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## School Spirit, Sportsmanship

Go Hand In Hand

### Four-day School Week

How does it  
impact activities?

### Sports Medicine

Value of athletic  
trainers in schools

### Legal Issues

2008 year in review



A PUBLICATION OF THE NATIONAL FEDERATION OF STATE HIGH SCHOOL ASSOCIATIONS



# The Role of Athletics in Our High School Curriculum

BY ROBERT F. KANABY, NFHS EXECUTIVE DIRECTOR, AND JIM TENOPIR, NFHS PRESIDENT

**"Create good people, the rest follows."**

—Walt Whitman

**T**his simple sentence identifies the role athletics and activities can play in our high school curriculum. As coaches, administrators and educators, we hope to instill in our students the desire to act with character, not because they believe it is expected but because they believe it is right.

Today, our society is reluctant to teach morals and character. Some believe parents, family members and religious leaders should be the ones to instruct our students on these subjects. They should, and frequently, they do. However, I believe it is shortsighted to leave such important tasks to the few. What constitutes good morals and excellent character does not vary among people. The only variable is the level of accountability. We should not shrink in the face of making a stand for good character nor should our students. In fact, we should look for every opportunity to teach good character and demand the same from our students and those around them.

One of our best opportunities to build students' character and to teach them ethics, morality and citizenship can be through high school athletic and activity programs. This does not deny, or diminish, the value of the classroom. The skills of citizenship and good character can and should be taught in class. But the actual practice of these skills cannot be just a hopeful byproduct of classroom interaction. Although you can study the benefits of honesty in class, it is another thing altogether to practice honesty when an unseen kick with the old foot wedge could win you the state golf championship. It is one thing to hear in the classroom that self-restraint is a virtue, but it is another thing to practice that restraint when you know that a couple shots of anabolic steroids

might help you make the football team. And while racial tolerance is preached in the classroom, it is practiced when, during a hotly contested basketball game, your chin meets an elbow...of another color.

The two most basic principles of citizenship are respect for one-self and respect for others. Sports and other cocurricular activities present a wealth of teachable moments to impart these principles, but the path our sports culture seems to have taken would indicate that far too often we overlook such opportunities. Instead, we adopt the words of George Orwell: "Serious sport has nothing to do with fair play. It is bound up with hatred, jealousy, boastfulness, disregard of all rules, and sadistic pleasure in witnessing violence.

In other words, it is war without the shooting." Or we subscribe to the theory, "Winning isn't everything. It's the only thing." I agree that winning on the professional level is required and winning at the collegiate level has become an expectation. Winning is important. However, I propose that winning at the high school level should be a pleasant outcome to fulfilling the true purpose of sport in school, which is to serve the complete educational needs of those who choose to participate.

The preeminent purpose of sports and activities is not to teach someone how to hit a three-pointer or to throw a curve ball but how to harness the discipline, desire and commitment that come from striving to achieve those goals and then channeling those traits into overcoming the challenges of everyday life. We must instill a sense of determination to do things the right way; not to cheat, lie, deceive, taunt or flaunt our abilities or successes over others but to respect them and ourselves through our actions.

That is what the spirit of sport is all about: students finding in themselves an inner core of commitment, determination and re-

**"Although you can study the benefits of honesty in class, it is another thing altogether to practice honesty when an unseen kick with the old foot wedge could win you the state golf championship."**

## Strength

Illinois has the largest participation in boys gymnastics in the nation with more than 1,500 competitors in 54 schools. Shown here is a competitor at a previous Illinois High School Association championship.

Photograph provided by Illinois High School Association.

## Great Shot





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### Welcome

We hope you enjoy this publication and welcome your feedback. You may contact Bruce Howard or John Gillis, editors of High School Today, at [bhoward@nfhs.org](mailto:bhoward@nfhs.org) or [jgillis@nfhs.org](mailto:jgillis@nfhs.org).

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**School Spirit, Sportsmanship Go Hand in Hand:** School spirit and sportsmanship build success within a community more so than a winning record. —Sandy Searcy

Photo provided by Massachusetts interscholastic Athletic Association.

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## FEATURES



### ADMINISTRATION

#### The Four-day School Week and How it Impacts Activity

**Programs:** Reduced school week can present scheduling challenges for activity programs. —Matt Vachlon



### LEGAL ISSUES

**Sports Law Year-in-review: 2008:** Cases dealing with hazing, drug testing, sexual harassment, civil rights and due process highlighted the legal scene in 2008. —Lee Green



## HST ONLINE



You can read all articles – and more not published in this issue – online at [www.nfhs.org/hstoday](http://www.nfhs.org/hstoday).

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A sampling of available Web sites that address health and safety for youth:

<http://www.hanknuwer.com>  
[A variety of links to hazing information]

<http://www.wiredsafety.org>  
[A variety of topics for students and parents]

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**Featured Articles:**

**"Kid-Powered" Turning a County- Owned Farm into an Earth School**

**December 2 -**Concerned that young people were increasingly disconnected from the real (natural) world, address the lack of environmental education in schools, and help young people, enter the New Earth School competition. The National League of Cities—has this year's most innovative environmental education program: Earth School. Head over to look at how the did it. Read more.



**Boosting Your Recruitment and Enrollment, Lessons from a New York Beacon Center**

**November 19 -**Engaging students in a variety of school time programs is key to success. Cypress Hills East Beacon Center, located in Brooklyn, has found success in recruiting and enrolling youth through its various programs. What's the secret of their success? The Youth Development Institute shares some tips. Read more.



**Parents Preserve Affordable Housing for Low-Income Families**

**November 3 -**In

**From the editor, [Cait](#)**

**December 2 Issue:** Collaboration—silo-busting are increasingly the norm in the game when it comes to improving children's health. The National League of Cities—has this year's most innovative environmental education program: Earth School. Head over to look at how the did it. Read more.

**As President Obama's proposed** thoughts turn naturally to funding school, the National League of Cities—Afterschool alliance put forth strong, encouraging news for all school-age children: afterschool programs in college, careers, and adulthood.

Also this week—what are our kids' graduation rates? It is not enough, though, to simply measure graduation rates; we must then analyze what happened to those years, and more, read more.

**Reading Into the Big Story**

**Harold Series, [Child Advocacy 360](#)**

I'm struck by how briefly Harold E. Lewis, the founder of the Big Brothers Big Sisters of America, [Hope通过Intergenerational](#), have adapted to changing circumstances. The organization's model for all of us. Harold Lewis

**Recent Column:**

<http://www.connectforkids.org>  
[Content is focused on child advocacy]

The image shows the STOP cyberbullying campaign logo. It features the word 'STOP' in large, bold, red, yellow, and green letters, with 'cyberbullying' in a smaller, white, sans-serif font below it. To the right is a black silhouette of a person with a speech bubble containing a hand holding a sword. Below the logo is a list of resources: 'what is it :: how it works :: why cyberbully? :: prevention :: take action :: what's the law?'. At the bottom are five small silhouettes of people in different colors (red, yellow, green, blue, purple) with the text 'central to :: health :: education :: media :: prevention :: privacy policy :: terms of use :: © 2010 STOP cyberbullying. All rights reserved.'.

**<http://www.stopcyberbullying.org>**  
[Includes age-specific resources]

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--- Tuesday, December 15, 2009 ---

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**Professional Development**

Announced by Margareta Cole

 **Fred Jones: Part 3 of a series on 'How To's for Teachers**  **December Holidays: Tales**  **advantage of the opportunities for teaching about the holidays**  **Lead Teacher: How**  **teachers and parents can**  **teach their children**  **— and teach them to teach themselves and one another**  **Math Competitions: More than a dozen**  **math competitions to motivate**  **See these features & many more >>**

<http://www.education-world.com>  
["Are you a bully?"]

<http://www.ncvc.org>  
National Center for Victims of Crime

## The Role of Athletics in Our High School Curriculum

(Continued from page 1)

siliency. Students discovering they can do more than they thought. They learn that success in life comes with patience, with control, with discipline, and with help from others. We need to preserve and promote in our education system those experiences that encourage character development. Such situations abound in athletics and other cocurricular activities – if we take the time to find and use them. It is the curriculum of sports. And it is a curriculum that should be taught by the most skilled professionals available.

Research from the President's Council on Physical Fitness and Sports states, "Sports are powerful social experiences that may, under the right circumstances, have positive benefits. If sports are to have a positive impact on the character development of participants, the leadership and behavior of coach is key." The council further determined that coaches can be trained to provide positive moral development: "Despite all the various shapes and sizes of sports, there are commonalities that can be used to advantage by the knowledgeable and skilled coach." Thus, it is the responsibil-

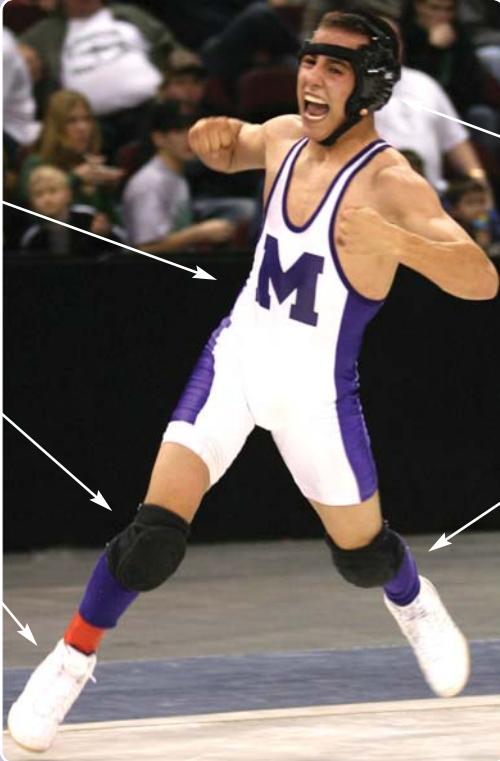
ity of administrators and teachers to hire only those coaches capable of teaching through doing, in terms of character development. "Sports can build character, but only if coaches deliberately seek to do so and are adequately informed regarding the educational process required," the report states.

Educator Thomas Huxley once challenged, "Let us ask ourselves...What is education? Above all things, what is our ideal of a thoroughly liberal education? Of that education which, if we could begin life again, we would give to ourselves – of that education which, if we could mold the fates to our will, we would give our children." Would we limit such to the classroom?

I will not be apologetic about the outside-the-classroom focus of our efforts. It is our responsibility to define a curriculum that recognizes the value of athletics in our schools. It is our responsibility to evaluate and demonstrate the efficacy of such programs. And it is our time to prove, once and for all, that high school sports and activities offer excellent educational experiences for our children. ◉

# The Cost

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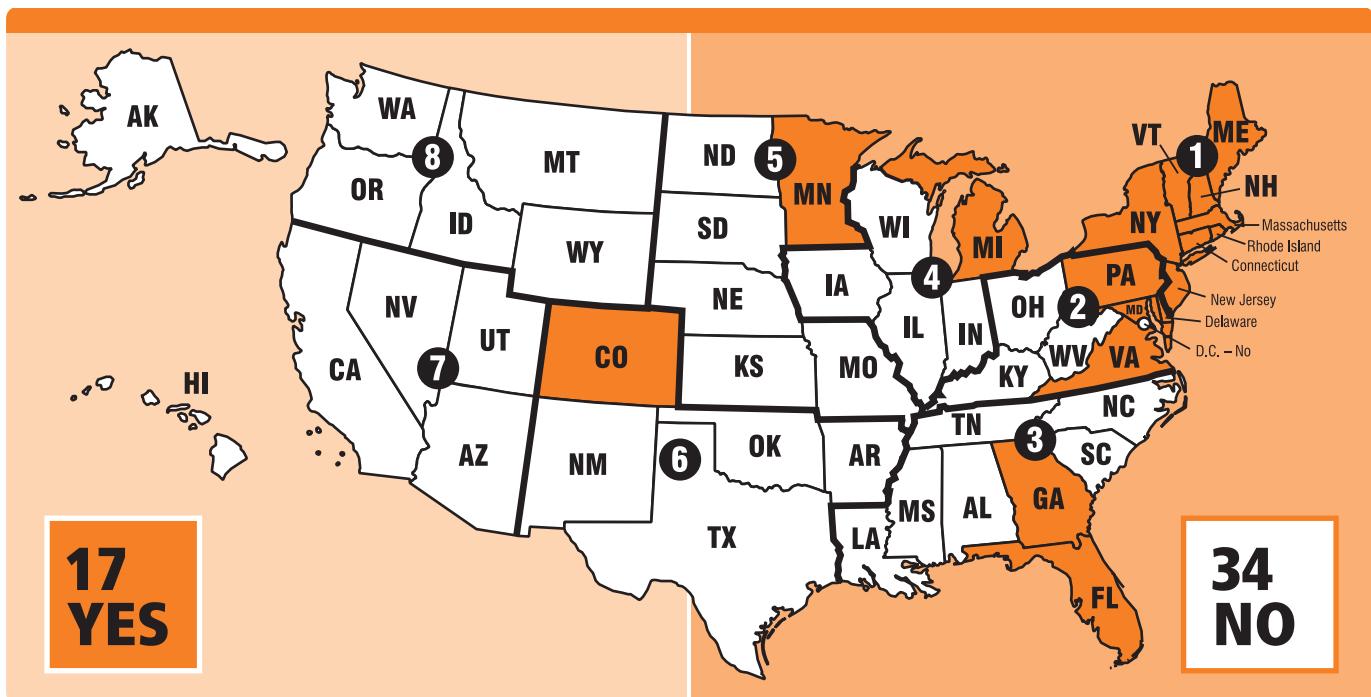
**Socks \$6**

**Total: \$179**

\*These prices serve as approximate costs and are not intended to reflect any specific manufacturer's prices.

## Around the Nation

**Question:** Does your state association sponsor a state championship in boys and girls lacrosse?



# School Spirit, Sportsmanship Go Hand in Hand

BY SANDY SEARCY

**W**ith a population of about 25,000, Reading, Massachusetts, some 12 miles northwest of Boston, has been a powerhouse in Massachusetts interscholastic sports for 50 years.

"It wasn't created by me," said Phil Vaccaro, who's been athletic director at Reading Memorial High School for 15 years. "I don't know, but we've been lucky."

It probably had something to do with spirit and sportsmanship.

When Lowell (Indiana) High School started its 1999 football season 9-1, a nearby newspaper headlined a story about the school, "Big-time School Spirit."

"It shows what kids can do if they work together," said Athletic Director Don Bales.

The success of the football team has had an effect on the school spirit with students, coaches and staff by creating a level of excitement and interest that makes people feel good about being involved."

Vaccaro, Bales and West Albany (Oregon) athletic director Rich Sipe are three athletic directors who provide strong evidence that spirit and sportsmanship go hand in hand. Their stories and ideas help explain why some schools achieve so much success with garnering school spirit and community support, while others struggle to maintain attendance and interest in their athletic teams regardless of athletic success.

Reading Memorial is a power in the super-competitive Middlesex League. Hal Croft's Memorial track team carried an undefeated string for 29 years. A year ago, its girls team had a combined record of 152-30-10. Mim Jarema, the field hockey coach, put her finger on a big reason for success.

"I like to check who won the scholastic awards each year," she said.

That's just the way Vaccaro wants it. But he works at it.

"The best way to improve school spirit is to channel it in a pos-

itive way," he said. "When you do things right, winning takes care of itself. When your school is strong in spirit, it is reflected in increased attendance and support for activities. It presents confirmation that what you're doing to educate students is working. It is also a way to unify diverse student groups."

One of the keys, he says, is a student/fan expectation card, which he hands to every fan entering the first contest of the season. He has more of them ready at subsequent games.

If he sees fans exhibiting poor behavior, he'll hand them one of the cards.

"It looks like you forgot to pick this card up when you entered the game," he'll say. He also reminds fans that the event is on the field or court or in the pool, not in the stands.

Student fans wear "Super Fan" T-shirts, which makes those fan sections stand out. He meets with the captains of each sport, and tells them they are responsible for garnering student-athlete attendance, as well as the behavior of team members as they support their fellow students.

Vaccaro's student leaders create a three-minute video on sportsmanship, which explains the role of fans at an athletic contest. He says fans need to respect the stakeholders, the facility, the players and the officials. The video is shown prior to most contests.

People have to be able to see sportsmanship, Vaccaro says. Just like a well-known corporate logo, expectations must be seen in all facets of school life. Sportsmanship must be displayed in banners and on bulletin boards, at the scorer's table and concession stands, in competitive arenas and on merchandise. There must be constant vigilance and constant reminders.

Coaches need to buy into sportsmanship, too, according to Vaccaro. Coaches teach and practice athletic skills, of course.

"How much time do you devote to sportsmanship in practice?" Vaccaro asks his coaches. He requires his coaches to address good sporting behavior, both on and off the field. His coaches work to



develop their teammates into "spirit ambassadors" for the school.

Vaccaro doesn't just keep sportsmanship to himself. As chair of the Massachusetts Interscholastic Athletic Association's Sportsmanship Committee, he's already urged his committee to approve a resolution supporting the formation of an advisory group to write a curriculum for coaches to teach the techniques involved with self-control to their athletes.

Administrators need to take time to praise good sportsmanship, Vaccaro says. They must be able to recognize good behavior when they see it.

Vaccaro distributes items such as key chains and pens with a sportsmanship logo. He walks through the crowd and distributes the items when he sees displays of good sportsmanship. He talks about how he appreciates the fans' good behavior. He makes it personal.

In fact, after a contest, Vaccaro approaches fans and complements them on how they behaved.

\* \* \* \* \*

Last winter, team members of the Silverton (Oregon) wrestling team hoisted the Mid-Willamette Conference trophy, which they won by two points.

Two weeks later, league administrators voted to give West Albany a championship trophy, too, because an error had been made in the point calculations.

"These kinds of things happen," said West Albany Athletic Director Rich Sipe, rather than saying nasty things about the scorers. It reflected his attitude towards sportsmanship.

Cindy Simmons, assistant executive director of the Oregon School Activities Association (OSAA), said "We are fortunate in the state of Oregon to have many high schools that do an exemplary job in the area of good sporting behavior. One of those schools at the top of the list is West Albany High School. West Albany athletic teams have been extremely successful since we reclassified three

years ago, winning numerous league and state championships in various sports. They also won the coveted Sportsmanship Award at the Girls Basketball State Championships in 2007. The administrative team and staff at WAHS do a fantastic job of establishing clear expectations and those traditions have been brought forward for many years. The entire WAHS community is to be commended for the example it sets."

Sipe says that spirit and sportsmanship will not develop at a school if they're not an administration priority.

"The administrative team must see the value of these characteristics and do everything in its power to foster them for a school to excel," he said. "Their actions will be a clear sign to the student body of the importance of meeting clear expectations." This belief in the importance of school spirit and sportsmanship is non-negotiable.

West Albany has a long tradition of being a spirited school, Sipe says, but this has to do with good leadership from both teachers and students.

WAHS has two leadership classes – one for younger students and one for older ones. Students need to apply for admission to these classes.

"We always have many more students who want to be in the classes than we have room for," Sipe said. "These students represent the 'best of the best' and come from a variety of backgrounds and interests, which allows for great diversity and a way to connect better with the student body at large." The 45-member advanced leadership class helps promote school spirit through a variety of activities and assemblies. These leaders are helped by leadership from the faculty.

"We are blessed to have outstanding staff members working with our leadership kids," Sipe said. "They connect well with our students, are open to new ideas, and have an incredible work ethic. Their main job is to channel the energy of the students in a posi-

tive manner. While we have great tradition at West, we are constantly adding new pieces to it."

That's where the assemblies come in. They're built into the school calendar, scheduled between the first two periods of the day every three or four weeks. Each assembly highlights several different sports and student activities, as well as faculty and staff who have won awards.

A typical assembly features the pep band, cheerleaders, student performances, team recognitions, skits and class competitions. The assembly ends with the students standing, arm-in-arm, singing the West Albany alma mater. Students don't have to attend the assemblies: they can go to an alternate site. But the overwhelming majority of students attends the assemblies.

Sipe says the majority of the 125 faculty and staff attends student events on a fairly regular basis, something that means a great deal to the students.

**"The best way to improve school spirit is to channel it in a positive way."**



Photo provided by Massachusetts interscholastic Athletic Association.

The band is important, too. He puts his heart and soul into the outstanding pep band, which has 125 members.

"They add incredible energy to our assemblies and games," Sipe said. But all that energy and spirit don't mean anything without sportsmanship.

"Our students know we have extremely high expectations about how our teams and coaches perform on the field, as well as how our students, parents and community members behave in the stands," Sipe said. "The administrative team not only goes to all of our home contests, but also will go into the stands and address issues if need be." They'll even remove West Albany fans if they don't behave by West Albany standards.

Students are aware that sportsmanship is important. It's discussed and emphasized in the classroom. Sipe says the staff finds ways of "catching kids being good." Recognizing outstanding sportsmanship is one of those ways. The band, the cheerleaders and spectators know the rules, too.

"Although this sounds simple, if kids know the expectations prior to the contests, they generally perform to those expectations," Sipe said. Well-timed performances by each group help maintain the flow of the contests and allow for less free time when potential problems can develop. Student leaders help police the student crowd.

Sipe also thinks it's important for the administrative team to work in concert with the OSAA to make sure that West Albany is aligned with statewide sportsmanship guidelines, not only in rule but also in spirit.

\* \* \* \* \*

Most people think Indiana is a basketball hotbed, but it loves its football, too. When the Lowell Red Devils play, the attendance sometimes reaches 5,000 – not bad for a town with a population of 8,000. Even Lowell's crowds for away games far exceed most home crowds. It reflects the town spirit for the high school and its 1,254 students.

"There is no magic bullet, other than hard work," said Bales, who has been the school's athletic administrator since 1981. Named National Athletic Director of the Year in 2004, he can coach a sport in any season. He's led cross country, basketball and baseball teams. He also is active with church youth groups and coaches youth soccer, basketball and baseball teams. He helped develop the initial program initiative for the NIAAA/NASPE program, "Exemplary Sports Programs."

Bales spends a great deal of time building relationships with his athletic family. He's a firm believer that Lowell High School spirit results from establishing school pride among athletes, coaches, cheerleaders, the entire student body, the pep band and the community. He works constantly for themes that tie groups together.

Leadership begins with the students, he said. The Northwest Crossroads Conference holds an annual training session for student leaders to address spirit and sportsmanship. A conference speaker selects a theme, and divides the groups so that the 10 students from each school are separated from each other. Students learn how to take a lead role and to build trust and relationships within their own schools. The student-athletes share those ideas that are generated with their athletic departments.

At Lowell, these students address groups during preseason meetings. Bales teaches them to give talks in one to three minutes on such subjects as sportsmanship and acceptable school spirit. The students are taught to speak over and through the crowd. They are empowered to tie school themes together. They also address eighth-grade student-athletes during freshman orientation.

The Student Leadership Council attends training sessions in June and July, then utilizes resource time during school hours once a month to discuss things they can do within the school to build spirit. The council discusses activities that can be fun and enjoyable for season contests. It also builds links to the wider school family.

For example, the approximately 25-member council engages in peer tutoring of special-needs students.

During each end-of-season tournament, the council selects a theme tied directly to the specific competing athletic team. The students ask the coach about things that have happened during the season and create a theme meaningful to the participating student-athletes. They also recognize the team's successes during the regular season.

Bales works hard to build an inclusive family, so that students, athletes, coaches, cheerleaders, the pep band and the community are all involved. At the beginning of each year, for example, he treats the pep band to pizza and discusses with the musicians how important they are in establishing a positive atmosphere. He takes the time to link the pep band to athletics.

During several selected contests each season, Bales presents a sportsperson-of-the-game award. He hands a description of the contest to an official before the game. The officials are instructed to choose one individual from each team who exemplifies the best sporting behavior. At the end of the contest, the recipients are announced and presented with a T-shirt. The officials shake the winners' hands.

Bales says he believes these efforts have enhanced attendance at athletic contests. More importantly, student leader development

and behavior expectations have vastly improved the behavior of the fans. He firmly believes that his school's success stems from the development of unity among the different school groups.

"Through the hard work of these dedicated coaches and their athletes, the concept of 'school spirit' has a whole new meaning," he said. "Although it takes a lot of work tying the different groups together, it is well worth the effort!"

\* \* \* \* \*

These three accounts of successful programs of spirit and sportsmanship in different parts of the country show how administrators can use a variety of innovative methods to improve attendance and behavior during sporting events.

We encourage you to take a critical look at your own school programs, and determine which activities can be of most benefit to your school family. ◎

Sandy Searcy joined the Indiana High School Athletic Association in 1999 as an assistant commissioner. She is responsible for gymnastics, softball, boys and girls swimming and diving, and volleyball. Prior to joining the IHSAA, Searcy was the girls/boys swim coach at Bloomington (Indiana) North High School. Her administrative career began in 1988 when she was named girls' athletic director at Bloomington North. She held that post through 1999, in addition to serving as a physical education teacher. Searcy has a bachelor's degree in sport science, teaching certification in physical education and a master's in sport administration, all from Indiana University.

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# North Dakota Swimmer Sets Three National Records

BY JENNA WIDMANN

As a seventh-grader, **Dagny Knutson** was brought to the deep end to swim with the high school swim team, and she immediately began to compete for state titles.

Now a junior at Minot (North Dakota) High School, Knutson not only has claimed state titles but set three national records November 14-15 at the state meet. Knutson swam the 200-yard freestyle in 1:42.81 and the 500-yard freestyle in 4:34.78, beating the previous record set by Janet Evans in 1988 by three seconds. Knutson's third national record occurred when she swam the first leg of the 400-yard freestyle relay with a time of 48.33 seconds.

Dan Hinton, Minot's girls' swim team coach, said Knutson has shocked the world of swimming in North Dakota.

Her astonishing talent is evident wherever she goes. Whether it is at her high school where she now holds seven of the eight individual records or at a meet where competitors come and ask for her autograph, she remains humble.

"It is funny because the Minot High School team in general sees her as a teammate, a friend and just a regular person," Hinton said. "At meets, though, all eyes are on Dagny. One girl even came up and asked her to sign a box of fruit snacks."

Hinton said Knutson is a very nice person and is welcoming to everyone, taking enjoyment in the opportunity to talk to other swimmers.

Part of her recent fame started when Knutson and personal coach Kelly Aspaas began training for the 2008 Olympic qualifiers in Omaha, Nebraska. While Knutson did not make the Olympic team, she did make it to the finals in one event.

"She was just happy to be there to swim against gold medalist competitors."

However, the 16-year-old still has time to make it to an Olympic Games and has numerous titles next to her name despite not making it to Beijing. Knutson was selected to the North Dakota WDA All-Conference Team and was named first team all-state. She also won three individual events at the 2007 YMCA National Championships in Fort Lauderdale, Florida. In Melbourne, Australia, at the 2008 Victorian Swimming Championships, Knutson won a gold medal for the Junior USA Team in the 200 individual medley. ◉

Jenna Widmann is a fall semester intern in the NFHS Publications/Communications Department. She is a senior at Butler (Indiana) University majoring in journalism (news editorial) and French.



## Felice grabs national receiving record

BY MATT VACHLON

Although the stakes were likely higher in many high school stadiums around the country, nothing could top the October 30 record-breaking performance of **Rose Bud (Arkansas) High School senior J.D. Felice**.

The 5-foot-10, 170-pound wide receiver finished the night with 24 catches for a national-record 421 yards and five touchdown receptions. He also rushed for another touchdown as his team fell, 64-55, to England (Arkansas) High School in a game in which both teams combined for 1,231 total yards.

Felice scored on touchdown passes of 48, 20, 12, four and six yards, and had a sixth – a 30-yard reception – called back on a holding penalty. His longest reception of the night went for 55 yards, and he had only one reception that garnered negative yardage.

"It was absolutely incredible," first-year head coach Steve Rose said. "We knew he had about 20 catches, but we didn't know his numbers were that big. It was just a situation where every time we got the ball in his hands, he made plays. He's very dangerous once he gets the ball in his hands."

Felice's yardage total surpasses the former national record of 414 set in 2000 by Jasper Lee of Mer Rouge (Louisiana) Delta High School, according to the 2008 National High School Sports Record Book. His 24 catches also ties him for fifth place on the list for most receptions in a game with Steve Martinez of Los Angeles (California) Wilson High School, who accomplished the feat in 1977.

# Historic winning streaks dominate 2008 football season

BY MATT VACHLON

With three of the Top 10 longest win streaks in 11-player high school football and another in eight-player, the 2008 football season will certainly be remembered as a year of historic winning streaks, even with two of those streaks ending in state title game losses during the first weekend of December.



Already third on the all-time consecutive wins list heading into the season according to the 2008 National High School Sports Record Book, **Batesville (Mississippi) South Panola** improved the nation's longest active win streak to 89 before falling in overtime to Meridian (Mississippi), 26-20, in the Mississippi High School Activities Association Class 5A state title game. South Panola was bidding for the school's sixth consecutive state championship. **Charlotte (North Carolina) Independence** sits in second place all-time with 108 straight wins from 2000 to 2006 and **Concord (California) De La Salle** holds the all-time mark with 151 consecutive victories from 1992 to 2003.

The school that trailed South Panola on the consecutive wins list, **Maryville (Tennessee)**, held the longest active winning streak for less than 24 hours after South Panola's Friday loss. Maryville's own 74-game winning streak went by the wayside on Saturday in

Felice's numbers also occurred in a close game, something that stood out to Rose.

"What was most impressive is that he did it against their starters," Rose said. "When you are way behind or way ahead, big numbers can occur against reserves. But, it was up and down the field after the first two possessions – our spread offense versus their speed."

Oddly enough, the record might never have happened without Rose implementing his spread offense this season. Felice was a quarterback in the team's Wing-T offense for the last four games of last season, but Rose said his more natural position was as a wide receiver in the spread.

"He's an incredibly talented athlete," Rose said. "He's not the fastest receiver, but he goes and gets the ball like no one you'll ever see. You just throw the ball up and he gets it." ◉

a 10-7 loss to Hillsboro (Tennessee) in the Tennessee Secondary School Athletic Association Class 4A title game. Maryville lost its bid for a fifth straight state championship, but with its 14-0 start to the season, the Rebels' winning streak went from not qualifying for the Top 10 at the beginning of the season, to ranking fourth all time.

The new longest active winning streak now belongs to **Smith Center (Kansas)** following a 13-0 season and 48-19 victory against Olpe (Kansas) for a fifth-straight Kansas State High School Activities Association Class 2-1A state championship. The victory brought the school's win streak to 67 consecutive games, ranking ninth on the all-time list, but the records of **Celina (Texas)**, eighth place with 68 straight wins; **Animas (New Mexico)**, seventh place with 69 straight wins; **Jefferson City (Missouri)**, sixth place with 71 straight wins; and **Hudson (Michigan)**, fifth place with 72 straight wins are all within striking distance next season.

An impressive winning streak also continued in eight-player football as **Shattuck (Oklahoma)** extended the nation's longest active winning streak at that level to 83 games with a 68-44 victory against Thackerville (Oklahoma) for its sixth consecutive Oklahoma Secondary School Activities Association Class C title. That winning streak ranks third on the eight-player consecutive wins list according to the National High School Sports Record Book and is just seven games short of the all-time record of 90 held by another high school from Oklahoma – Morrison. ◉

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Photo provided by Scott Ward, Search Sports Photography, www.searchsports.com.

# The Four-day School Week and How it Impacts Activity Programs

BY MATT VACHLON

Faced with tighter budgets, rising energy costs and an economy stuck in a recession, school districts around the country are looking at more and more options when it comes to keeping costs down. Among those, a four-day school week could be coming to a school near you.

According to a July survey of 546 superintendents from 48 states by the American Association of School Administrators, only three percent reported that their districts were moving to a four-day school week, but 15 percent said they were considering it. Their other alternatives included cutting bus routes, cutting back on student field trips, cutting back on supplies, implementing energy conservation measures and eliminating or modifying athletic or activity programs.

The four-day school week certainly offers a cost-effective solution without budget cuts, but it also represents a dramatic change from the traditional way in which Americans have come to view the education process. As a result, much of the attention has been focused on how these cost-saving measures impact things such as student and teacher absenteeism, test results and behavior in the classroom. But with so much additional time outside the classroom each week, it's important to evaluate the impact on that aspect of the students' lives as well.

One of the main ways that this has occurred is through athletics.

In the case of MACCRAY public schools in Minnesota, a consolidation of three communities: Maynard, Clara City and Raymond, the implementation of the four-day school week for this school year helped save further cuts in the athletic department.

"One of the first things done was cutting coaches, uniforms and equipment, but not the programs," MACCRAY activities/community education director Mike Dammann said. "Going to the four-day model prevented further cuts."

While the changes to the calendar at MACCRAY were made as a result of budgetary issues, most notably transportation costs, Dammann said that activity programs are probably most affected by the schedule change.

In order to make things easier for parents of younger students, who would have to provide transportation to their children themselves, there are no practices held for junior high students on Monday, the chosen off day, and Dammann said that the district has tried to avoid scheduling events like games, concerts or plays on those days as well. The high school does hold practices on Mondays, but Dammann said that comes with stipulations as well.

"Our Monday practices are only in the afternoons, usually beginning around 4:30 p.m., as if there had been school that day," Dammann said. "This allows for students to who want to earn some extra money by picking up a job to be able to work steady hours earlier in the day."

Another common practice utilized with the four-day school week is to use the day off so there are less conflicts between classes and activities.

**"When you give students a little more time to do something, the outcome is generally going to be better."**

This plan was utilized to an extent at MACCRAY, where practices were expected to be over by 6:15 on most school nights, but was more heavily enforced at the Custer School District in South Dakota, which first switched to the four-day school week in 1995. Custer High School principal Paul Anderson said 95 to 98 percent of all activity programs are scheduled for Thursday, Friday or Saturday since Friday is its off day. Additionally, practices are expected to be completed by 8 o'clock on school nights and the few events that do occur between Monday and Wednesday are expected to be completed by 8:30.

"In order to protect the educational interests of the students, we try to keep our long road trips or late nights to days when there is no school the next day," Anderson said. "We do have a few events on Mondays and Tuesdays, but that's an exception usually dictated by play-

offs, our conference or the South Dakota High School Activities Association."

According to Custer's Web site, the segregation of academic and activity programs has paid off. Students spend more classroom time on task and participation in activity programs rose from 56 percent in 1996 to 86 percent in 1992.

Anderson said that Custer's switch to the new schedule also had unforeseen benefits. While the four-day school week was originally looked at for financial purposes, Anderson said that there were minimal savings of only around \$30,000 to \$40,000. Instead, the schedule was advantageous to a community that is partially composed of ranchers.

"It's worked well and been embraced because it helped the students who railed," Anderson said. "Some of them live quite far from the school, and it's one less day they have to travel in and also allows them to work on the ranch."

That trend toward unforeseen advantages is something Webster County (Kentucky) School District School Superintendent James A. Kemp has seen as well. Although Kemp said that he believes the schedule change has had very little impact on increasing participation in activity programs at the school, it may have helped to prevent a decrease.

"We're a poorer district and there are certainly cases where students are responsible for helping to support their families or are in charge of paying for the insurance for their cars," Kemp said. "The

ability to have an extra day off, especially with it being a business day, has probably helped some students to not have to withdraw for an athletic team so they can get a job."

Despite the advantages, the four-day school week provides challenges as well. Dammann said things can be particularly difficult at the junior high level.

"With a schedule that runs until about 4:04 p.m., the junior high needs the usual 4:30 starting time to be pushed back so it doesn't have to be let out early, but not every school is accommodating," Dammann said. "In the spring, sports that require daylight may also need to be let out early."

Anderson said that the combination of a later schedule, limits to practice times and limited facilities can make scheduling times a little difficult, particularly for the younger students.

However, in the long run, these aren't the factors that will determine the fate of the four-day school week. The result will be the bottom line and the performance of the students.

"The students seem to have acclimated to the extra time," Kemp said. "When you give students a little more time to do something, the outcome is generally going to be better." ◉

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## "When the game is on the line"



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# One Wish Makes a Whole Band's Dreams Come True

BY JENNA WIDMANN

When Alec Gramann heard he was diagnosed with Ewing's sarcoma in October of 2007, he didn't react like a freaked-out 16-year-old. Instead, Gramann said he wasn't immediately angry or sad, but immediately realized he just had to do whatever it took to get back to his life.

That life consisted of the Austin LBJ (Texas) High School Marching Band, in which he is one of the four drum majors. When Gramann went through chemotherapy treatment and surgery, his band friends were right there, supporting him.

Unfortunately, the band had just missed the qualifying round for the 2007 Texas University Interscholastic League (UIL) State Marching Band competition, adding to Gramann's disappointment. But, when the Make-A-Wish Foundation of Central and South Texas found out about Gramann, a representative went to find out what Gramann wished for more than anything else.

For Richard Floyd, UIL state director of music, hearing that Gramann's biggest wish was to have his band play in the 2008 UIL State Marching Band competition was fascinating and inspiring.

"Most of the kids wish is to go to Disney Land or meet their favorite athlete," Floyd said. "It is unique and unselfish that his first thought was of the band."

But for Gramann, there was no other place he wanted to be than the Alamodome in San Antonio with his band.

The *UIL Leaguer* reported Gramann saying he had listened to seniors and juniors talk during his freshman year about what an unforgettable experience the Alamodome was, and that idea stuck with him, turning into a dream of his, even as his last chance to make it into the contest slid by him after three marching seasons.

When Make-A-Wish spoke with Gramann, he said all he could think of was walking into the stadium, and because the band had helped him so much through his treatment, he wanted to share his one wish with the people who had always been there for him.

Although the logistics of finding time to have the LBJ band perform and getting the band, all instruments, the color guard and everyone's parents to San Antonio were troublesome obstacles to overcome, Floyd said his job had always been to handle organizing large events.



Photo provided by Mark Jolesch, Jolesch Photography.

Once the plan was set, it was only a matter of integrating the LBJ band's field entry and performance into the schedule. All of the planning was worth seeing the big smile on Gramann's face, Floyd said.

On the big day of November 3, Gramann said when his adrenaline started pumping, the crowd started cheering and he heard the announcements from the low booming voice echoing around the stadium, he knew his dream had come true.

"When we actually got to line up to go in, everything was how I expected, but magnified a million times," he said. "The roar in that arena was unbelievable as we marched in. It felt like my heart was about to beat its way out of my chest in excitement."

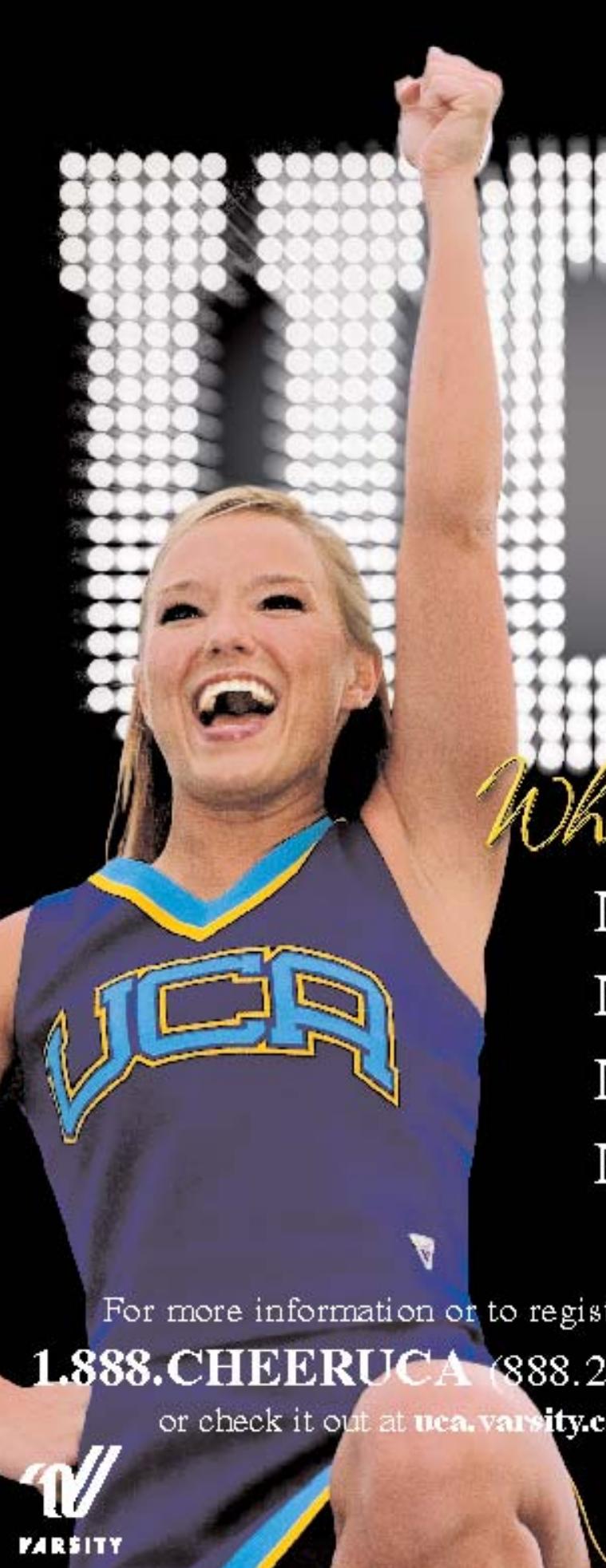
While the LBJ band parents sat in VIP seating, the LBJ band members marched onto the field in their white and purple, school-colored uniforms as the 10,000 in attendance welcomed the band.

Floyd said he had the band perform right before the announcement of the bands that qualified for the finals, so it was the largest crowd of the day with all eyes on Gramann and his bandmates.

"The show was wonderfully received and the crowd went crazy giving him and the band a standing ovation, totally in support of his wish and the performance," Floyd said.

Not that Gramann will have a tough time remembering his wish come true, but just in case, Floyd said the UIL Music Department did not want him to forget his experience, so they presented him with a photo collage and video of his performance. ◉

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# Value of Athletic Trainers in the Secondary School

BY BRIAN ROBINSON

Health-care issues are an important concern for interscholastic athletics. What happens when your running back is involved in a helmet-to-helmet collision? Would you know if he has a spinal cord injury or a concussion? What if the cheerleading pyramid collapses resulting in someone breaking a leg? What actions should be taken when members of the wrestling team contract a staph infection? How can catastrophic injuries and lawsuits be reduced? How can time-loss injuries to your teams be decreased? How can your student's in-class time be increased by providing in-school injury treatment programs? What is the best way to provide convenient, cost-effective medical care for your student-athletes?

The certified athletic trainer is a medical professional dedicated to the health and safety of athletes. More than 70 percent of athletic trainers have a master's degree. National certification is required, with annual continuing education. Most states have professional regulation requirements as well.

Forty-two percent of high schools in the United States have made athletic health care a priority by utilizing the services of certified athletic trainers who work under the direction of a team physician. The athletic trainer provides the school with health care coverage, risk abatement, student safety, improved relations with parents and cost savings. The school improves its risk management, and students do not have to miss valuable class time going off-site for injury treatments. Parents' concerns are eased over their childrens' health and they save on medical expenses. Parents do not miss work time to manage their student-athlete's health care.

## Value for the student-athlete

Athletic trainers provide immediate injury assessment and care at school, followed by on-site rehabilitation, leading to better attendance and improved academic performance. The athletic trainer makes medically based return-to-play decisions. Additionally, athletic trainers' knowledge regarding strength and conditioning allows the athlete to minimize risk or extent of an injury while maximizing potential. All of these aspects reduce the severity, time-loss from competition and likelihood of career-threatening injuries.



Photo provided by Ed Wolff, Seven Hills, Ohio.

## Value for parents

Parents are provided athletic health care by a nationally certified professional at no charge. Their student-athlete will have injuries treated immediately and is able to stay at school for rehabilitation without missing class time. The parents benefit from the continuity of care from injury onset to return to play, with enhanced communication. Athletic trainers assist parents in educating children about injury and illness prevention. Many parents cite a reduction in health-care costs.

## Value to the school

The school realizes value from reduced liability through prevention of injuries and illnesses, supporting risk management programs within the school. Absenteeism is reduced by keeping students in school for injury evaluation and rehabilitation. The competitiveness of the athletic program is enhanced by better conditioning and injury prevention. The hiring of an athletic trainer makes the community aware of the school's commitment to the health and safety of its students. Athletic trainers understand the concept of "education-based athletics" and become role models and resources for students contemplating medical or health-related careers.

## American Medical Association

The utilization of certified athletic trainers within the secondary school setting has been urged by the American Medical Association through its adoption of **Policy H-470.995 Athletic (Sports) Medicine**.

*The AMA believes that: ... urge high school administrators, athletic directors, and coaches to work with local physicians, medical societies, and medical specialty societies, as well as government officials and community groups to undertake appropriate measures to ensure funding to provide the services of a certified athletic trainer to all high school athletes;*

### Many of the services that are provided by the certified athletic trainer help prevent injuries and illnesses:

- Coordination and collation of pre-participation physicals
- Concussion baselines and brain injury assessments
- Strength, conditioning and proprioception training
- Nutritional counseling
- Equipment and field safety
- Emergency action plans
- MRSA and other skin infection education and prevention

## Cost Analysis

One of the more unique value services that a certified athletic trainer can provide is the ability to provide timely, cost-efficient on-site rehabilitation of athletic injuries. A study of one high school analyzed the cost of care provided in-house versus the cost of similar treatments off-site. In 1992, one athletic trainer provided student-athletes with 3,172 treatments, valued at \$475,800 based on similar off-site costs. In 2000, with two additional certified athletic trainers, 11,127 treatments were provided at a value of \$1,669,050. In 2006, 13,766 treatments for student-athletes were provided at a value of \$2,753,200.

## Liability

Athletic trainers may be able to help schools reduce the number or extent of lawsuits resulting from athletic injuries. United Educators General, a liability insurance company, found the following as grounds for filing a lawsuit.

- failure to adequately supervise practices and related sporting activities
- failure to give proper instructions and warn of dangers
- failure to offer reasonably safe facilities or equipment
- failure to provide adequate emergency response

Athletic trainers are trained to prevent injuries in all of these situations.

## Employment Models

Various employment models are available for high schools. The "gold standard" is the full-time, on-site athletic trainer, hired by the school district to provide a comprehensive athletic health-care program. Available for consultation, evaluations and treatments during the school day, students utilize the expertise of the athletic trainer during free periods, lunch, study hall and physical education class, as well as after school for game and practice preparation. The athletic trainer is on-site until practices and games are completed, providing expert medical care for acute injuries and illness. Many of these athletic trainers end their day long after the academic school day. Advantages of this model include: increased access to quality health care for the students by providing in-house rehabilitation and daily injury follow up, in addition to increased communication with parents, physicians and coaches.

Another popular model is that of the teacher/athletic trainer. In this scenario, athletic trainers holding a teaching credential teach classes during the day and serve as the athletic trainer after school. The athletic trainer is paid on the teacher's salary schedule as well as a stipend for their after-school responsibilities. Athletic trainers may hold teaching credentials in various subjects. In some states, vocational health curriculums utilize the expertise of the athletic trainer to teach classes in first aid, and CPR, fitness, and introduction to sports medicine for those students interested in medical or health/fitness careers. Schools with the teacher/athletic trainer model quickly realize the benefits of reducing the teaching load so that the athletic trainer can spend more time dealing with the prevention, evaluation, treatment and rehabilitation of athletic injuries. Schools must realize that having one individual perform both the duties of a teacher and that of an athletic trainer is difficult. Initially, this may be a cost-effective model but there is the danger of frequent turnover due to "burnout."

One more model is the clinical outreach position. In this model, the school contracts with a local clinic to have an athletic trainer assigned to the school for a negotiated number of hours per week, season or year. The athletic trainer may work at the clinic or hospital in the morning and go to the high school after school for practices and games.

School administrators and parents cite the benefits of an athletic trainer on staff as: "peace of mind," professional medical care, cost savings, educating student-athletes and increased communication. Parents feel confident that the objective opinion of the athletic trainer creates a safer environment for athletic participation. Coaches feel secure that there is expert skill and knowledge regarding injury prevention and management available on a daily basis. Administrators are confident, knowing that the school is providing the safest conditions for athletic participation, where the health and welfare of the student is the priority. ◉

Brian Robinson, MS, ATC, LAT, is the athletic trainer at Glenbrook South High School in Glenview, Illinois. Robinson is a member of the High School Today Publications Committee.

# Sports Law Year-in-review: 2008

BY LEE GREEN

## The Legal Issues

**H**azing. Title IX. Drug testing. Sexual harassment. First Amendment freedom of speech. Intellectual property rights. Liability for sports injuries. First Amendment free exercise of religion. Due process. Civil rights and equal protection. State association anti-recruiting rules and transfer limitations. Criminal liability of athletics personnel.

Over the course of the last 12 months, lawsuits have been filed, cases have been decided, and other legal action has been taken related to all of these areas of sports law impacting interscholastic athletics and activities programs. In each instance, both the events giving rise to the legal dispute and the principles of law used by courts to resolve the conflict clearly illustrate that the situation could have been altogether avoided through a better understanding by school administrators and athletics personnel of sports law issues and through the proactive application of that knowledge to the improvement of program policies and procedures.

### Hazing

During 2008, hazing continued to be one of the most rapidly growing topics of sports law litigation. In April, a hazing incident involving alleged sexual abuse and sodomy using foreign objects occurred on a Wilson (New York) High School baseball team bus ride back from an away game. The varsity players accused in the incident were charged with felony third-degree aggravated sexual abuse and endangering the welfare of a child. Two coaches were charged with multiple counts of endangering the welfare of a child. Civil suits have also been filed against the perpetrators, the coaches and the school district.

In a separate case, six Robertson (New Mexico) High School football players allegedly sodomized younger teammates with a

broomstick during a mid-August training camp. The incident led to the resignation of the head coach and all of his assistants. Prosecutors are considering criminal charges against the perpetrators and the coaches. Even school administrators who were not directly involved in the hazing incident may face criminal charges for failing to report child sexual abuse.

In January, nine upperclassman wrestlers at Asheboro (North Carolina) High School were charged with misdemeanor assault for a hazing incident that took place in the school's wrestling room, allegedly with the knowledge of the team's coach who was subsequently fired and charged with the crime of aiding and abetting the assaults.

Athletics are not the only school activity in which allegations of hazing have become commonplace. In early October, the University of Wisconsin suspended its marching band as a result of hazing allegations. In September, similar claims

led to the suspension by Prairie View A&M of its band and a complaint was filed by the director of the band at the University of California at Davis alleging multiple incidents of sexually-oriented hazing and harassment by band members.

These cases, and the increasing numbers of others like them, illustrate the critical importance for schools and athletics programs of being proactive by enacting strong anti-hazing policies designed to

eliminate hazing in school athletics and activities programs and that will ensure the effective investigation and timely resolution of any hazing incidents.

### Title IX

In July, the final of three lawsuits against the California State University system involving allegations of Title IX and retaliation violations by Fresno State University was brought to a conclusion through a \$9 million settlement with former women's basketball



coach Stacy Johnson-Klein. A year earlier, former FSU volleyball coach Lindy Vivas was awarded \$5.8 million by a jury, followed soon thereafter by a \$3.5 million settlement between FSU and former associate athletic director Diane Milutinovich. The cases demonstrate the need for school and athletics administrators to take seriously and immediately address Title IX complaints and to avoid any form of retaliation against the complainants.

In January, a federal court ruled in favor of the University of Cincinnati in a case in which the plaintiffs, members of the women's rowing team, argued that the decision to drop rowing and instead add women's lacrosse violated Title IX's "three-prong test." The court held that the university satisfied the "substantial proportionality" option for measuring female athletic participation opportunities because the school's ratio of female athletic participation exceeded its ratio of female enrollment.

In April, a U.S. District Judge ruled that the Michigan High School Athletic Association owes attorneys fees of \$4.5 million plus \$2.9 million in interest dating back to the 1998 filing of the Title IX nontraditional sports seasons case *Communities for Equity v. MHSAA*. The \$7.4 million award will go to cover the Community for Equity's legal fees and does not include the MHSAA's own legal bills. The amount might have been much larger if not for the decision of the plaintiffs to not seek monetary damages in the case and to instead focus solely on obtaining injunctive relief to remedy the sports seasons scheduling issues.

According to an Associated Press report, the MHSAA has a net worth of approximately \$6 million and may have to file for bankruptcy. In 2001, a U.S. District Court found that the association's nontraditional scheduling of girls' sports seasons violated Title IX, the equal protection clause of the U.S. Constitution's Fourteenth Amendment, and Michigan's Elliott-Larson Civil Rights Act. Following six years of unsuccessful appeals by the MHSAA, in April of 2007, the U.S. Supreme Court denied certiorari, thereby affirming the District Court's original decision.

## **Freedom of Speech**

In October, the U.S. Supreme Court denied a petition for review of the Sixth Circuit Court of Appeals decision in *Lowery v. Euverard*, a case addressing the First Amendment free speech rights of student-athletes. The Sixth Circuit ruled that the dismissal of four players from the Jefferson County (Tennessee) High School football team for circulating a petition expressing dissatisfaction with their coach and requesting that the coach be fired did not violate the

players' free speech rights. The Appellate Court rejected the players' characterization that their removal from the team constituted viewpoint discrimination, instead holding that the players' behavior created a "substantial disruption" on the team.

The decision was based upon the legal principle established in the landmark 1969 Supreme Court case *Tinker v. Des Moines School District* that said school action limiting the speech of students does not violate the First Amendment if the speech in question creates a substantial disruption of the educational process.

## **Freedom of Religion**

In October, a petition for review was filed with the U.S. Supreme Court in a First Amendment religious-practices case: *Borden v. East Brunswick School District*. The petitioner, a football coach at East Brunswick (New Jersey) High School, is asking the Court to review a ruling from the Third Circuit Court of Appeals reversing a lower-court decision that the coach could silently bow his head, "take a knee," and participate in team prayers. The Appellate Court held that the coach's actions violate the Establishment Clause because he had for more than two decades organized, participated in, and even led team prayer activities and a reasonable observer would conclude that the coach was endorsing religion even when his participation was of a more passive nature. If the Supreme Court agrees to hear the appeal, the case could establish an important school law precedent clarifying the inherent tension between the First Amendment's Free Speech and Free Exercise of Religion clauses and the Establishment Clause.



## **Due Process**

In May, in *Gates v. Florida High School Athletic Association*, a federal district court ruled that the FHSAA did not violate the due process rights of a female high school basketball player when it denied her request for a hardship exception. The court, acknowledging the well-established legal principle that participation in interscholastic athletics and activities is a privilege not a right, ruled that "a student's interest in playing interscholastic sports is not protected by the due process clause."

## **Transfer and Anti-Recruiting Rules**

In January, a New Jersey state court issued its ruling in *Queen of Peace High School v. New Jersey State Interscholastic Athletic Association*, a case addressing whether schools have a legal "duty of inquiry" regarding incoming student-athlete transfers. After the hiring by Queen of Peace (QoP) of a successful wrestling coach, six

wrestlers from the coach's previous school and four other wrestlers from area schools all transferred to QoP. The NJSIAA investigated and levied sanctions against QoP for violating state association transfer and recruiting rules, followed by a QoP lawsuit against the association. The court relied on the legal principle that schools have a "duty of inquiry" to evaluate incoming transfers to ensure compliance with transfer limitations and anti-recruiting regulations. The court ruled that "the lack of any diligent scrutiny in the face of all these experienced wrestlers showing up on the high school's doorstep constitutes a failure by the receiving school to enforce the rules of the association of which it is a member. That obligation is not delegable."

### Drug Testing

In March, the Washington Supreme Court ruled in *York v. Wahkiakum School District* that random, suspicionless drug testing of student-athletes is unconstitutional, holding that the search and seizure provisions of the Washington Constitution are stricter and provide greater protections for citizens than does the Fourth Amendment of the U.S. Constitution. Although the decision was unanimous, the nine justices were split on the issue whether special circumstances, such as a documented drug abuse problem at a school, might justify a testing program. A similar ruling was issued by the Pennsylvania Supreme Court five years ago in *Theodore v. Delaware Valley School District*. These cases illustrate that although random drug-testing programs have been held to be permissible by the U.S. Supreme Court based on its interpretation of the U.S. Constitution, states may grant citizens greater protection than that afforded under federal common law and the legality of testing schemes will ultimately rest with state courts.

### Intellectual Property and The Right Of Publicity

In April, a settlement was reached in *Illinois Press Association v. Illinois High School Association*, a suit filed in November of 2007 related to the sale of photos taken at high school sports events and access by the media to those events. The issue in the case was whether media organizations infringe on the intellectual property rights of schools and state associations through the merchandising of photographs taken at sport events.

In early April of 2008, the Illinois legislature finalized legislation prohibiting the IHSA from restricting the media's use of photos taken at IHSA events and eight days later the parties settled their dispute. Similar disputes arose and were settled during 2008 in Arkansas and Arizona. The controlling legal precedent in such cases

is a 1997 U.S. Supreme Court case, *NBA v. Motorola*, in which the dissemination via cell phones of information gathered at sports events was ruled to be permissible and the Court held that although broadcasts of sports events are protectable, the event itself and information gathered at the event (including photographs) are public domain and unprotectable.

In June, the U.S. Supreme Court declined to review the Eighth Circuit Court of Appeals decision in *C.B.C. v. Major League Baseball*, a right of publicity case in which the court upheld the use of players' names in fantasy baseball games and rotisserie baseball leagues without the payment of royalties to players. Based on this precedent, the NCAA decided not to attempt to block CBS-Sports.com's use of college players' names in an online fantasy football game despite the governing body's concern about amateurism issues and commercial exploitation of student-athletes. Given the expanded media coverage of interscholastic sports, the

NFHS and state associations are likely to be confronted with issues regarding the use of the names of high school athletes and their statistical information in fantasy games, but the result in the *C.B.C.* case may make legal challenges difficult to pursue.



### Sports Injuries

In June, a Connecticut state court refused to grant summary judgment in *DePalmer v. Naugatuck*, a case in which a high school swimmer was injured during practice when another swimmer practicing relay starts dove into the pool on top of her. The court stated that issues of fact remained in the case as to whether the school and the swim coaches had fulfilled their duties to provide proper technique instruction, adequate supervision, and a safe athletics environment for its student-athlete swimmers and that the case should go to a jury to resolve those issues.

In May, *Domalewski v. Hillerich & Bradsby Co. and Little League Baseball* was filed in New Jersey state court on behalf of a 12-year-old boy who suffered brain damage after being hit by a line drive off of a metal baseball bat. The lawsuit alleges that the Louisville TPX Platinum bat being used at the time of the injury excessively increases the speed of hit baseballs to the extent that the product is unreasonably dangerous. The suit also asserts that Little League Baseball is liable for certifying the bat as safe for use in its games. The outcome of the case may have implications for interscholastic leagues, state associations and national governing bodies that provide "seals of approval" for the use of metal bats.

Also in May, in *Gill v. Tamalpais*, a high school basketball player was awarded \$336,932 for injuries sustained in a collision with an unpadded backboard support pole. The court imposed liability on

the school for its failure to exercise reasonable care related to the duty to provide a safe playing environment for student-athletes.

In April, in *DiGiuse v. Belmore-Merrick Central High School District*, a cheerleader injured during practice lost her lawsuit when the New York Court of Appeals ruled that the school and the coach had satisfied the duties of proper supervision, technique instruction, and safe playing environment and had exercised reasonable care to protect cheerleaders against injury during practice.

In February, in *Sallinen v. Upper Lake High School District*, a California court awarded \$250,000 to an injured football player who, after sustaining a knee injury during practice, was left alone in the locker room to find his own ride home and, while attempting to walk to a pay phone, fell and severely aggravated his injuries. The resulting torn ACL required multiple surgeries to repair. The court found a failure to exercise reasonable care related to the duties of supervision, medical assistance and execution of an emergency medical response plan.

## Criminal Law

In October, in *U.S. v. Hindson*, a former Kokomo (Indiana) High School swimming coach was sentenced to 400 months in prison on multiple counts of child pornography for secretly videotaping with hidden cameras female teenage swimmers while they undressed

in the locker room. Authorities discovered the crime when the coach sold a laptop computer on the Internet and the buyers found videos on the computer of a nude, teenage girl in a locker room who appeared to be unaware that she was being filmed as she changed her clothes. A search warrant was executed at the coach's home, leading to the seizure of similar videos dating back over a 10-year period and to the additional discovery of an extensive cache of child pornography.

In January, in *U.S. v. Morris*, a Team Texas wrestling coach was sentenced to 10 years in prison for sexually assaulting two underage athletes on a bus during the overnight return trip to Texas from the National Junior Women's Championships in Fargo, North Dakota. The case illustrates the importance of running a background check as part of the hiring process for athletics personnel. Evidence presented to a Grand Jury prior to the wrestling coach's indictment indicated that a basic, online, public access background check would have revealed that the coach had a lengthy criminal record and had employed a number of aliases in his criminal ventures. ◎

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National Federation of State High School Associations



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# Health Care, Poverty Final Choices for 2009-10 Debate Topic

The National Federation of State High School Associations recently tabulated debate ballots from 35 states, the National Catholic Forensic League, National Debate Coaches Association and the National Forensic League. The returned ballots narrowed the five proposed topics to two for placement on the final ballot to select the 2009-10 national high school debate topic. The five topic areas were ranked 1-5 with the two topic areas receiving the lowest totals – Health Care and Poverty – placed on the final ballot. On January 8, 2009, the NFHS will announce the preferred topic area and resolution.

**In addition to the NFL, NCFL and NDCA, the following states returned ballots:**

Alaska	Illinois	Montana	Pennsylvania
Arizona	Indiana	Nebraska	South Dakota
Arkansas	Iowa	New Hampshire	Texas
California	Kansas	New Mexico	Utah
Colorado	Massachusetts	New York	Virginia
Florida	Michigan	North Dakota	Washington
Georgia	Minnesota	Ohio	Wisconsin
Hawaii	Mississippi	Oklahoma	Wyoming
Idaho	Missouri	Oregon	

Within each of the five topic areas appears one resolution. The resolutions within the two final topic areas are:

## Health Care

**Resolved:** The United States federal government should establish a universal health care system in the United States.

## Poverty

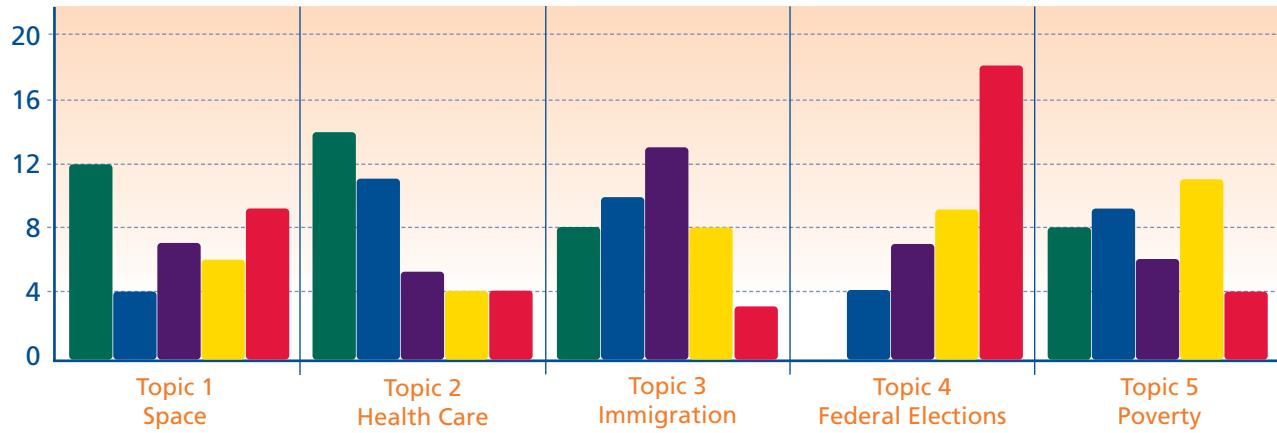
**Resolved:** The United States federal government should substantially increase social services for persons living in poverty in the United States.

The following chart summarizes the balloting on the topic areas and their respective resolutions.

\*\* Areas ranked 1-2-3-4-5 with low combined total indicative of top ranking.

\*\* National CX Debate Topic Area Balloting:

- 110 Space – Topic 1
- 87 Health Care – Topic 2
- 110 Immigration – Topic 3
- 155 Federal Elections – Topic 4
- 108 Poverty – Topic 5



# Annual Music Conference Gets Smart

BY JENNA WIDMANN

The 18th annual National Federation of State High School Associations (NFHS) Music Conference delved into new music technology, including the logistics of Smart Music.

The conference, held November 14-15 in Indianapolis, Indiana, brought together 20 representatives from state high school associations to discuss a variety of topics including the technology of Smart Music, a learning software made for orchestra, choir and band.

"This computer system is absolutely amazing," said NFHS assistant director Kent Summers.

Summers said one benefit of this technology is that a soloist can now compete without hiring an accompanist. Instead, this student can run the software on a computer, start playing, and the music will adjust to the tempo of the instrumentalist.

Mike Plunkett, fine arts director of the Oklahoma Secondary School Activities Association, said he was very impressed with the Smart Music program, which was presented by Sam Fritz, band director of Greenwood (Indiana) Center Grove Middle School Central.

"I had no idea that the program would do all of the things it can do," Plunkett said. "The recording and e-mailing functions are very impressive and there are lots of method books already preloaded, which is very neat."

Another feature of Smart Music is the teaching aspect in which students can play with the software, and then check to see how many green – or correct – notes they received or how many red – incorrect – notes they had. Then, Summers said, the student can click the red notes on the screen and view how the correct fingering looks for a trumpet player, or for whatever instrument is played.

While this tool does bring the music field more up to speed with technology, some states are not yet allowing the use of it in competition.

Another topic brought up was the effective adjudication forms used by each state. Each state presented its different requirements, guidelines and rating codes. Charles Briel, executive director of the Indiana State School Music Association, said it uses a medal system in which first place receives gold, silver goes to the top per-

former in second place, bronze to the next-best performer in second place and finally a participation award to the third-place finisher.

Overall, this process is beneficial to the conference attendees, Summers said, because each state representative hopes to gain something from listening to other individuals presenting their methods of adjudication.

The sharing of ideas is due to the fact that no national rules exist. Summers said that in the 1980s, there were plans to write national rules, but the states decided against a common set of standards.

Paul Stanifer of the Michigan School Band and Orchestra Association and Virginia Kerwin of



the Michigan School Vocal Music Association addressed the usage of the word "festival." Kerwin said this word is used instead of "contests" because students perform on stage, sight-read and also go through a clinic with a group at each festival they attend.

Summers said, "By and large, almost all states are going to festivals where they don't rank students."

The conference finished with an extended "potpourri" section. This last event is a roundtable setting that is less formal than the rest of the meeting so representatives can freely discuss a variety of topics.

"The most beneficial part of the program is always the general discussion we have at the end of the meeting," Plunkett said. "We all get to pick each other's brains on topics that affect all of us." ◉

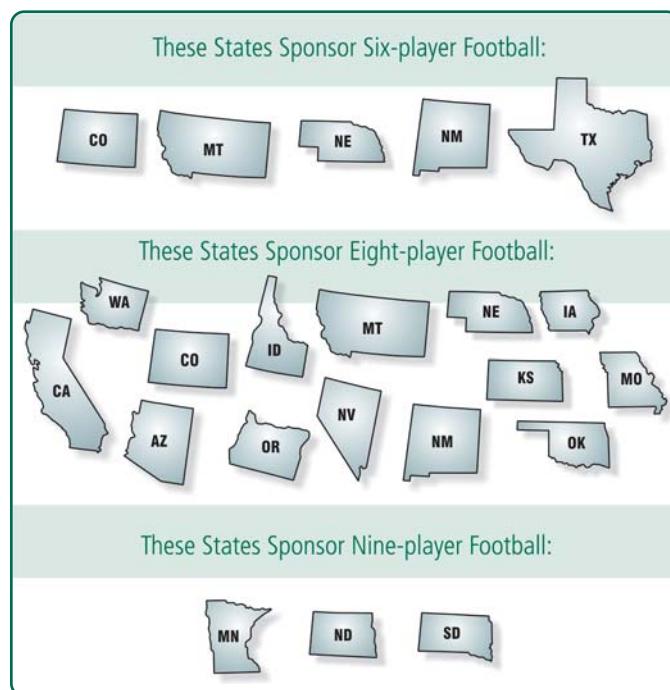
Jenna Widmann is a fall semester intern in the NFHS Publications/Communications Department. She is a senior at Butler (Indiana) University majoring in journalism (news editorial) and French.

# Some States Play 6-, 8-, 9-Player Football

BY MATT VACHLON

With 1,126,690 participants, according to the 2007-08 NFHS High School Athletics Participation Survey, high school football heads the list of most popular high school sports among student-athletes. However, a little more than two percent of that group participates in some version different than the traditional 11-player game familiar to most Americans.

Although 11-player football is played in all 50 states, different factors in some states have led to the formation of six-, eight- and nine-player football leagues. **As a result:**



"The reasons vary from state to state and the numbers vary over time," said Bob Colgate, NFHS assistant director and liaison to the Football Rules Committee. "But school enrollment is probably the No. 1 factor — where you have schools with extremely small student populations — and geography is No. 2 — where you have extremely rural areas that are spread out or you have towns set up near the border with other states that play a similar brand of football."

In order to accommodate the smaller number of athletes on the field, each version of the sport has its own rules variations. However,

Colgate said the goal is to still have the game be as close to the 11-player version as possible.

One of the most common variations is to play on a smaller football field, which reduces the amount of extra space caused by having fewer players. While a standard 11-player field is 100-yards long by 53 1/3-yards wide, the standard field for six-, eight- and nine-player is 80-yards long by 40-yards wide. In addition, kickoffs occur from the 30-yard line, as opposed to the 40-yard line in the 11-player game. The field dimensions are the same for the six- and eight-player games, but the distance from the sidelines to the hash marks is 3-feet, 4-inches longer on the nine-player field.

With only about half the players on the field as the 11-player game, six-player football has the most rules variations. Among the most significant are that the offense must move the ball 15 yards in four downs instead of the standard 10, field goals count for four points instead of three, and the standard rules for the point after touchdown are reversed, with a place kick counting for two points and a score via a run or pass is worth one point. Kicks are worth more points because of the difficulty of getting a successful kick off with so few blockers.

In addition, the person to whom the ball is snapped cannot run the ball past the line of scrimmage, at least three players must start on the line of scrimmage (although all are eligible receivers), and in order for the center to receive a pass, the ball must travel one yard forward. Two additional rules that apply to all three versions include a free-blocking zone three yards to either side of the snap and three yards behind the line of scrimmage, and a rule that states that prior to the snap, all players must be within 12 yards of the ball.

The only major difference in both the eight- and nine-player games is that up to five players are eligible as receivers in eight-player, while six are eligible for nine-player.

"The most unique thing is we have four different styles for one sport," Colgate said. "It's the only sport like that, but football is a numbers game and it allows schools without big numbers of students to still play." ◉

Matt Vachlon is a fall semester intern in the NFHS Publications/Communications Department. He is a senior at Butler (Indiana) University, majoring in journalism (news editorial) and minoring in sociology and Spanish.

# Hockey Goes to the Pools

BY JENNA WIDMANN



Photo provided by Marsha Tuffi, Roger Bacon High School, Ohio.

While close to 7.5 million students participate in high school athletics nationwide, only two schools in the country have underwater hockey teams.

Six Cincinnati (Ohio) Roger Bacon High School students started playing this sport after teacher Paul Wittekind was interviewed for the school newspaper and brought up his past experience playing for The Ohio State University team during graduate school.

"The student reporter asked me what my hobbies were, and I replied, 'I play defensive back at Ohio State for the underwater hockey team.' She was dubious about my answer, but I convinced her that I was not pulling her leg," Wittekind said.

Wittekind and his sister and assistant coach, Beth Breda, took the half dozen students to practice at the Cincinnati Recreation Commission pool and so began the school's coed team in 1997.

The game of underwater hockey combines aspects of water polo, basketball, hockey and soccer, all on the floor of a pool. Each team puts six players in the pool at a time, equipped in a mask, mouthguard, snorkel, fins and headgear. The objective is to pass along a three-pound puck from one teammate to the other with a foot-long wood or plastic stick, which you use to flick the puck. A team scores only when the puck is pushed into a metallic three-

meter goal, located at the bottom of each end of the pool.

Wittekind said practice drills include beginning laps to warm up players' muscles and lungs. Then, he usually makes them work on holding their breath, understanding that the more time spent under water, the better chance of scoring. Half Over Half Unders (HOHU), Half Under Half Overs (HUHO) and Breath Once Go Down And Touch (BOGDAT) all test the players' lung capacity. Swimming a HOHU means going the length of the pool half over on the surface and then half underwater, the opposite of a HUHO. When a player practices a BOGDAT, he or she Breaths Once to Go Down And Touch the bottom of the pool.

The Roger Bacon team didn't have to hold its breath long to start competing. In 1999, the team went to its first competition, which just happened to be the U.S. National Championships in Chicago.

"The other adult and college underwater hockey teams were absolutely amazed," Wittekind said. "None of them knew that a high school underwater hockey team even existed in the United States."

Since that first tournament, Roger Bacon has participated at every annual U.S. National Championship, except in 2002, Wittekind said, when the tournament conflicted with high school finals.

Now more than a decade since Roger Bacon started its underwater hockey program, the sport is still taking time to catch on. With one other junior hockey program in Cape Cod, Massachusetts, Wittekind said he still believes the sport will spread throughout the United States. He said the American underwater hockey community is working to spread the sport to all states.

Wittekind said, "We would like to see more teams begin to play at all levels and more tournaments available to give everyone more opportunities to compete." ◉

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## SPORTSMANSHIP

# Value of School Sports

BY JOHN JOHNSON

For the past year, the Michigan High School Athletic Association has been analyzing the role of school sports in a changing society. The primary goal has been to look at what people value, and working to maintain programs that are relevant to the masses that want to participate in them.

And still after all that, the one term that embodies all of the values remains the one that has been written about even 100 years ago in the early days of school sports programs – sportsmanship.



Photo provided by Kim Jew Photography, New Mexico.

Sportsmanship is conducting oneself with respect and dignity. It starts at the beginning of the game with respecting the playing of the National Anthem. After the girls basketball finals at Eastern Michigan University back in March, I got a call from one of the members of the Rock Mid Peninsula championship team members we had honored from 30 years ago. She expressed her concern with the conduct of the participating teams during the Anthem before the game at which her school was being honored.

It was disturbing to her to watch the disinterest on the team benches, the swinging of clasped hands by teammates and swaying back and forth. She clearly saw what we see all too often – teams and student sections finding a way to pass the time while

the Anthem is being played – and coaches and administrators doing absolutely nothing about it. Pardon me, but the playing of the National Anthem is not a time to display team unity – it's a time to show respect for our country.

Sportsmanship continues throughout the game with respect being shown between competitors, towards coaches and officials. It's a coach who tells you to practice good sportsmanship, and then actually displays it during the event. It's dignity being shown when a call goes for you or against you, and at the end of the game.

Sportsmanship is also about respect for the game, and respect for high school sports in general. One of the national concerns when it comes to high school sports being relevant is the attitude some of our more athletically gifted individuals have towards them.

The elite who participate in non-school programs openly proclaim how lame schools sports are in terms of the competition...yet in some sports, they find a way to compete on their non-school team during the school sports season, joining the school team just in time for the state tournament. It's a big slap in the face to school sports, and again, there are not enough coaches or administrators doing something about it locally.

I'll say this – if the school team is that lame. If one doesn't value the values that school sports teach – more values than those found in non-school sports programs. If you're making your elite, or club, or Olympic development program that much more important than the school program – then just participate in the non-school program. If it's a cut sport, you'd be creating an opportunity for someone to be on the school team – someone who values being a part of something, and who values all that can be taught and caught in school sports.

Let's remember that these games are about school before sports; that they're about sportsmanship, ethics, integrity and respect; about building lifetime relationships with teammates, teacher-coaches and even other fellow competitors. In all those ways, school sports can continue to be relevant, useful tools for building strong schools, strong kids and strong communities. ☺

John Johnson is the communications director of the Michigan High School Athletic Association.

# Sports Medicine Advisory Committee Reviews Injury Surveillance Project

BY MATT VACHON

Furthering the extent of the Injury Surveillance System (ISS) project and reviewing the third edition of the recently completed NFHS Sports Medicine Handbook highlighted the agenda at the biannual meeting of the NFHS Sports Medicine Advisory Committee (SMAC) October 4-6 at the Indianapolis Downtown Marriott Hotel.

The committee, which helps inform the NFHS about the latest issues in sports medicine, covered 34 agenda items over two days and spent the third day discussing the ISS. Additionally, the committee continues to discuss standardizing the sports medicine-related language within NFHS rules books.

The last day of the meeting brought together the chairs of all of the NFHS sports rules committees, NFHS staff liaisons and NFHS leadership in order to discuss how the ISS could facilitate the existing NFHS rules-writing process. Vito Perriello, M.D. and chair of the SMAC, said the benefit of the information to the NFHS and the athletes is limitless.

"The flexibility, user-friendliness, breadth and depth of information, and relevance to questions frequently raised before rules committees was impressive to one and all," Perriello said. "The tenor of the meeting was that everyone sees the value of this new tool and everyone is committed to working together to find ways to maximize its value by learning how to integrate the scientific information into the traditional NFHS rules-writing process."

Among the changes made for the upcoming year to the ISS was the decision to expand the SMAC's reviewing process of injuries to more sports as it looks to see where potential risks should be addressed.

"We think that the ISS can be a valuable tool for the various NFHS rules committees and for the state associations," said Bob Colgate, NFHS assistant director and liaison to the SMAC. "With it, we can look at some of the possible injuries that may result, such as the difference between being able to use rectangular metal or soft or hard rubber cleats in softball."

"It's not a perfect system yet, as it is still being developed, but at least we have some injury data we can use."

Last year, the ISS reviewed football, softball, baseball, wrestling, volleyball, soccer and basketball. For the 2008-09 school year, the committee will include field hockey, girls gymnastics, ice hockey, lacrosse, swimming and diving, and track and field as sports that will also be reviewed.

Also important to the committee was the review of the third edition of the NFHS Sports Medicine Handbook, the first new edition since 2002.

"There has been an explosion of new scientific data appearing in medical literature such that nearly every topic in this third edition has received major revisions because of new information on diagnosis and proper management of many issues," Perriello said. "Most notable would be the sections on mild head injuries (concussions), fluid replacement, pre-participation evaluation, lightning guidelines, and even infectious diseases with new emphasis on MRSA (Methicillin Resistant Staphylococcal Aureus) infection."

Perriello said that a second major goal of new editions is to add new topics of importance that have surfaced since the previous edition was published. Sideline preparedness, anabolic steroids and links to white papers from the SMAC (position statements, guidelines and recommendations) are three new sections that were added to this edition.

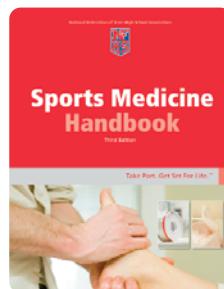
The committee also took advantage of having all the rules chairs and NFHS leadership assembled together to discuss standardizing the sports medicine-related language across rules books.

"There appeared to be consensus that consistency throughout sports could be beneficial," Perriello said. "For example, information on infectious diseases, bleeding and concussion management can and should have similar language and management across all sports."

Perriello said achieving that goal while not adversely affecting a sport's unique issues will be an ongoing challenge.

Colgate said that overall, the meeting could be summed up in a few words.

"With every sport there is inherent risk," Colgate said. "We want to err on the side of safety at all times and minimize that risk." ◉



# Indiana Farm Bureau to sponsor state basketball tournaments

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As a result of a new five-year agreement reached with the Indiana High School Athletic Association (IHSAA), Indiana Farm Bureau Insurance will assume a new role as the exclusive presenting sponsor for the boys and girls state basketball tournaments.

The sponsorship begins with the 2009 state tournaments and runs through the 2012-13 season. The new role extends a relationship that began in 1988, when Indiana Farm Bureau Insurance became the IHSAA's exclusive corporate partner, and opens up the possibility of eventually sponsoring championship tournaments in every sport.

In addition, Indiana Farm Bureau Insurance will continue to sponsor the IHSAA Arthur L. Trester Mental Attitude Award, which recognizes an outstanding senior student-athlete who excels in mental attitude, scholarship, leadership and athletic ability in the state finals and is presented to the general scholarship fund of the student's high school. The award is presented throughout the school year to recipients in all 39 sports. ◉

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Matt Vachlon is a fall semester intern in the NFHS Publications/Communications Department. He is a senior at Butler (Indiana) University, majoring in journalism (news editorial) and minoring in sociology and Spanish.

## North Carolina latest state to consider adding lacrosse

BY JENNA WIDMANN

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Speed in the game of lacrosse does not just refer to the quick shots and fast midfielders anymore. Now, the fast-paced sport correlates to the rapidity of its increasing popularity in high schools.

North Carolina is one state that does not want to be left in the dust of the growing sport, so North Carolina High School Athletic Association (NCHSAA) Executive Director Charlie Adams plans to recommend that the board of directors sanction lacrosse statewide at the start of the 2009-10 school year.

Club lacrosse teams already exist at many high schools across North Carolina. Forty-two have girls club teams while 48 have boys teams, and if those clubs convert to sanctioned NCHSAA varsity teams, Adams said there will be enough to establish 4-A conferences.

Now that 17 other states recognize lacrosse as an official high school sport, numbers are increasing rapidly elsewhere. According to the National Federation of State High School Associations' participation survey, 1,815 schools played boys lacrosse in 2007-08 and during the same year, 1,624 girls teams participated across the country.

According to U.S. Lacrosse, the sport's national governing body, participation has increased 18.6 percent from 2006 to 2007, raising the number of lacrosse student-athletes nationwide to approximately 201,000.

Lacrosse, America's so-called first sport, originated with the North American Indian. According to U.S. Lacrosse, the sport was rooted in the religion of the people, and was used to resolve conflicts, develop strong men, and heal the sick. Then, lacrosse was adopted by French pioneers in the 1800s and later standardized by a Canadian dentist.

In 1877, New York University introduced the United States' first college team. Three East Coast high schools – Philips Academy, Philips Exeter Academy and Lawrenceville School – were the first to form high school teams, beginning play in 1882. ◉

## New policy in Nebraska lends to better behavior by coaches

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The **Nebraska School Activities Association (NSAA)** now requires all ejected coaches to successfully complete the National Federation of State High School Associations (NFHS) Fundamentals of Coaching online course.

In August, the NSAA Board of Control enacted this new policy, making sure that those coaches ejected from games complete the course within 10 days of their ejection and at their own expense, a cost of \$60.

Failure to effectively finish the online course after the designated time would result in a suspension from coaching in any further competition for the remainder of the season. This includes all end-of-the-season play and tournaments.

Deb Velder, associate director of the NSAA, said the reason behind the policy is to send the message that a coach's behavior is an example not only to athletes, but the fans and the school as well.

"There is an expectation that unsportsmanlike behavior will not be tolerated," Velder said.

She said that the NSAA continually enforces the concept that a coach is a teacher and the behaviors displayed should be no different on the playing field than in the classroom.

Velder feels the policy has helped coaches in Nebraska keep their behaviors in perspective.

This year, she said only a few coaches have been ejected and because the NSAA has no appeal process, the coaches have taken the consequences and moved on. She has received responses from coaches who have taken the Fundamentals course who said they were impressed with its contents. ◉

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Jenna Widmann is a fall semester intern in the NFHS Publications/Communications Department. She is a senior at Butler (Indiana) University majoring in journalism (news editorial) and French.



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