At 7:15 p.m., Thursday, October 2, 2008, President W. Rodney Stone called the PIAA Board of Directors to order.

MEMBERS PRESENT

W. Rodney Stone, Warrington ................................................................. District 1
Dr. Randy A. Ireson, Concordville .......................................................... District 1
Francis M. Majikes, Wilkes-Barre .......................................................... District 2
John W. Ziegler, Newport ........................................................................ District 3
Samuel S. Elias, Hershey ......................................................................... District 3
Joseph T. Kelly, Bloomsburg ................................................................. District 4
Virgil R. Palumbo, Windber ...................................................................... District 5
Raymond J. Wotkowski, Sidman ............................................................ District 6
Richard A. Constantine, Uniontown ....................................................... District 7
Pamela R. Cherubin, Pittsburgh ............................................................. District 7
Jon L. Vallina, Burgettstown .................................................................. District 7
Michael A. Gavlik, Pittsburgh ............................................................... District 8
James B. Manners, Brockway ............................................................... District 9
Walter J. Blucas, Girard .......................................................................... District 10
John P. Wabby, Pottsville ...................................................................... District 11
Robert B. Coleman, Philadelphia .......................................................... District 12
Michael W. Hawkins, Philadelphia ......................................................... District 12
Robert J. Tonkin, Brookville ................................................................ Junior High/Middle Schools
Timothy M. Allwein, Mechanicsburg ....................................................... PSBA
Norman J. Long, Downingtown ............................................................. PSBA
Dr. Donald J. Tylinski, Harmony ............................................................. PASA
Dennis F. Nemes, New Tripoli ............................................................... PASSP
Thomas R. Wagner, Karns City ............................................................ PSADA
MEMBERS PRESENT (CONTINUED)

Ronald J. Kanaskie, Riverside
Representing .......................................................... PCA

Frances V. Pierce, Norristown
Representing ....................................................... Female Officials

Joseph F. Lalli, Dunmore
Representing .......................................................... Male Officials

Linda G. Messich, Bobtown
Representing .......................................................... Girls’ Athletics

William J. Cleary, McKeesport
Representing .......................................................... Private Schools

John J. Tommasini, Harrisburg
Representing .......................................................... Department of Education

Cynthia K. Wagner, Karns City
Representing .......................................................... Female Parents

Robert J. Taylor, Oil City
Representing .......................................................... Male Parents’ Representative

ADMINISTRATIVE STAFF PRESENT

Bradley R. Cashman, Executive Director ................................................. PIAA
Dr. Robert A. Lombardi, Associate Executive Director ................................. PIAA
Melissa N. Mertz, Assistant Executive Director ........................................ PIAA
Mark E. Byers, Assistant Executive Director ........................................... PIAA
Gregory G. Biller, Director of Business Affairs ......................................... PIAA
Michael L. Solomon, Esq., Director of Legal Affairs ............................... PIAA

GUESTS PRESENT

Alan R. Boynton, Jr., Esq. ....................................................... PIAA Legal Counsel
Robert M. Ruoff, Executive Secretary .............................................. PIAA District I
Charles H. “Buss” Carr, Executive Secretary ........................................ PIAA District IV
Sean P. McAleer, Director of Education ......................... Pennsylvania Catholic Conference
George B. Shue .............................................................. PSFCA Representative
Rodney L. Frisco, Sports Writer .................................................. Harrisburg Patriot-News
Bill Moushey, Part-time Staff Writer .............................................. Pittsburgh Post-Gazette
Melissa Bevan Melewsky, Esq. ........................................ Pennsylvania Newspaper Association

INTRODUCTION OF ALTERNATE VOTING REPRESENTATIVES TO PIAA BOARD OF DIRECTORS

President Stone introduced Ms. Pamela R. Cherubin, Alternate Voting Representative for Mr. John B. Fullen, Sr., PIAA District VII Vice Chairman; Mr. Timothy M. Allwein, Alternate Voting Representative for Mr. Thomas J. Gentzel, PSBA Executive Director; Mr. Joseph F. Lalli, Alternate Voting Representative for Mr. Larry J. Frisina, Male
Officials’ Representative; and Mrs. Cynthia K. Wagner, Alternate Voting Representative for Mrs. Gayle L. Huffman, Female Parents’ Representative.

MAX PREPS AND SCHEDULE STAR PRESENTATIONS

Following respective presentations by MaxPreps and Schedule Star, both seeking authorization from the PIAA Board of Directors to be designated “The Official Statisticians of the PIAA Championships”, on a motion by Mr. Allwein, seconded by Mr. Hawkins, it was unanimously voted to accept the recommendation of the Executive Director to postpone any decision in regard to the foregoing until the Board of Directors’ reconvenes on Friday, October 3, 2008.

WITHDRAWAL OF MEMBERSHIPS

On a motion by Mr. Ziegler, seconded by Mr. Elias, it was unanimously voted to grant the request of the following school to withdraw from membership in PIAA, effective July 1, 2008:

    District III - Grandview Heights Christian Academy

On a motion by Mr. Palumbo, seconded by Mr. Wotkowski, it was unanimously voted to grant the request of the following school to withdraw from membership in PIAA, effective July 1, 2008:

    District V - Somerset Christian School

On a motion by Mr. Manners, seconded by Mr. Tonkin, it was unanimously voted to grant the request of the following school to withdraw from membership in PIAA, effective July 1, 2008:

    District IX - West Forest Junior High School

TRANSFER OF SCHOOL FROM ONE PIAA DISTRICT TO ANOTHER

On a motion by Mr. Blucas, seconded by Mr. Manners, it was unanimously voted to approve the request of Abraxas 1 Arlene Lissner High School to be transferred from the jurisdiction of PIAA District X to the jurisdiction of PIAA District IX, conditioned upon the PIAA District IX Committee approval, effective July 1, 2008.

REQUEST OF EXETER TOWNSHIP AND READING CENTRAL CATHOLIC HIGH SCHOOLS FOR APPROVAL OF COOPERATIVE SPONSORSHIP OF A SPORT

On a motion by Mr. Ziegler, seconded by Mr. Elias, it was unanimously voted to approve the request of Exeter Township and Reading Central Catholic High Schools for Cooperative Sponsorship of a Sport in boys’ and girls’ cross country, effective the beginning of the 2008-2009 school year.
REQUEST OF READING CENTRAL CATHOLIC AND READING HOLY NAME HIGH SCHOOLS FOR APPROVAL OF COOPERATIVE SPONSORSHIP OF A SPORT

On a motion by Mr. Ziegler, seconded by Mr. Elias, it was unanimously voted to approve the request of Reading Central Catholic and Reading Holy Name High Schools for Cooperative Sponsorship of a Sport in boys’ and girls’ lacrosse, effective the beginning of the 2008-2009 school year.

DIRECTOR OF BUSINESS AFFAIRS’ REPORT AND RECOMMENDATIONS

The Director of Business Affairs gave a status report on (1) the number of schools regarded to be delinquent, as a result of their dues not being paid on or before September 30, 2008; and (2) the number of PIAA District Committees in discussion with Team IP, relative to an Exclusive Souvenir Merchandise and Apparel Development, Management, Marketing, and Sales Agreement.

On a motion by Mr. Palumbo, seconded by Mr. Majikes, it was unanimously voted to accept the unaudited financial statements for the 2008 PIAA Boys’ Team and Singles and Doubles Tennis, Track and Field, Boys’ Volleyball, Girls’ Spring Soccer, Baseball, and Softball Championships, as presented by the Director of Business Affairs.

On a motion by Mr. Wabby, seconded by Mr. Wotkowski, it was unanimously voted to accept the unaudited financial statements for the month ended June 30, 2008, as presented by the Director of Business Affairs.

On a motion by Mr. Wabby, seconded by Mr. Palumbo, it was unanimously voted to accept the unaudited PIAA Foundation financial statements for the year ended June 30, 2008, as presented by the Director of Business Affairs.

On a motion by Mr. Elias, seconded by Mrs. Messich, it was unanimously voted to accept the recommendation of the Director of Business Affairs to adopt the Modified Employer’s Plan document for Salary Reduction Only 403(b) Arrangement, effective immediately.

On a motion by Mr. Tonkin, seconded by Mr. Majikes, it was unanimously voted to accept the recommendation of the Director of Business Affairs to adopt the Raymond James & Associates, Inc. Corporate Resolution, effective immediately.

SECOND ASSISTANT EXECUTIVE DIRECTOR’S REPORT

The Second Assistant Executive Director gave a status report on (1) the 2007-2008 PIAA Sportsmanship award winners; and (2) the PIAA District Committees which are participating in the “Official Ball” agreements with WILSON in the sports of girls’ tennis and football, BÁDEN in the sport of girls’ volleyball, and Select Sport in the sport of soccer.
FIRST ASSISTANT EXECUTIVE DIRECTOR’S RECOMMENDATIONS

On a motion by Mr. Kanaskie, seconded by Mr. Allwein, it was unanimously voted to accept the recommendation of the First Assistant Executive Director to approve six (6) student-delegates and two (2) adult-delegates to attend and participate in the 2009 NFHS National Student Leadership Conference, which is scheduled to convene with the Opening General Session on Thursday, July 16, 2009 and adjourn with the Closing General Session on Sunday, July 19, 2009, at the Indianapolis Hilton, Indianapolis, IN.

On a motion by Mr. Kelly, seconded by Mr. Hawkins, it was voted to accept the recommendation of the First Assistant Executive Director to create a AA diving region between PIAA Districts I and XII, effective immediately.

Motion passed: 21-yes, 8-no.

PIAA SOFTBALL STEERING COMMITTEE RECOMMENDATION

On a motion by Mr. Majikes, seconded by Mr. Ziegler, it was unanimously voted to remove from the table the recommendation of the PIAA Softball Steering Committee to adopt NFHS Softball Rule 4-2-6, to provide for a tie-breaker procedure that places the player who last completed her turn at bat on 2nd base upon the completion of 9 innings, with implementation as follows:

If the score remains tied at the completion of nine full innings, to start each half inning thereafter the offensive Team shall begin its turn at bat with the player who last completed her turn at bat on second base, until a winner is determined. A substitute may be inserted for that runner. For example, if the No. 5 batter is the lead-off batter, the No. 4 batter in the batting order, or a substitute for that batter, shall be placed on second base.

On a motion by Mr. Majikes, seconded by Ms. Cherubin, it was voted to suspend the Protocol for Approving and Implementing Changes to the PIAA By-Laws, the Policies and Procedures, and the Rules and Regulations contained in the Rules and Regulations Section of the PIAA Handbook; and accept the recommendation of the PIAA Softball Steering Committee to adopt NFHS Softball Rule 4-2-6, to provide for a tie-breaker procedure that places the player who last completed her turn at bat on 2nd base upon the completion of 9 innings, applicable to all levels (varsity, junior varsity, or otherwise) of competition and to all Regular Season and Postseason Contests in the sport of softball, effective immediately.

Motion passed: 19-yes, 10-no, 1-abstention. The roll call vote was:

<table>
<thead>
<tr>
<th>District</th>
<th>Vote</th>
<th>District</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>District 2</td>
<td>Yes</td>
<td>District 12</td>
<td>Absent</td>
</tr>
<tr>
<td>District 7</td>
<td>Yes</td>
<td>District 12</td>
<td>Yes</td>
</tr>
<tr>
<td>District 1</td>
<td>No</td>
<td>JH/MSs’ Rep.</td>
<td>Yes</td>
</tr>
<tr>
<td>District 1</td>
<td>No</td>
<td>PSBA Exec. Dir.</td>
<td>Yes</td>
</tr>
</tbody>
</table>
ASSOCIATE EXECUTIVE DIRECTOR’S REPORT

The Associate Executive Director gave a status report on (1) the recently completed NFHS Field Hockey Rules Interpreters meeting, which was held on Thursday, August 7, 2008; (2) the Train the Trainers for District and Chapter Interpreters in all sports, which was held on Thursday, August 7, and Friday, August 8, 2008; (3) the Fourteenth Annual PIAA Officials’ Convention, which began at 4:00 p.m. on Friday, August 8, 2008, with Observer/Evaluation and Running Better Chapter Meetings sessions and concluded with the Officials’ 25/35 Years of Service Banquet, which began at 6:00 p.m. on Saturday, August 9, 2008, all at the Holiday Inn Harrisburg-West, Mechanicsburg, PA; (4) the recently completed second annual PIAA Foundation Cross Country Invitational, which was held on Saturday, September 20, 2008, on the Parkview Cross Country Course, Hershey, PA; (5) the PIAA Board of Directors-approved change to the golf region deadline from Monday, October 13 to Wednesday, October 15, 2008; (6) the deadline for receipt of recommendations from the respective PIAA District Chairmen of registered officials that are qualified to officiate the 2008 PIAA Fall Championships, with a reminder that, pursuant to the Policy Regarding Evaluation of PIAA District Championship Contest Officials, it is recommended that all officials assigned to District Championship Contests in the sports of field hockey, football, soccer, and girls’ volleyball, be evaluated; (7) the start of the 2008-2009 PIAA winter sports’ rules interpretation meetings and that those meetings must be attended by the head coach of the coaching staff of each member senior high school Team; and (8) the soon-to-be held election for PIAA-Registered Officials’ Representatives to the even-numbered PIAA District Committees.

RECESS

President Stone recessed the meeting of the PIAA Board of Directors at 9:50 p.m., Thursday, October 2, 2008.
President Stone reconvened the meeting of the PIAA Board of Directors at 8:05 a.m., Friday, October 3, 2008, in the Board Room of the PIAA Office, Mechanicsburg, PA.

MEMBERS PRESENT

W. Rodney Stone, Warrington ........................................................................... District 1
Dr. Randy A. Ireson, Concordville ..................................................................... District 1
Francis M. Majikes, Wilkes-Barre ................................................................... District 2
John W. Ziegler, Newport ............................................................................. District 3
Samuel S. Elias, Hershey ............................................................................... District 3
Joseph T. Kelly, Bloomsburg ......................................................................... District 4
Virgil R. Palumbo, Windber .......................................................................... District 5
Raymond J. Wotkowski, Sidman .................................................................... District 6
Richard A. Constantine, Uniontown ................................................................ District 7
Pamela R. Cherubin, Sidman ......................................................................... District 7
Jon L. Vallina, Burgettstown ......................................................................... District 7
Michael A. Gavlik, Pittsburgh ...................................................................... District 8
James B. Manners, Brockway ....................................................................... District 9
Walter J. Blucos, Girard .............................................................................. District 10
John P. Wabby, Pottsville ........................................................................... District 11
Robert B. Coleman, Philadelphia .................................................................. District 12
Michael W. Hawkins, Philadelphia .................................................................. District 12
Robert J. Tonkin, Brookville ........................................................................ District 12

Timothy M. Allwein, Mechanicsburg
Representing .................................................................................................. Junior High/Middle Schools

Norman J. Long, Downingtown
Representing .................................................................................................. PSBA

Dr. Donald J. Tylinski, Harmony
Representing .................................................................................................. PASA

Dennis F. Nemes, New Tripoli
Representing .................................................................................................. PASSP

Thomas R. Wagner, Karns City
Representing .................................................................................................. PSADA

Ronald J. Kanaskie, Riverside
Representing .................................................................................................. PCA

Frances V. Pierce, Norristown
Representing .................................................................................................. Female Officials

Joseph F. Lalli, Dunmore
Representing .................................................................................................. Male Officials

Linda G. Messich, Bobtown
Representing .................................................................................................. Girls’ Athletics

William J. Cleary, McKeesport
Representing .................................................................................................. Private Schools
MEMBERS PRESENT (CONTINUED)

John J. Tommasini, Harrisburg  
Representing .................................................................................. Department of Education
Cynthia K. Wagner, Karns City  
Representing .................................................................................. Female Parents
Robert J. Taylor, Oil City  
Representing .................................................................................. Male Parents’ Representative

ADMINISTRATIVE STAFF PRESENT

Bradley R. Cashman, Executive Director .................................................. PIAA
Dr. Robert A. Lombardi, Associate Executive Director .......................... PIAA
Melissa N. Mertz, Assistant Executive Director ........................................... PIAA
Mark E. Byers, Assistant Executive Director .............................................. PIAA
Gregory G. Biller, Director of Business Affairs ......................................... PIAA
Michael L. Solomon, Esq., Director of Legal Affairs ................................. PIAA

GUESTS PRESENT

Alan R. Boynton, Jr., Esq. ................................................................. PIAA Legal Counsel
John P. Milliron, Esq................................................................. PIAA Legislative Counsel
Robert M. Ruoff, Executive Secretary ..................................................... PIAA District I
C. Wendell Hower, Executive Secretary/Director ........................................ PIAA District III
Charles H. “Buss” Carr, Executive Secretary ............................................. PIAA District IV
Sean P. McAleer, Director of Education .................................................... Pennsylvania Catholic Conference
Philip J. Murren, Esq. ................................................................. Pennsylvania Catholic Conference Legal Counsel
George B. Shue ........................................................................... PSFCA Representative
Rodney L. Frisco, Sports Writer ............................................................. Harrisburg Patriot-News
Pete Fromm, Staff Writer ................................................................... Harrisburg Patriot-News
Bill Moushey, Part-time Staff Writer ........................................................ Pittsburgh Post-Gazette
Melissa Bevan Melewsky, Esq. .............................................................. Pennsylvania Newspaper Association
Corinna Vecsey Wilson, COO ............................................................. Pennsylvania Newspaper Association

EXECUTIVE SESSION

President Stone called an Executive Session of the PIAA Board of Directors to discuss personnel matters, which included a review of the PIAA Human Resources Committee meetings of Thursday, August 21 and Thursday, September 18, 2008, the report of legal counsel, and the report and analysis of PIAA’s legislative consultant. The Board of Directors then went into Executive Session, where personnel matters, which included a review of the PIAA Human Resources Committee meetings of Thursday, August 21 and Thursday, September 18, 2008, legal, and legislative matters were discussed.
RETURN TO REGULAR SESSION

President Stone returned the meeting of the PIAA Board of Directors to Regular Session.

EXECUTIVE DIRECTOR’S REPORT AND RECOMMENDATION

The Executive Director, who was invited to make a presentation at each of the following, gave a status report on (1) the PIAA District VII/WPIAL Summer Workshop, which was held on Monday, August 4, 2008 at the WPIAL Office, Pittsburgh, PA; (2) the PIAA District V Fall In-Service, which was held on Wednesday, August 6, 2008 at the Arena Restaurant, Bedford, PA; (3) the PIAA District IV Fall In-Service, which was held on Thursday, August 7, 2008 at the Watson Inn, Watsontown, PA; (4) the Capital Area Sports Hall of Fame, which was held on Wednesday, August 27, 2008 at the Penbrook American Legion, Harrisburg, PA; (5) along with the Second Assistant Executive Director, the PIAA District I Fall In-Service, which was held on Wednesday, September 10, 2008 at the Westover Golf Club, Jeffersonville, PA; (6) along with the Associate Executive Director, First Assistant Executive Director, Second Assistant Executive Director, and Director of Business Affairs, the National Federation of State High School Associations (NFHS) Section 2 Meeting, which was held on Sunday, September 14; Monday, September 15; and Tuesday, September 16, 2008, at the Sheraton Inner Harbor, Baltimore, MD; and, (7) along with the First Assistant Executive Director, the PIAA District II Fall In-Service, which was held on Thursday, September 25, 2008 at the Pittston Convention Center, Pittston, PA.

On a motion by Mr. Blucas, seconded by Mrs. Pierce, it was voted to accept the recommendation of the Executive Director to designate MaxPreps as the “Official Statistician of PIAA Inter-District Championships in the sports of football, girls’ and boys’ basketball, girls’ and boys’ volleyball, girls’ and boys’ lacrosse, softball, and baseball”, for the 2008-2009 and 2009-2010 reclassification cycle, conditioned upon the Executive Director negotiating favorable terms of a final agreement with MaxPreps.

Motion passed: 19-yes, 12-no. The roll call vote was:

<table>
<thead>
<tr>
<th>District</th>
<th></th>
<th>District</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>Yes</td>
<td>12</td>
<td>Yes</td>
</tr>
<tr>
<td>Female Offs.</td>
<td>Yes</td>
<td>12</td>
<td>Yes</td>
</tr>
<tr>
<td>District 1</td>
<td>Yes</td>
<td>JH/MS’s Rep.</td>
<td>Yes</td>
</tr>
<tr>
<td>District 1</td>
<td>Yes</td>
<td>PSBA Exec. Dir.</td>
<td>Yes</td>
</tr>
<tr>
<td>District 2</td>
<td>Yes</td>
<td>PSBA Rep.</td>
<td>Yes</td>
</tr>
<tr>
<td>District 3</td>
<td>No</td>
<td>PASA Rep.</td>
<td>No</td>
</tr>
<tr>
<td>District 3</td>
<td>No</td>
<td>PASSP Rep.</td>
<td>No</td>
</tr>
<tr>
<td>District 4</td>
<td>Yes</td>
<td>PSADA Rep.</td>
<td>No</td>
</tr>
<tr>
<td>District 5</td>
<td>Yes</td>
<td>PCA Rep.</td>
<td>Yes</td>
</tr>
<tr>
<td>District 6</td>
<td>No</td>
<td>Male Offs.</td>
<td>Yes</td>
</tr>
<tr>
<td>District 7</td>
<td>No</td>
<td>Girls’ Athletics.</td>
<td>No</td>
</tr>
<tr>
<td>District 7</td>
<td>No</td>
<td>Private Sch. Rep.</td>
<td>No</td>
</tr>
</tbody>
</table>
On a motion by Mr. Wabby, seconded by Mr. Ziegler, it was unanimously voted to accept the recommendation of the Executive Director to propose, on a first reading basis, an amendment to ARTICLE VII, POWERS AND DUTIES OF BOARD OF DIRECTORS AND OFFICERS, Section 1, Powers and Duties of Board of Directors, of the PIAA Constitution, to the member schools for their vote at their 2009 District Annual Meetings, which, if approved, would formalize the power of the Board of Directors to hear appeals from Regional Panels and for the Executive Director to resolve emergency matters relating to appeals from Regional Panels, effective July 1, 2009, to read as follows:

ARTICLE VII
POWERS AND DUTIES OF BOARD OF DIRECTORS AND OFFICERS
Section 1. Powers and Duties of Board of Directors.
The Board of Directors shall have the following powers and duties:

\* \* \*

H. To investigate, hear, and decide appeals from decisions of Regional Panels or District Committees. The Board of Directors will not consider appeals submitted more than thirty days after the decision of a Regional Panel or District Committee.

\* \* \*

J. In acting pursuant to the provisions of subsections E, F, G, H, and I of this Section, the Board of Directors shall act at its next regularly scheduled meeting, unless the Executive Director shall determine, or the Regional Panel or District Committee shall certify, that immediate disposition of the matter would be in the best interests of PIAA. In such event, the President of PIAA shall promptly convene a Board of Appeal to hear and determine such matter as expeditiously as possible. The membership of such Board of Appeal shall consist of at least five members of the Board of Directors designated by the President for each such matter. The presiding officer shall be the PIAA President or another officer of PIAA (Vice President or Treasurer) appointed by the President. If no officer of PIAA is available to preside, the President shall appoint another member of the Board of Appeal to preside. No officer or member of the Board of Directors shall be eligible to serve upon such Board of Appeal in any matter involving such officer’s or member’s school, public school district, Regional Panel, or District. Such Board of Appeal’s decision shall be final and binding upon all parties to the matter.

\* \* \*

PROPOSED AMENDMENTS TO PIAA CONSTITUTION
**INTERPRETATIONS**

* * *

**Section 2-B. July 23, 1987, as amended May 11, 2002.**

Authority of Executive Director Summarily to Impose Temporary Penalties.

When, in the opinion of the Executive Director, there has been a violation of the Constitution, By-Laws, Policies and Procedures, and/or Rules and Regulations of PIAA, and the Executive Director determines that, as a result of such violation, it is in the interest of the protection of persons or property, or otherwise in the interest of PIAA or a member thereof, that action be taken before the District Committee, Regional Panel, or the Board of Directors, within their respective jurisdiction, can reasonably meet to address the matter, the Executive Director may impose any penalty provided for such violation. The penalty so imposed shall remain in force until the earlier to occur of the next meeting of the District Committee or Regional Panel or the passage of 14 days in matters within the jurisdiction of the District Committee or Regional Panel, or until the next meeting of the Board of Directors in matters within its jurisdiction.

On a motion by Mr. Coleman, seconded by Mr. Kelly, it was unanimously voted to accept the recommendation of the Executive Director to propose, on a first reading basis, an amendment to ARTICLE VIII, REGIONAL PANELS, of the PIAA Constitution, to the member schools for their vote at their 2009 District Annual Meetings, which, if approved, would (1) authorize each District Committee to select more than three members of that Committee to serve on a Regional Panel, provided each involved District has the same number of members on that Panel; (2) remove the requirement that officers of a Regional Panel serve for a period of one year; and (3) authorize the Executive Director to designate one member of the Regional Panel to serve as Chairman in the absence of an agreement on the selection of that Chairman, effective July 1, 2009, to read as follows:

**ARTICLE VIII**

**REGIONAL PANELS**

* * *

**Section 2. Composition.**

Regional Panels shall consist of at least three members from each of the Districts entering into the agreement. Each District shall have the same number of members on the Regional Panel. The selection of the members shall be decided by the members of the respective District Committees.

**Section 3. Officers.**

The officers of each Regional Panel shall be a Chairman, a Vice Chairman, and a Secretary. Officers shall be elected by the Panel and shall serve for a period of time as determined appropriate and necessary under the circumstances that necessitated the creation of the Panel one year, beginning July 1 of a year and ending June 30 of the following year. Officers shall be selected by the members of the Regional Panel, excepting that the Chairmanship shall alternate annually between the participating
Districts. If there is no agreement on selection of the Chairman, the Executive Director shall designate one member of the Regional Panel to serve as Chairman.

* * *  

PROPOSED AMENDMENTS TO PIAA BY-LAWS

On a motion by Mr. Majikes, seconded by Mr. Kelly, it was unanimously voted to suspend the Protocol for Approving and Implementing Changes to the PIAA By-Laws, the Policies and Procedures, and the Rules and Regulations contained in the Rules and Regulations Section of the PIAA Handbook; and amend ARTICLE VI, TRANSFERS, RESIDENCE, AND RECRUITING, of the PIAA By-Laws, to recognize the authority of Regional Panels to hear matters arising under ARTICLE VI, which involve transfers or athletic recruiting, including students transferring from or to a Cross-District School, effective immediately, to read as follows:

ARTICLE VI
TRANSFERS, RESIDENCE, AND RECRUITING

Preamble
The purpose of this ARTICLE is to deter transfers and/or recruiting which are materially motivated in some way by an athletic purpose.

PIAA and its member schools believe that interscholastic athletics has a valuable role in the overall development of students and is a useful character building tool. PIAA and its member schools believe further that, despite increasing societal pressures to elevate the role of competitive athletics in society and in the educational process, athletics should remain subservient to academics. Students who make decisions as to what school to attend based upon factors relating to athletics defeat this objective. Further, such decisions are detrimental to efforts to maintain competitive integrity and equity, to prevent athletic recruiting, and to instill school loyalty.

PIAA recognizes the difficulty in preventing transfers which are materially motivated in some way by an athletic purpose. Experience has shown that students can often disguise athletically motivated transfers and, in almost every situation, show at least some legitimate purposes for such transfers. PIAA further recognizes that Regional Panels and District Committees, without subpoena powers or investigatory staffs, may not be able to consistently and effectively police athletically motivated transfers. Further, efforts to measure how much of a factor athletics must play in a decision before it is considered improper is, while possible, also extremely difficult.

In light of the above stated important educational and organizational objectives, and the challenges presented in attempting to prevent athletically motivated transfers, PIAA has adopted an approach that is intended to strongly discourage and deter students from transferring for athletic purposes. The Board of Directors recognizes that this approach may, on occasion, result in a presumption of ineligibility for students who may not have actually considered athletics as a factor in transferring, and may conversely not catch all students who actually considered athletics as a factor. Consequently, the following ARTICLE includes a provision which provides the Regional Panels and District Committees, within their respective jurisdictions, with the power, under appropriate circumstances, to change eligibility status to meet the objectives of this ARTICLE.
Section 1. Definition of Transfer.

A transfer occurs in any situation in which a student enrolls at or attends a PIAA member school after having been previously home-schooled, enrolled at or attending any other school, without regard to the time interval between the student’s departure from one school and the student’s arrival at a PIAA member school. A home-schooled student who is registered with the Superintendent of one public school district and who then registers with another public school district or enrolls in a Private School is considered to have transferred.

A student who enrolls at a PIAA member school between the end of a school year and the first Practice day of fall sports for the next school year, as established under ARTICLE XVI, SEASON AND OUT-OF-SEASON RULES AND REGULATIONS, of the PIAA By-Laws, but who neither Practices with nor attends that member school, shall, unless a request for determination of eligibility relating to that enrollment has first been ruled upon by a Regional Panel or District Committee, within their respective jurisdictions, be deemed for purposes of this ARTICLE VI not to have transferred to that member school.

Section 2. Immediate Eligibility.

A student transferring from one school to a PIAA member school has immediate eligibility if the student meets one of the following provisions:

* * *

D. Change of Residence of Legal Guardian(s).

The student (1) has moved with and resides with legal guardian(s), appointed by order of a Court of Common Pleas; (2) has transferred to a PIAA member school in the public school district in which the student now resides, or to a Private School; and (3) the student’s eligibility is approved by the Regional Panel or District Committee, within their respective jurisdictions. If the appointment of a legal guardian is pending, the student will be eligible when such eligibility is approved by the Regional Panel or District Committee.

* * *

Section 3. Ineligible Students.

A student not eligible under Section 2 of this ARTICLE shall be automatically ineligible to participate in each sport in which the student participated within one year immediately preceding the date of transfer.

Section 4. Regional Panel or District Committee Review.

A. Certification of Principals.

Notwithstanding Section 3 of this ARTICLE, a Regional Panel or District Committee, within their respective jurisdictions, may grant eligibility where the Principal of the PIAA member school at which the student enrolls submits to the Regional Panel or District Committee a completed and properly executed PIAA Athletic Transfer Waiver Request Form, which includes:

1. A certification from the Principal of the PIAA member school to which the student transferred that (a) that school’s Principal has interviewed the transferring student and the Director of Athletics for that Principal's school; (b) none of the eleven illustrations set forth in Section 4E or the thirteen illustrations set forth in Section 6B of this ARTICLE are applicable; (c) the information from the PIAA member school to
which the student transferred, as set forth on the PIAA Athletic Transfer Waiver Request form, is true and correct; and (d) upon completion of the investigation, the PIAA member school's Principal believes that the transfer was not materially motivated in some way by an athletic purpose.

2. A certification from the Principal of the school from which the student transferred that (a) that school's Principal has interviewed the Director of Athletics for that Principal's school and, if possible, the transferring student; (b) none of the eleven illustrations set forth in Section 4E or the thirteen illustrations set forth in Section 6B of this ARTICLE are applicable; (c) the information from the school from which the student transferred, as set forth on the PIAA Athletic Transfer Waiver Request form, is true and correct; and (d) upon completion of the investigation, the school's Principal believes that the transfer was not materially motivated in some way by an athletic purpose.

B. A student who is not otherwise eligible under Section 2 of this ARTICLE may, following enrollment at a PIAA member school and through the Principal of that school, request that the Regional Panel or District Committee, within their respective jurisdictions, waive the period of ineligibility in all sports. Said waiver shall not be granted if the Regional Panel or District Committee finds that there exists a reasonable likelihood that the transfer was materially motivated in some way by an athletic purpose.

C. A student who is not otherwise eligible under Section 2 of this ARTICLE may, following enrollment at a PIAA member school and through the Principal of that school, also request that the Regional Panel or District Committee, within their respective jurisdictions, waive the period of ineligibility in those specific sports where the transfer was not materially motivated in some way by an athletic purpose. Said waiver shall not be granted if the Regional Panel or District Committee finds that there exists a reasonable likelihood that the transfer was materially motivated in some way by an athletic purpose relating to those sports or if such determination would otherwise circumvent the purpose of this ARTICLE, part of which is to deter transfers which are materially motivated in some way by an athletic purpose.

D. Notwithstanding Section 2 of this ARTICLE, a Regional Panel or District Committee, within their respective jurisdictions, may, following enrollment of a student at a different school and upon request of the Principal of that PIAA member school, or on its own initiative, after giving notice to the student's school and an opportunity to be heard to the student and the student's school, (1) declare any transferring student ineligible to participate in each sport in which that student participated within a period of one year immediately preceding the date of transfer, if the Committee finds that there exists a reasonable likelihood that the transfer was materially motivated in some way by an athletic purpose; and/or (2) if a finding is specifically made that there exists a reasonable likelihood that the transfer was materially motivated in some way by an athletic purpose relating to specific sports, declare that the student shall be ineligible to participate in those sports for one year from the date of transfer, regardless of whether the student actually participated in those sports for the year preceding the date of transfer.

A student who transfers again during the one-year period of ineligibility shall remain ineligible, in the applicable sports, until the conclusion of that year, unless the student is declared eligible under this Section.
Section 6. Recruiting.

One of the purposes of this ARTICLE is to deter recruiting which is materially motivated in some way by an athletic purpose. Recruiting for athletic purposes is directly contrary to fundamental interests of PIAA and its member schools and any school engaged in such conduct should do so with the expectation that it will be treated harshly upon proof of such conduct. Recruiting which is materially motivated in some way by an athletic purpose is contrary to the fundamental objectives of (1) keeping athletics in their proper place and subordinate to academics; (2) protecting student-athletes from "exploitation" by adults and those having interests which might not be consistent with those of the student; and (3) maintaining competitive equity and a level playing field among PIAA member schools.

Recruiting which is materially motivated in some way by an athletic purpose is defined as efforts by a school, or any of its employees, agents, or representatives, to engage in, support, or condone conduct whereby a motivating factor is to seek out one or more athletes to attend a particular school; to promote a school's athletic program or personnel other than as part of the overall program at the school; and/or, to provide preferential treatment or attention to prospective enrollees who are athletes.

A. Upon a Regional Panel's or District Committee's, within their respective jurisdictions, receipt of:

1. a signed complaint which alleges that a representative of a school's Athletic Personnel, or any other person affiliated with the school, approached one or more students, or one or more parents or guardians of such student(s), or an adult with whom the student resides, for the purpose of influencing such student(s) to transfer to that school for the purpose of participating in athletics at that school, or the school, its Athletic Personnel and/or individuals affiliated with the school in other ways engaged in recruiting of students for the purpose of participating in athletics; or

2. credible information that a representative of a school's Athletic Personnel, or any other person affiliated with the school, approached one or more students, or one or more parents or guardians of such student(s), or an adult with whom the student(s) reside, for the purpose of influencing such, student(s) to transfer to that school for the purpose of participating in athletics at that school, or the school, its Athletic Personnel and/or individuals affiliated with the school in other ways engaged in recruiting of students for an athletic purpose, the Regional Panel or District Committee shall give notice to the school of such complaint or information and shall convene a hearing to consider whether the school by itself or through its Athletic Personnel or other persons affiliated with the school, has engaged in recruiting of students for the purpose of participating in athletics.

C. If the Regional Panel or District Committee, within their respective jurisdictions, finds that the school, a representative of the school’s Athletic Personnel, or any other person, affiliated with the school, approached a student, or a parent or guardian of that student, or an adult with whom that student resides, and attempted to influence and/or influenced that student to transfer to that school for the purpose of participating in athletics at that school, or otherwise engaged in recruiting which is materially motivated
in some way by an athletic purpose, the offending school will be subject to any of the penalties described in ARTICLE XIII, PENALTIES, of the PIAA By-Laws.

* * *

On a motion by Mr. Manners, seconded by Mr. Tonkin, it was unanimously voted to suspend the Protocol for Approving and Implementing Changes to the PIAA By-Laws, the Policies and Procedures, and the Rules and Regulations contained in the Rules and Regulations Section of the PIAA Handbook; and amend ARTICLE XIII, PENALTIES, of the PIAA By-Laws, to recognize the authority of Regional Panels to impose certain penalties under ARTICLE XIII, which involve PIAA member schools under the jurisdiction of contiguous District Committees, effective immediately, to read as follows:

ARTICLE XIII
PENALTIES

Preamble

As a guiding principle, a penalty imposed by PIAA should be broad and severe if the violation or violations reflect a general disregard for the PIAA Constitution, By-Laws, Policies and Procedures, and/or Rules and Regulations; in those instances where the violation or violations are isolated and of relative insignificance, then the penalty should be more specific and limited. Previous violations of the PIAA Constitution, By-Laws, Policies and Procedures, and/or Rules and Regulations shall be a contributing factor in determining the degree of penalty.

All PIAA member schools shall cooperate fully with PIAA District Committees, Regional Panels, and/or the PIAA Board of Directors, within their respective jurisdictions, to further the objectives of PIAA and to investigate incidents relating to disciplinary matters and application of the PIAA Constitution, By-Laws, Policies and Procedures, and/or Rules and Regulations. All PIAA member schools shall make available, upon request by the District Committee, Regional Panel, and/or the Board of Directors, documents relating to a particular incident and shall further make available for questioning Principals, Athletic Directors, coaches, student-athletes, and other school and/or Team personnel whose testimony may be desired by the District Committee, Regional Panel, and/or the Board of Directors.

Section 1. Expulsion.

A school that has been expelled from membership in PIAA may not apply for readmission for a period of three (3) school years following expulsion. Thereafter, and upon demonstration to the satisfaction of the PIAA Board of Directors that the reasons for expulsion have been remedied, the expelled school may be readmitted to membership.

A school may be expelled:

* * *

B. If it refuses to abide by the decisions of the District Committee, Regional Panel, or the Board of Directors, within their respective jurisdictions.
Section 2. Suspension.
Suspension may consist of suspension of a school from membership in PIAA, or suspension of one or more of a school’s Teams from interscholastic athletic competition with PIAA member schools.
A school or its Team(s) may be suspended:

(8) For refusal or failure to abide by the decisions of the District Committee, Regional Panel, or the Board of Directors, within their respective jurisdictions.
(9) For violation of terms of probation imposed by the District Committee, Regional Panel, or the Board of Directors, within their respective jurisdictions.
A suspension may be for a defined period of time or may be indefinite. If the suspension is for an indefinite period of time, the District Committee, Regional Panel, or the Board of Directors, within their respective jurisdictions, may also impose conditions which must be met prior to the lifting of the suspension and the suspended school must apply to the body imposing the suspension to lift the suspension.

Section 7. Probation.
In addition to, or in lieu of, such other discretionary penalties as provided by these By-Laws, a school may be placed on probation.
Probation is an intermediate penalty which may be imposed:
1. upon a finding of a violation of the Constitution, By-Laws, Policies and Procedures, and/or Rules and Regulations of PIAA,
2. to ensure that steps are taken by schools to minimize the risk of future violations by a school of the Constitution, By-Laws, Policies and Procedures, and/or Rules and Regulations of PIAA, and/or
3. to address deficiencies in administrative oversight of the interscholastic athletic program at a school.
If probation is imposed, it shall be for a specified period of time of not less than one year.
The District Committee, Regional Panel, and/or the Board of Directors may identify conditions that a school must satisfy during a probationary period. Such conditions shall be designed on a case-by-case basis to focus on the school’s administrative weaknesses detected in the case and shall include, but not be limited to, written reports from the school pertaining to areas of concern to the District Committee, Regional Panel, and/or Board of Directors. If the school placed on probation fails to satisfy one or more conditions of probation, the District Committee, Regional Panel, and/or Board of Directors may reconsider the penalties in the case and may extend the term of probation and/or impose additional applicable penalties.

Section 8. Disqualification From Next Contest(s).
A. General Rule.

2. Discretionary Disqualification. Upon the finding by a District Committee, Regional Panel, or, if the conduct occurred in an Inter-District Contest, by the Executive Director or Board of Directors, within their respective jurisdictions, that a
student-athlete, coach, and/or Team, while coaching or competing for a PIAA member school, engaged in flagrant misconduct while on the premises where a Contest is conducted, said student-athletes, coaches, and/or Teams may be disqualified from participation in the next scheduled Contest following said determination.

* * *

Section 9. Violations by Individuals.

A. Rectifying Action by School.

If it is determined that a school's administration, faculty, coaches, Teams, students, or Team followers engaged in flagrant misconduct and/or conduct which violates one or more provisions of the Constitution, By-Laws, Policies and Procedures, and/or Rules and Regulations of PIAA, and/or misconduct which is contrary to the purposes of PIAA, that school may be directed by its District Committee, Regional Panel, or, if the conduct occurred in an Inter-District Contest, by the Executive Director or Board of Directors, within their respective jurisdictions, to impose appropriate discipline upon such persons or to take other rectifying action for such conduct.

* * *

B. Punching, Striking, Biting, or Kicking by Contestant or Coach.

1. A student-athlete who, immediately prior to, during, or immediately after a Contest, recklessly or with ill will or an intent to harm, punches (striking with a closed fist), strikes, bites, or kicks a contestant, coach, an official, or any other person attending the Contest; may be disqualified in that sport by the Regional Panel or District Committee, within their respective jurisdictions: (1) if the act was reckless, for a period of time up to and including the remainder of that sport’s season and, if the incident occurs with 1/3 or less of that sport’s Regular Season remaining, for a period of time up to and including one half of the following season in the same sport, or (2) if the action was a punch or was with ill will or an intent to harm, for a period of up to one year from the date of the incident leading to the disqualification or the date of the Regional Panel or District Committee hearing.

* * *

2. A coach who, immediately prior to, during, or immediately after a Contest, intentionally strikes, bites, or kicks a contestant, coach, an official, or any other person in attendance at the Contest, or who punches a contestant, coach, an official, or any other person in attendance at the Contest, shall be disqualified by the Regional Panel or District Committee, within their respective jurisdictions, (or Board of Directors if the incident occurred at an Inter-District Contest) for a period of not less than one year from the date of either the incident leading to the suspension or the date of the hearing to consider the matter.

Section 10. Fairness to Opponents.

If a student or coach who is ineligible under the Constitution, By-Laws, Policies and Procedures, and/or Rules and Regulations of PIAA is permitted to participate in or coach interscholastic competition contrary to such PIAA Constitution, By-Laws, Policies and Procedures, and/or Rules and Regulations, but in accordance with the terms of a court restraining order or injunction against PIAA and/or the student's or coach's school,
and said injunction is reversed, voluntarily vacated or stayed, or it is finally determined by the courts that injunctive relief is not or was not justified, the Regional Panel or District Committee, within their respective jurisdictions, may, upon notice to the affected student(s) or coach(es) and school and an opportunity for them to be heard, and in the interest of fairness to competing schools, take one or more of the following actions:

(a) Require that Team victories achieved during participation or coaching by such ineligible student(s) or coach(es) be abrogated and the Contests forfeited. This action should be taken as a matter of course and should be rejected by the Regional Panel or District Committee only in unusual and exceptional circumstances;

* * *

**INTERPRETATION**


A Regional Panel or District Committee, within their respective jurisdictions, has the power to suspend a school where the school fails to provide police protection for spectators, officials and competitors.

On a motion by Mr. Constantine, seconded by Mr. Kelly, it was unanimously voted to accept the recommendation of the Executive Director to suspend the Protocol for Approving and Implementing Changes to the PIAA By-Laws, the Policies and Procedures, and the Rules and Regulations contained in the Rules and Regulations Section of the PIAA Handbook; and amend ARTICLE XV, OFFICIALS, of the PIAA By-Laws, to update (1) Section 1 to clarify the standards for PIAA-registered sports officials to officiate Contests at PIAA member schools; (2) Section 2 to clarify how a person may become a PIAA-registered sports official; and (3) the offenses identified in 23 Pa.C.S.A. § 6344(c)(2), all effective immediately, to read as follows:

**ARTICLE XV**

**OFFICIALS**

**Section 1. Sports Officials must be Registered with PIAA.**

All sports officials, in all Contests participated in by a PIAA member school, of PIAA shall be persons who are have been (1) registered, and are (2) on active status, and (3) in good standing, with PIAA.

**NOTE:** Section 1 does not apply to Contests played outside of Pennsylvania, and the opponent is not a member of PIAA.

**Section 2. How Persons may Become PIAA-Registered Sports Officials.**

To become a registered PIAA-registered official in any sport, the applicant shall meet the qualifications and requirements and pass such examination as may be required by the PIAA Board of Directors.

Applicants shall be required to identify any crimes of which they have been convicted. Any applicant who has been convicted of, or who has pled guilty or no contest to, (1) any of the offenses identified at the time of violation in 23 Pa.C.S.A. § 6344(c)(2) or an equivalent crime under federal law or of another state, or (2) a felony offense under the Controlled Substance, Drug, Device, and Cosmetic Act, committed within the preceding five years, shall not be registered by PIAA.
NOTE: The offenses identified in Section 6344(c)(2) currently include: (1) criminal homicide; (2) aggravated assault; (3) stalking; (4) kidnapping; (5) unlawful restraint; (6) rape; (7) statutory sexual assault; (8) involuntary deviate sexual intercourse; (9) sexual assault; (10) aggravated indecent assault exposure; (11) indecent assault incest; (12) indecent exposure concealing death of a child; (13) incest offenses relating to infant children; (14) concealing death of a child prostitution and related offenses; (15) endangering the welfare of children obscene and other sexual materials and performances; (16) dealing in infant children corruption of minors; (17) prostitution and related offenses sexual abuse of children; (18) obscene and other sexual materials and performances the attempt, solicitation, or conspiracy to commit any of the above offenses; and (19) corruption of minors a violation of the Controlled Substance, Drug, Device, and Cosmetic Act; (20) sexual abuse of children; and (21) the attempt, solicitation, or conspiracy to commit any of the above offenses. This list may be modified, reduced, or expanded by Act of the General Assembly. The list of offenses in effect at the time of violation by the sports official shall be applicable to proceedings to remove or suspend that sports official.

Mr. Constantine motioned and Mr. Vallina seconded that motion, to amend, on a first reading basis, ARTICLE XV, OFFICIALS, of the PIAA By-Laws, to require Act 34 (background check) clearance and Act 151 (child abuse history) clearance of all PIAA-registered sports officials, beginning February 1, 2009, on a phased-in basis. The motion included that officials would be required to have background checks recertified every five years.

On a motion by Mrs. Pierce, seconded by Mr. Allwein, it was voted to table the foregoing motion for further consideration and review.

Motion to table failed: 9-yes, 20-no.

Motion failed: 15-yes, 16-no. The roll call vote was:

| District 7 | Yes | District 12 | Yes |
| District 7 | Yes | JH/MSs' Rep. | Yes |
| District 1 | No | PSBA Exec. Dir. | No |
| District 1 | Yes | PSBA Rep. | No |
| District 2 | No | PASA Rep. | Yes |
| District 3 | No | PASSP Rep. | No |
| District 3 | Yes | PSADA Rep. | Yes |
| District 4 | Yes | PCA Rep. | Yes |
| District 5 | No | Female Offs. | No |
| District 6 | No | Male Offs. | No |
| District 7 | Yes | Girls' Athletics. | Yes |
| District 8 | No | Private Sch. Rep. | Yes |
| District 9 | Yes | PA Dept. Ed. | No |
Mr. Constantine motioned and Mr. Vallina seconded that motion, to accept the recommendation of the Executive Director to amend, on a first reading basis, ARTICLE XV, OFFICIALS, of the PIAA By-Laws, to require newly registering sports officials to submit with their applications for registration Act 34 (background check) and Act 151 (child abuse history) reports, effective February 1, 2009, to read as follows:

**ARTICLE XV OFFICIALS**

* * *

**Section 2. How Persons may Become PIAA-Registered Sports Officials.**

To become a PIAA-registered official in any sport, the applicant shall meet the qualifications and requirements and pass such examination as may be required by the PIAA Board of Directors.

Effective February 1, 2009, all applicants shall be required to submit, with their applications for registration, an Act 34 (background check) report and an Act 151 (child abuse history) report identify any crimes of which they have been convicted. The date of said reports shall not be more than one year prior to the date the application for registration is received by PIAA.

Applicants shall be required to identify any crimes of which they have been convicted. Any applicant who has been convicted of, or who has pled guilty or no contest to, (1) any of the offenses identified at the time of violation in 23 Pa.C.S.A. § 6344(c)(2) or an equivalent crime under federal law or of another state, or (2) a felony offense under the Controlled Substance, Drug, Device, and Cosmetic Act, committed within the preceding five years, shall not be registered by PIAA.

* * *

On a motion by Mr. Allwein, seconded by Mr. Nemes, it was unanimously voted to amend the foregoing to add Act 114 (federal criminal history record) report.

Thereafter, on a motion by Mr. Constantine, seconded by Mr. Vallina, it was unanimously voted to amend, on a first reading basis, ARTICLE XV, OFFICIALS, of the PIAA By-Laws, to require newly registering sports officials to submit with their applications for registration Act 34 (background check), Act 151 (child abuse history), and Act 114 (federal criminal history record) reports, effective February 1, 2009, to read as follows:

**ARTICLE XV OFFICIALS**

* * *
Section 2. How Persons may Become PIAA-Registered Sports Officials.

To become a PIAA-registered official in any sport, the applicant shall meet the qualifications and requirements and pass such examination as may be required by the PIAA Board of Directors.

Effective February 1, 2009, all applicants shall be required to submit, with their applications for registration, an Act 34 (background check) report, an Act 151 (child abuse history) report, and Act 114 (federal criminal history record) report identify any crimes of which they have been convicted. The date of said reports shall not be more than one year prior to the date the application for registration is received by PIAA.

Applicants shall be required to identify any crimes of which they have been convicted. Any applicant who has been convicted of, or who has pled guilty or no contest to, (1) any of the offenses identified at the time of violation in 23 Pa.C.S.A. § 6344(c)(2) or an equivalent crime under federal law or of another state, or (2) a felony offense under the Controlled Substance, Drug, Device, and Cosmetic Act, committed within the preceding five years, shall not be registered by PIAA.

On a related matter, on a motion by Mr. Wotkowski, seconded by Mr. Constantine, it was unanimously voted to direct the Administrative Staff to research requiring background checks of all PIAA-registered sports officials and report back to the Board of Directors with all possible options at its meeting of Thursday, December 11, Friday, December 12, and Saturday, December 13, 2008.

PROPOSED AMENDMENTS TO PIAA POLICIES AND PROCEDURES

On a motion by Mr. Kelly, seconded by Mr. Manners, it was unanimously voted to accept the recommendation of the Executive Director to suspend the Protocol for Approving and Implementing Changes to the PIAA By-Laws, the Policies and Procedures, and the Rules and Regulations contained in the Rules and Regulations Section of the PIAA Handbook; and amend the Procedural Standards for District Committees and the Procedural Standards for Appeal Hearings, effective immediately, to read as follows:

PROCEDURAL STANDARDS FOR REGIONAL PANELS
AND DISTRICT COMMITTEES

I. Introduction
These procedural standards apply to matters heard by PIAA Regional Panels, PIAA District Committees, and PIAA District Committee Hearing Panels.

II. Constitutional Basis for District Committee Hearings
A. Regional Panel Hearings:
ARTICLE VIII, REGIONAL PANELS, Section 5, Powers and Duties of a Regional Panel, of the PIAA Constitution, authorizes a Regional Panel to make decisions in each of the following areas:

1. Disputes between two or more PIAA member schools located in the participating Districts.
2. Matters arising under ARTICLE VI of the PIAA By-Laws, involving transfers or athletic recruiting, including students transferring from or to a Cross-District School.
3. Alleged breaches of contracts that affect multiple Districts or schools in multiple Districts.

B. District Committee Hearings:
ARTICLE IX, DISTRICT COMMITTEES, Section 3, Powers and Duties of a District Committee, of the PIAA Constitution, authorizes a District Committee to make decisions in each of the following areas:

1.A. The eligibility of a student at a member school.
3.C. Matters in dispute between member schools located within the District.

III. Matters Under Regional Panel and District Committee Jurisdiction

A. Regional Panels have the authority to hear the following matters:

1. Disputes between two or more PIAA member schools located in the participating Districts.
2. Matters arising under ARTICLE VI of the PIAA By-Laws, involving transfers or athletic recruiting, including students transferring from or to a Cross-District School.
3. Alleged breaches of contracts that affect multiple Districts or schools in multiple Districts.

B. District Committees have the authority to hear the following matters:

1.A. The eligibility of a student at a member school.
2.B. Whether a member school, or a person employed by or connected with a member school (including a student), has committed a violation of
the PIAA Constitution, By-Laws, Policies and Procedures, and/or Rules and Regulations, and if so, what, if any, penalty should be imposed.

3.C. Whether a member school is to be given approval to transfer to the jurisdiction of an adjacent District.

IV. Manner in which Matters may Arise Before Regional Panel or District Committee

A. Matters may be brought before the Regional Panel in any of the following ways:

1. On a request by a member school located in the participating Districts for a Regional Panel to resolve a dispute between that member school and one or more PIAA member schools located in the participating Districts.

2. On a complaint made by a member school located in the participating Districts, specific to matters arising under ARTICLE VI, of the PIAA By-Laws, involving transfers or athletic recruiting, including students transferring from or to a Cross-District School.

3. On a complaint made by a member school located in the participating Districts, alleging violations by Cross-District Schools of the Constitution, By-Laws, Policies and Procedures, and Rules and Regulations of PIAA.

4. On the Regional Panel’s own motion, as a result of information received from any source.

B. Matters may be brought before the District Committee in any of the following ways:

1.A. On a request by a member school for the District Committee to decide the matter.

2.B. On a complaint made by another member school. Under ARTICLE IX, DISTRICT COMMITTEES, Section 3-F, of the PIAA Constitution, such complaints must be in writing and submitted to the District Chairman. Where a District has a staffed office, receipt at the office and forwarding to the District Chairman will be treated as compliance with this requirement.

3.C. On the District Committee’s own motion, as a result of information received from any source.

4.D. Students and other individuals desiring that the District Committee hear a matter shall contact their school Principal.

5.E. On referral from the Board of Directors or a Board of Appeal. This would be most likely to occur in a situation where information at an appeal hearing led the Board to consider that there was a possible issue as to discipline or eligibility or if new evidence is presented which was not previously considered by the District Committee.
V. Manner of Regional Panel or District Committee Consideration of Matter

A. Without a Hearing.
(A decision may be made without a hearing) under the following circumstances:

1. Where a member school requests the Regional Panel or District Committee, within their respective jurisdictions, to make a decision on the paperwork.
2. Where a member school submits a request for a decision as to the athletic eligibility of a student, the Regional Panel or District Committee, within their respective jurisdictions, may, but need not, hold a hearing.

When a Regional Panel or District Committee, within their respective jurisdictions, rules a student ineligible without having held a hearing, the student’s school shall be notified in writing, in the letter transmitting the decision that upon request by the school the Regional Panel or District Committee will afford the school a hearing to consider the student’s eligibility.

B. With a Hearing.

1. A Regional Panel or District Committee, within their respective jurisdictions, may hold a hearing in any situation covered by these Standards, and should consider doing so where the information which it has been provided is insufficient, where the Regional Panel or District Committee anticipates a disagreement as to important facts, or where the issues appear sufficiently complicated to warrant a hearing.
2. Under ARTICLE VI, TRANSFERS, RESIDENCE, AND RECRUITING, of the PIAA By-Laws, a Regional Panel or District Committee, within their respective jurisdictions, may declare a student ineligible on the basis that the student’s transfer was materially motivated in some way by either in whole or in part for any athletic purpose, only after having provided notice to the school and an opportunity to be heard to both the school and the student.
3. Under ARTICLE VI, TRANSFERS, RESIDENCE, AND RECRUITING, of the PIAA By-Laws, a Regional Panel or District Committee, within their respective jurisdictions, may declare eligible a student who is not otherwise eligible under ARTICLE VI only following a hearing at which it finds that the transfer was not materially motivated in some way by neither in whole nor in part for any athletic purpose.
4. Under ARTICLE VI, TRANSFERS, RESIDENCE, AND RECRUITING, of the PIAA By-Laws, a Regional Panel or District Committee, within their respective jurisdictions, may decide issues relative to recruiting, only after having provided notice and an opportunity to be
heard to the school and any personnel subject to sanction for such recruiting.

5. An opportunity for a hearing shall be afforded in all of the following cases:

   (a) Where penalties may be imposed against an official, a member school, student or an individual employed by or connected or affiliated with a member school. (This does not include eligibility cases.)
   (b) Where the matter arose before the Regional Panel or District Committee, within their respective jurisdictions, on the complaint of another member school or on the Regional Panel’s or District Committee’s own motion.
   (c) Where a member school requests a hearing.

C. Decision-Makers:
Except as provided herein, all members of a Regional Panel or District Committee are eligible to vote on all matters falling within the jurisdiction of the Regional Panel or District Committee. No member of the Regional Panel or District Committee shall, however, be eligible to deliberate or vote on, or serve upon the Panel or a Hearing Panel in, any matter involving such member’s school or (with the exception of the members of the PIAA District VIII Committee and, as to matters involving only public PIAA member schools in the City of Philadelphia, the PIAA XII Committee) school district.

VI. Notification of Hearing

A. In all cases where a hearing is to be held, the Regional Panel or District Committee, within their respective jurisdictions, shall send a letter to (1) the Principal of the schools involved, (2) if a student’s eligibility is at issue (and the names and addresses of the student’s parents or guardians are provided to the Regional Panel or District Committee), to the parents or guardians of that student; and (3) any adult who may be subject to sanction as a result of findings by the Regional Panel or District Committee, advising them of the following:

1. The date, time, and place of the hearing.
2. How the case arose (by request of the student’s school, complaint of another school, or by the Regional Panel or District Committee’s receipt of information).
3. The issue(s) involved, citing the applicable provision(s) of the PIAA Constitution, By-Laws, Policies and Procedures, and/or Rules and Regulations. This should be sufficiently specific to inform the parties school of the issues, but sufficiently general to cover collateral issues that
may arise (for example, a case arising under the Transfer Rule may be identified simply as involving ARTICLE VI, TRANSFERS, RESIDENCE, AND RECRUITING, of the PIAA By-Laws, but if the precise section or sections are known, they could be identified also).

4. The fact that the school and any individuals involved, including students, are entitled to bring with them to the hearing any persons whom they desire to attend, to submit any written material which they desire, and to be represented by counsel. Where any party the school and/or an individual intends to submit written material, the Regional Panel or District Committee may require that an appropriate number of copies be provided. If written material has been received by the Regional Panel or District Committee from others, copies shall be provided to the member school.

5. Any local ground rules for hearings (which may not conflict with these Standards).

6. That, if the Principal has any questions, that Principal is to contact an identified person (Regional Panel Chairman, District Chairman, District Executive, etc.).

B. Where possible, the notice letter should be mailed, e-mailed, or faxed under circumstances that would result in its being received by the Principal at least two weeks before the hearing. A shorter period of notice may be appropriate depending on factors such as the parties' school's ease of preparing for the hearing, a party's school's request for an earlier hearing, or the scheduling of meetings of the Regional Panel, District Committee, or a Hearing Panel.

C. Where the matter comes before the Regional Panel or District Committee on the written complaint of another member school, the notice letter to the school involved shall include a copy of the written complaint and any other written materials submitted by the complaining school.

D. Where the matter comes before the Regional Panel or District Committee on the written complaint of another member school, representatives of the complaining school shall be expected to attend the hearing and to be prepared to present evidence in support of the complaint.

E. Where the Regional Panel or District Committee is aware that a party the school and/or an individual involved is represented by counsel, said counsel shall be provided with a copy of the letter notifying the Principal of the hearing.

F. While PIAA does not have subpoena power and, therefore, no power to compel the attendance of witnesses and the production of documents, it is not totally without leverage in this regard:
1. ARTICLE XIII, PENALTIES, of the PIAA By-Laws, provides that "all PIAA member schools shall cooperate fully with the PIAA District Committees, Regional Panels, and/or the PIAA Board of Directors, within their respective jurisdiction, to further the objectives of PIAA the Association and to investigate incidents relating to disciplinary matters and application of the PIAA Constitution, By-Laws, Policies and Procedures, and/or Rules and Regulations. All PIAA member schools shall make available, upon request by the District Committee, Regional Panel, and/or the Board of Directors, documents relating to a particular incident and shall further make available for questioning Principals, Athletic Directors, coaches, student-athletes, and other school and/or Team personnel officials whose testimony may be desired by the District Committee, Regional Panel, and/or the Board of Directors."

2. The ARTICLE IX, DISTRICT COMMITTEES, Section 3-F, of the PIAA Constitution authorizes the Regional Panels and District Committee to receive, request, or require data on alleged violations of the Constitution, By-Laws, Policies and Procedures, and Rules and Regulations by or from the schools located in the District. These provisions authorizes the District Committees and Regional Panels to require member schools to present a witness to testify concerning that data.

3. ARTICLE XVII, CERTIFICATION OF CONTESTANTS, Section 2, Information to be Furnished in Case of Dispute, of the PIAA By-Laws, authorizes the Regional Panel or District Committee to require eligibility data from the Principal. The power to require that person’s presence is inferred.

4. The Regional Panel or District Committee may request attendance by the Principal and other persons, including those selected by that Principal, who have information relative to the issues.

G. Hearings may also be arranged by telephone contact with the Principal; however, where this is done, a confirmatory letter in accordance with the foregoing Standards shall promptly be prepared and sent to the appropriate recipients.

H. Continuances and Postponements: A request by any party school and/or person for a continuance or postponement of a hearing shall be sent in writing to the Regional Panel Chairman or District Chairman, who shall have the discretion to grant or deny the request. Requests should set forth the reasons for requesting the continuance or postponement of the hearing, and should be submitted at least one week prior to the scheduled date of the hearing. Where there will be no prejudice to any party, the request should be given serious consideration by the Regional Panel Chairman or District Chairman.

Requests made within one week of the scheduled hearing will be granted only upon the showing of unforeseen circumstances and compelling
grounds, and if the hearing can be rescheduled without prejudice to the other parties.

Requests made on the day of the hearing should be ruled upon by the presiding officer at the hearing. The presiding officer may submit the request for consideration by the body hearing the appeal. Requests made on the day of the scheduled hearing will be granted only upon the showing of unforeseen circumstances and compelling grounds, and if the hearing can be rescheduled without prejudice to the other parties. As a condition of granting the request, the party school requesting the continuance or postponement may be required to reimburse other parties for expenses incurred in attending the hearing.

VII. Conduct of Hearing

A. Consistent with local practice, introductions should be made of the presiding officer, the Principal of the school(s) involved, members of the Regional Panel or District Committee and/or Hearing Panel, and witnesses and other persons who are attending.

B. The presiding officer should begin the hearing with a brief introductory statement which identifies the manner in which the matter came before the Regional Panel or District Committee, the issue(s) or the rule(s) involved, and any local ground rules for hearings.

C. Confidentiality (Student Information): During eligibility and disciplinary hearings, when a student, the student's family, and/or the student's school, anticipates that Personal Private Information (as defined in the GLOSSARY of the PIAA By-Laws) relating to the student-athlete and/or the student's family or others may be disclosed, the student, the student's family, and/or the student's school may request that the all or parts of the matter be closed to persons not involved in the hearing or affiliated with PIAA. Absent objection, and under normal circumstances, the presiding officer should honor such request.

If any person objects to closure of the hearing, the presiding officer shall consider the merits of the respecting positions and determine whether complete or partial closure of the matter is appropriate. In reaching such decision, the presiding officer shall carefully consider the privacy interests of students as the primary factor to be weighed, but shall take into account a general goal of openness of proceedings. Where closure is deemed appropriate, and it is feasible to do so, the presiding officer should limit closure to those parts of the hearing where Personal Private Information of the student or the student's family is likely to be disclosed.

D. Confidentiality (Other Information): Where actions may be taken against a school or its personnel, or PIAA-registered officials, pursuant to
the provisions of ARTICLE XIII, PENALTIES, or ARTICLE XV, OFFICIALS, of the PIAA By-Laws, the school or adults involved may request that all or parts of the matter be closed to persons not involved in the hearing or affiliated with PIAA. Under normal circumstances, and if no objection is made, such request may be honored by the presiding officer when potentially criminal conduct or the employment of member school coaches or other employees may be at issue. In other instances, the presiding officer should be reluctant to close the hearing.

If any person objects to closure of any part of the hearing, the presiding officer shall consider the merits of the respecting positions and determine whether complete or partial closure of the matter is appropriate. In reaching such decision, the presiding officer shall weigh the privacy interests of persons or school seeking closure and the legitimate interest of PIAA members and the public in knowledge of enforcement of the PIAA Constitution, By-Laws, Policies and Procedures, and Rules and Regulations. Where closure is deemed appropriate, and it is feasible to do so, the presiding officer should attempt to limit closure.

E. **Order of proceeding:**

1. Where the matter comes before the Regional Panel or District Committee on the complaint of a member school, the representatives of that school shall be requested to make the first presentation.
2. Where the matter involves the eligibility of a transfer student, and the issue of a transfer for any athletic purpose is involved under ARTICLE VI, TRANSFERS, RESIDENCE, AND RECRUITING, Section 4, Regional Panel or District Committee Review, of the PIAA By-Laws, and any representatives of the transferor school are present, they should be requested to make the first presentation.
3. Where the matter involves a complaint of athletic recruiting, the complaining school or party shall make the first presentation.
4. The time for hearing from witnesses not affiliated with schools, such as Contest officials, is determined according to the position they are expected to support. This is something that is often decided at the hearing; the goal is to provide a schools and persons with adverse evidence to which it would desire an opportunity to respond before they begins to make their its presentation.

F. The testimonial portion of the hearing shall begin with the presiding officer calling upon the applicable Principal or the Principal’s designee to present the matter. The designee could include another representative of the school, the school district solicitor, counsel for the student or other individual involved, or a parent or a guardian of the student involved. Leeway is to be provided to counsel representing any person before the
Regional Panel or District Committee, but if a dispute arises between counsel and the Principal, that Principal is to be given the first opportunity to speak, and counsel should is to be informed that counsel will be given an opportunity to do so thereafter.

G. Consistent with the maintenance of an orderly and informative hearing, the manner of presentation of a school’s case shall be as chosen by the Principal or the Principal’s designee.

1. While the manner of presentation may involve can range from formal trial-type proceedings in which witnesses are called and asked questions, to the more informal and common situation where witnesses are simply given the opportunity to present their evidence tell their stories. The latter is usually more effective.

2. Reasonable cross-examination of witnesses is permitted. Cross-examination may be conducted by one representative of any party, such as a school’s principal, representative or the school’s counsel, and by a student’s or the student’s other individual’s principal representative or counsel or parent.

3. Any person in attendance other than representatives of the Regional Panel or District Committee hearing the matter, is subject to questioning by a school, party, member of the Regional Panel or District Committee, counsel for the Regional Panel or District Committee, or other person so authorized by the chair.

4. Counsel cannot reasonably expect formal rulings on legal objections in the context of the hearing. However, if a Principal or counsel interposes an evidentiary objection, those having to do with relevance of the testimony and repetitiveness of the testimony may be sustained. Other objections (most often, hearsay) may be ruled on by the presiding officer, but may also be noted and considered during deliberations. The presiding officer also has the authority to control issues of relevance and repetitiveness even in the absence of any objection.

H. Length of Hearings: Presentations at the hearing should be limited to no more than forty-five (45) minutes per party/school, or per person whose eligibility or interest is at issue in the proceeding, including questions to adverse witnesses. Unless a student’s interest differs from that of the student’s school, the student’s time for presentation shall be included within the period set for the presentation of the student’s school. Should a participating school or person whose eligibility or interest is at issue party believe that its presentation is likely to require more than forty-five (45) minutes, it should request the District Chairman or presiding officer of the Hearing Panel to permit an extension of the deadline. Absent showing of exceptionally good cause, a party will not be permitted an extension of more than fifteen (15) minutes. Also, parties should be aware that several hearings are often scheduled for the same day. If a need for an extension
is known, it should be requested as early as possible so that schedules can be established in a manner minimizing inconvenience to other schools and witnesses.

I. Other procedural issues:

1. **Tape Recordings.** Although it is strongly recommended that the hearing not be tape recorded, if a Regional Panel, District Committee, or Hearing Panel intends to record a particular hearing, it should be announced at the beginning that it so intends, and that if there are any objections, the taping will not occur. The presiding officer should explain that the purpose of the tape is for use by the Regional Panel, District Committee, or Hearing Panel during its deliberations.

2. **Transcription of Hearing.** Where a request is made that the hearing be transcribed by a court reporter, it is PIAA policy that it shall be permitted so long as (1) it is at the expense of the requesting party, and (2) PIAA receives a copy of the transcript at the expense of the requesting party contemporaneously with the delivery of the original to the requestor. The Regional Panel or District Committee, on its own, may elect to transcribe the hearing. If it chooses to do so, it will bear the expense for attendance of the court reporter. Costs for a transcript must be borne by the parties requesting preparation of the transcript.

3. **Swearing of Witnesses.** Swearing of witnesses is permitted so long as the party requesting it has made the necessary arrangements for the attendance and compensation of a person authorized to do so.

4. **Sequestration of Witnesses.** Sequestration of witnesses (so that witnesses not be able to hear the testimony of other witnesses) is at the discretion of the presiding officer. Such requests generally relate to anticipated credibility problems with subsequent witnesses if they have heard prior witnesses. Sequestering of witnesses should be permitted where there is a sound basis for preventing future witnesses from hearing the testimony of earlier ones. Parties to the proceeding (including at least one representative of a school) may not be sequestered.

J. All persons who are in attendance and who desire to speak to the issue(s) shall be afforded an opportunity to do so.

K. Before concluding the testimonial portion of the hearing, the presiding officer shall inquire as to whether every person who desired to speak has done so. When no one else desires to speak, the presiding officer shall state that the hearing is closed.
VIII. Deliberations Following Hearing

A. The presiding officer may limit attendance at the deliberations to voting members of the Regional Panel or District Committee but may also allow the attendance of all members of the Regional Panel or District Committee and any executives or advisors affiliated with employed or retained by the Regional Panel or District.

B. Deliberations shall not be tape-recorded or transcribed.

C. The Regional Panel or District Committee shall base its decision only on the evidence, written and oral, presented to it. Uncorroborated information in newspaper articles and anonymous correspondence is not considered evidence (although it may serve as a basis for questions during the hearing).

D. The Regional Panel or District Committee may consider prior violations by a party the school or individual in determining what penalty to assess for the current violation, but shall not consider such matters in determining whether the alleged current violation was in fact committed.

E. Members of the Regional Panel or District Committee who are employed by the school district (not just the individual school) involved, and any other members who have a conflict of interest, shall not be present during deliberations nor vote on the matter. This provision, as it applies to the school district, is not applicable to Districts VIII and XII.

F. The vote on the decision shall be taken in public session.

IX. Notification of Regional Panel or District Committee Decision

A. The Principal of the school(s) involved, the parents or guardians of any student whose eligibility was at issue (if the addresses of such individuals are provided to the Regional Panel or District Committee), and all adults who were subject to sanction at the hearing shall be notified of the decision by letter (the "Decision Letter"). Where it is local practice to notify the Principal of the decision by telephone, that Principal shall be informed that the decision will be confirmed by letter.

B. The Decision Letter shall identify the date of the hearing or other consideration and the rule(s) under which the decision was made, shall give a brief description of the reason(s) for the decision, and shall advise the recipients of appeal rights school that it may appeal the decision to the Board of Directors by writing the Executive Director. (A Principal may provide the Executive Director with informal notice by telephone of the intent to appeal but all appeals must be requested in writing.) Where the
matter arose before the Regional Panel or District Committee on the complaint of another member school, and the complaint is not sustained, the complaining school shall be advised that it may appeal the decision.

C. A copy of the Decision Letter shall be provided to any counsel involved, and to any other parties. Where two schools are parties, they may be notified by a single letter containing a double inside address, or by separate letters.

X. Rehearing by Regional Panel or District Committee

A. There is no right to a rehearing. Where there is a request for a rehearing, the Regional Panel or District Committee’s first decision is whether it will permit a rehearing.

B. A rehearing is generally permitted only where a party the school or person whose interest is at stake asserts that it has new evidence to present that it could not have presented at the original hearing.

C. Considerations in deciding whether to grant rehearing include whether the additional information might change the decision, might avoid an appeal to the Board of Directors, or might advance the convenience and efficiency of the parties and the Regional Panel or District Committee.

XI. Persons with Standing to Appeal

A. Where a member school presented the matter to the Regional Panel or District Committee for a decision, and the decision was adverse to the member school, the member school has the right of appeal.

B. Where the matter arose before the Regional Panel or District Committee on the complaint of a member school, the school as to which the decision was adverse, whether the complaining school or the school against which the complaint was filed, has the right of appeal.

C. Students and other individuals affiliated with a school desiring that an appeal be filed shall contact their school Principal and request that the school appeal the decision on their behalf.

D. Officials and other non-school affiliated adults desiring to appeal sanctions imposed upon them by the Regional Panel or District Committee have the right of appeal.
PROCEDURAL STANDARDS FOR APPEAL HEARINGS

I. Introduction

These procedural standards apply to appeals heard by the PIAA Board of Directors and PIAA Boards of Appeal from decisions of Regional Panels or District Committees.

To the extent appropriate, these Standards shall also govern proceedings within the original jurisdiction of the PIAA Board of Directors.

II. Constitutional Basis for Appeal

ARTICLE VII, POWERS AND DUTIES OF BOARD OF DIRECTORS AND OFFICERS, Section 1-H, of the PIAA Constitution, authorizes the PIAA Board of Directors and PIAA Boards of Appeal to investigate, hear, and decide appeals from decisions of Regional Panels or District Committees. The Board of Directors will not consider appeals submitted more than thirty days after the decision of a Regional Panel or District Committee. The need for timely decisions results in most cases being heard by a Board of Appeal.

III. Matters that may be Heard on Appeal

The matters that may be heard on appeal are those decisions that Regional Panels or District Committees are authorized to make. Those matters include:

* * *

IV. Persons with Standing to Appeal

A. Where a member school presented the matter to the Regional Panel or District Committee for a decision, and the decision was adverse to the member school, the member school has the right of appeal.

B. Where the matter arose before the Regional Panel or District Committee on the complaint of a member school, the school as to which the decision was adverse, whether the complaining school or the school against which the complaint was filed, has the right of appeal.

C. Students and other individuals desiring that an appeal be filed shall contact their school Principal and request that the school appeal the decision on their behalf.

D. Officials and other non-school affiliated adults desiring to appeal sanctions imposed upon them by the Regional Panel or District Committee have the right of appeal.
**E.D.** Where an appeal is from a decision of a PIAA District Committee denying an application for membership in PIAA, the applying school shall have a limited right of appeal to the PIAA Board of Directors from this decision. This is the only circumstance where an appeal may be brought by a school not a member of PIAA.

**V. Request for Appeal Hearing**

**A.** All appeal hearings shall be made in writing by the Principal of the appealing school, or the official, to the Executive Director. The letter shall provide sufficient information to enable the Executive Director to identify the issue(s) involved. (A Principal or official may provide the Executive Director with informal notice by telephone of the intent to appeal, but all appeals must be requested in writing.)

**B.** Upon scheduling of the appeal hearing, the Executive Director shall request the Regional Panel Chairman, District Chairman, or District Executive of the District Committee from which the appeal arose to forward to the Executive Director for use by the Board of Directors or Board of Appeal all materials presented to and prepared by it in connection with its decision, and any transcript which has been made of the proceedings before the Regional Panel or District Committee.

**C.** Upon request of the Principal of the appealing school(s), the parents or guardians of a student whose eligibility is at issue, an adult who is subject to sanction at the hearing, and/or counsel for any of the above, the Executive Director shall provide the requesting person with a copy of all written material received for the appeal hearing.

**VI. Manner of Board of Directors and Board of Appeal Consideration of Appeal**

**A.** In all cases where a school has properly requested an appeal from a decision of a Regional Panel or District Committee, the appealing party school shall be afforded the opportunity for a hearing.

**B.** If an appealing party requests that a matter be heard solely upon written submission, without a hearing, the Executive Director shall so notify the person who is to be the presiding officer at the appeal, and the presiding officer shall determine whether to hold a hearing or grant the school's request for a decision on written submission.

**C.** Where a transcript has been made of the proceedings before the Regional Panel or District Committee, the record on appeal shall be limited to that transcript and any written materials that were before the Regional Panel or District Committee in connection with the making of its decision.
D. Where no transcript has been made of the proceedings before the Regional Panel or District Committee, the record on appeal shall consist of the written material submitted to and by the Regional Panel or District Committee, and any oral testimony and additional written material which the appealing party school and others involved desire to present.

VII. Notification of Appeal Hearing

A. **Scheduling Letter.** In all cases where a hearing is to be held, the Executive Director, or the Executive Director’s designee, shall send a letter (“Scheduling Letter”) to (1) the Principal of the school(s) involved; (2) if a student’s eligibility is at issue (and the names and addresses of the student’s parents or guardians are provided to the Executive Director), to the parents or guardians of that student; and (3) any student or adult who may be subject to sanction as a result of findings by the Board of Directors or the Board of Appeal, advising them of the following:

1. The date, time, and place of the hearing.
2. How the case arose (by request of the student’s school or upon the complaint of another school, etc.).
3. The issue(s) involved, citing the applicable provision(s) of the PIAA Constitution, By-Laws, Policies and Procedures, and/or Rules and Regulations. This should be sufficiently specific to inform the appealing party of the issues, but sufficiently general to cover collateral issues that may arise (for example, a case arising under the Transfer Rule may be identified simply as involving ARTICLE VI, TRANSFERS, RESIDENCE, AND RECRUITING, of the By-Laws, but if the precise section or sections are known, they could be identified also).
4. (a) Where there is a transcript of the proceedings before the Regional Panel or District Committee, and the record on appeal is therefore limited to the testimony and papers before the Regional Panel or District Committee, the fact that the appealing party school and any individuals involved, including students, are entitled to bring with them to the appeal hearing any persons whom they desire to attend, and to be represented by counsel. The hearing shall be limited, however, to argument based upon the record previously submitted.
   (b) Where there is no transcript of the proceedings before the Regional Panel or District Committee, the fact that the parties school and any individual involved, including students, are entitled to bring with them to the appeal hearing, and to have testify, any persons whom they desire to attend, to submit any written material which they desire, and to be represented by counsel. Where a party the school and/or an individual intends to submit written material, the Executive Director may require that an appropriate number of copies be provided.
5. That the Board of Directors or Board of Appeal will have copies of the written materials submitted to and by the Regional Panel or District
Committee, as well as any correspondence subsequent thereto, making it unnecessary for the parties school to provide them. Should the school or student not have copies of any of these materials, a request may be made to the Executive Director to provide a set to the parties school and/or student.

6. That, if the Principal has any questions, that Principal is to contact the Executive Director or another specified person.

B. Where possible, the Scheduling Letter should be mailed or faxed under circumstances that would result in its being received by the Principal at least two weeks before the hearing. A shorter period of notice may be appropriate depending on factors such as the appealing party’s school’s ease of preparing for the hearing, a school’s request for an earlier hearing, or the scheduling of meetings of the Board of Directors or a Board of Appeal. A telephone call from the Executive Director, or the Executive Director’s designee, to the Principal may be of assistance.

C. Where the matter came before the Regional Panel or District Committee on the written complaint of another person or member school, representatives of the complaining person or school shall be requested to attend the appeal hearing and to be prepared to present evidence in support of the complaint.

D. Where the Executive Director is aware that a party the school and/or an individual involved is represented by counsel, that person shall be provided with a copy of the Scheduling Letter.

E. Hearings may also be arranged by telephone contact with the Principal. Where this is done, a confirmatory letter in accordance with these Standards should be promptly sent.

F. Continuances and Postponements. A request by any party school and/or person for a continuance or postponement of a hearing shall be sent in writing to the Executive Director, who shall have the discretion to grant or deny the request. Requests should set forth the reasons for requesting the continuance or postponement of the hearing, and should be submitted at least one week prior to the scheduled date of the hearing. Where there will be no prejudice to any party, the request should be given serious consideration by the Executive Director.

Requests made within one week of the scheduled hearing will be granted only upon the showing of unforeseen circumstances and compelling grounds, and if the hearing can be rescheduled without prejudice to the other parties.

Requests made on the day of the hearing should be ruled upon by the presiding officer at the hearing. The presiding officer may submit the
request for consideration by the body hearing the appeal. Requests made on the day of the scheduled hearing will be granted only upon the showing of unforeseen circumstances and compelling grounds, and if the hearing can be rescheduled without prejudice to the other parties. As a condition of granting the request, the party school requesting the continuance or postponement may be required to reimburse other parties for expenses incurred in attending the hearing.

VIII. Conduct of Appeal Hearing

* * *

B. The presiding officer should begin the hearing with an introductory statement that identifies the manner in which the matter came before the Board of Directors or Board of Appeal, and the issue(s) or the rule(s) involved.

C. Confidentiality (Student Information): During eligibility and disciplinary hearings, when a student, the student's family, and/or the student's school, anticipates that Personal Private Information (as defined in the GLOSSARY of the PIAA By-Laws) relating to the student-athlete and/or the student's family or others may be disclosed, the student, the student's family, and/or the student's school may request that all or parts of the matter be closed to persons not involved in the hearing or affiliated with PIAA. Absent objection, and under normal circumstances, the presiding officer should honor such request.

* * *

D. Confidentiality (Other Information): Where actions may be taken against a school or its personnel, or PIAA-registered officials, pursuant to the provisions of ARTICLE XIII, PENALTIES, or ARTICLE XV, OFFICIALS, of the PIAA By-Laws, the school or adults involved may request that all or parts of the matter be closed to persons not involved in the hearing or affiliated with PIAA. Under normal circumstances, and if no objection is made, such request may be honored by the presiding officer when potentially criminal conduct or the employment of member school coaches or other employees may be at issue. In other instances, the presiding officer should be reluctant to close the hearing.

If any person objects to closure of any part of the hearing, the presiding officer shall consider the merits of the respecting positions and determine whether complete or partial closure of the matter is appropriate. In reaching such decision, the presiding officer shall weigh the privacy interests of persons or schools seeking closure, member school personnel and the legitimate interest of PIAA members and the public in knowledge of enforcement of the PIAA Constitution, By-Laws, Policies and Procedures, and Rules and Regulations. Where closure is deemed appropriate, and it is feasible to do so, the presiding officer should attempt to limit closure.
E. **Order of Proceeding.**

1. Where the matter came before the Regional Panel or District Committee on the complaint of a member school, the representatives of that school shall be requested to make the first presentation.

2. Where the matter involved the eligibility of a transfer student, and the issue of a transfer for any athletic purpose is involved under ARTICLE VI, TRANSFERS, RESIDENCE, AND RECRUITING, of the PIAA By-Laws, and any representatives of the transferor school are present, they should be requested to make the first presentation.

3. The time for hearing from witnesses not affiliated with a school, such as Contest officials, is determined according to the position they are expected to support. This is something that will often have to be decided at the appeal hearing; the goal is to provide a schools and persons with adverse evidence to which it would desire an opportunity to respond before it begins to make its presentation.

F. The testimonial portion of the hearing shall begin with the presiding officer calling upon the applicable party Principal or the Principal's designee to present the matter. A Principal may designate The designee may be another representative of the school, the school district solicitor, counsel for the student or other individual involved, or a parent or a guardian of the student involved to present the matter. Leeway is to be provided to counsel representing any person before the Board of Directors or Board of Appeal, but if a dispute arises between counsel and the Principal, that Principal is to be given the first opportunity to speak, and counsel should is to be informed that that counsel will be given an opportunity to do so thereafter.

G. Consistent with the maintenance of an orderly and informative hearing, the manner of presentation of a party's school's case shall be as chosen by the party Principal or the Principal's designee.

1. While The manner of presentation may involve can range from formal trial-type proceedings in which witnesses are called and asked questions, to the more informal and common situation where witnesses are simply given the opportunity to present their evidence tell their stories. The latter is usually more effective.

2. While the manner of presentation may involve formal trial-type proceedings in which witnesses are called and asked questions, the more informal and common situation where witnesses are simply given the opportunity to present their evidence is usually more effective.

3. Reasonable cross-examination of witnesses is permitted. Cross-examination may be conducted by one representative of any party, such as a school's Principal or the school's representative, or counsel, and by a student or the student's counsel or parent's or other individual's Principal, representative, or counsel.
4. Any person in attendance other than representatives of the Board of Directors or Board of Appeal is subject to questioning by a school, party, member of the Regional Panel or District Committee, counsel for the Regional Panel or District Committee, or other person so authorized by the chair.

* * *

H. Other Procedural Matters:

1. **Tape Recording of Hearing.**

   * * *

2. **Transcription of Hearing.** Where a request is made that the hearing be transcribed by a court reporter, such transcription it is PIAA policy that it shall be permitted so long as (1) it is at the expense of the requesting party, and (2) PIAA receives a copy of the transcript at the expense of the requesting party contemporaneously with the delivery of the original to the requestor. The Board, on its own, may elect to transcribe the hearing. If it chooses to do so, it will bear the expense for attendance of the court reporter. Costs for a transcript must be borne by the parties requesting preparation of the transcript.

3. **Swearing of Witnesses.**

   * * *

4. **Sequestration of Witnesses.** Sequestration of witnesses (so that witnesses not be able to hear the testimony of other witnesses) is at the discretion of the presiding officer. Such requests generally relate to anticipated credibility problems with subsequent witnesses if they have heard prior witnesses. Sequestering of witnesses should be permitted where there is a sound basis for preventing future witnesses from hearing the testimony of earlier ones. Parties to the proceeding (including at least one representative of a school) may not be sequestered.

I. All persons who are in attendance and who desire to speak to the issue(s) shall be afforded an opportunity to do so.

J. **Length of Hearing.** Presentations should be limited to no more than forty-five (45) minutes per party school, or per person whose eligibility or interest is at issue in the proceeding, including questions to adverse witnesses. Unless a student's interest differs from that of the student’s school, the student's time for presentation shall be included within the period set for the presentation of the student’s school. Should a party participating school or person whose eligibility or interest is at issue believe that its presentation is likely to require more than forty-five (45) minutes, it should request the Executive Director or presiding officer to permit an extension of the deadline. Absent showing of exceptionally good cause, a party will not be permitted an extension of more than fifteen
minutes. Also, parties should be aware that several hearings are often scheduled for the same day. If a need for an extension is known, it should be requested as early as possible so that schedules can be established in a manner minimizing inconvenience to other schools and witnesses.

* * *

IX. Deliberations Following Hearing

A. The presiding officer may limit attendance at the deliberations to voting members of the Board of Directors or Board of Appeal, but may allow the attendance of any executives or advisors affiliated with employed or retained by PIAA.

B. Deliberations shall not be tape-recorded or transcribed.

C. The Board of Directors or Board of Appeal shall base its decision only on the evidence, written and oral, presented to it. Uncorroborated information in newspaper articles and anonymous correspondence is not considered evidence (although it may serve as a basis for questions during the hearing).

D. The Board of Directors or Board of Appeal may consider prior violations by a party the school or individual in determining what penalty to assess for the current violation, but shall not consider such matters in determining whether the current alleged violation was in fact committed.

E. Representatives of the Regional Panel or District Committee from which the appeal is taken, and all witnesses, shall not attend the deliberations or vote on the appeal.

F. The vote on the decision shall be taken in public session.

X. Notification of Appeal Decision

A. The Executive Director, or the Executive Director’s designee, shall notify the parties, including the Principal of the appealing school(s) of the decision of the Board of Directors or the Board of Appeal by telephone call to that (those) Principal(s), as soon as it is reasonably possible to do so. The Principal is expected to promptly orally notify the affected student(s) of the decision. The Executive Director shall follow this oral notification with the confirmation by letter (“Decision Letter”) of the decision to (1) the appealing parties school(s); (2) the parents or guardians of any student whose eligibility was at issue (if the addresses of such individuals are provided to the Executive Director); and (3) all adults who were subject to sanction at the hearing.

* * *
REMOVAL OF REGISTERED SPORTS OFFICIALS

Following consideration of written materials submitted, the failure of the officials to either respond to requests from the Executive Director or appear before the Board of Directors, and the mandatory language set forth in ARTICLE XV, OFFICIALS, Section 5, Removal of Registered Sports Officials, of the PIAA By-Laws, on a motion by Mr. Blucas, seconded by Mr. Palumbo, it was unanimously voted to remove from the list of registered sports officials, effective immediately, a PIAA-registered wrestling official who pleaded guilty to abuse of corpse and recklessly endangering another person; a PIAA-registered baseball official who pleaded guilty to involuntary deviate sexual intercourse forcible compulsion and indecent assault without consent of other; a PIAA-registered baseball official who pleaded guilty to no contest to statutory sexual assault; and a PIAA-registered wrestling official who pleaded guilty to forgery-alter writing, theft by unlawful taking-moveable property, and receiving stolen property.

PIAA HUMAN RESOURCES COMMITTEE REPORT

The Chairman of the PIAA Human Resources Committee advised the PIAA Board of Directors that that Committee, at its meeting of Thursday, September 18, 2008, which was held in the Board Room of the PIAA Office, Mechanicsburg, PA, (1) reviewed the Minutes from its meeting of Thursday, August 21, 2008; (2) reviewed the 2008-2009 Administrative Staff priority goals; (3) reviewed the formal justification and total costs of a proposed additional support staff position; (4) reviewed the proposed 2009-2010 PIAA Salary/Wages Schedule and compared it with the most recent NFHS Annual Salary and Benefits Survey Results; and (5) recommended that the Board of Directors adopt a resolution authorizing the extension of the PIAA Administrative Staff Employment Agreements for an additional year.

On a motion by Mr. Wotkowski, seconded by Mr. Wabby, it was unanimously voted to accept the recommendation of the PIAA Human Resources Committee to adopt the following resolution authorizing the extension of the PIAA Administrative Staff Employment Agreements for an additional year:

RESOLUTION AUTHORIZING EXTENSION OF EMPLOYMENT AGREEMENTS

WHEREAS, effective July 1, 2003, the Pennsylvania Interscholastic Athletic Association, Inc. ("PIAA"), entered into employment agreements ("Employment Agreements") with Bradley R. Cashman, Dr. Robert A. Lombardi, Melissa N. Mertz, Mark E. Byers, and Gregory G. Biller ("Employees"); and

WHEREAS, each of the Employment Agreements is for a term of three years, to expire on June 30, 2006; and

WHEREAS, each of the Employment Agreements authorizes the Board of Directors, upon the request of the Employees, to annually extend the Employment Agreements for an additional year; and
WHEREAS, the Employees have requested that the Employment Agreements be extended for an additional year; and

WHEREAS, the PIAA Human Resources Committee has reviewed the requests and has determined that the performances of the Employees has been outstanding, that request is warranted, and that extension of the Employment Agreements for an additional year is in the best interest of PIAA;

NOW, THEREFORE, BE IT RESOLVED, that, upon the request of the Employees and the recommendation of the Human Resources Committee of the PIAA, the employment agreements entered into between the Pennsylvania Interscholastic Athletic Association, Inc. and Bradley R. Cashman, Dr. Robert A. Lombardi, Melissa N. Mertz, Mark E. Byers, and Gregory G. Biller, which were effective July 1, 2003 and which were to terminate on June 30, 2006, were extended for one additional year until June 30, 2007, were extended for one additional year, or until June 30, 2008, were extended for one additional year, or until June 30, 2009, were be and hereby are extended for one additional year, or until June 30, 2010, be and hereby are extended for one additional year, or until June 30, 2011.

FURTHER RESOLVED, that the Executive Committee, the Executive Director, and the Director of Legal Affairs, or any of them, as appropriate or applicable, are hereby authorized and directed to take such action, including preparation and execution of addenda to the Employment Agreements, as may be necessary or desirable to carry out the foregoing resolution.

On a motion by Mr. Majikes, seconded by Dr. Ireson, it was unanimously voted to accept the report of the PIAA Human Resources Committee, as presented by the Chairman of the Human Resources Committee.

PROPOSED AMENDMENTS TO PIAA CIPPE FORM

On a motion by Mr. Hawkins, seconded by Mr. Ziegler, it was unanimously voted to accept the recommendation of the PIAA Sports Medicine Advisory Committee to amend Section 4 (PIAA Comprehensive Initial Pre-Participation Physical Evaluation and Certification of Authorized Medical Examiner) and Section 6 (PIAA Comprehensive Pre-Participation Physical Re-Evaluation and Re-Certification by Authorized Medical Examiner) of the PIAA Comprehensive Initial Pre-Participation Physical Evaluation (CIPPE) Form, effective immediately.

ADOPTION OF SPECIFICATIONS FOR FOOTBALLS USED BELOW 9TH GRADE

On a motion by Mr. Majikes, seconded by Mr. Blucas, it was unanimously voted to adopt National Federation of State High School Associations (NFHS) Football Rule 1-3-1 NOTE, which provides for specifications for the football to be used in Contests involving only players below the 9th grade, effective immediately.
PROPOSED AMENDMENT TO ARTICLE VI, TRANSFERS, RESIDENCE, AND RECRUITING, PIAA BY-LAWS

On a motion by Mr. Blucas, seconded by Mr. Taylor, it was voted to amend, on a first reading basis, ARTICLE VI, TRANSFERS, RESIDENCE, AND RECRUITING, of the PIAA By-Laws.

Motion failed: 5-yes, 24-no.

ADJOURNMENT

President Stone adjourned the meeting of the PIAA Board of Directors at 11:45 a.m., Friday, October 3, 2008.

NEXT PIAA BOARD OF DIRECTORS’ MEETING: 7:00 P.M., THURSDAY, DECEMBER 11; 8:00 A.M., FRIDAY, DECEMBER 12; AND 8:00 A.M., SATURDAY, DECEMBER 13, 2008; COCOA SUITE 2 AND 3, HERSHEY LODGE AND CONVENTION CENTER, HERSHEY, PA.

Respectfully submitted,

Bradley R. Cashman
Executive Director