

The following are the preliminary minutes from the October 27, 2022, OHSAA Board of Directors Meeting. The Board is expected to officially approve them at its January 12, 2023, meeting.

OHSAA BOARD OF DIRECTORS MEETING MINUTES (October 27, 2022)

The Ohio High School Athletic Association Board of Directors held a regularly scheduled meeting on Thursday, October 27, 2022, at the OHSAA Office in Columbus. President Bill Nye called the meeting to order at 9:00 a.m. The meeting began with the pledge of allegiance and introductions of guests in attendance.

Board Members In Attendance: Bill Nye, president; Gina Franks, vice president; David Alvarado; Bo Arnett; Andy Bixler; Molly Feesler; Jay Selgo; Paul Stone; Jeff Wheeler, and Glen Gillespie (ex-officio).

Board Member Excused: Scott Hunt (ex-officio).

Staff Members In Attendance: Doug Ute, executive director; Kim Kiehl, chief operating officer; directors Kristin Ronai, Beau Rugg and Tim Stried; Laura Vermilya, controller; staff members Kate Barnett, Claire Duesdieker Keohane, Emily Mason, Ronald Sayers and Dustin Ware, and part-time staff member Eric McLaughlin.

Others In Attendance: Steve Craig, OHSAA legal counsel; Frank Gamble, Ohio High School Baseball Coaches Association; John Feasel, Ohio High School Basketball Coaches Association; Gerald Cooke, Ohio High School Football Coaches Association; Kim Metz, Ohio High School Volleyball Coaches Association (attended virtually), and Kathy McFarland, Ohio School Boards Association (attended virtually).

I. ADOPTION OF AGENDA

Motion by Andy Bixler, second by Molly Feesler to **adopt** the agenda for the October 27, 2022, Board of Directors meeting.

Motion passed 9-0.

II. APPROVAL OF MINUTES

Motion by Jeff Wheeler, second by Jay Selgo to **approve** the minutes from the September 30, 2022, Board of Directors Regular Meeting.

Motion passed 9-0.

III. OPERATIONS AND FINANCIAL UPDATES

A. Operations Update

Chief Operating Officer Kim Kiehl provided the Board with an update on operations. Among the highlights: 1.) A part-time staff member (maximum of 20 hours per week) has been added to the Executive Director's Office in the compliance and membership services departments, and a replacement for a current part-time staff member leaving November 7 will be sought in the media relations department; 2.) An agreement has been signed with Royal Publishing to provide all souvenir programs for girls and boys basketball and girls volleyball at the district and regional levels for all six districts through the 2023-24 school year, and 3.) Estimates for and/or work on repairs and upgrades in both OHSAA buildings are on-going with the immediate concern being the plumbing repairs needed in the Ceramic Building to ensure there is water and use of restrooms. An additional project could entail revamping the OHSAA website. Dr. Kiehl also thanked OHSAA Production & Facilities Specialist Chris Walker for his outstanding work on printing, mailing and building projects.

B. OHSAA Financial Report Through September

Controller Laura Vermilya provided the financial report through September. As Dr. Kiehl noted in her report, all district athletic board checking accounts have been closed with the exception of two (meaning the Executive Director's Office will handle the majority of revenues and expenses moving forward). She said revenues will be increasing since fall tournaments are now in full swing and that expenses are currently 10 percent favorable to budget. The OHSAA currently has \$11.2 million of operating cash, \$14.8 million when including reserves and, when counting the latter, can cover 8.5 months of expenses. The financial report is summarized as follows:

District	Checking	Savings	Cash Concentration	Board Designated	Investment	Total Cash	Yr. to Date Gross Revenue	Yr. to Date Gross Expenses	Yr. to Date Net Profit/Loss
OHSAA Office	\$4,487,714	\$3,216,423	\$523,083	\$702,730	\$405,901	\$9,335,852	\$877,591	\$1,344,691	— \$467,100
Central	\$0	N/A	\$388,269	N/A	\$405,901	\$794,170	\$2,167	\$74,827	— \$72,660
East	\$0	N/A	\$294,519	N/A	\$446,491	\$741,010	\$2,194	\$64,042	— \$61,848
Northeast	\$153,651	N/A	\$568,053	N/A	\$81,180	\$802,885	\$1,040	\$23,316	— \$22,277
Northwest	\$336,955	N/A	\$470,971	N/A	\$568,262	\$1,376,188	\$2,970	\$88,535	— \$85,566
Southeast	\$122,142	\$19,163	\$298,181	N/A	\$324,721	\$764,207	\$1,724	\$49,634	— \$47,910
Southwest	\$0	N/A	\$395,551	N/A	\$608,852	\$1,004,402	\$3,121	\$122,841	— \$119,721
Totals	\$5,100,462	\$3,235,586	\$2,938,627	\$702,730	\$2,841,308	\$14,818,714	\$890,807	\$1,767,886	— \$877,082

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Motion by Bo Arnett, second by Paul Stone to **approve** the financial report as presented.

Motion passed 9-0. **IV. INFORMATION ITEMS**

A. Updates on OHSAA Fall Sports

OHSAA sport administrators provided brief updates to the Board on their respective fall sports. The **girls tennis** and **boys and girls golf** tournaments have been completed with the girls state tennis tournament held October 21 and 22 at the Lindner Family Tennis Center in Mason and the boys and girls state golf tournaments held October 14 and 15 at The Ohio State University Golf Club in Columbus and North Star Golf Club in Sunbury October 14 and 15 (Boys Divisions II and III and Girls Division II) and again at the OSU courses October 21 and 22 (Boys and Girls Division I). The state **field hockey** and state **cross country** tournaments are upcoming, following immediately by the state **soccer** and state **volleyball** tournaments. The regional first round of the **football** tournament begins tomorrow (October 28).

B. Update on OHSAA Foundation Student Leadership Conference

Executive Director Doug Ute again reminded the Board that the OHSAA Foundation has partnered with the Mid-Ohio Educational Service Center in Mansfield to sponsor a student leadership conference for students affiliated with the schools who are members of that ESC and/or in northwest Ohio on Wednesday, Nov. 16. The Mid-Ohio ESC will host the event, and plans are being finalized to record the conference and make it available virtually in January for OHSAA member schools. As noted previously, Mr. Ute said the leadership conference will rotate on a regional basis moving forward and he thanked Harvey Alston and OHSAA Chief Operating Officer Kim Kiehl for assisting him with the details.

C. Update on Infractions, Appeals and Legal Issues

Staff member Ronald Sayers provided the Board with a list of schools that have recently violated OHSAA bylaws or sports regulations. **KIPP Columbus High School** had 22 student-athletes violate Bylaw 4-4-1, Scholarship, when they participated in 64 contests in the sports of boys basketball, girls basketball, boys track & field and girls track & field during the 2021-22 school year after failing to pass five 1-credit courses, or the equivalent, during the immediately preceding grading period. In accordance with Bylaw 10-2-1/10-2-5, Forfeitures, the school was required to forfeit any victorious contests in which the ineligible student-athletes participated. Furthermore, the OHSAA Appeals Panel utilized the application of Bylaw 4-1-1, Administrative Error, to restore the 2022-23 first grading period athletic eligibility of the 22 student-athletes who were under-scheduled throughout the duration of the 2021-22 school year. Based on this action, the Panel recommended that KIPP Columbus be reprimanded for its lack of Administrative Responsibility (Bylaw 3-1-1/3-1-4) surrounding the application of the academic bylaw during the 2021-22 school year. The Panel further recommended that the school be fined a monetary amount to be determined by the Executive Director's Office after additional clarification is obtained regarding the preseason parent meetings held during the 2021-22 school year. **Youngstown Cardinal Mooney High School** had a student-athlete in football violate Bylaw 4-7-2, Transfer, when they participated in a regular season contest after the first 50% of the maximum allowable varsity regular season contests had been competed, and the student did not meet the requirements of any of the enumerated exceptions within the bylaw. In accordance with Bylaw 10-2-1, Forfeitures, the school forfeited the victorious contest in which the ineligible student-athlete participated. **Cleveland St. Ignatius High School** had four student-athletes in ice hockey violate General Sports Regulation 7.3.1a, Non-Interscholastic Participation, when the students rotated onto a non-interscholastic ice hockey team that had already exhausted the team limitation set forth in General Sports Regulation 7.3.1. In accordance with Bylaw 11, Penalties, each of the four students shall be ineligible for one regular season contest to begin the 2022-23 ice hockey season. **Painesville Harvey High School** had two student-athletes in boys soccer violate General Sports Regulation 7.2.1, Non-Interscholastic Participation During Season, when they participated in a non-interscholastic contest while remaining members of the Harvey boys soccer team. In accordance with Bylaw 11, Penalties, both students were suspended from the two contests immediately following the infraction. **Lima Senior High School** had a student-athlete in boys soccer violate Bylaw 4-4-1, Scholarship, when they participated in two regular season contests after failing to pass five 1-credit courses, or the equivalent, in the immediately preceding grading period. In accordance with Bylaw 10-2-1, Forfeitures, the school was required to forfeit any victorious contests in which the ineligible student-athlete participated. **Chesterland West Geauga High School** had a student-athlete in girls soccer who was eligible to qualify for full eligibility, with regard to transfer, under Bylaw 4-7-2 Exception 9, Transfer to Public District of Residence, as of October 1, 2021. However, the school failed to submit the request for eligibility to the Executive Director's Office prior to the student-athlete participating after the first 50% of maximum allowable varsity regular season contests had been competed. In accordance with Bylaw 10-2-1, Forfeitures, the school was required to forfeit any victorious contests in which the student participated after 50% of the season had been completed prior to October 1, 2021. The Executive Director's Office then restored eligibility for the student-athlete from October 1, 2021, on but, in accordance with Bylaw 4-1-1, Administrative Error, the school was fined \$100. **Columbus Norton Middle School** had a student-athlete in boys soccer violate Bylaw 4-4-5, Scholarship, when they participated in five regular season contests after failing to pass four classes in the immediately preceding grading period. In accordance with Bylaw 10-2-1, Forfeitures, the school was required to forfeit any victorious contests in

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which the ineligible student-athlete participated. **Cincinnati Miami Valley Christian Academy** had a student-athlete in girls volleyball violate Bylaw 4-7-2, Transfer, when they participated in six regular season contests after the first 50% of the maximum allowable varsity regular season contests had been competed, and the student did not meet the requirements of any of the enumerated exceptions within the bylaw. In accordance with Bylaw 10-2-1, Forfeitures, the school forfeited any victorious contest in which the ineligible student-athlete participated. **Cincinnati Aiken High School** had a student-athlete in football who was eligible to qualify for full eligibility, with regard to transfer, under Bylaw 4-7-2 Exception 9, Transfer to Public District of Residence. However, the school failed to submit the request for eligibility to the Executive Director's Office prior to the student-athlete participating after the first 50% of maximum allowable varsity regular season contests had been competed. The Executive Director's Office restored eligibility for the student-athlete retroactively and prospectively, but, in accordance with Bylaw 4-1-1, Administrative Error, the school was fined \$100.

Mr. Sayers also provided the Board with an update on appeals. He said the OHSAA Appeals Panel has heard 49 appeals on seven dates this school year, and 10 appeals have either been granted or the penalty modified. In addition, OHSAA Legal Counsel Steve Craig provided the Board with an update on pending legal cases.

V. OLD BUSINESS

A. Recommendation to Approve Addendum to the OHSAA Investment Policy

Controller Laura Vermilya said the Executive Director's Office recommended that the Board of Directors approve an addendum to the OHSAA Investment Policy, which was approved by the Board on January 13, 2022. As noted the previous day during the Board's Work Session, this policy was reviewed with the OHSAA Finance Committee, which also recommended that the addendum be approved. The addendum provides guidance on how money is allocated to, and withdrawn from, the OHSAA's investment account(s). The addendum is as follows:

Goal

It is the intention of the OHSAA to maintain adequate operating cash on hand, build a reserve fund and prudently invest excess cash. To achieve these goals, the Association must be operating at a net profit.

Operating Cash

Operating cash will be maintained in checking and savings accounts. The Executive Director, Chief Operating Officer and Controller are authorized signors on all checking and savings accounts. The OHSAA intends to maintain a balance of cash on hand to cover six-to-nine months of normal operating expenses. The baseline for normal operating expenses will be the current year operating budget. Operating cash is classified as unrestricted, undesignated funds.

Cash for Investment

Operating cash available for investment will be analyzed and allocated semi-annually. The OHSAA Controller will provide an analysis to the OHSAA Finance Committee and Board of Directors. The analysis will include the following:

Criteria for Transferring Cash from Operating Accounts:

1. The OHSAA must be operating at a net profit. If earnings are a deficit, then all cash will remain in operating accounts and no cash will be transferred.
2. Operating cash on hand must be able to cover six months of expenses. Any excess cash over six months will be transferred.
3. Transferring cash cannot violate or put in jeopardy any debt covenants or lender requirements.

Methodology for Transferring Cash from Operating Accounts:

If all three of the above criteria are met, cash in excess of six months on hand will be transferred semi annually.

- Mid-year after the Fall season results are available (December month end), any cash in excess of six months will be transferred to the Investment account managed by OHSAA Investment Advisor by January 31.
- At the end of the fiscal year, when projected results are available in August any cash in excess of six months will be transferred to the Investment account by October 15.

Funds to be transferred will be presented first to the Finance Committee prior to the September and January Board meetings. Cash transferred to Investments will remain classified as unrestricted and undesignated.

Transferring Investment Funds to Operating Cash

If operating cash dips below six months on hand, or a significant expenditure is needed, cash may be transferred from the investment account into the operating account. Withdrawals from investments require the following approvals:

- Funds may be withdrawn from investments no more than two times per year by the Controller or Chief Operating Officer up to \$500,000 per occurrence.
- Withdrawals between \$500,000 and \$1,000,000, or withdrawals occurring after the second occur-

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rence in the past 12 months, require Executive Director approval.

- Withdrawals greater than \$1,000,000 require Finance Committee recommendation and Board approval.

Motion by Jay Selgo, second by Gina Franks to **approve** the investment policy addendum as presented.

Motion passed 9-0.

VI. NEW BUSINESS (CONSENT)

- A. Recommendation to Approve Modifications to the 2022 Winter Sports Tournament Regulations
OHSAA administrators in the sports of basketball (Doug Ute); bowling (Emily Mason); gymnastics and swimming & diving (Kate Barnett); ice hockey (Dustin Ware), and boys wrestling (Tyler Brooks) provided the Board with modifications to 2023 winter sport tournament regulations and recommended that the regulations be approved. Most updates reflected date changes, modifications in ticket prices or revisions that were made for clarity. In **basketball**, the state tournaments will return to the University of Dayton, with the girls tournament scheduled for March 9-11 and the boys tournament March 17-19. In **bowling**, the state tournaments will return to Wayne Webb's Columbus Bowl, with the Division II tournament March 3-4 and the Division I tournament March 10-11. Among the changes in **gymnastics** include uniform modifications and requirements for tournament managers to submit participation reports. The state tournament will return to Hilliard Bradley High School March 4-5. In **swimming & diving**, it was noted that several changes to the regulations were made for clarity purposes. One change of note is that, should a swimmer become injured or ill prior to the swimming of the consolation final and championship final, an alternate will be inserted into the consolation final. If the injury or illness occurs in the championship finals (and provided the consolation finals have not taken place), an alternate will be inserted into the consolation final and the highest ranking consolation finalist will move into the championship finals. If an injury or illness occurs in the championship finals but the consolation finals have already taken place, no replacement will move into the championship finals for the injured or ill swimmer. The state tournament will return to the C.T. Branin Natatorium February 21-25. In **ice hockey**, the state tournament will return to Nationwide Arena in Columbus March 11-12. In **boys wrestling**, the state tournament will return to The Ohio State University's Schottenstein Center March 10-12.

Motion by Molly Feesler, second by Andy Bixler to **approve** the winter sports tournament regulations as presented.

Motion passed 9-0.

It was noted that the tournament regulations for girls wrestling will be presented to the Board for approval during its special December 1 meeting in Canton during the state football finals.

- B. Recommendation to Approve 2023 Winter Sports Regional and State Tournament Officiating Representation
Director Beau Rugg provided the Board with the 2023 representation for officials assignments for regional and state tournaments in the winter sports of girls and boys basketball (regional and state tournaments); ice hockey (state tournament); swimming & diving (state tournament), and boys and girls wrestling (state tournaments), and he said the staff recommended that they be approved. Per the OHSAA Handbook, the representation is calculated on a proportional formula per district based on the number of Class 1 officials who had registered with the OHSAA by the October 31 deadline.

VII. NEW BUSINESS (OTHER)

None

VIII. ONCE AROUND

Board members thanked the staff for all of their work preparing for the fall sports tournaments and wished them good luck with the remaining state tournaments. Board members also sent thoughts and prayers to the Minerva High School community and family of junior Owen Grubb, who died October 22 due a tragic accident following his team running at a Division II district cross country tournament in Cambridge. In addition, Board member Andy Bixler offered condolences to the Russia High School community following the death of its boys basketball coach Dave Borchers, who died October 17 following a car accident that occurred 10 days earlier.

Motion by Jeff Wheeler, second by David Alvarado to adjourn the meeting at 9:28 a.m.

Motion passed 9-0.

Tim Stried and Bob Goldring, recorders.

FUTURE MEETINGS

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

2022-23 School Year: January 12, 2023; February 16, 2023; April 27, 2023, and June 8, 2023 (8:30 a.m. at Canal Park in Akron).