

The following are the preliminary minutes from the September 23, 2021, OHSAA Board of Directors Meeting. The Board is expected to officially approve them at its October 21, 2021, meeting.

## OHSAA BOARD OF DIRECTORS MEETING MINUTES (September 23, 2021)

The Ohio High School Athletic Association Board of Directors held a regularly scheduled meeting on Thursday, September 23, 2021, at the OHSAA Office in Columbus. President Scott Kaufman called the meeting to order at 9:00 a.m. The meeting began with the pledge of allegiance.

**Board Members Present:** Scott Kaufman, president; Steve Watkins, vice president; Bo Arnett; Ryan Fitzgerald; Gina Franks; Gary Kreinbrink; Bill Nye; Scott Reeves; Jeff Wheeler, and John Richard (ex-officio) and Glen Gillespie (ex-officio).

**Staff Members Participating:** Doug Ute, executive director; Kim Kiehl, chief operating officer; directors Bob Goldring, Kristin Ronai, Beau Rugg, Tim Stried and Jacki Windon; controller Laura Vermilya; and staff members Kate Barnett, Tyler Brooks, John Kuzio, Emily Mason and Ronald Sayers.

**Others Present:** Steve Craig, OHSAA legal counsel; Scott Hunt, incoming Board of Directors ex-officio representing the Ohio Department of Education; Frank Gamble, Ohio High School Baseball Coaches Association, and Gerald Cooke and Dick Kerschbaum, Ohio High School Football Coaches Association.

### I. ADOPTION OF AGENDA

Motion by Jeff Wheeler, second Ryan Fitzgerald to **adopt** the agenda as amended for the September 23, 2021, Board of Directors meeting.

Motion passed 9-0.

### II. APPROVAL OF MINUTES

Motion by Scott Reeves, second by Bill Nye to **approve** the minutes from the August 26, 2021, Board of Directors Regular Meeting and September 10, 2021, Board of Directors Special Meeting (virtual).

Motion passed 9-0.

### III. FINANCIAL INFORMATION

#### A. Operations Update and Financial Report

Chief Operating Officer Kim Kiehl provided a brief update on operations and then asked Controller Laura Vermilya to provide the financial report through August. It is summarized as follows:

District	Checking	Savings	CD/Other	Cash Concentration	Total Cash	Yr. to Date	Yr. to Date	Yr. to Date
						Gross Revenue	Gross Expenses	Net Profit/Loss
OHSAA Office	\$855,801	\$3,516,551	\$702,126	\$828,987	\$5,903,464	\$728,716	\$662,448	\$66,268
Central	\$58,011	N/A	N/A	\$674,400	\$732,411	N/A	\$2,995	-\$2,994
East	\$73,726	N/A	N/A	\$658,114	\$731,840	N/A	\$3,493	-\$3,493
Northeast	\$151,302	N/A	N/A	\$411,264	\$562,566	N/A	\$4,667	-\$4,667
Northwest	\$120,117	N/A	N/A	\$914,148	\$1,034,265	N/A	\$4,228	-\$4,228
Southeast	\$267,606	\$19,163	N/A	\$304,435	\$591,205	N/A	\$3,293	-\$3,293
Southwest	\$55,193	N/A	N/A	\$992,357	\$1,047,550	N/A	\$4,306	-\$4,306
<b>Totals</b>	<b>\$1,581,756</b>	<b>\$3,535,714</b>	<b>\$702,126</b>	<b>\$4,783,705</b>	<b>\$10,603,301</b>	<b>\$728,716</b>	<b>\$685,430</b>	<b>\$43,287</b>

Motion by Gina Franks, second by Bo Arnett to **approve** the financial report as presented.

Motion passed 9-0.

### IV. INFORMATION ITEMS

- A. Introduction of Incoming State Department of Education Board of Directors Ex-Officio Scott Hunt, Ed.D.  
 Outgoing Board of Directors Ex-Officio John Richard, Ed.D., deputy superintendent at the Ohio Department of Education, who will be leaving ODE in October, introduced his replacement as an ex-officio on the OHSAA Board, Scott Hunt, Ed.D., executive director of field relations at ODE. Dr. Hunt has been with ODE since April 2019 and previously was superintendent of the Cardinal Local School District in Middlefield; held several positions with the Perry Local Schools (Lake County), and was a teacher in the Beachwood City and Cleveland Metropolitan school districts and a district in Florida.

Board President Kaufman and Executive Director Ute welcomed Dr. Hunt. They also thanked Dr. Richard for his service to the OHSAA, wished him good luck in his new position as president of the Stark (County) Education Partnership and presented him a plaque as a token of thanks.

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### B. Review of Final OHSAA Administrator Workshop

Director Kristin Ronai provided the Board with a brief overview of the virtual workshop for school administrators that the Executive Director's Office hosted on August 31 after two in-person workshops were held earlier in August. Among the topics included compliance/student eligibility issues (led by Ms. Ronai); sports administration (led by staff members Emily Mason and Tyler Brooks); *myOHSAA* management and tournament deadlines (led by staff member Ronald Sayers), and best practices for administrators (led by representatives from the Ohio Interscholastic Athletic Administrators Association). Approximately 151 administrators signed up for the virtual workshop.

### C. Results of Emergency Referendum Vote

Director Kristin Ronai informed the Board that the emergency referendum issue that was voted upon by member school principals between September 1 and 15 passed, with 484 in favor, 66 opposed and 26 abstaining. Passage of the issue has restored the bylaws/exceptions that were previously removed due to legislative action in August 2019 and are currently shown as "strike-throughs" in the current OHSAA Handbook under the Transfer Bylaws. The reason these rules are now allowed to be restored is due to additional legislative intervention reversing the 2019 Ohio Revised Code language. Though all these bylaws were previously voted upon and approved by the OHSAA member schools, the Executive Director's Office did not have the authority to restore them without a membership vote.

### D. Reminder on NFHS Coaches-of-the-Year Awards

Director Bob Goldring reminded the coaches association representatives in attendance that the coaches associations' nominations for 2020-21 NFHS Coaches-of-the-Year awards are due to the Executive Director's Office as soon as possible. Once nominations are received, the nominees will go into an on-line site to insert their credentials. Awards are presented at the state level, and recipients will also be considered for section and national awards. After nominations are reviewed in November and December, the NFHS will announce the coaches-of-the-year in January.

### E. OHSAA Foundation to Present Virtual Student Leadership Conference October 5

Executive Director Doug Ute reminded the Board that the OHSAA Foundation will present a virtual Student Leadership Conference on Tuesday, October 5. The virtual conference begins at 8:30 a.m. and will conclude at 12:45 p.m. This year's theme is "Back to the Future," and the focus is on civility, created to inspire students to re-think the win-at-all-costs mentality which is so prevalent in youth sports today and to provide tools to create a transformational culture, one that builds strong character and leadership traits . . . traits that will benefit them (and their school and community) long after their playing days. The conference is again being organized by Harvey Alston. Besides Mr. Alston, four other outstanding speakers will be featured. Information on the conference has been shared numerous times with the member schools.

### F. Update on Appeals, Infractions and Legal Issues

Manager of Membership and Compliance Ronald Sayers provided the Board with a list of schools that have recently violated OHSAA bylaws or sports regulations. **Columbus Walnut Ridge High School** had two student-athletes who were eligible to participate at Walnut Ridge as non-enrolled students under Bylaw 4-3-1 #6 and Note D of the "OHSAA Business Rules for Athletic Participation of Non-Enrolled Students in Multiple High School Districts." However, the district failed to submit the request for reassignment to the Executive Director's Office before allowing the students to participate at Walnut Ridge. The OHSAA has restored eligibility for the student retroactively and prospectively but, in accordance with Bylaw 4-1-1, Administrative Error, the school has been fined \$100. **Dayton Ponitz High School** had a student-athlete who was eligible to participate at Ponitz as a non-enrolled student under Bylaw 4-3-1 #6 and Note D of the "OHSAA Business Rules for Athletic Participation of Non-Enrolled Students in Multiple High School Districts." However, the district failed to submit the request for reassignment to the Executive Director's Office before allowing the student to participate at Ponitz. The OHSAA has restored eligibility for the student retroactively and prospectively but, in accordance with Bylaw 4-1-1, Administrative Error, the school has been fined \$100. **Beachwood Middle School** violated General Sport Regulation 32.4, Participation Below the 7th Grade, when a 6th grade student participated in two middle school boys soccer contests. In accordance with Bylaw 10-2-1, Forfeitures, the school was required to forfeit the two contests in which it was victorious. **Liberty Township Liberty Junior High School** had a student-athlete who was eligible to participate at Liberty Junior High as a non-enrolled student under Bylaw 4-3-1 #6 and Note D of the "OHSAA Business Rules for Athletic Participation of Non-Enrolled Students in Multiple High School Districts." However, the district failed to submit the request for reassignment to the Executive Director's Office before allowing the student to participate at Liberty Junior High School. The OHSAA has restored eligibility for the student retroactively and prospectively but, in accordance with Bylaw 4-1-1, Administrative Error, the school has been fined \$100. **Wapakoneta High School** violated General Sport Regulation 11.2, Mandatory No-Contact Period, when the head boys basketball coach supervised two open gym sessions on August 30 and August 31, 2021. In accordance with Bylaw 11, Penalties, Wapakoneta's no-contact period was extended through September 7, 2021. **Dayton Belmont High School**

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violated Bylaw 4-3-1, Enrollment and Attendance, when two non-enrolled students were incorrectly assigned to Belmont for athletic participation and competed in a boys soccer contest. In accordance with Bylaw 10-2-1, Forfeitures, Belmont was required to forfeit the contest in which the students participated. **Gahanna Columbus Academy** had a student-athlete in girls golf violate General Sport Regulation 7 and Golf Regulation 2, Non-Interscholastic Participation, when the student participated in a non-interscholastic event after she had joined the Columbus Academy golf team. The Executive Director's Office accepted the school's self-imposed penalty of ineligibility for two regular season matches. Additionally, in accordance with Bylaw 11, Penalties, the school was fined \$50. **Delaware Christian High School** had a student-athlete in boys golf violate General Sport Regulation 7 and Golf Regulation 2, Non-Interscholastic Participation, when the student participated in a non-interscholastic event after he had joined the Delaware Christian golf team. The Executive Director's Office accepted the self-imposed penalty of ineligibility for one regular season match. Additionally, in accordance with Bylaw 11, Penalties, the school was fined \$50. **Cleveland Villa Angela St. Joseph High School** violated Bylaw 4-9, Recruiting, when its head football coach had impermissible contact with numerous student-athletes that were attending his previous school of employment. The Executive Director's Office has acknowledged the school's self-imposed penalties of 1) updating admissions policies regarding coaches contact; 2) mandating all coaches and key administrators attend professional development seminars regarding the recruiting bylaw; and 3) if after the professional development occurs and any further infractions occur, the school will issue penalties including, but not limited to, reprimands, fines, suspensions and/or removal from position if any coach is found to be in violation of the OHSAA recruiting bylaw. In addition to these self-imposed penalties, and in accordance with Bylaw 11, Penalties, the Executive Director's Office has also imposed the following penalties: 1) VASJ is hereby publicly reprimanded and placed on probation through the 2021-22 school year, with any further violations of Bylaw 4-9 during the probation period resulting in more severe penalties; 2) The OHSAA has agreed to host a recruiting training for all coaches and pertinent school personnel; 3) VASJ shall be fined \$5,000 in lieu of any penalties being assessed to the coach or the football team for the 2021 season based on the misinformation which was provided to the coach regarding the permissibility of his actions; and 4) In accordance with Bylaw 4-9-4 #8, any student who transferred to VASJ from the coach's previous school, and who played for the head coach during the 2020 season, has been ruled ineligible for one year from their date of enrollment unless the recruiting can be rebutted. The OHSAA Office is working with the school on each individual student's eligibility regarding this last topic. **Toledo Whitmer High School** violated Bylaw 4-9, Recruiting, when two of its football coaches had impermissible contact with a student-athlete whose application for enrollment had not yet been accepted by Whitmer at the time of the contact. The Executive Director's Office has acknowledged the school's self-imposed penalties of 1) the creation and dissemination of an educational handout regarding how to handle inquiries from open enrollment students and when contact is permitted; 2) including guidance on OHSAA Bylaws within all pre-season coaches' meetings; and 3) in conjunction with the OHSAA, hosting a mandatory recruiting training for all head coaches, with the opportunity extended to other pertinent personnel. In addition to these self-imposed penalties, and in accordance with Bylaw 11, Penalties, the Executive Director's Office has also imposed the following penalties: 1) Whitmer is hereby publicly reprimanded and placed on probation through the 2021-22 school year, with any further violations of Bylaw 4-9 during the probation period resulting in more severe penalties; 2) Whitmer shall be fined \$500; and 3) the student is required to sit out the second half of the season and the tournament in any sport in which he participated during the 12 months prior to his transfer, which would include the sport of football.

Mr. Sayers also provided the Board with an update on appeals. He said the OHSAA Appeals Panel has heard 14 appeals on four dates this school year; 10 of the appeals have dealt with the transfer bylaw, three appeals have been granted and one appeal was referred back to the Executive Director's Office for consideration to grant eligibility. In addition, OHSAA Legal Counsel Steve Craig provided the Board with an update on pending legal cases.

### V. OLD BUSINESS

#### A. Recommendation to Approve a New 7th-8th Grade School for Membership

Manager of Membership and Compliance Ronald Sayers said that Worthington Perry Middle School has reopened, and the district has submitted its request to be reinstated as an OHSAA member school. He said the Executive Director's Office recommends that the school's membership be approved.

Motion by Bill Nye, second by Steve Watkins to **approve** the recommendation.

Motion passed 9-0.

#### B. Recommendation to Approve Modification to Bowling Regulations

Senior Sport Administrator Emily Mason said that, after conferring with the Ohio High School Bowling Coaches Association, the Executive Director's Office recommends that the following be modified within the OHSAA Bowling Regulations, effective immediately:

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1.) *Regulation 1.21) Teams may participate in tournaments that utilize an all-Baker format, provided that a minimum of four teams participate in each respective level/division.*

Ms. Mason said that by lowering the minimum number of teams to four from five, it will allow more participation opportunities for our schools.

Motion by Gina Franks, second by Ryan Fitzgerald to **approve** the recommendation as presented.

Motion passed 9-0.

### VI. NEW BUSINESS (CONSENT)

#### A. Recommendation to Approve District Athletic Board Tournament Procedure

Director Bob Goldring said the OHSAA District Athletic Board Review Committee met in the spring and summer and suggested that an already approved tournament policy be clarified as it relates to the distribution of seed results to the participating schools. For District Athletic Boards that currently utilize open draws and do not use a predetermined bracket format, the policy would be:

*Tournament seed results shall be made available by a District Athletic Board to schools assigned to compete within that board's respective district no earlier than 24 hours and no later than two hours prior to the first team going onto the tournament bracket.*

Mr. Goldring said the Executive Director's Office approved the recommendation from the DAB Review Committee. He also noted that two other policies will be reviewed further by the committee before a recommendation for adoption comes to the Board of Directors.

#### B. Recommendation to Approve Modifications to Transgender Policy

Director Kristin Ronai said the OHSAA Transgender Policy has served the association well but said the Executive Director's Office recommended that a few modifications be approved. Besides the document undergoing a facelift, the following changes are recommended:

- 1.) Clarify in writing that a ruling is not needed from the Executive Director's Office for a transgender female (MTF) who has not yet begun medically prescribed hormone treatment for purposes of gender transition to participate on a boys' team.
- 2.) Clarify in writing that a ruling is not needed from the Executive Director's Office for a transgender female (MTF) who is taking medically prescribed hormone treatment related to gender transition to participate on a boys' team.
- 3.) Clarify in writing that a ruling is not needed from the Executive Director's Office for a transgender male (FTM) who has not yet begun medically prescribed testosterone treatment for purposes of gender transition to participate on a girls' team.
- 4.) Clarify in writing that a ruling is not needed from the Executive Director's Office for a transgender male (FTM) who has not yet begun medically prescribed testosterone treatment for purposes of gender transition to participate on a boys' team.
- 5.) Before a transgender female (MTF) can participate in a girl's sport or on a girl's team, she must either
  - a.) Have completed a minimum of one year of hormone treatment related to gender transition and/or
  - b.) Demonstrate to the Executive Director's Office by way of sound medical evidence that she does not possess physical (bone structure, muscle mass, testosterone, hormonal, etc.) or physiological advantages over genetic females of the same age group.

**Note:** The previous policy said the student could be approved if she satisfied a. or b. The modification would mean that some students may be required to satisfy both a. and b.

In addition, the Executive Director's Office has created a new Transgender Request form for school administrators to utilize.

#### C. Recommendation to Grant the Executive Director the Authority to Determine Tournament Sites and Execute Contractual Agreements for Regional and State Tournaments

Executive Director Doug Ute asked the Board to approve his recommendation that the OHSAA executive director be authorized to determine tournament sites and execute contracts for regional and state tournament sites.

Mr. Ute noted that, with some sites not chosen until less than a week prior to the contest, it would be impossible to gather the Board of Directors to approve every regional and state tournament site. Mr. Ute also said that any contractual agreements for larger state tournament venues will be reviewed with the Board prior to anything being finalized.

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### D. Recommendation to Approve Modification to General Sports Regulation 12, Cheerleader Pyramids and Acrobatic Routines (Sideline Spirit)

Manager of Membership and Compliance Ronald Sayers said the Executive Director's Office recommended that General Sports Regulation 12, Cheerleader Pyramids and Acrobatic Routines, be modified to reflect more current language that is part of the National Federation of State High School Associations Spirit Rules Book and would be applicable to the OHSAA's sideline spirit championship that will be taking place in December in conjunction with Varsity Brands. The proposed new language is as follows:

#### 12. SAFETY REGULATIONS FOR SIDELINE SPIRIT PARTICIPANTS

- 12.1) All cheer and spirit sideline activities and game performances during regular season contests shall be in accordance with the safety standards prescribed by the National Federation High School Spirit Rules.
- 12.2) Additional Regulations for OHSAA Tournaments:
  - 12.2.1) In addition to the NFHS Spirit rules, the following stunting skill restrictions are in place at OHSAA sponsored tournaments, including the OHSAA Spirit State Championships:
    - No basket, sponge or elevator tosses allowed
    - No inversions
    - No twisting release dismounts from stunts
    - Single leg extended stunts are limited to liberties and liberty hitches
  - 12.2.2) In addition to the NFHS Spirit rules, the following stunting skill restrictions are in place at OHSAA sponsored tournaments, including the OHSAA Spirit State Championships:
    - No basket, sponge or elevator tosses allowed
    - No inversions
    - No twisting release dismounts from stunts
    - Single leg extended stunts are limited to liberties and liberty hitches
- 12.3) Penalty  
In OHSAA-sponsored tournaments, individual sideline spirit participants violating the regulations shall be removed from the field or court immediately.

Motion by Jeff Wheeler, second by Gary Kreinbrink to **approve** the New Business (Consent) Items VI. A., VI. B., VI. C. and VI. D. as presented.

Motion passed 9-0.

### VII. NEW BUSINESS (OTHER)

None

### VIII. ONCE AROUND

Board of Directors members thanked ex-officio John Richard for his work and service on the Board of Directors and offered him good wishes in his new position. Thanks were also given to the Executive Director's staff for their work, and good luck wishes were passed on to board and staff members for the upcoming fall tournaments.

Board ex-officio Glen Gillespie reminded everyone that the Ohio Interscholastic Athletic Administrators Association Fall Conference will be held November 14-16 at the Hilton Easton in Columbus. The conference will return to an in-person format after being postponed last year due to the COVID-19 pandemic.

There was a unanimous motion to adjourn the meeting at 9:32 a.m.

Motion passed 9-0.

Bob Goldring, recorder.

### FUTURE MEETINGS

**(Unless noted, all meetings are on Thursdays and begin at 9:00 but are subject to change.)**

**2021-22 School Year:** October 21, January 13, February 17, April 28 and Tuesday, June 7 (1:00).