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John A. Stewart, Ed.D.
Commissioner

August 14, 2007

Mr. Stephen Davidson, Principal
Shores Christian Academy
10515 S.E. 115th Avenue
Ocala, Florida 34470

Via Facsimile and US Mail – 352.687.1462

Re: Findings of FHSAA Violations and Sanctions

Dear Mr. Davidson,

The Florida High School Athletic Association received your response to a letter from the FHSAA dated June 14, 2007 on July 2, 2007. The letter from the Association was a review of the findings of Mr. Vernon Korhn's investigation into allegations from an FHSAA member school, Ocala Vanguard. The allegations will not be stated again in this letter. This letter is a determination of findings and sanctions by the Commissioner after reviewing your response and carefully considering the evidence in this matter.

Findings

- Violation of FHSAA Bylaw 11.5.1. Shores Christian Academy (henceforth referred to as SCA) student [REDACTED] participated in the Langston Basketball Tournament at Chipola Jr. College, on December 15-16 as an ineligible student. This student was ineligible due to the fact that his four years of eligibility was exhausted. FHSAA Bylaw 11.5.1 states in pertinent parts; *A student shall be eligible for no more than four (4) consecutive academic years from the date he or she first enrolls in the ninth (9th) grade. Four years from the date he or she first enrolls in the ninth (9th) grade, he or she shall become ineligible for further interscholastic athletic competition.* Coach Smith willfully and with full knowledge of the regulation allowed this student to participate in this tournament as well as the Glynn Academy Tournament.
- Violation of FHSAA Bylaw 11.9.1. This same student [REDACTED] participated in the same tournament under an assumed name, [REDACTED]. This fact is documented with video film from the tournament as well as a positive identification by officials at Vanguard High School. FHSAA Bylaw 11.9.1 states in pertinent parts; *A student who has accepted remuneration, gift, or donation for participation in a sport or participates under an assumed name becomes a professional and is thereafter disqualified for further participation in that sport in high school for a period of one year.*

- Violation of FHSAA Bylaw 11.5.1 and 11.9.1. SCA student [REDACTED] participated in a basketball tournament on December 20-22 at Glynn Academy (Ga) in violation of FHSAA Bylaw 11.5.1 (Limit of Eligibility), and again participated under an assumed name [REDACTED] in violation of FHSAA Bylaw 11.9.1.
- Violation of FHSAA Bylaw 11.2.1. SCA student [REDACTED], participated in the Langston Tournament as an academically ineligible student, in violation of FHSAA Bylaw 11.2.1 which states in pertinent parts; *A student must have a cumulative high school grade point average of 2.0 or above on a 4.0 unweighted scale, or its equivalent, in all courses taken that are required by s.1003.43(1), Florida Statutes, at the conclusion of each semester to be eligible during the following semester. A student whose cumulative high school grade point average is below a 2.0 on a 4.0 unweighted scale, or its equivalent, in all courses taken that are required by s.1003.43(1), Florida Statutes, at the conclusion of a semester shall not be eligible during the following semester.* You stated in your response, "We were ignorant of the 11.2.10 policies....." Being unaware of a policy cannot not be taken into consideration when determining sanctions.
- Violation of FHSAA Bylaw 11.9.1. This same student [REDACTED] participated in the Langston Tournament under an assumed name [REDACTED], in violation of FHSAA Bylaw 11.9.1.
- Violation of FHSAA Bylaw 11.2.1. SCA student [REDACTED] participated in the Glynn Tournament as an academically ineligible student.
- Violation of FHSAA Bylaw 11.2.1. SCA student [REDACTED] participated in the Glynn Tournament as an academically ineligible student.
- Violation of FHSAA Bylaw 11.2.1. SCA student [REDACTED] participated in a basketball tournament at Trinity Catholic High School on December 27-29 as an academically ineligible student.
- Violation of FHSAA Basketball Regulation 105.02. SCA participated in two preseason basketball classics/jamborees in violation of FHSAA Basketball Manual regulation 105.02 which states; *A varsity team may participate in either a preseason classic or jamboree, but not both. Sub varsity preseason classics or jamborees are prohibited.* SCA participated in a varsity preseason classic in the Ocala Forest Classic and the SCA junior varsity team participated in the Ocala Meadowbrook Classic against Cornerstone Christian (FHSAA affiliate member school). In your response you stated, "Did not now JV team could not play in preseason games." Again, being unaware of regulations cannot be used as a defense.
- Violation of FHSAA Bylaw 11.13.1. SCA failed to report any students on the iFHSAA eligibility data base in violation of FHSAA Bylaw 11.13.1 which states; *It shall be the responsibility of the principal of each member school to file an annual eligibility report with the Commissioner concerning the status of each prospective student-athlete. This information shall be reported electronically online through means provided by the Association. The annual eligibility report for each student-athlete shall contain all the information required, including the legal name of the student-athlete written exactly as it appears on his/her birth certificate. A student-athlete shall be eligible to participate in interscholastic athletic competition on the same day as his/her name is submitted to the Association office. Violations of the provisions relative to date of filing annual eligibility reports shall result in a financial penalty as determined by the Board of Directors. All*

schools must file the "Annual Eligibility Report" using the iFHSAA interactive online database system. Paper forms are not provided for this purpose. You stated in your response, "Again ignorant of policies & bylaws."

Sanctions

Pursuant to FHSAA Bylaw 12.1, Penalties for Violating Rules, SCA is reprimanded, fined \$13,000.00 and it's boys' basketball program placed on restrictive probation for a period of three (3) years, beginning immediately and ending at the conclusion of the 2009-2010 school year. Furthermore SCA must meet all standards of FHSAA Bylaw Article 3, Membership in order to be reinstated for state series competition at the conclusion of the probationary period. The details of the fine and probationary period are as follows.

- **Two (2) counts of violation of bylaw 11.5.1. Coach knowingly used a 5th year player in two tournaments @ \$2,500 each = \$5,000.**
- **Three (3) counts of violation of bylaw 11.9.1. Participation of a player under an assumed name @ \$1,500 each = \$4,500.**
- **Four (4) counts of violation of bylaw 11.2.1. Allowing an academically ineligible student to participate in multiple contests @ \$500 = \$2,000.**
- **Violation of basketball regulation 105.02 = \$500.**
- **Violation of bylaw 11.13.1. No students listed on iFHSAA data base. Policy 44, B#2 states \$50 for each count. SCA could have been fined \$50 per student, per contest. Fine for this violation is \$1,000.**
- **Restrictive probation includes (1) no participation in the FHSAA State Series (2) no participation in preseason classic contests (3) no participation in post season contests of any kind including non-sanctioned contests in conjunction with other athletic associations and (4) no participation with out-of-state schools. All sports will be limited to the maximum number of regular season contests allowed.**

REPRIMAND – An official letter of censure to the individual and/or school concerned in regard to the offense committed and warning against further acts of a detrimental nature which are contrary to the aims of this Association. This letter of reprimand becomes a part of the file of the individual and/or school involved.

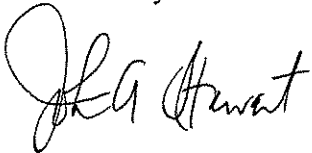
Restrictive Probation – The school is reprimanded, fined and restricted in some manner for one or more calendar years, including restriction from participation in championship competition in one or more sports. The school is further served notice that it is in a period of warning for one or more calendar years and additional violations during this period may result in an extension of the probationary period, or in the school being placed on suspension probation, or in the school being expelled from membership in this Association.

According to FHSAA Bylaw 13.2.1; The principal of a member school or his/her designee, or any other individual, who is found to be in violation of the rules of this Association by the Commissioner, whether or not such finding results in the imposition of penalty, may appeal the finding of the Commissioner if he/she takes issue with it, or may appeal the penalty imposed, if any, if he/she, while not disagreeing with the finding, believes the penalty to be too severe. The

appeal must be filed so that it is received in the office of this Association within ten (10) business days of the receipt of the Commissioner's finding and/or notification of the imposition of penalty. Failure to file an appeal so that it is received in the office of this Association within the ten (10) business days allowed shall be deemed a waiver of the right to appeal as granted herein. The cost of the appeal, including the Association's attorney fees, shall be borne by the appellant if the finding of the Commissioner or the penalty as imposed is upheld. Appeals shall be considered by the Sectional Appeals Committee, which serves the administrative section in which the petitioning school is located, only at a regularly scheduled meeting. If, however, the finding of the Commissioner arises from a situation involving or affecting member schools in more than one administrative section, or the finding results in the imposition of a penalty of restrictive probation, suspension probation or expulsion against a member school, an appeal of that finding shall be forwarded directly to the Board of Directors.

If you wish to appeal these findings to the FHSAA Board of Directors, please forward a letter to this office within 10 days of the receipt of this letter.

Sincerely



John A. Stewart, Ed.D.,
Commissioner

Cc Board of Directors
Mr. David Eilers, Principal Vanguard High School
Sonny Hester, Associate Commissioner
Dorothy Brunson, Director of Compliance and Eligibility
Denarvise Thornton, Senior Director of Athletic Operations
Roberta Elkins, Comptroller
Robert Hernberger, Associate Director of Communications
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