born in the United States. He then led the members in the pledge of allegiance.

E. Reverence/Thought: Mr. Brotherson said his thought was about celebrating diversity. He represents Duchesne School District which has three 1A schools and one 3A school. In

regards to funding and budgeting, the diversity has a leveling effect to help maintain their programs. He feels it can bring challenges, but there are blessings as well. He then offered a prayer.

The Board shared in a moment of silence in honoring the life of former board member, Mark Openshaw. Mr. Boyle said he was in the Garden of Gethsemane when he received word that Mark, his wife and two children had died in an airplane crash. He was state school board member and those that knew him knew of his goodness, insight and passion for education. It was a tragic situation.

F. Minutes of June 11, 2015 Meeting:

MOTION: Mr. Houston motioned to approve the minutes of June 11, 2015. Mr. Whitlock second. Motion carried.

G. Additional Agenda Items: Mr. Pickett asked if the board would consider starting the meeting 30 minutes later for travel considerations. Ms. Lowe is concerned about the traffic after the meeting. Mr. Boyle said he could control the length of the meetings, but not the traffic. Ms. Bennett suggested to adopt some efficiencies on the agenda and use sub committees for some discussions to shorten the meetings. Mr. Boyle suggested the staff look at the meeting structure and discuss it further in November. He then asked members to share their concepts or ideas with the staff. The next meeting will remain at 9 am.

H. Executive Committee Meeting Report (summary on website): Mr. Young reported.

- Introduced new members
- New member schools
- Orientation of Procedures, roles and responsibilities
- Catastrophic Insurance will continue and schools 100% reimbursed
- UIAAA New AD and Administrator training on September 9
- UHSAA Summit on September 16 and 17
- New website and training
- RegisterMyAthlete
- Region golf etiquette meetings required
- Certified coaching requirements
- SUU was approved for 3A Basketball Tournament
- Corporate Sponsors and Media Rights were discussed
- Sportsmanship Program
- Fifth Annual Student Leadership Conference will be on Thursday, June 16
- Ejection procedures
- Officials background checks
- Recommendation for 20-week practice limitation
- Recommendation to adopt the transgender policy
- Legal items were discussed in executive session

I. USBE Report: Mr. Stokes was introduced to the members. Mr. Stokes is from the Tremonton and Ogden areas. He is a political consultant by profession. He feels it an honor to be taking Mr. Openshaw's place. He stated his philosophy is to stay out of the districts way. If members have issues of concern, please talk with him to place items on the USBE agenda for

discussion. He said there have been changes at the USOE and feels Superintendent Smith is trying to wrap around many issues at the state office.

Mr. Cuff welcomed Mr. Stokes and reported that Superintendent Smith is on the Executive Committee. Mr. Cuff feels we have many friends on the state board. Mr. Stokes again said, in his education experience with representatives around the state, he feels strongly the districts have the power and should be left alone.

2. UHSAA Procedures and Materials:

A. 2015-16 Meeting Schedule (p. 1): Currently scheduled meeting and their times.

B. Committee Assignments (pp. 2-3): Mr. Cuff reviewed the members' committee assignments and each committee's responsibilities.

C. Reimbursement Claims (p. 4):

(1) Mileage: The Association will reimburse for mileage at .575 cents for private car use.

(2) Meals (daily at \$40 – receipts attached)

(3) Lodging: Please contact Kathi or Amy to make room reservations. We have some trade with local hotel partners.

D. Hearings and Appeals: Members will be called upon to serve on the panels for hearing and appeals.

E. UHSAA Governance Chart (p.5): Ms. Monkres discussed the information on the chart and explained the governance structure for the Association. The BOT makes the policies and plays a very important role in the Association.

F. UHSAA Handbook: Ms. Monkres pointed out there is a date on the bottom of the handbook and the date changes every time a change is made to the handbook. Please refer to the most recent handbook. Each sport is broken down by a separate section.

G. State Passes: Mr. Cuff noted districts have been limited to 10 passes for many years. The Board developed the policy to protect the revenue going to schools. He asked members if they were open to the change the current policy. Mr. Rogers asked for consideration to increase the allotment of annual athletic passes for districts to 15. He feels positions have evolved and boards have increased to justify an increase. Mr. Cuff pointed out that the revenue from activity passes (\$30) goes to the UHSAA. He feels the staff has a great relationship with superintendents and he noted that today there were five superintendents in the meeting. It was a historical moment. Mr. Penrod mentioned districts also receive region passes for region activities. He felt increasing the district annual pass up to 15 is reasonable.

MOTION: Mr. Pickett motioned to increase annual athletic pass allotment to 15 for districts. Mr. Parrish second. Mr. Hughes felt there needs to be a matrix with consideration of the size of district and not haphazardly choose a number. Mr. Pickett said this would add flexibility and districts are not required to buy fifteen. Mr. Cuff said he would prefer not to police the positions and leave it to the discretion of the superintendent. The motion to include pass recipients will be determined at the discretion of the superintendent without regard to position. Mr. Rogers said the pass is provided in his district to those having an assignment related to high schools. Mr.

Cuff said some districts could look to the allotment of their high schools for additional passes. Motion carried.

3. Audit Report (meeting handout): Mr. Ed Worthington, UHSAA auditor, discussed the financial position of the Association after distributing the audit report to the members. The sponsored activities revenue increased by \$80,000 compared to the previous year. Corporate Sponsorships totaled \$378,000 and has become a fairly critical piece of the revenue stream. All monies coming from the endowment games are sent to the UHSAA Foundation. Mr. Cuff said the 2014 football endowment game revenue was down due to weather related issues.

Mr. Worthington said from his perspective the Association is run well and efficiently. He stated the financial statements are well prepared for the audit. He feels the financial health of Association is good.

MOTION: Mr. Pickett motioned to approve the audit ending June 30, 2015. Ms. Lowe second. Motion carried.

4. UHSAA 2015-16 Budget (meeting handout): Mr. Cuff discussed the 2015-16 budget. The UHSAA Budget was distributed to members. Mr. Cuff said his goal is to be in the black \$50,000 to \$150,000 each year. The last two years has been about \$80,000. The “rainy-day” fund has reached 1.5M with the goal being 2M to cover any unforeseen devastating event. School dues were decreased from \$500 to \$250, UHSAA supplements the catastrophic reimbursement by \$40,000 and hosting expense maximums were increased in both endowment games and post season events for the UHSAA. Most of the benefit to schools has been by not increasing fees for arbiting, activities, annual passes, etc. Mr. Cuff then reviewed the budget revenue and expenses.

MOTION: Mr. Carlson motioned to approve the 2015-2016 budget. Ms. Lowe second. Motion carried.

5. UHSAA Participation: Mr. Bishop reviewed the participation numbers for 2014-2015. There were over 85,000 students involved in activities this past year. He enjoys being in the business of promoting high school athletics. He reviewed articles on pages 8-22 that support the importance of high school activities which members can use to educate others. There are three factors in promoting high school athletics:

- They support the academic mission of schools
- They are inherently educational
- They foster success later in life

Mr. Bishop said he appreciates the decisions of the Board that help promote education-based activities. Mr. Rogers asked if our participation numbers would look favorable with Title IX. Mr. Cuff said they look very favorable. He said it is important to maintain and defend girls’ sports. There are 10 girls’ and 10 boys’ sanctioned activities. By district, they may look different.

6. UHSAA Items:

A. 2015-16 Classifications and Regions (pp 23-31): Uintah River is no longer in Region 17. Mr. Cuff suggested members attend their region meetings when possible.

B. Report to Local Boards to Prepare for January Election: Some members’ terms will be ending June 30, 2016. January elections will be held at the state school boards convention. Those with ending terms of June 30, 2016 included: Dean Oborn, Scott Carlson, Belinda

Johnson, Michelle Kaufusi, Allen Huber, Richard Orr/Joe Houston, and Mike Savage. The term will be ending for the 5A and 3A principal. If private or charter schools are not represented on the board, they would have a non-voting position on the Board. Those elections are held annually as needed.

7. Visits to Region Boards: Mr. Cuff explained that staff members are each assigned to a Region. The staff members will attend at least one region meeting and will answer questions as needed or present on an assigned topic.

8. First Annual UHSAA Summit (p. 34): Mr. Cuff announced the first annual UHSAA Summit. The site on September 16 will be at the Maverik Center and the site on September 17 will be at the SVC in Richfield from 10:00 am to 2:00 pm. He invited members to attend and asked them to register online. Each school is encouraged to send at least one representative. Superintendents will also be invited. Lunch will be provided. There will be two general sessions and three breakout sessions.

9. Calendar:

A. 2015-2016 Calendar (pp. 35-37): Mr. Taylor said the calendar is updated frequently on the website. Rio Tinto will not be available for the spring championships. Other options will be discussed at the next Executive Committee meeting.

B. 2016-2017 Tentative Calendar (coming soon): The calendar will be posted soon.

10. UHSAA Items:

A. UHSAA Website Overview: Mr. Taylor said the search functionality is greatly improved with the new website. The office is receiving fewer calls as the website becomes more user-friendly.

B. RegisterMyAthlete (RMA): Mr. Taylor reported this is the second year using RegisterMyAthlete so schools are becoming more comfortable with the program. Over 55,000 individual students registered last year. The student info will roll over from last year and will help schools manage student data with ease. Fees can be paid online, physicals, injuries and parental consent can be tracked. There are no fees for UHSAA required information, but for additional services there is a fee based on school enrollment. Some schools are using RMA for summer camps and other non-sanctioned activities such as lacrosse. Mr. Taylor said RMA is a third-party program and the information is secure.

C. Media Guides: RegisterMyAthlete provides data that can easily be used to create media guides and tournament programs.

D. Yearly Results/Record Book: Mr. Pettingill will be assigned to update the yearly results and record book.

11. Constitution/By-Laws Follow-Up:

A. Practice Limitations (p. 43): Mr. Cuff said this would be the second reading for the BOT. Mr. Cluff reported the Executive Committee added specific dates for athletics and activities. The limitation would apply to athletics from August 1 to June 1 and activities from September 1 to June 1. There is a 20-hour limitation per week with competition days counting as

3 hours and one day a week off. Team dinners, films or any contact with the coach would count toward the 20-hours. Mr. Osborn asked if “contact” needed to be more specifically defined. Mr. Cuff said the specifics could be included with the policy. The wording developed was team dinners, practice, film time, weight training, etc. basically, any meeting of the team and/or contact with coach as a team or individually.

MOTION: Mr. Pickett motioned to accept the 20-hour practice (contact) per week. Competition days count as three hours, which requires one day off each week (Monday-Sunday) and is in effect for athletics from August 1 to June 1 and activities from September 1 to June 1. Contact was defined as team dinners, practice, film time, weight training, etc. basically, any meeting of the team and/or contact with coach as a team or individually. Mr. Osborn second. Motion carried.

B. Transgender Policy (pp. 44-45): Today’s discussion is considered the second reading. Ms. Monkres discussed the transgender policy. During the first consideration the BOT directed that clarification be made as to the steps to “prove” transgender for eligibility participation. The policy states the UHSAA will first refer to the confirmation of the student and his or her local school regarding gender identification. Page 44 includes four types of evidence to be used by schools for decisions of transgender. Mr. Van Wagoner said the UHSAA is requiring schools to determine a student’s eligibility to participate in gender-specific sport teams for a particular season based on the gender identification of that student. The UHSAA will determine eligibility for participation.

Mr. Rogers is concerned that the policy should be developed in cooperation with the USBA, USOE and legislators. Mr. Van Wagoner is attempting to provide a basis on which the schools can make a decision so the decisions are not arbitrary and capricious. Ms. Monkres pointed out this policy is essential to protect female sports. Ms. Bennett said the Salt Lake School District developed a non-discretionary policy that included sexual orientation and gender identity. Their lawyers advised against the policy and the argument was there would be general chaos. There has been no chaos and no situations. It has been handled with amazing levels of compassion and thoughtfulness. This policy allows each student to be treated as an individual. Mr. Van Wagoner said the UHSAA is not trying to mandate how the school/district makes the determination. The decisions should be based upon the *types* of evidence. He is trying to create a means by which we can investigate and see if it meets the criteria. Ms. Lowe said it is happening and we need to be prepared.

Mr. Stokes asked why the district should not be left with the decision. Mr. Van Wagoner said that unfortunately, schools and district can be less concerned about competitive sport balance than the Association. Mr. Stokes doesn’t feel they will choose gender identification based on activity participation. It is a much deeper commitment than activity participation. Ms. Kaufusi said the UHSAA draft policy encouraged Provo District in developing a policy. Ms. Monkres said Utah is one of eight states that do not have a policy. Mr. Stokes asked why then can’t the policies be left to the district. Mr. Van Wagoner stated because if the UHSAA was not to accept a district’s determination, the UHSAA would need a basis on which it was not accepted. The UHSAA needs a policy. Mr. Stokes feels strongly the worst thing that can happen is have the USBA or UHSAA tell the districts how to run things. Superintendent Nielsen asked if the “and” before #4 should be “or.” As it reads, it looks like it requires all four. Mr. Boyle felt that a policy was essential before the storm. He recognized the policy will probably continue to change as the nation is in flux over these issues.

MOTION: Ms. Bennett motioned to accept the transgender policy as presented with the four types of evidence. Mr. Pickett second. Motion approved unanimously.

Mr. Boyle said these are dicey matters and members inherently understand students' health and welfare issues and he appreciates the professionalism of the conversation. Ms. Bennett stated she appreciated the care and thought development of the policy.

12. Legal Report (executive session): Condolences were offered to Mr. Van Wagoner. His father-in-law, Fred Ball, had passed and the funeral was to be held the following Monday.

MOTION: Ms. Lowe motioned to go into executive session to discuss legal and personnel issues. Mr. Oborn second. Motion carried.

Mr. Boyle declared the board out of executive session.

13. Finance Committee Items: Mr. Seegmiller reported that during the executive session staff considerations were discussed. The Finance Committee recommended the proposed staff considerations to the BOT.

MOTION: Mr. Seegmiller motioned to accept the staff considerations as recommended by the Finance Committee. Mr. Rogers second. Motion carried.

Mr. Cuff thanked the BOT on behalf of the entire staff for their support.

14. UHSAA Foundation: Mr. Cuff reported the Foundation Board members were: Jerry Bovee; Chair, Craig Seegmiller, BOT; Chris Neddo; Steve Laing; and Vicci Gappmayer. The Foundation has for five of the last six years paid 100% of schools' catastrophic premium costs. The UHSAA has provided \$40,000 each year to subsidize the 100%. The Foundation has paid out over \$600,000 to reimburse the schools in those six years.

15. Sportsmanship Committee: Ms. Monkres reported this is the sixth year of the sportsmanship program, "Raise the Bar." The Committee will hold their first meeting of the year on September 29 at 3:00 pm. Some schools are receiving their fifth star which completes their sportsmanship banner. The Association has purchased new banners for school to continue the banner star program. Schools with zero ejections for 2014-2015 will also receive a banner to hang in their gyms. She hopes the schools will display their banners proudly and continue to encourage good sportsmanship at all events.

Ms. Monkres reported the Student Leadership was a success. A short video of the conference is available on the UHSAA website under the sportsmanship tab. She felt the presenters and guest speakers did an outstanding job. The conference will be held next year on Thursday, June 16, 2016.

16. Corporate Sponsorships: Mr. Bishop asked members if they had any contacts that might be potential corporate sponsors to please contact him. Current sponsors include, Les Schwab, Wilson, RPT, Dairy Farmers, Max Preps and Deseret News. Mr. Rogers said the new owners of Miller Motor Sports might be a potential sponsor. Mr. Osborn asked if there were different levels of sponsorship. Mr. Bishop indicated there were and they can be tailor-made to meet the potential sponsor's interest.

Mr. Bishop said there have been some questions about the rights to media. If the Association tickets the event, the UHSAA has the rights. Those rights have been sold to KJZZ and our streaming partners, DDM and NFHS Network. The staff is meeting with the streaming partners this week. Mr. Taylor stated NFHS Network has developed a “School Broadcast Program” and schools can generate revenue. NFHS Network provides the software and schools provide the camera and announcer and NFHS Network will broadcast schools’ games. When subscribers watch those games, it will generate some revenue for the schools.

17 Coaches Training: Mr. Bishop said the NFHSlearn.com is a great resource for coaches’ education. The information would be helpful for all coaches and school trainings.

A. District/School Responsibility (p. 38): Mr. Bishop reminded board members of the five requirements to be a certified coach: (1) Fundamentals of Coaching (or PE major/minor or coaching emphasis or dance minor); (2) current CPR certification; (3) current First aid certification; (4) Background check; and (5) Concussion training annually. (UHSAA By-Law Article 5, Section 1) Mr. Hughes asked if the Association has considered additional training such as sexual orientation and discrimination or race discrimination. Ms. Monkres said many districts already require it in their teacher training. Mr. Bishop said there are classes on NFHSlearn.com dealing with social media and appropriate responses and relationships.

18. Officials:

A. Online Registration and Background Checks: Mr. Cluff announced the summer registration began on June 1 and no decline in the number of officials is being noted at this time. A background check is done on the officials annually. He had 17 hits last year for felony and only 1 was excluded from working because of the nature of the crime. He and Mr. Cuff attended the NASO (National Association of Sports Officials) Conference and he reported that Utah was one of the first to begin background checks on officials.

B. RefPay Update: This is the mechanism used to pay officials. About 90% of schools participate in the program. All schools are encouraged to participate

C. Arbiter Website (link through UHSAA website): This is the site used for officials’ registration. It is a third party group that is housed in Utah and is a national powerhouse.

D. 2015-2016 Pay Scale (pp. 39-40): Mr. Cluff reported there was no increase in the game fee, but the mileage increased for the driver and rider by .02 cents.

19. Realignment Committee: Mr. Penrod reported they are following the timeline provided on page 42 and will be meeting Wednesday, September 2, at 11:30. The staff is doing research to present at that meeting and by January they should have a recommendation for the BOT.

20. Election for BOT Chair Position 2015-16: Mr. Cuff said this position is an annual election and opened the nominations. Mr. Seegmiller nominated Bill Boyle for one more year. Mr. Houston second. Mr. Whitlock motioned that nominations cease. Mr. Rogers second. Motion carried. This will be Mr. Boyle’s fourth consecutive year.

Mr. Penrod nominated Kristen Betts as vice chair. Mr. Pickett second. Nominations ceased. Motion carried.

21. **For the Good of the Order:** Mr. Cuff provided articles regarding sportsmanship. Mr. Osborn said he had attended a game and felt there were not great exhibitions of sportsmanship and he voiced concern. Mr. Cuff said it will be brought up in region meetings by the staff to continue to “Raise the Bar.”

MOTION: Mr. Seegmiller motioned to adjourn. Mr. Nielsen second. Motion carried.