



John A. Stewart, Ed.D.
Commissioner

September 18, 2007

Mr. Bob Carter, Principal
The Rock School
9818 S.W. 24th Ave.
Gainesville, FL 32607

Via Facsimile and US Mail – 352.331.9760

Re: Violations / Sanctions, FHSAA Regulations

Dear Mr. Carter,

This letter will serve notice of the determination of violations by The Rock School (TRS), regarding certain FHSAA regulations, as well as sanctions to TRS for those violations.

Background

- A compliance review/audit was initiated by the FHSAA in accordance with FHSAA Bylaw 3.3.2.5. (Letter dated March 13, 2007)
- Mr. Wayne Williamson, FHSAA Investigative Consultant, completed the compliance review/audit in accordance with instructions from Commissioner Stewart.
- Mr. Williamson compiled a written report received at the FHSAA Office on April 9, 2007.
- Mr. Williamson noted in his report that most of the items under review were in order except for two very important items. (1) International students living with someone associated with the school and; (2) International students not paying tuition.
- Commissioner Stewart requested a meeting with TRS administration to discuss the violations by letter dated August 20, 2007. During the meeting with TRS administration, Commissioner Stewart reviewed the violations and requested the TRS administration to respond with proactive measures that TRS will institute to avoid future FHSAA violations.
- TRS replied (letter dated September 13, 2007). The proactive measures listed include the following.
 1. "We understand that all aid for student-athletes must be need-based, and thus, even prior to our first communication from the FHSAA, we had already eliminated our International Missions Scholarship. We now require all international student-athletes to complete a financial aid application through the Federal Family Needs Assessment, an FHSAA approved agency.....We now utilize this agency for every student-athlete who receives any aid whatsoever.
 2. "Again, even prior to the letter we received noting the violations, we had already implemented changes based upon the clarifications provided in the 2007-2008 Handbook and the information shared at the FHSAA workshop at the end of July. This clarification defines who may not serve as a host family. Additionally, after our two meetings at the FHSAA office, the church and the school have removed themselves from being directly involved in the process of placing international students with host families.

The FHSAA appreciates the proactive measures taken by TRS, and has taken those measures into consideration with regard to the sanctions imposed, however the violations committed by TRS are very serious.

Violations

The violations are listed as they were first promulgated in the 2006-2007 FHSAA Handbook, and secondly as they are currently listed in the 2007-2008 FHSAA Handbook.

1. Violation of 2006-2007 FHSAA Handbook, Policy 38, Section E – Financial Assistance Programs, #5, which states, *A school that provides financial assistance to a student-athlete based on any criteria other than need must:*
 - (a) Denote on the Annual Eligibility List that the student-athlete is receiving such financial assistance; and

- (b) Must submit in writing the student's name, the amount of financial assistance and the source of the funds (i.e. foundation, private donation, etc.) from which the financial assistance is derived at the time the student's name is submitted to the FHSAA Office on the Annual Eligibility List or anytime such assistance is subsequently provided. If the source of the funds is a private donation earmarked specifically for the student-athlete, the name of the donor must also be provided.
- (c) Financial assistance based even partially on athletic interest, potential or performance is not permitted from the school or any individual or group associated with the school's athletic interest.

The Rock School allowed international student-athletes to attend school free of charge and did not give the Association notice or right to deny.

1(a) Violation of 2007-2008 FHSAA Handbook Policy 38, 6.1.8, which states, Assistance Based on Criteria Other Than Need. A school that provides financial assistance to students based on any criteria other than financial need must report to the FHSAA Office:

- (a) The name of each student-athlete who is receiving such assistance;
- (b) The criterion upon which the assistance is based (must have no relationship to athletic interest, potential or performance);
- (c) The amount of the assistance; and
- (d) The source of the funding (e.g. foundation, private donation, etc.) for the assistance.

The Rock School must comply with the above-mentioned criteria. The Association will decide if the criteria meets FHSAA regulations pertaining to financial assistance.

2. Violation of 2006-2007 FHSAA Handbook, Policy 38, Section C Special Inducement, #2 (e), which states, Offer or acceptance of a residence with any person associated with a school.

The Rock School allowed international student-athletes to reside with families associated with the school.

2(a). Violation of 2007-2008 FHSAA Handbook, Policy 38, 4.2 Specific Prohibitions (g) which states, Living on a full- or part-time basis, regardless of whether rent is paid, with any school employee, athletic department staff member or representative of the school's athletic interests.

The Rock School allowed international student-athletes to reside with families associated with the school.

2(c). Violation of 2006-2007 & 2007-2008 Handbooks, Policy 18, Section B, #9, which states, The international student must not reside with a coach or other individual associated with the school's athletic program.

Sanctions

In accordance with FHSAA Bylaw 12.1.1, TRS is reprimanded, fined \$10,000 and its' athletic program placed on restrictive probation for a period of one year, followed by administrative probation for a period of two years. The provisions of the sanctions are as follows.

- TRS must forfeit all contests in all sports which international students participated in during the 2006-2007 school year. Letters of forfeiture must be written to all principals that TRS participated against, with copies of those letters sent to the Commissioner.
- Any team awards or honors won by TRS during State Series competition during the 2006-2007 school year must be returned to the FHSAA office within ten (10) days of the receipt of the facsimile of this letter. (Boys Basketball – District, Region, State Runner-up; Girls Basketball – District; Fall Soccer – District).
- Fine for violation of FHSAA Policy 38, Section E, #5 / FHSAA Policy 38, 6.1.8 - \$5,000.00
- Fine for violation of FHSAA Policy 38, Section C, #2(e) / FHSAA Policy 38, 4.2(g) - \$5,000.00
- Restrictive probation begins immediately and concludes at the end of the 2007-2008 school year. Restrictive probation includes; (1) TRS is only allowed to play in regular season contests in all sports as stated in the various sport manuals; (2) TRS can compete in sanctioned tournaments within the State of Florida during the regular season; (3) TRS cannot participate in pre-season basketball classics; (4) TRS cannot compete in State Series competition in all sports; (5) TRS can only compete against schools located within the State of Florida.
- Administrative probation begins at the completion of the restrictive probation and concludes at the end of the 2009-2010 school year.

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.

Administrative Probation – The school is reprimanded, fined and 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 restrictive or suspension probation, or in the school being expelled from membership in this Association.

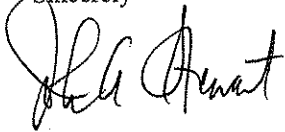
Restrictive Probation – The school is reprimanded, fined and restricted in some manner for one or more calendar years, including restriction from participation in championship competition in one or more sports. The school is further served notice that it is in a period of warning for one or more calendar 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.

Due Process

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
Sonny Hester, Associate Commissioner
Dorothy Brunson, Director of Compliance and Eligibility
Denarvise Thornton, Senior Director of Athletic Operations
Robert Elkins, Comptroller
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