

The **AD**visor

Editor: Gary Schroeder, CAA

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IHSADA President's Message



Welcome back to a new and exciting school year. I hope that you are prepared for the challenges that the school year will bring and that you will be productive and successful in all that you do.

I am looking forward to serving the IHSADA membership as president during the 2009-10 school year. I want to thank the officers of the Executive Board and District Directors for all they do for the IHSADA. It is their efforts that make this organization so great.

It is hard to believe that we are already half way through our fall seasons. Our district meetings are just around the corner. Your District Directors and Officers have put a lot of time and effort into these meetings and I encourage all of you to attend your district meetings in October. There will be updates from the IHSAA and IGHSAU along with some excellent guest speakers and delicious food.

It is never too early to start planning for upcoming events. The 40th Annual NIAAA Convention will be held in Dallas-Ft. Worth this year from December 12 to December 15. If you have never attended a national convention, it is a great opportunity to take some Leadership Training Classes and attend some outstanding workshops that will help you become a better Athletic Director.

The second reminder I want to mention is the 42nd Annual IHSADA Convention to be held at the Marriott Convention Center in Coralville, Iowa on March 28-March 30, 2010. Dave Huff and Jeff Frost have worked hard to make this convention one of the best and I hope that you will attend and experience the new venue.

I want to thank the Iowa High School Athletic Association for the instructive New Administrators Workshop held on August 4 in Boone. There were 47 new and a few veteran administrators that attended. The IHSAA staff did a superb job presenting information that new Athletic Directors need to be aware of as they start their new endeavors.

In closing, I would just like to say, "Do your very best for the students in your district. It is all about what they do, not what we do. Support all your activities, your coaches and sponsors, and do not worry about your critics. You and your peers know what it takes to be an Athletic Director. Be Proud of what you do, do it well, and the students will benefit from your leadership."

Sincerely,

Kevin Pederson, President IHSADA

Send IHSADA /NIAAA membership to:

D'Anne Kroemer, CAA
City High School
1900 Morningside Drive
Iowa City, IA 52245



Fellow Athletic Directors:

On behalf of the NIAAA, I would like to encourage you to please consider joining this outstanding professional organization. Last year with the help of the IHSADA and the modified dual membership form that was offered to all of our State IHSADA members to join both organizations at one time with one check saw Iowa's membership growth in the NIAAA double to 165. I want to say thank you to all who joined the NIAAA last year and hope that all IHSADA members renew their memberships in both organizations plus gain additional new members in this 2009-2010 school year. Currently the NIAAA has approximately 8000 members nationwide and is still growing, Iowa is one of five states in section IV which is considered one of the strongest of the 8 total sections. Please consider joining and getting involved in truly an outstanding organization!

Best Regards

Larry Moglestad, Boone High School

NIAAA Section IV Representative

FALL DISTRICT MEETINGS

9:00 AM

NE-10/7, Waverly Golf Course

NW-10/13, Northwestern College, Orange City

Central-10/8, IHSAA Building, Boone

SE-10/5, Hawkeye Big 10 Room, Iowa City

SW-10-/7, Walnut

Niaaa

(National Interscholastic Athletic Administrators Association)

Benefits of Membership

Membership in the NIAAA offers a variety of professional services, programs, products and opportunities that are made available to promote, professionalize and assist the athletic administrator. Further information on each item below is available on the NIAAA Web site at www.niaaa.org or by contacting the NIAAA office at (317) 587-1450.

Opportunities, Programs and Services:

- Certification Program – 3 levels of professional certification
- Leadership Training Program – educational curriculum of 32 courses taught at national & state conferences, institutes and NIAAA webinars. Students may earn CEU's up to a master's degree through selected universities
- National Conference – registration discount on annual December conference conducted jointly with NFHS
- Liability Insurance - \$2,000,000 provided while performing duties
- Website [www.niaaa.org] dedicated to NIAAA programs
- Athletic Administrators Outfitters - logo shop
- Buyers Guide – online site for preferred companies with contact information and links
- Approved Fundraisers – guide & information of preferred companies.
- Committee membership – 11 potential committees
- Sports Turf Field Renovation Program – application necessary
- Student Scholarship/Essay Program – open to students of schools with athletic director as member of NIAAA. State, Section and National winners
- Professional Outreach Program – conducted in cooperation with state athletic administrator associations
- \$2,500 Term Life Insurance policy – provided as part of membership
- Reduced premium on cancer and accident insurance

National Emergency Network – assistance in cases of accident or medical emergency

Long Term Health Care insurance – discounted rates

- Endowment – portion utilized for outreach initiatives

Awards Program – variety of recognition methods at state and national levels

Member Services – online opportunity through NIAAA database to view personal account, find members, order materials or initiate/renew membership. Post a resume, open dates, job openings and equipment for sale. Use "message board" to post questions and gather information, and respond to questions posted by other members.

From the Gym to the Jury – Special \$10 annual rate to receive online (\$39 value) From the Gym to the Jury newsletter. Includes current legal rulings associated with athletics.

Materials and Products: (available at no cost)

Interscholastic Athletic Administration (IAA) - Quarterly 48 page journal provided as part of NIAAA membership or by subscription.

Risk Management - Two-part DVD produced in cooperation with NFHS includes segment for parents and athletes, another for coaches and administrators.

Athletic Administration: A Comprehensive Guide - CD which is resource for Leadership Training Course 502.

Hazing - Dying to Belong & Break the Tradition of Breaking the Law - Two-part DVD with portion for Student & Parent & another for Coach & Administrator. A PDF file lists the 44 state anti-hazing laws.

Guide for College-Bound Student-Athletes and Their Parents - Booklet approved by the NCAA Eligibility Center for all stakeholders with a role in student's potential college athletic involvement.

[Professional Development Program - 28-page booklet explains both the Leadership Training Program and Certification Program of the NIAAA.](#)

[A Profile of Athletic Administration - 32-page booklet that provides purpose and clear description of the position and the program administered.](#)

The Role of the Principal in Interscholastic Athletic - 12-minute video available at no cost through link on the NIAAA Web site. Produced in cooperation with the NASSP and NFHS.

[NIAAA e-news – Electronic newsletter offered 10 times.](#)

[Certification Program – Brochure providing information on the levels, process and procedures for achieving certification.](#)

Strategic Plan 2006-10 - 12-page booklet that outlines the 2nd strategic plan.

Pointing the Way - DVD is 9 minutes in length & available for each state athletic administrator association over-viewing NIAAA mission, offerings, programs, benefits and philosophy.

[Philosophy of Developing Relationships with Strategic Corporate Partners – Brochure describing for members provisions for working with sponsors.](#)

From the Gym to the Jury - Online subscription offered for \$10 to members (\$39 value).

Baseball Mound Construction: A Professional Approach (27 minutes), Maintaining the Home Plate Area: A Professional Approach (8 minutes) - DVD in cooperation with STMA and SAFE.

Professionals on the Sideline: The Line-to-Gain Crew – Educational DVD produced by NASPAA with NIAAA support with proper training techniques of the football sideline chain crew.

Maintaining a Baseball or Softball Skinned Infield (21 minutes) – DVD in cooperation with Sports Turf Managers Association, The Foundation for Safer Athletic Fields and Brad Rumble & Associates.

Membership Information – Categories & application.

Corporate Partnership Opportunities – Available information for prospective sponsors

Endowment Brochure – Information & contribution form.

Media Guide – Pamphlet overview of IAA magazine profile, contents, ad specs and pricing.

NIAAA History – Brochure includes NIAAA heritage, timeline, accumulation of service information. (available soon)

The following article submitted by Carol Greta of the Iowa Department of Education is informational only, and is not intended as legal advice to the reader. Questions may be directed to carol.greta@iowa.gov or call 515/281-8661. Permission to reproduce and distribute for non-profit, educational purposes is granted.

Restrictions on Selling Sports Apparel, Equipment, Etc.

There are 3 laws that govern what school district employees & board members may sell to students or their district.

Iowa Code section 301.28 makes it a crime for a teacher (including a coach who is a teacher), schoolboard member, or school administrator to sell, directly or indirectly, textbooks or school supplies to another school district. This past year, the Legislature added "sports apparel and sports equipment" to the prohibited items, but also changed the law to allow a director, teacher, or administrator to sell to any other school, just not the district that employs the person (or for which the person is on the school board). This law does not apply to nonpublic schools and their employees. As mentioned, to violate this law is a crime, a serious misdemeanor. The penalty is up to one year in jail, plus a fine of up to \$1875 (not to mention, court costs and attorney fees). Coaches who are NOT also teachers are not impacted by this law. However, they are impacted by the next two laws.

Iowa Code section 68B.2A prohibits all public employees from engaging in "any outside employment or activity which is in conflict with the person's official duties and responsibilities."

Determining whether particular outside employment or activity creates an unacceptable conflict of interest is not easy. Certainly the outside employment or activity may not involve the use of the district's time, facilities, equipment, and supplies. Also, the employee cannot be the person making the decision on behalf of the district if that decision will financially benefit the employee. After that, any situation must be determined on a case-by-case basis.

Here's an example that may help: School District A's golf coach (non-teacher) owns the local golf course. The coach's golf course sells the range time to District A. The course is the "home course" for the team, and there is really no practical alternative to using this course. This is not a violation of 68B.2A as long as the coach is not making the decision on behalf of District A to buy the range time. That assumes that the coach has not made it a condition of his coaching contract that District A must buy range time from his course.

Finally, Board of Educational Examiners rule 282-25.3(6) makes it a violation of BoEE ethical rules for any BoEE licensee (AND THIS INCLUDES ALL COACHES, EVEN VOLUNTEER COACHES, WHETHER OR NOT THEY ARE TEACHERS) for a BoEE licensee to solicit students or parents of students to purchase equipment, supplies, or services from the licensee.

Title IX Issues

We do not have many Title IX issues in Iowa, but when such lawsuits occur elsewhere, they get a lot of attention. Case in point: a high school in southern California was sued when it eliminated its girls field hockey team. The school cited the fact that it couldn't find a coach as the reason for not fielding a team. *The court ruled against the school*, holding that inability to find a qualified coach is not a Title IX indicator. In this case, because there was plenty of varsity-level competition available, the school could only prevail if it showed a lack of interest in participating in field hockey on the part of its female students. *Ollier v. Sweetwater Union High School Dist.*, 2009 WL 8862243 (S.D. Cal. 30 Mar 09).

A high school female in Indiana has won the right to try out for her school's baseball team. Indiana offers softball, but the courts are nearly unanimous that softball and baseball are different sports. Therefore, a girl must be given the opportunity to try out for baseball on the same basis as the boys. This is true in Iowa; young ladies here may try out for football, wrestling, and baseball. As long as girls have the same opportunity to try out for these sports, coaches still have the final say on who makes the team, who dresses, how much playing time students get, etc. Title IX does not require that girls participate; just that they have an opportunity to participate.

So, you're asking yourself, may a boy play volleyball? Softball? Most courts say no. Title IX was enacted to level the playing field for females, who historically have been the disadvantaged gender. Also, males are physiologically stronger and faster than females. I held my breath when IGHSAU sanctioned bowling two years before IHSAA did so, waiting for a boy to ask to bowl on a girls' team, but it didn't happen. If it had, ...well, it would have made for interesting discussion. Bowling is (usually) not a contact sport, and being bigger and faster isn't necessarily an advantage for boys in bowling, so I think a boy would have had a reasonable chance of prevailing on that one. But, it's all hypothetical, unless one of your schools offers only a girls' bowling team...

Suing the Coach for a Player's Injuries

I'd like to think that baseball, not suing, is still America's pastime (and I don't really like baseball), but where there are injuries, there are distraught families looking for someone to blame. The courts have held that high school athletes assume the risks that are inherently involved with a sport, and that coaches do not have a duty to eliminate all risk regarding a sport. A coach's duty can be as follows:

1. Give adequate instruction in the activity
2. Supply proper, safe equipment (and adequate instructions about proper use of the equipment)
3. Make reasonable selection or matching of participants**
4. Provide appropriate supervision of practices and contests that does not increase any risk of injury
5. Take proper post-injury procedures (call the appropriate persons, don't leave student unattended, etc.)

Injuries will occur. Parents will sue. Those are "givens." But as long as a coach does nothing to enhance the risk of injury to a student, the coach will probably not be successfully sued.

**For instance, do NOT match a 103 pounder against a 160+ pounder in wrestling practice. Don't laugh...I never use examples that have not actually happened!

Red-Shirting

The obvious cases of red-shirting are easy to identify. The not-so-obvious tend to occur in middle school. Here is a real example of what is happening more and more often. I don't mean to pick on wrestlers, but so far, all the calls have been about wrestlers, so that's my example here:

Family decides that even though their son is an average-to-good student, he is small for his age, so they want him to repeat 8th grade. The motivation is mixed parts of wanting the boy to be a better wrestler once he is in high school, wanting him to be in a class where he isn't the smallest physically, wanting him to fit in better socially, and a tiny part wanting him to be better academically.



First and foremost, decisions about promotion/retention are at the discretion of school officials, not families. School officials must exercise their independent judgment. If the family is unhappy with the school's decision (for instance, not to have the boy repeat 8th grade), the family may transfer the boy to another school or home school the boy.

If the student ends up repeating 8th grade, what the family has done is to deny their son eligibility during his senior year. Remember that the 8 consecutive semester rule starts once a student has successfully completed 8th grade. If a family convinces a school to allow their child to repeat 8th grade, the 8 consecutive semesters of eligibility have started, and end after the child's junior year. The school or family must then ask IHSAA or IGHS AU for a waiver of the 8 consecutive semester rule. Unless the child repeats 8th grade for legitimate academic reasons, it is highly unlikely that a waiver would be appropriate.

It's so important for the athlete for his parents to be at the game-far more important than he might let



on. "Family multiplies the joys and divides the sorrows." Take every opportunity to help multiply the joy of the athletic experience and divide your child's sorrow through it.

Author unknown