

BOARD OF TRUSTEES MEETING

UHSAA Office

August 22, 2019

9:00 a.m.

Those in attendance: Board Members: Marilyn Richards, Belinda Johnson, Roger Pulsipher, Dale Whitlock, Cory Anderson, David Brotherson, Tom Sherwood, Nan Ault, Stan Young, Bryan Durst, Greg Miller and Laura Belnap. Staff Members: Rob Cuff, Jeff Cluff, Brennan Jackson, Jon Oglesby and Jan Whittaker. Excused: Adam Britt, Sam Jarman, Jerre Holmes. Minutes: Jeanne Widerburg.

1. **Welcome and Chair Business:** Chair Whitlock welcomed members to the meeting. He excused Adam Britt, Sam Jarman and Jerre Holmes.

A. Welcome new BOT Members:

- (1) Belinda Johnson – Murray District – 5A School Board
- (2) Nan Ault – North Sanpete High School – 3A/4A Principal

Mr. Cuff introduced the UHSAA hourly employees. Mr. Pettingill has worked for four years and is doing a great job. Jennie Thomas started in November and is now training her third trainee. Kassie Brock started two weeks ago. Nichola Peisley moved to St. George and is working at Desert Hills HS and Audrey Barton returned to her teaching position at Orem HS. Mr. Cuff appreciates the front staff and recognizes the tremendous asset they are to the UHSAA. Members gave them a round of applause.

B. Three New UHSAA Member School: Cedar Valley HS, Crimson Cliffs HS and Mountain Ridge HS. There are 155 member schools with 106 football schools and 3 independent football schools (Monument Valley, Whitehorse and Providence Hall).

C. Reverence/Thought: Mr. Young talked about a concept called, “Blue Sky” that was introduced at their opening district institute. It is defined as creating the perfect atmosphere for student learning. They were asked to think about who their “blue sky” teacher was. He reflected about Ben Josie, who was a super fan and coach, and the impact he had on Mr. Young’s life. While he was thinking, someone tapped his shoulder and a former student, Annette, was standing by him and said he was her “blue sky” teacher. He had taught and coached her in 1974. He was reminded that the way we live our lives, coach and treat students can be a lifelong influence. How we treat and interact with students is very important. He suggested everyone reread the poem, “A Little Fellow Follows Me.” He then offered a prayer.

D. Pledge of Allegiance/Patriotic Thought: Ms. Belnap shared the facts about the circumstances surrounding Francis Scott Key penning the “Star Spangled Banner.” She shared a rendition of the “Star Spangled Banner” performed by a young girl in her church group at a Real Game. She then led the members in the Pledge of Allegiance.

E. Minutes of May 7, 2019 Meeting (summary on UHSAA website):

MOTION: Ms. Richards made a motion to approve the minutes of the May 7, 2019 meeting. Mr. Sherwood seconded the motion. Motion carried.

F. Approval of Board Agenda:

MOTION: Mr. Sherwood made the motion to approve the Board Agenda. Mr. Anderson seconded the motion. Motion carried unanimously.

G. Executive Committee Meeting Report (summary on website): Mr. Sherwood reported the meeting.

- Ten new members on the Committee
- Training for new members
- New schools opening
- Rules and responsibilities of the Executive Committee
- Catastrophic insurance, Foundation/UHSAA cover premium at 100%
- UIAAA New AD/Administrators on September 16
- UHSAA Summit on September 10 (Richfield) and 19 (SLCC)
- UHSAA Website and resources
- Communications Committee – positives of the UHSAA
- Region rules and etiquette clinics for golf
- Coaches' certification responsibility of school/district
- SMAC presentation on best practices for Sports Medicine
- Sportsmanship Program
- Student Leadership Conference – June 11, 2020
- Ejection procedures – game equivalent new this year
- Two-weeks prior
- Emerging Sports questionnaire being sent to school/discussion at Summit
- Legal report – updates about litigation
- Compliance training
- Sportsmanship articles provided

2. **USBE Report:** Ms. Belnap reported she had been on Capitol Hill yesterday, but she didn't see anything coming dealing with athletics legislatively. Mr. Cuff and Mr. Jackson attended a meeting with Representative Suzanne Harrison regarding school start times. Angie Stallings, USBE, is having the UHSAA report in the USBE October meeting. On September 5, the UHSAA and USOUT will present along with student participants. Ms. Belnap thought a short clip of Unified games would be impactful.

She said the rule on school fees changed slightly and there can be a required fund raiser not for the mutual benefit of the team but for the benefit of the team (mutual was taken out). Money can now be distributed to individual student according to time spent on a fund raiser. The maximum fee that can be charged had a language change. *An LEA may establish a reasonable number of activities, courses or programs that will be covered by the annual maximum fee.* LEA can choose the number of activities for maximum. If a family chooses over the maximum, it would not be fee waivable. She felt they were good changes. Ms. Belnap said there are eight USBE board members up for election this year and an election process needs to be determined.

3. **UHSAA 2019-20 Budget:**

MOTION: Ms. Belnap made a motion to leave the regular meeting and begin the Public Hearing regarding the budget. Mr. Sherwood seconded the motion. Motion carried.

Mr. Cuff distributed copies of the 2019-20 UHSAA Budget to members. He reviewed the 2018-19 actuals and then highlighted the new budget for 2019-20. Mr. Cuff discussed the revenue and expenses of activities. This was the first year of ticketing at tennis. Expenses were up slightly. Some expenses will go down in 2019-20 because of the new format in some sports. In 5A/6A basketball, only eight teams, boys and girls, will be at the state site. Drill team is adding another round so revenue will be up, but expenses will be up as well. In the 2A and 3A football classifications, high schools are the sites for semifinals and that should help to decrease expenses. There is no 1A football this year. Mr. Cuff best guessed revenue and expenses of lacrosse. The semifinals will be held at high schools and finals at Zion's Bank Stadium.

Operating revenue and expenses were discussed next. Mr. Cuff said one of the main goals for staff is to maintain school fees and dues. For several years, fees have remained consistent and schools haven't seen increases. Athletic passes bring in revenue, but have not increased in cost. Endowment game revenue comes in and is transferred out to UHSAA Foundation. Interest was budgeted at \$35K. Revenue from dues and fees only increased because of new member schools. Schools dues were cut from \$500 to \$250 in 2009. Annual fees are based on number of activities the school participates. The Section 7/8 Meeting was hosted by UHSAA this year and that occurs every 11 years. The Section 7/8 meeting did not impact the budget. The officials' fees have gone up for post season events. Mr. Cuff said sponsors revenue was down a little due to Ticket Tap claiming bankruptcy and Jimmy John's sponsorship collected in 2019-20. Service expenses include legal, political consultant, IT consultant and other service contracts. It increased by \$120,000 from previous year due to litigation. He budgeted close to actuals minus the Section 7/8 revenue and expenses.

MOTION: Mr. Pulsipher made the motion to close the public hearing. Ms. Ault seconded the motion. Motion carried.

MOTION: Mr. Miller motioned to approve the 2019-20 Budget. Ms. Richards seconded the motion. Motion was approved unanimously.

4. Audit Report (meeting handout): Mr. Cuff introduced Ed Worthington who does the UHSAA and USBA audits. Mr. Worthington said it was his pleasure and duty to read through the minutes of all board meetings. He appreciates being able to put faces with the names. He appreciates what board members do and values extracurricular activities in schools and what they do for the students. He complimented the staff on their efforts in handling the finances of the Association.

Mr. Worthington then reviewed the audit report and described some of the line items. The main decline for cash and cash equivalents was due to legal expenses. Corporate Sponsorships dropped attributable to revenue not collected from Ticket Tap. Mr. Worthington said these instances show the importance of maintaining a reserve account. He then reviewed the activities revenue and expenses. The Association could have had one of its best years without litigation costs. Mr. Worthington was thanked for his services.

MOTION: Mr. Pulsipher made a motion to approve the 2018-19 Audit. Mr. Sherwood seconded the motion. Motion passed unanimously.

5. Corporate Sponsorships: Mr. Cluff gave an update of corporate sponsorships.

A. KUTZ Media Partner: KUTV does the post season for football and basketball for the larger classifications.

B. Deseret Digital (DDM): DDM is the UHSAA streaming partner and provides free streaming for most championship contests. They have committed to more events this year. Mr. Oglesby said the staff is trying to increase coverage for the RPI reveals. Mr. Brotherson said in the small viewing areas streaming is very popular, but it is affecting the revenue of gates. He requested the staff to look at ways to generate revenue for the schools losing revenue. He thinks it would be helpful to negotiate as a group. Mr. Cluff said we are using a free portal at live.ksl.com. NFHS Network is a platform in which a school could have someone stream the game and then it is a pay to view. Schools would receive a percentage of the charge to generate revenue. Mr. Sherwood said the biggest challenge is the band width at the site of the camera. Mr. Whitlock said Centracom has helped schools with money and equipment which helps offset lost revenue. Mr. Cuff said the UHSAA has only the rights for post season. In the past, the local areas wanted to negotiate with the local media, but he said the conversation could be opened again. Mr. Brotherson asked moving forward if the staff could represent the smaller communities. Mr. Cluff can send members more details and information about NFHS Network if interested. Mr. Jackson suggested sponsorships/advertisement from local businesses for game video.

C. Corporate Sponsorships Update: Mr. Cluff said Mountain America is the UHSAA Title Sponsor. Other sponsors included Jimmy Johns, Dairy West, and Shirt Stop. Mr. Cluff is working on finalizing another sponsorship. Over two years ago, the UHSAA partnered with Smitty's who is a provider that specializes in officials' good and services. All sports have a shirt with the UHSAA logo except for soccer, but that is also in the works. Mr. Cuff said the Executive Committee encouraged branding to help improve the Association's image.

6. **Legal Report:** Mr. Van Wagoner reported the Intermountain Christian and Tabiona hearing was resolved. A copy of the decision is available to members upon request.

Mr Van Wagoner reported girls' football lawsuit plaintiffs are seeking to amend the complaint. A new federal judge has been appointed to the case. The amendment to the complaint has been in federal court for three months. They have also filed a motion for summary judgement. Mr. Van Wagoner said the creation of the Emerging Sports policy is one of the seminal events for UHSAA. The policy is very meaningful going forward. After the plaintiffs learned of the policy, they wanted to settle the case. The AG Office, UHSAA lawyers, district lawyers, parents, and girls met to discuss the emerging sport policy. They offered a settlement which included changes to the emerging sport policy regarding participation numbers and the method they are counted and the offer also required immediate sanctioning for girls' football.

7. **Legislative Report:** Mr. Spatafore said the legislative session is just around the corner. The staff and he met with Representative Suzanne Harrison and discussed potential legislation for a resolution encouraging schools to look at start times.

Mr. Spatafore reported that SB 28 in 2018 was passed requiring all organizations to register with the Lt. Governor's Office. The registration was to begin this summer. An interim committee had met the prior day working on the bill to make clarifications. There was a clarification for non-profits. When the registration information from SB 28 was read and Mr. Spatafore, Mr. Van Wagoner and staff determined that the UHSAA would not need to register. Mr. Spatafore talked with the Lt. Governor's Office in May at an interim committee. He explained the reasons why the UHSAA was not registering. The UHSAA received another letter and he talked to them again and we have not heard anything back. The current bill does not require the UHSAA to register, but there could be a change in the new bill.

The UHSAA received a letter from the State Auditor's Office for not filing a budget and notified the UHSAA was to stop spending money. HB 413 states the budget needs to be filed by September 30. Mr. Spatafore called the auditor's office and talked to Jeremy Walker. He agreed the budget was to be submitted by September 30. Mr. Spatafore does not anticipate that changing.

The UHSAA will be sponsoring a break for the legislators again this year on February 3. It was a positive experience last year and the staff continues to receive good feedback. Mr. Spatafore feels the Association is in good standing with the current legislature.

8. **UHSAA Foundation:** Mr. Cuff said the Foundation Board members include Mr. Jerry Bovee, Chair; Greg Miller (BOT); Chris Neddo, Vicci Gappmayer and Rex Thornton. The catastrophic premium is \$180,000 (\$3.85 per participant) and the Foundation will be disbursing \$140,000 and the UHSAA budget will be responsible for \$40,000. The UHSAA Foundation has 2.9 million. Over 1.1 million has been disbursed to schools over the last ten years.

9. **Finance Committee Items:** Mr. Miller discussed the staff considerations. He discussed the audit and budget and commended the staff that there was a reserve to draw from for the legal fees this year. He feels the membership dues and fees are very reasonable compared to other organizations.

A copy of the staff considerations was given to the members that were not on the Finance Committee. The salaried employees were to receive 2.7% as per current policy (Western Consumer Price Index). He quoted a gentleman from Service Master, "You can never pay people what they're worth." He said the Association can't possibly pay everyone what they are worth. Mr. Cuff had proposed \$1 an hour for Mr. Pettingill and Ms. Thomas. Mr. Cluff will receive 5% for his five-year service. Mr. Sherwood said districts have made significant effort to increase wages. He asked if a comparison has been made to discover if UHSAA wages are competitive. He feels some might be underpaid compared to educators. Mr. Sherwood feels there needs to be a conversation. Mr. Miller thinks the finance committee should meet prior to spring for discussions and look at wage comparisons.

Mr. Cluff said as the veteran of the assistants, it is a pleasure to work for the Association. He feels appreciated and there is a plan in place for salary increases. He thanked members for their approach in treating staff. Mr. Cluff was congratulated on five years.

MOTION: Mr. Sherwood made the motion to approve the staff considerations for 2019-20. Ms. Ault seconded the motion. Motion carried.

10. **UHSAA Procedures and Materials:** Mr. Cuff reviewed the procedures and materials in the meeting packet.

- Meeting Schedule (p. 1)
- Mileage increased to .58 cents (Reimburse district for district vehicle)
- Meals – please provide receipts for reimbursement
- Summer Meeting – June 28 – July 3, 2020
- Committee Assignments (pp. 3-4): Mr. Cuff said the first Inclusion Committee meeting would be held on August 30 at noon.
- Hearing and appeals
- UHSAA Legislative Process (p. 5)

11. **UHSAA Participation:** Mr. Jackson reviewed the 2018-19 UHSAA participation results (p. 6). Over 93,000 students participate in extra curricular activities. Many sports are up in participation. With the additional of new schools, the participation numbers should go up.

12. **Promoting High School Activities (pp. 25-27):** Mr. Oglesby reviewed the articles that promote high school activities. There are statistics supporting the worth of extra-curricular participation.

13. **UHSAA Items:** Mr. Cuff reviewed the 2019-2020 classifications and regions (pp. 25-27). Members were encouraged to attend region meetings when possible. January BOT elections will be held at the USBA Convention for 6A and 1A School Board Members. A superintendent representative for 3A/4A will need to be assigned and the Executive Committee will choose a 1A/2A principal. Mr. Cuff provided information about the UHSAA and NFHS on page 28.

14. **Visits to Region Boards:** Mr. Cuff reviewed the staff schedule for 2019-20 region visits.

15. **UHSAA Items:** Mr. Oglesby reviewed UHSAA information.

A. **UHSAA Website:** The UHSAA website is the single best place to obtain information. It is updated frequently. The RPI information will be posted on the website.

B. **UHSAA App:** Great resource when needing information.

C. **RegisterMyAthlete:** Mr. Oglesby asked members to remind schools to regularly update their school directories. Communication issues arise with incorrect information.

D. **Electronic Programs:** Mr. Pettingill produces an online state tournament program for all team sports.

E. **Yearly Results/Record Book:** Mr. Pettingill keeps the information updated.

F. **UHSAA Handbook:** Mr. Oglesby said the UHSAA Handbook is available on the UHSAA website and the app. The Handbook can be sorted by sport specific information.

16. **Calendar:** Mr. Oglesby reviewed the 2019-20 calendar (pp. 30-33). Check calendar frequently because it is constantly in flux. The 2020-2021 tentative calendar will be coming soon.

17. **Sportsmanship Committee:** Ms. Whittaker said this is the tenth year of the sportsmanship program, "Raise the Bar." The Sportsmanship Handbook has been updated and is now posted on the UHSAA Website. Violations and penalties are included in the new handbook along with the responsibilities of coaches and administrators. The sportsmanship video scholarship will continue again this year. Every school is encouraged to create a sportsmanship video that is pertinent to their school and can be shown throughout the school year. There will be a \$1000 scholarship awarded to one school in each classification. The Sportsmanship Committee will be meeting to review any new sportsmanship initiatives for this year. The ninth annual Student Leadership Conference will be held on Thursday, June 11, 2020. Every member school is encouraged to send one boy and one girl.

18. **Coaches Training:** Mr. Jackson reminded schools/districts that all coaches must be certified. The certification is tracked on RegisterMyCoach. The NFHSlearn.com has created

more free training video that districts can use at their discretion for certification requirements. It is important to have coaches certified. A media outlet contacted the UHSAA Office regarding a coach and the staff was able to confirm the coach was certified. It probably stopped some negative media press. Mr. Jackson reviewed the UHSAA Certification Checklist on page 34. Principals sign the form indicating awareness of coaches' certification, SMAC guidelines, etc.

19. Coaches' Credentials: Mr. Cluff reported on a new credential for coaches. The staff will be piloting the credentials at wrestling and drill. Coaches will receive a credential when they are certified in RegisterMyCoach. Only credentialed coaches will be allowed on the field or floor. Mr. Durst asked about trainers and doctors on the sidelines. The UHSAA is doing credentials for certified coaches only. The staff doesn't perceive the trainers and doctors to be an issue. Ms. Richards said credentials will help show the Association is putting measures in place for the safety of students.

20. Officials: Mr. Cluff said the online registration is part of ArbiterSports and officials are paid through ArbiterPay. The UHSAA is having track and field and tennis officials register this year and a background check will be run. About twelve officials who registered did not pass the background check. There have been over 1400 officials register so far and he anticipates there will be about 2500 by spring. Mr. Cluff feels the game fee increase has really helped to recruit and retain officials. The NFHS campaign for officials can be found at highschoolofficials.com and Mr. Cluff has reached out to anyone who has signed up. He said about 70% of interested individuals from the site have registered. This has been a great resource for the Association.

21. UHSAA Summit (p. 38): Mr. Cluff announced the UHSAA Summit. The first Summit will be held on September 10 at 9:00 am in Richfield. There will be discussions regarding the RPI, fan behavior and administrators' roles, coaches' certification and sportsmanship. Each member school has been asked to send at least one representative and districts have been invited to send a representative. The staff is excited to host the Summit and look forward to seeing everyone. Mr. Cluff extended an invitation to the Board of Trustees. Registration is not required and lunch will be provided. The second Summit will be at SLCC in the Oak Room on September 19 beginning at 9:00 am.

22. UHSAA Items:

A. Summer Moratorium (June 28-July 4, 2020): Mr. Jackson said the summer moratorium is June 28-July 4, 2020. No activity/athletics can take place during the moratorium. An entire school can request an adjustment, but it is for everyone in the school. There is an accommodation for parades and service activities on July 4, but no competition.

B. Lacrosse Update:

(1) Mr. Oglesby introduced Brian Pilati who wanted to make a proposal regarding lacrosse. Mr. Pilati was a resident in the Nebo District. Members were given a copy of his petition. Mr. Pilati is concerned about lacrosse at Maple Mountain for the 2019-20 school year. He represents students at Maple Mountain and its feeder schools in Nebo School District. He has children that attend Maple Mountain and participate in lacrosse. He expressed frustration working with the Nebo School District. The District had announced there would be no lacrosse until 2022-2023 according to Mr. Pilati. In perspective, no sophomore, junior or senior at Maple Mountain currently will be given the opportunity to participate in sanctioned lacrosse. He said parents are willing to pay to play. The petition is to allow the girls and boys at Maple Mountain for 2019-20 an exemption and allow them to play other sanctioned teams and participate in post season if they qualify. The team responsibilities would be the parents. He feels it would be

irrational to have 46 students co-op to another participating school and it would create a recruiting opportunity. He personally believed the exemption was justified because of lacrosse being a new sport and their circumstances. Ms. Ault asked if they planned to represent themselves as a Maple Mountain school team? He said there are many things they still need to work through. They want to be represented as Maple Mountain, but not sure what the district will allow. Mr. Cuff asked Mr. Pilati if they had explored a fall club league or an intramural program. Mr. Pilati said Maple Mountain has the majority of lacrosse players. The other lacrosse programs would require 1.5-hour travel. Mr. Young asked who would have oversight for eligibility, academics, contest limitations, etc. Mr. Pilati said it would be through school and following UHSAA Handbook.

a. Mr. Cuff read from the summary of the November 15, 2018, meeting. The BOT did not approve a proposal for UHSAA sanction lacrosse teams to compete against non-UHSAA sanctioned club teams. The proposal was brought by Alpine School District.

Mr. Brotherson felt Mr. Pilati presented his side of the story and he would like to have heard from Nebo School District. Mr. Oglesby said he had conversations with the district athletic director. Nebo District have decided they are not positioned to sanction lacrosse. Other districts have made the same decision. Mr. Sherwood said that Nebo School District has not had the school-based lacrosse team like many others. There has not been the same unified effort found elsewhere in the state. Mr. Oglesby said Nebo School District felt a lack of support and a variety of other administrative issues. Ms. Ault is concerned if they are representing the school and liability issues. The co-op rule allows students to participate.

(2) Mr. Oglesby said a new alignment would be created for lacrosse because of schools adding programs. There will be a meeting at the UHSAA Office for participating lacrosse schools.

C. Communication Items: Mr. Oglesby said there has been a focused investment in social media efforts and he hoped that it has been evident over the past year. Matt Gerrish, UHSAA Social Media Consultant, has been tremendous taking feedback and ideas in creating a great product for the Association. Mr. Gerrish will continue to work to build student involvement. Mr. Sherwood suggested schools include the UHSAA link on the school website. Mr. Oglesby will remind schools to add a live logo.

D. Silver Pass: Item was tabled until November.

E. Compliance Training: Mr. Cuff conducted compliance training. House Bill 413 requires that region minutes and agendas be posted on the UHSAA website. EC agendas and minutes must be posted on the UHSAA website. Board of Trustees agendas must be posted on the Utah Public Notice Website. The BOT minutes must be posted on the UHSAA website. He reviewed the seven acceptable reasons to close a meeting. Closed meetings can only take place at a properly noticed open meeting with 2/3 vote of board members present and no board action may be taken in a closed meeting. Closed meeting procedures require to clearly state the reason for closing the meeting, record location of meeting and record the vote of each board member.

23. For the Good of the Order: Mr. Cuff provided articles that might be helpful for administrators and/or communities.

Mr. Cuff thanked members for their help and service. Next meeting: November 21 at 9:00 am.

MOTION: Ms. Belnap motioned to adjourn the meeting.