



Board of Directors Meeting – Agenda Item

Meeting Date(s): Sept. 18, 2017 Item submitted by: Michele Faulk
(i.e. FHSAA Staff, BOD, Committee, Individual)

- General Business Item: Yes No
- Committee: Governance Finance Operations
- Item Type: Action Discussion Information only
- Data Source: Florida Statute 1006.20 (i.e. FHSAA Bylaw/Policy, Fla. Statute, etc.)

Topic:

Sept. 2017 Report of the FHSAA Public Liaison Advisory Committee (PLAC)

Detailed Information (brief statement–background, observations, data, etc.):

See Attachment --

Provide attachment(s) as applicable

Executive Director Recommendation:

Acceptance of the PLAC Report for submission to the education committees of the Florida House of Representatives and the Florida Senate and the Commissioner of Education.

Rationale & Impact:

[Empty box for Rationale & Impact]

Alternative to Recommendation:

[Empty box for Alternative to Recommendation]

Michele Faulk, Chair, PLAC 

Printed Name of Individual/Committee Submitting Item

Signature

Kyle Niblett

Printed Name of FHSAA Staff Member Presenting Item

Signature

September 2017

To: The Florida High School Athletic Association Board of Directors
The Florida House of Representatives Education K-12 Committee
The Florida Senate Education Committee
The Florida Commissioner of Education

PUBLIC LIAISON ADVISORY COMMITTEE ANNUAL REPORT

The Florida High School Athletic Association's Public Liaison Advisory Committee (PLAC) met four times during the 2016-17 school year to consider matters pertaining to correspondence received from the general public. Those dates were: Sept. 25, Nov. 6, Jan. 19, April 30. The PLAC is charged with assisting the FHSAA in the development of procedures related to high school athletic and competition programs and reviewing and evaluating the effectiveness of the current rules and operation of the Association.

Members of the committee for the 2016-17 school year were:

Kurt Browning, Pasco County School District, Superintendent
Connie Collins, Seminole High School, Principal
Brian Dassler, Florida Department of Education
Brenda Dickinson, Home Education
Michele Faulk, Chair, Santa Fe High School, Athletic Director
Capt. Robert Fine, Admiral Farragut Academy, Principal
Rep. Erik Fresen, Florida House of Representatives
Zane Green, Business Community
Dean Ledford, Mandarin Middle School, Principal
Aimee Oelrich, Parent
Ashley Oelrich, Student-Athlete
Marty Pallman, Media
Mike Ridaught, Media
Hazel Sellers, Vice Chair, Polk County School Board
Sen. Kelli Stargel, Florida Senate
Sue Tortora, Montverde Academy, Coach

The annual format of the annual report was suggested by member Brenda Dickinson at our final meeting of the year on April 30, 2017. It was endorsed by the rest of the PLAC members attending the meeting.

Below you will find an anecdotal summary of various issues and concerns the committee received throughout the 2016-17 school year:

A common theme throughout the school year centered on allegations, recruiting and the fallout of House Bill 7029. Going into effect on July 1, 2016, PLAC Committee Chairperson Michele Faulk told the PLAC in the Sept. 25, 2016 meeting that there were many misconceptions about the rule. Students in the state think they can go to any school they want at any time. FHSAA PLAC liaison Kyle Niblett reiterated the different platforms FHSAA has used to educate its constituents on the law: Social Media (Twitter, Facebook, Instagram), Email Blasts, Weekly Updates, FHSAA.org, Flyers, etc...

With kids being immediately eligible to participate in sports at any school of their choice, the PLAC faced several emails from the public dealing with recruiting, with some referring to it as "high school free agency." Mr. Niblett explained to all concerned members of the public as well

as members of the PLAC multiple times that the FHSAA reviews any and all allegations of recruiting. Anyone can visit FHSAA.org and fill out an allegation form, or simply email compliance@fhsaa.org. Once the FHSAA receives the allegation, it is forwarded to the appropriate parties and the high school has 10 days to formally investigate the matter internally. After a response is sent to the FHSAA, the FHSAA then decides whether to accept the report or investigate further.

An example of this was in February when the PLAC received an allegation of a coach using a travel ball organization as a developmental system for his high school program. Mr. Niblett explained that with new state statutes, any player can follow their coach and the student is free to go where they want. However, at no point can anyone who represents the school's athletic interest recruit a student-athlete. In addition, Mr. Niblett stated that a coach cannot require a student-athlete to play on their travel team as a prerequisite for playing on the high school team. PLAC member Marty Pallman asked if this has been an issue in the past. Mr. Niblett responded that the FHSAA has received one allegation in the last year but through an investigation it was determined there were no rules violated.

There were numerous times the PLAC was contacted about rules referring to Florida State Statutes. Each time, the public was reminded that the FHSAA cannot supersede such laws. Examples of this included a parent wanting their child to attend a private school while playing sports at a public school (State Statute 1006.15 [8][a]), a parent not wanting middle school students to be eligible for high school athletics (State Statute 1006.20) and a parent wanting their student to be eligible despite a GPA under 2.0 (State Statute 1006.15).

FHSAA Bylaw 9.6.1 regarding the high school age limit was also thoroughly discussed by the committee throughout the year. Member Hazel Sellers attended the Sectional Appeals meeting in Bradenton on Oct. 6, 2016, and mentioned at our Nov. 6 meeting how the age-related appeal was "heart wrenching." She made a note that she wished the 19 years, nine months mediation process occurred before the hearing. Other members, including FHSAA Associate Executive Director for Eligibility and Compliance Services Craig Damon, mentioned how the FHSAA promotes this rule with posters, email alerts, brochures and other strategic messaging campaigns.

As of July 31, 2017, the FHSAA is scheduled to meet as a staff to review mediation for all appeals related to FHSAA Bylaw 9.6.1. The late Brian Dassler mentioned the FCAT effect on this Bylaw. The committee then determined the impact on the state series was minimally impacted by the Bylaw. Other emails to the PLAC regarding age came from student-athletes and parents alike who asked how to appeal the rule. All such questions were answered with links directing them to the EL11 form, the appeal form for the Bylaw.

Another issue where the committee was consistent in its stance was for coach complaints related to the hiring and firing of coaches, along with coaches making roster decisions. Repeatedly, the PLAC had to remind the public the FHSAA has no control over member schools' personnel decisions. The PLAC and the FHSAA both recommend to parents who want to complain about coaches:

1. Contact the coach directly
2. Contact the AD
3. Contact the Principal/Headmaster
4. Contact the County AD (where applicable)
5. Contact the Superintendent (where applicable)

By law, all coaches are employees of the school, even an unpaid volunteer coach. Due to the coach being an employee of the school and not the FHSAA, the FHSAA is not involved in the discipline and dismissal of coaches. The hiring and dismissal of coaches is the responsibility of the school and/or district administration.

At the final meeting in April 2017, a large part of the discussion revolved around charter school students playing at a publicly-zoned school. Mr. Niblett reviewed FHSAA Bylaw 9.2.2.2 and updated the PLAC on the approved FHSAA Policy 5.2.2.1 (d and e). This policy would create more opportunities for public and private school students. Mrs. Dickinson and Mrs. Sellers discussed the new state statute, with Mrs. Sellers asking if a charter school student could play sports at a public school even if there were no open seats, because they weren't taking up an academic spot. Senator Baxley suggested the FHSAA consult its general legal counsel on the subject. He stated clarification is needed sometimes when you make transitions in policy and then the policy "hits the ground." Mr. Niblett finished the debate stating he would contact the FHSAA Eligibility and Compliance Services department immediately following the meeting. After speaking with the FHSAA's Mr. Damon and FHSAA Director of Eligibility, Michael Colby, clarification on the charter school discussion from the meeting was forwarded to all member schools. In short, it was concluded that a charter school student cannot participate in athletics at a school with no open seats.

PLAC members also reviewed several topics surrounding finances and its impact on high school athletics. A few of the questions received were:

- **Is there a law regarding Pay-To-Play?**
 - Committee Chairperson Mrs. Faulk told the committee the FHSAA does not regulate fair share and it is up to the school on how to fund their programs. The FHSAA does not have a policy on pay-to-play since member school's budgets vary greatly. Mrs. Sellers said Polk County does do it but they have never had a complaint about a student not being able to afford to play. The school typically covers it via fundraising or other legal avenues.
- **Why is there not a basketball shot clock?**
 - The PLAC agreed there was not a mandated shot clock in Florida for several reasons: determining who would finance it, concerns over about the ability to staff it for every necessary game, determining who would do it (school, official association, FHSAA) and who and how the person doing it would be paid.
- **Why does the state not drug test athletes?**
 - Mrs. Faulk told the committee there are issues with finances and the potential for lawsuits. Mr. Niblett said the FHSAA did drug testing once in 2007- 2008, and only one athlete was found to have tested positive out of 600. He mentioned the cost with drug testing athletes is high, with each test currently costing \$166.25 per athlete, which would total around \$13 million for all FHSAA student-athletes. Putting that burden on every member school would be unacceptable.

Responses to the general public included informing parents that athletes can play multiple sports, letting parents know the FHSAA schedule is posted year-round to prevent conflicts with SAT/ACT testing, and explaining to parents officials get due process just like schools do when complaints are filed.

Lastly, the PLAC agreed in its last meeting to publicly thank outgoing FHSAA Executive Director Dr. Roger Dearing in its annual report. Dearing arrived in Gainesville with a vision to replace membership fees with corporate sponsorships, merchandising and media contracts. He went to work immediately, saving membership more than \$400,000 by reducing membership fees to just

\$25 per school. Beginning with the latest policy changes, he slashed sanction, classic and participation fees by more than \$366,000. In terms of revenue share, the Executive Director reduced the FHSAA's cut by \$160,000 and increased championship team payouts by \$168,000. In total, member schools are \$1.5 million better off annually than before Dearing's arrival.

The Executive Director also broadened the national visibility of the brand by partnering with Spectrum Sports and the NFHS Network, making championships available worldwide. Thanks to Dearing, student-athlete participation in the FHSAA's 32 sports increased by 33 percent, with 141 teams and 294 individuals experiencing the feeling of winning a state championship.

With that said, PLAC member Senator Dennis Baxley has recommended creating a resolution in Tallahassee for Dr. Dearing, honoring him for his achievements and service to the organization, member schools and student-athletes.

Future changes to the PLAC include the PLAC having a more visible space on FHSAA.org in late 2017 once the website's redesign is complete. In addition, the committee will continue to debate on the pros and cons of using GoToMeeting online instead of hosting in-person meetings. This would cut down on travel time and expenses for members, and increase the ability for the general public to attend PLAC meetings.

The PLAC addressed and responded to every piece of correspondence the group received, before analyzing each topic as a group during its four (4) meetings in the 2016-17 school year. We look forward to serving again in 2017-18 and making sure that there is an understanding of what FHSAA policies and bylaws are in addition to ensuring that the Association continues to address the concerns of its constituents.

Respectfully submitted,
Michele Faulk
Chairperson
FHSAA Public Liaison Advisory Committee