

PENNSYLVANIA INTERSCHOLASTIC ATHLETIC ASSOCIATION, INC.
550 Gettysburg Road, P.O. Box 2008
Mechanicsburg, PA 17055-0708

PIAA BOARD OF DIRECTORS' MEETING AGENDA
VIA ZOOM MEETING

2:00 p.m., Wednesday, October 28, 2020

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| I. | Call to Order | Mr. Majikes |
| II. | Introduction of Alternate Voting Representative(s) of the Board of Directors | Mrs. Mertz
Mr. Majikes
(Att.1, pg.1) |
| III. | Introduction of Visitor(s) and Opportunity for Visitor(s) to Comment | Mrs. Mertz
Mr. Majikes |
| IV. | Secretary's Report: <ul style="list-style-type: none">• Board of Directors' Minutes from the teleconference meeting of October 7, 2020 | Dr. Lombardi |
| V. | Update on PIAA Legislative Matters | Mr. Goodman
Ms. Conner |
| VI. | Executive Session

Update on PIAA Litigation | Mr. Majikes

Atty. Solomon
Atty. Boynton
(Att.1, pgs. 21-23) |
| VII. | Executive Director Reports: | Dr. Lombardi |

1. On a **third and final reading basis**, to approve a proposal from the Board to provide an alternate solution for teams not participating in the fall to permit those teams to play in the spring without playoffs.
2. On a **second reading basis**, to approve a request from District I to permit teams that are unable to compete in the fall season to be able to participate in that sport in the spring without playoffs, if they have participated in no more than 25% of the maximum number of competitions.
3. Report of the Sports Medicine Advisory Committee held Monday, October 26, 2020, at 8 PM.
4. Discussion clarification of maximum number of contests in each sport after district deadline, this was passed at the October 7, 2020 Board of Directors' Meeting;

*On a motion by Mr. Marshall, seconded by Mr. Straub, the Board unanimously approved, on a **suspended protocol basis**, and **effective immediately**, a proposal to suspend application of ARTICLE XVI, Section 2.B., of the PIAA By-Laws, Conclusion of Regular Season, to permit fall sport teams that do not qualify for playoffs, and even if defeated, to continue to play contests until the conclusion of Thanksgiving weekend. This change is for the 2020 fall sports season only, and the number of games is limited to maximum number of competitions per sport.*

5. Criteria to host post season games.

Dr. Iacino

VIII. Proposed Amendments to the PIAA By-Laws;

1. On a **third and final reading basis**, approve language for Interpretation to ARTICLE III, ATTENDANCE, Section 6., Charter School and Cyber Charter School Students of the PIAA By-Laws;

INTERPRETATION

Section 6. March 23, 2007

Where a student is enrolled at a Charter School, and where the public school district in which the student resides has no senior high school, the school at which the student is in full time attendance shall be considered the public school district of residence of the student.

Section 6 & 7. September 18, 2020

Where a student enrolls in a private cyber school, it must be done under a home school education program since private cyber schools are not registered or recognized by the Pennsylvania Department of Education and the student's eligibility must be determined under Section 7.

2. On a **first reading basis**, approve amendments to ARTICLE VI, TRANSFERS, RESIDENCE, AND RECRUITING, Section 2, Eligibility of Transfers, A., In-Season Transfers, B., Out-of-Season Transfer, and C., Waiver provision of A and/or B District Committee may grant eligibility if certain situations are met;

Section 2. Eligibility of Transfers.

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A. In-Season Transfers.

1. Because of the timing difficulties in expeditiously obtaining necessary paperwork, of confirming representations of eligibility, of determining whether such Transfers are opposed by any appropriate party, of promptly scheduling hearings to consider such matters, and to reduce the likelihood of participation by an ineligible student that would impact on competition and the opportunity to participate by other students, a student who Transfers after the student Practices with a school's Team shall be ineligible to participate in that sport in Contests for a period of 21 calendar days following enrollment at the student's new school. This period of ineligibility is not waivable. The student's eligibility shall thereafter be determined by Sections 3 or 4 of this ARTICLE, as applicable.

2. If a student in 10th, 11th or 12th grade transfers before the student was eligible to participate in at least 50% of the PIAA maximum number of Regular Season Contests in that sport, the student is ineligible for participation in the postseason (District championships tournament and thereafter) in that same sport, for the current school year.

3. If a student transfers after the student was eligible to participate in at least 50% of the PIAA maximum number of Regular Season Contests in that sport, the student will be deemed to have participated in an entire season and, following the transfer, will not be eligible for further participation in that sport for the current school year. If said student is in the 10th or 11th grade then said student is also ineligible for participation in the postseason (District championships tournament and thereafter) in that same sport of the subsequent school year.

B. Out-of-Season Transfer

1. If a student transfers after participating in a sport in their 10th grade year, or thereafter, and following completion of such season, transfers to another school, said student is ineligible for participation in the postseason (District championship tournament and thereafter) in that same sport for the subsequent school year. The student, if otherwise eligible, may participate in that sport only during the regular season.

C. Waiver provision of A and/or B District Committee may grant eligibility if certain situations are met: A District Committee may waive this period of ineligibility upon demonstration by the student that the transfer was necessitated by exceptional and unusual circumstances beyond the reasonable control of the student's family. For purposes of this provision, the following reasons WILL be deemed sufficient to meet this standard:

- A change of residence necessitated by a change in employment;
- A school-initiated administrative transfer within a school district;
- A transfer following an order of court in a delinquency or dependency proceeding;
- A change of schools caused by a military reassignment of a parent;
- A change of schools caused by release from a juvenile facility; and
- An involuntary substantial change in financial condition and resources that compels withdrawal from a school.

For purposes of this provision, the following reasons will NOT be deemed to meet this standard:

- A transfer for academic, developmental, spiritual and/or social reasons; and
- A change of residence resulting from a family separation, unless court approved.

All other tendered reasons will be considered by the District Committee on a case-by-case basis.

NOTES:

1. Because the purpose of this Section relates to the integrity and fairness of the postseason system and not to athletically motivated transfers, whether a student's transfer was in any way motivated by an athletic purpose is not a factor to be considered in granting or denying a requested waiver under this provision.

2. Because virtually all decisions to transfer are made by parents, the fact that such decision was not within the control of the transferring student is not a factor to be considered in granting or denying a requested waiver under this provision.

IX. Proposed Amendments to the PIAA Policies & Procedures;

1. On a **second reading basis**, approve revision to Policy Regarding Disclosure of Records;

POLICY REGARDING DISCLOSURE OF RECORDS

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C. DISCLOSURE OF RECORDS PURSUANT TO REQUEST OF NON-PIAA ENTITIES AND PERSONS: In accordance with the following procedures, certain PIAA records may, upon request, be made available to persons not covered by the above stated policies.

1. Open-Records Officer. The Executive Director, or the Executive Director's designee, shall be the Open-Records Officer of PIAA. The Open-Records Officer shall receive requests for records received by PIAA, shall direct requests to appropriate persons within PIAA, shall track PIAA's progress in responding to requests and shall issue interim and final responses to said requests.

2. Form of Request. Requests for records submitted to PIAA shall be addressed to the Open-Records Officer. Requests for records must be submitted on the PIAA form found on its website and/or the Standard Right To Know Law form on the website of the Pennsylvania Office of Open Records. PIAA ~~personnel~~ may fulfill oral or other written requests for documents but is ~~are~~ not required to do so. A written request shall be directed to the PIAA Open-Records Officer. The request should identify or describe the records sought with sufficient specificity to enable PIAA to ascertain which records are being requested and shall include the name and address to which PIAA should address its response.

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5. Form of Response.

- a. **Format of Production:** The Open-Records Officer shall timely make available for inspection during normal business hours all non-privileged requested records. To the extent that copies of records are requested, said copies shall be provided in the medium requested if the records are kept in said medium. Otherwise, the records shall be produced in the medium in which they exist. No requester shall be entitled to have access to any computer maintained by PIAA or any of its personnel. In responding to a request for records, the Open-Records Officer shall not be required to create, compile, or organize records which do not already exist or are not so compiled or organized.
- b. **Records Available on Web Site:** If the requested records are available on the PIAA Web site, the Open-Records Officer may respond to the request by so notifying the requester. ~~If the requester nevertheless requests production of the records, PIAA shall do so and shall charge an appropriate fee for provision of such records.~~
- c. **Specific Categories of Records Available for Inspection/Copying:** The following records shall be accessible for inspection and duplication by a requester in accordance with this Policy.
 1. Records of athletic performances and athletic records of student athletes and member schools.

2. The PIAA Constitution, By-Laws, Policies and Procedures, and Rules and Regulations.
3. Agendas for and Minutes of PIAA Board of Directors and its Committees (with the exception of its Human Resources Committee) meetings.
4. Agendas for and Minutes of PIAA Advisory and Steering Committees meetings.
5. All contracts between PIAA and third parties.
6. Bids submitted by, and contracts entered into with, vendors.
7. Bids submitted by, and contracts entered into with, entities seeking to host PIAA Inter-District Championship Contests. Entities submitting proposals should be aware that requests to keep all or some of the contents thereof confidential cannot be accepted by PIAA.
8. School membership applications.
9. Contracts for cooperative sponsorship of a sport.
10. Annual financial statements.
11. Annual budget.

d. Specific Categories of Records not Subject to Inspection/Copying:

1. Personal Private Information of student athletes, sports officials, and PIAA personnel.
2. Athletic eligibility and school sanction decisions, except as permitted in PIAA's Policy Regarding Confidentiality of Information Relating to Student-Athletes, Member Schools, Sports Officials, and Other Adults.
3. Background check reports obtained from sports officials registered with PIAA ~~since April 1, 2007.~~
4. Agendas for and Minutes of executive sessions of the Board of Directors and its ~~Human Resources Committees.~~
5. Employee personnel files and records, other than the name, position, salary, actual compensation, and employment contracts of personnel.
6. Memoranda and reports of PIAA's counsel relating to litigation.
7. Medical information regarding any PIAA-related personnel.
8. Records containing the Social Security number; driver's license number; personal financial information; home, cellular, or personal telephone numbers; personal e-mail addresses; and other confidential personal identification information of any person.
9. Records containing a spouse's name, marital status, beneficiary, or dependent information of any person.
10. Drafts of amendments to the PIAA Constitution, By-Laws, Policies and Procedures, and Rules and Regulations not yet disseminated to members of the Board of Directors.
11. Records relating to investigations of student-athletes, sports officials, and schools; including complaints, investigative materials, correspondence, and reports.

12. Any and all other records exempted from disclosure under the Pennsylvania Right To Know Law.

e. Redaction: The Open-Records Officer shall redact from production those records, and portions of records, which are privileged or are exempt from production.

f. Notification of Third Parties: Where records produced have been provided to PIAA by third parties, and those records are the subject of the request, the Open-Records Officer may, if deemed appropriate, notify the third parties of the request and the requester.

6. Payment of Fees: The Open-Records Officer may charge a requester the costs incurred by PIAA for (1) actual postage; and (2) costs of duplication. Where said costs are projected to exceed \$100, said payment shall be required in advance of production. No future production shall be made to any person or entity who has not paid for a prior production until such amount due and owed is paid. ~~Additionally, where payment for prior productions was not made within thirty (30) days of production, the Open Records Officer may make future productions contingent upon prepayment of estimated costs.~~

2. On a **second reading basis**, approve revision to Protocol for Approving and Implementing Changes to the By-Laws, Policies and Procedures, and/or Rules and Regulations of PIAA;

PROTOCOL FOR APPROVING AND IMPLEMENTING CHANGES TO THE BY-LAWS AND/OR, POLICIES AND PROCEDURES, AND/OR RULES AND REGULATIONS OF PIAA

To enable the PIAA Board of Directors to have sufficient time to properly consider changes to the By-Laws, Policies and Procedures, and/or Rules and Regulations of PIAA, to provide PIAA member schools with sufficient lead time to respond to proposed changes to the By-Laws and/or, Policies and Procedures, and/or Rules and Regulations of PIAA and to provide the Executive Director and Administrative Staff sufficient lead time to properly disseminate the proposed changes the following procedures are recommended:

1. All proposed changes must receive two (2) readings by the Board of Directors and can only be voted on at a third reading by the Board of Directors.
2. All proposed changes must appear in the Minutes of two (2) regularly scheduled meetings of the Board of Directors, and those Minutes must be posted to the PIAA Web site at www.piaa.org before the Board of Directors can vote on the proposed changes.
3. Changes that are approved by the Board of Directors, beginning with the first Board of Directors meeting in July through the last meeting of the Board of Directors in May, will become effective July 1 of the following school year, and these approved changes will be posted to the PIAA Web site at www.piaa.org for the following school year.

The procedures set forth in this Protocol may be made inapplicable to any change which, in the judgment of the Board of Directors, should, in the interest of PIAA and/or its members, become effective earlier than as provided in this Protocol, including immediate effectiveness. The vote required for the Board of Directors to make this Protocol inapplicable to a particular change shall be the same as the vote necessary to make the change.

NOTE: Revisions to the PIAA Rules and Regulations do not require the three-reading protocol and may be made at any time by majority of those present and voting.

3. On a **second reading basis**, approve revision of POLICY FOR SUCCESSION AND/OR REPLACEMENT OF BOARD MEMBERS;

POLICY FOR SUCCESSION AND/OR REPLACEMENT OF BOARD MEMBERS

Should a Board member die, resign or be removed, the alternate previously selected by the constituency pursuant to ARTICLE VI, Section 2N, of the PIAA Constitution shall serve in that Board member's place until the constituency elects or appoints a replacement to complete that person's term. If no alternate had been designated and/or a Board member's term expires with no successor named, the position shall remain vacant until a replacement is selected by the constituency.

4. On a **first reading basis**, to ratify language under STUDENT-ATHLETES AND PIAA MEMBERS SCHOOL, PROCEDURES DURING STRIKES;

PRACTICE INTERRUPTION AND PROCEDURES DURING TEMPORARY SCHOOL CLOSURES INCLUDING STRIKES

It is the philosophy of the PIAA Board of Directors, and PIAA member schools, that interscholastic athletics should not be used as a pawn during contract negotiations between School Boards and Education Associations.

While interscholastic athletics should not be considered to be different than any other extra-curricular activities, it is a simple fact of life that interscholastic athletics fan the emotions of a community to a higher and greater degree than any other school function.

Pursuant to ARTICLE XII, ATHLETIC RELATIONS, Section 5B, Temporary Closure of School, of the PIAA By-Laws, there are several options that may be exercised during the period in which a member school is affected by a temporary school closure or professional labor dispute:

- 1) A member school may Practice and compete in any scheduled Contests during the period of the work stoppage or school closure. If this option is elected, a Team may Practice only the length of time, each day that it would have Practiced had school been in session.
- 2) A member school may opt to Practice, but not play any Contests during the period of the work stoppage. If this option is elected, a Team may Practice only the length of time, each day that it would have Practiced had school been in session.
- 3) A Team (varsity, junior varsity, freshman, or junior high/middle school) **MUST** have completed the minimum length of Preseason Practice as specified for the sport in ARTICLE XVI, SEASON AND OUT-OF-SEASON RULES AND REGULATIONS, of the PIAA By-Laws, **BEFORE** the first Contest of each season.

- 4) If a member school's Practice schedule has been interrupted by a temporary school closure or strike for more than three (3) consecutive days after the minimum length of Preseason Practice has been completed, that school must have had three (3) days of Practice prior to resuming its interscholastic athletic schedule.
- 5) If there are **ANY** questions as to the required Practice rule, a member school should contact its respective District Chairman or the PIAA Office.
- 6) The decision as to whether to Practice and/or play rests solely with a member school's School Board.
- 7) If a Contest is postponed, it may, by mutual agreement between the two member schools, be rescheduled. Decisions on cancellations or postponements must be made no less than three (3) days prior to the scheduled Contest. In situations where extenuating circumstances are present, the Executive Director may waive the requirement that notification concerning a postponement or cancellation must occur at least three (3) days prior to the scheduled Contest. Inability to reschedule the Contest shall result in forfeiture by the closed member school.

X. Administrative Staff Reports:

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| A. Assistant Executive Director | Mrs. Grassel |
| <ol style="list-style-type: none">1. Update on the upcoming Tennis Championships.2. PIAA Basketball Steering Committee recommendation(s) from meeting of October 13, 2020. (Att. pgs. 2-6) | |
| B. Assistant Executive Director | Mr. Gebhart |
| <ol style="list-style-type: none">1. Deadline for receipt of recommendations to officiate 2020 PIAA Fall Championships in sports of cross country, girls' volleyball, field hockey, soccer and football.2. Officials and Coaches can view the 2020-2021 PIAA Winter Sports Rules Interpretation Meetings in their accounts from November 1st, through November 28th at no charge, and from November 29th through December 11th, for a fee of \$50 for Officials and \$75 for Coaches3. Accepting nominations for even numbered districts Officials' Representatives to enter on ballots, deadline Nov. 10, 2020. | |
| C. Associate Executive Director | Mrs. Mertz |
| <ol style="list-style-type: none">1. Report of eligibility lists submission.2. Number of schools regarded to be delinquent, as a result of dues not being paid on or before September 30, 2020.3. Report of schools that were contacted regarding not providing proper information for 2020 eligibility lists.4. PIAA Swimming and Diving Steering Committee recommendation(s) from meeting of October 14, 2020. (Att. pgs.7-10) | |

5. PIAA Competitive Spirit Steering Committee recommendation(s) from meeting of October 6, 2020. [\(Att. pgs. 11-14\)](#)
- D. Chief Operating Officer Mr. Byers
 1. PIAA Wrestling Steering Committee recommendation(s) from meeting of October 13, 2020. [\(Att pgs.15-18\)](#)
 2. Update on 2020 Cross Country Championships.
- XI. PIAA Board of Directors' Committee Reports:
 1. Report of the Budget Committee Meeting held Thursday, October 22, 2020 Mr. Leonard [\(Att. pgs.19-20\)](#)
 - a. Approval of 2020-2021 Operating Budget Mr. Leonard
 - b. Alternate forms of revenue Mr. Majikes
 - c. Participation/entry fees Mr. Majikes
- XII. Membership:
 - A. Approval of Request(s) Concerning Cooperative Sponsorship of a Sport, effective beginning of **2020-2021** school year, (**Will NOT** affect classification size of Team[s]):

District II - Pittston Area and Old Forge High Schools to cooperatively sponsor wrestling	Mr. Majikes
District V & VI – Southern Huntingdon County Senior and Forbes Road High Schools to cooperatively sponsor wrestling	Mr. Leonard & Mr. Marshall
District IX – Modification- Clarion Area Senior and Union High Schools to cooperatively sponsor wrestling	Mr. Straub
District IX – Sheffield Area and Abraxas I/Arlene Lissner High Schools to cooperatively sponsor football	Mr. Straub
District IX & X – Sheffield Area and Lighthouse Academy High Schools to cooperatively sponsor wrestling and softball and girls' basketball	Mr. Straub & Dr. Iacino
 - B. Withdrawal of Membership(s), effective **July 1, 2020**:

District X - Saint Stephen Junior High School	Dr. Iacino
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 - C. Approval of Termination Request(s) Concerning Cooperative Sponsorship of a sport, effective beginning of **2020-2021** School Year

District III – York Country Day High School and York County School of Technology to terminate girls' basketball	Mr. Bohannon
District VII – Brownsville Area and Frazier High Schools to terminate boys' tennis	Mr. Seltzer
- XIII. Adjournment

NEXT BOARD OF DIRECTORS' MEETING: WEDNESDAY, NOVEMBER 18 2020; 2:00 PM