

NCS ELIGIBILITY COMMITTEE MINUTES

DATE: SATURDAY, NOVEMBER 7, 2009

Facilitator: Bob Vieth, Chair

LOCATION: NORTH COAST SECTION OFFICE – UPSTAIRS MEETING ROOM

12925 Alcosta Blvd., Suite 8

San Ramon, CA 94583

925.866.8400

TIME: 9:30 AM

AGENDA TOPIC	PURPOSE	DISCUSSION LEADER	ACTION
I. ROLL CALL AND INTRODUCTIONS	I	Gil Lemmon	Roll call and introductions conducted
II. ELECTION OF A CHAIR	R, D, A	Gil Lemmon	Motion to nominate Dr. Bob Vieth as the 2009-2010 chair. M – Panas S – Booker Passed 9-0-0
III. CONSENT AGENDA	R,C,A	Bob Vieth	Motion to approve the Consent Agenda. M – Booker S – Glenchur Passed 10-0-0
IV. MINUTES OF THE SEPTEMBER 9, 2008 MEETING	C (D, A)	Bob Vieth	Approved by Consent
V. PUBLIC COMMENTS Pursuant to Education Code 33353.2 (C), any person wishing to speak on any item on the agenda, or comment on the policies and practices of the North Coast Section, CIF, will be heard at this time.	I	Bob Vieth	No individuals from the public were present.
VI. NEW BUSINESS			
CIF			
A. Report on CIF Eligibility Waivers and Hearings by Section Attachments B and B ₂	I	Gil Lemmon	Information
NCS			
A. Report on NCS Eligibility Waivers Attachment C	I	Gil Lemmon	Information
B. Update on the current status of NCS waiver requests for 2009-2010. Attachment D	I	Gil Lemmon	Information
C. Review of NCS hardship denials and approvals for 2009-2010.	I	Gil Lemmon	Information
D. CIF Bylaw 206.B.(6) – Boarding Schools	D	Bob Vieth	Direction given to Commissioner Lemmon
E. Review – CIF Bylaw 207.D – Note concerning “No Child Left Behind” federal legislation	I and D	Bob Vieth	Information and Discussion
VII. OLD BUSINESS			

AGENDA TOPIC	PURPOSE	DISCUSSION LEADER	ACTION
A. CIF Bylaw 211 – Physical Assault	R, D, A	Bob Vieth	Motion to change 18 months to 12 months M – Lonn S – Howser Passed 10-0-0 Direction to Commissioner Lemmon to obtain rationale for 18 months and bring back to the next meeting before forwarding approval to the Board of Managers.
B. Review of off-campus Physical Education classes	R, D, A	Bob Vieth	No Action – discussion
C. Review of CIF/NCS Bylaw 205 – Progress towards graduation Attachment E	D	Bob Vieth	No Action – discussed survey of NCS member schools
VIII. REPORT ON HEARINGS			
A. Bishop O’Dowd HS – Violation of CIF Bylaw 510 and 202	I	Bob Vieth	Report
IX. REPORTS FROM ATTENDING LEAGUES AND NCS COMMISSIONER			
A. Report from Leagues	I	Bob Vieth	No eligibility reports from leagues
B. Report from Commissioner	I	Gil Lemmon	
1. Interpretation of enrollment in 20 semesters of work	I		Information
2. Interpretation of study abroad and transfer back to US	I		Information
3. Poster	I		Information
4. Pre-enrollment contact	I		Information
X. OTHER TOPICS	I		No other topics
X. ADJOURNMENT	P	Bob Vieth	Adjourned

D = Discussion, P = Participation, A = Action, I = Information only, R = Review/prior topic, C = Consent

NORTH COAST SECTION
12925 Alcosta Blvd., Suite 8
San Ramon, CA 94583
(925) 866-8400 Fax (925) 866-7100

TO: Members of the Eligibility Committee and League Commissioners (FYI)
FROM: Gil Lemmon, Commissioner of Athletics
DATE: September 9, 2009
SUBJECT: **Eligibility Committee Meeting Minutes**

NEW BYLAW LANGUAGE IS BOLD, ITALIC AND UNDERLINED.
~~OLD BYLAW LANGUAGE IS STRUCK THROUGH.~~

In Attendance: Bob Vieth, Elected Chair; Randy Booker, BSAL; Mark Corti, EBAL; Kristin Glenchur, ACCAL; Craig Kinser, CMC; Dave Lonn, HDNL; Shauna Howser, HAAL; Mike Panas, NBL; Tim Rhyan, BVAL; Josh Frechette, BAC; Sean Moffitt, MVAL; and Gil Lemmon, NCS.

Absent: Bill Branca, DFAL.

I. Roll Call

Each committee member will state his/her name, school and league.

II. Election of Chair

Nomination and election of the Eligibility Committee Chair. Motion to nominate Bob Vieth as the NCS Eligibility Chair for the 2009-2010 school year.

M – Mike Panas S – Randy Booker

Nominations closed.

Motion passed 9-0-0

III. Consent Agenda

Motion to approve the Consent Agenda.

M – Randy Booker S – Kristen Glenchur

Motion passed 10-0-0

IV. Approval of Minutes of December 9, 2008 meeting (Attachment A)

Motion to approve the minutes of December 9, 2008 meeting.

Approved by Consent

V. Public Comment

Pursuant to Education Code 33353.2 (C), any person wishing to speak on any item on the agenda, or comment on the policies and practices of the North Coast Section, CIF, will be heard at this time.

No member of the public was present.

VI. NEW BUSINESS

1. CIF

A. Report on CIF Eligibility Waivers and Hearings by Section Attachment B and B₂

Review by Commissioner Lemmon regarding the number and reason for all CIF eligibility waivers and hearings for the 2008-09 school year.

Information

2. NCS

A. Review of NCS Report of Waivers for the 2008-09 School Year

Attachment C

Review by Commissioner Lemmon regarding the number and reason for all NCS eligibility waivers for the 2008-09 school year.

Information

B. Update on NCS Waiver Requests for 2009-2010

Attachment D

Report by Commissioner Lemmon regarding the number and reason for all NCS eligibility waivers through the month of August, 2009-2010 school year.

Information

C. Review of Hardship Cases

Commissioner Lemmon reviewed five hardship waiver approvals and five denials. The five denials were not presented in writing, but described in generic terms.

Information

D. CIF Bylaw 206.B.(6) – Boarding School

The committee discussed the bylaw and the current transfer of students into boarding schools operated by NCS member schools. Although some concern was expressed that this may be a weak spot in the CIF bylaws allowing for potential abuse of the rule, no corrective language was suggested. The committee directed Commissioner Lemmon to check with the Central Coast Section and obtain any changes in the boarding school language. Commissioner Lemmon will also check with other state association bylaws to obtain ideas as to what other states are doing.

Boarding School

A high school student who transfers to or from the status of a full-time resident at a 24-hour boarding school shall be residentially eligible on the first transfer, but all residence requirements shall apply on any subsequent transfer. When transferring from a boarding school a 24-hour boarding school student must have resided in the boarding school for a period of 50 days immediately prior to the transfer. (Revised October 2008 Federated Council)

Question: What constitutes a boarding school?

Answer: A school providing lodging and meals for all enrolled students at the member school and is duly licensed would be considered a boarding school.

Question: If a student transfers from School A to a Boarding School, will the student be eligible?

Answer: The student may gain residential eligibility by completing the CIF 207/209/510 form and gaining approval by the Section Office.

Note: With any transfer the student must have been eligible at the former school, there cannot be any disciplinary action in place or pending at the former school and there can be no violations of CIF Bylaw 510 – Undue Influence/Athletically Motivated Transfer

No action on the agenda item. Commissioner Lemmon instructed to contact the CCS on their any revisions of CIF Boarding School bylaw and review other state associations.

E. CIF Bylaw 207.D – Note concerning “No Child Left Behind” federal legislation

Review of the application of this bylaw.

Current Bylaw

NOTE: Students transferring to another school under any provision of the federal legislation “No Child Left Behind Act” are not residentially eligible at their new school. However, a student may become eligible under the provisions of the appropriate Section and State CIF Constitution and Bylaws.

(Revised May 2009 Federated Council)

No Action.

VII. OLD BUSINESS

A. Physical Assault

Motion to alter the language to CIF Bylaw 211 – Physical Assault

Physical Assault

Any student who physical assaults the person of a game or event official shall be banned from interscholastic athletics for the remainder of the student’s eligibility. A game or event official is defined as a referee, umpire or any other official assigned to interpret or enforce rules of competition at an event or contest. A student may, after a lapse of ~~18 calendar months~~ **12 months** from the date of incident, apply for reinstatement of eligibility to the State Executive Director.

Definition of Assault

A physical assault is the intentional infliction of, or an attempt to inflict a harmful or offensive touching or contact upon the person of an official. Note that the rule is violated even if no contact is made with the person of the official. All that is required is the “attempt”. However, the act constituting the attempt must be accompanied by a specific intent, which may be inferred from the circumstances and nature of the act, to inflict a harmful or offensive touching contact of the official’s person.

M – David Lonn S - Shauna Howser

Approved 10-0 *(Since this item can be presented to the NCS Board of Managers in January the committee discussed and agreed that Commissioner Lemmon would seek from the CIF Office the rationale for the original 18 calendar month lapse of time before a student can apply for reinstatement. Commissioner Lemmon will report back in December.)*

B. Review of off-campus Physical Education classes

A survey of CIF sections revealed only one section (San Diego Section) that has language concerning interscholastic athletics and physical education classes. Language was also found in the State of Washington.

PHYSICAL EDUCATION CLASSES OUTSIDE THE SEASON OF SPORT

During School Day (includes extended school day) – An athlete may not participate in a regular physical education class or an independent study physical education class or an independent study physical education class in which more than one-half of the course offering outside the season of sport is in the sport in which he or she has competed interscholastically. For example, a basketball player could enroll and participate in a summer school physical education class that had 50 percent of its time allotted for weight training, running, racquet ball, etc. Students who had not yet competed on an interscholastic level in the sport concerned and students enrolled in off-campus independent study physical education classes in the individual sport (swimming, gymnastics, golf, tennis, etc.) would be exempt from this restriction.

WIAA Coaches Teaching Advanced Physical Education Classes

WIAA member schools believe that decisions regarding curriculum content and teachers remain at the local school district level. WIAA is not in the position to determine neither curriculum content nor the teachers of individual courses.

Each school district has the authority to make any WIAA rule more restrictive and may limit the involvement of their coaching staff in teaching specific courses. The following guidelines should be followed in order to prevent out-of-season coaching violations when a school coach also teaches an advanced physical education class.

1. The class must be open to all students. The class must include students who do not participate in the sport the coach coaches.
2. A variety of sports must be taught during the quarter or semester.
3. A variety of offensive and defensive strategies in each sport should be emphasized. Class time should not be used to teach offensive and/or defensive strategies that will be implemented by the school team, particularly if the defensive strategies are designed around a specific opponent from another school or another school team.
4. Videotapes or films may be shown to the entire class for group instruction. Videotapes or films of interscholastic contests should not be viewed on a one-to-one basis during class time.
5. Class members may not challenge one another for positions on the varsity squad in a specific sport. Example: A high jumper jumping during class time for his/her class grade would be allowed, as long as he/she does not challenge another student for a position on the varsity track team.
6. Class time may not be used to choreograph, critique, nor judge/officiate a competitive routine during class time.

No Action

C. Review of CIF/NCS Bylaw 205 – Progress towards graduation

A survey was conducted of all principals of NCS member schools concerning the current NCS Bylaw on Progress towards graduation. Responses are included on Attachment E.

Continuing Scholastic Eligibility

1. Minimum Requirements

A student is scholastically eligible if:

a. The student is currently enrolled in at least 20 semester credits of work;

1) Non-Traditional Programs

In schools where other than traditional semester programs are offered, the principal of each individual school shall be responsible for determining the equivalent of 20 semester credits.

2) Accelerated Programs

Students studying on an accelerated program that includes one or more advanced (either high school or college) courses while enrolled in high school may substitute enrollment and passing grades in these courses for one or more required 20 semester credits of work; evaluation of these courses is to be done by the high school principal.

b. The student was passing in the equivalent of at least 20 semester credits of work at the completion of the most recent grading period;

c. The student is maintaining minimum progress, as determined by the principal, toward meeting the governing board prescribed high school graduation requirements.

In the North Coast Section, minimum progress toward graduation is defined as:

- 1) ***The student has earned credits at a rate of no less than the equivalent of 20 semester credits of work behind normal progress at any time prior to graduation, AND***
- 2) ***The student is no more than two courses behind normal progress in***

successfully completing specific courses required for HS graduation as prescribed by the governing board.

- d. The student has maintained during the previous grading period a minimum 2.0 grade-point average, on a 4.0 scale, in all enrolled courses.

Discussion – the committee believed that it is the responsibility of the principals and administrative staff at each school site to monitor and apply the rule appropriately.

VIII. REPORT ON HERINGS

- A. Bishop O’Dowd HS – Violation of CIF Bylaw 510 and 202
Information

See Attachment F

IX. REPORT FROM ATTENDING LEAGUES AND NCS COMMISSIONER

1. **League Reports**
None

2. **NCS Report**

- a. Interpretation of enrollment in 20 semester periods of work

CIF has long held that students must be enrolled in 20 semester periods of work in order to academically eligible. The question that has recently been posed to the NCS Office is “Can a student take one or two classes at the school of enrollment and then supplement the remaining units with college courses, correspondence courses, etc? After consultation with the CCS Commissioner I believe that the requirement that a student be enrolled in 20 semester periods of work must be at the school of attendance, including any district independent study programs.

- b. Interpretation of study abroad and transfer back to US

Domestic students who attend school at an NCS member school, leave for a period of time to study abroad, and then return to the original school will be considered “return to previous school” students as long as the student did not participate in a school athletic program at the school abroad. If the student returns and attends a different school then they are considered a transfer student under CIF 207 and their

- c. NCS Eligibility Poster
- d. League Eligibility Workshops

X. OTHER TOPICS
None

XI. ADJOURNMENT

NCS ELIGIBILITY COMMITTEE MINUTES

DATE: TUESDAY, DECEMBER 9, 2008
LOCATION: NORTH COAST SECTION OFFICE – UPSTAIRS MEETING ROOM
 12925 Alcosta Blvd., Suite 8
 San Ramon, CA 94583
 925.866.8400
TIME: 9:30 AM

Facilitator: Jerome Wiggins, Chair

ATTACHMENT A

TIME	Consent Item	AGENDA TOPIC	PURPOSE	DISCUSSION LEADER	ACTION
9:30 (5)		I. ROLL CALL AND INTRODUCTIONS	I	Jerome Wiggins	Roll Call and Introductions conducted
9:40 (5)	Consent	III. MINUTES OF THE SEPTEMBER 9, 2008 MEETING	C (D, A)	Jerome Wiggins	Approved 10-0 M – Cuddeback M – Sharafinski
9:45 (5)		IV. PUBLIC COMMENTS Pursuant to Education Code 33353.2 (C), any person wishing to speak on any item on the agenda, or comment on the policies and practices of the North Coast Section, CIF, will be heard at this time.	I	Jerome Wiggins	None
		V. NEW BUSINESS			
		1. CIF			
		B. No proposals at this time			No Action
		2. NCS			
9:50 (10)		F. Re-establishment of the Date of Determination	R, D, A	Gil Lemmon	Passed 10-0 M – Kinser S – Panas
10:00 (10)		G. Review of NCS Report of Waivers and Appeals for the 2008-09 school year – Attachment B (Will be handed out at meeting)	I	Gil Lemmon	Information
10:10 (10)		H. The Committee will review two hardship cases – one denial and one approval	I	Gil Lemmon	Information
10:20 (15)		I. Physical Assault	R, D, A	Jerome Wiggins	No Action – direction for staff to place on next agenda
10:35 (15)		J. Review of off-campus Physical Education classes	I	Chairperson	No Action – direction for staff to place on the next agenda
10:50 (15)		K. Review of Novato Unified School District’s Multi-School Agreement with Novato Oaks	R, D, A	Gil Lemmon	No Action – Discussion
11:05 (10)		L. Southern Section rule concerning administrative error and students who would have received immediate eligibility with no restrictions	R, D, A	Gil Lemmon	Passed 10-0 M – Cuddeback M – Kinser
11:15 (5)		M. Suspension from School	R, D, A	Gil Lemmon	No Action – direction for staff to place on the next agenda
11:20 (10)		Review of the Interpretations of Undue Influence (will be presented at the NCS Sports Advisory Committee December 8 th) ATTACHMENT E (will be presented at meeting)	I	Gil Lemmon	No Action – Discussion

TIME	Consent Item	AGENDA TOPIC	PURPOSE	DISCUSSION LEADER	ACTION
		VI. OLD BUSINESS			
11:30 (5)		D. Report on the Bentley Hearing ATTACHMENT F	I	Gil Lemmon	Information – Discussion
11:35 (10)		B. Review of CIF/NCS Bylaw 205 – Progress towards graduation	R, D, A	Gil Lemmon	No Action – input needed from member schools
11:45 (5)		C. Development of the NCS Eligibility Poster ATTACHMENT G	I	Gil Lemmon	Information
11:50 (15)		D. Independent Study Programs and CIF Bylaw 306 ATTACHMENT H	I	Gil Lemmon	Information
12:05 (5)		E. Summertime Dead Period	I	Gil Lemmon	Passes at September meeting and will be forwarded to the January Board of Managers
12:10 (10)		VII. REPORTS FROM ATTENDING LEAGUES AND NCS STAFF	I	Chairperson	No Reports
12:20		IX. ADJOURNMENT	P	Chairperson	Passed 9-0 M – Sharafinski S - Booker

D = Discussion, P = Participation, A = Action, I = Information only, R = Review/prior topic, C = Consent

NORTH COAST SECTION
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San Ramon, CA 94583
(925) 866-8400 Fax (925) 866-7100

TO: Members of the Eligibility Committee and League Commissioners (FYI)
FROM: Gil Lemmon, Commissioner of Athletics
DATE: December 31, 2008
SUBJECT: **Eligibility Committee Meeting Minutes**

NEW BYLAW LANGUAGE IS BOLD, ITALIC AND UNDERLINED.
~~OLD BYLAW LANGUAGE IS STRUCK THROUGH.~~

In Attendance: Jerome Wiggins, Chair; Randy Booker, BSAL; Bill Branca, DFAL; Gordon Sharafinski, BAC; Sam Cuddeback, BAC-W; Craig Kinser, CMC; Troy Ghisetti, HDNL; Mark Corti, EBAL; Mike Panas, NBL; Bob Vieth, MCAL and Gil Lemmon, NCS.

Absent: Frank Anderson, SCL; Terry Lee, HAAL and Connie Spinnato, MVAL.

**I. Roll Call
INFORMATION**

Each committee member will state his/her name, school and league and share any eligibility questions and/or identify any eligibility issues that he/she would like addressed under "other topics"

**II. Approval of Minutes of September 9, 2008 meeting (Attachment A)
PASSED 10-0**

M – Cuddeback S - Sharafinski

**IV. Public Comment
NO PUBLIC COMMENT**

Pursuant to Education Code 33353.2 (C), any person wishing to speak on any item on the agenda, or comment on the policies and practices of the North Coast Section, CIF, will be heard at this time.

V. NEW BUSINESS

1. CIF

A. No proposals at this time

3. NCS

A. Re-establishment of the Date of Determination

PASSED 10-0

Motion to re-establishment the Date of Determination language in the NCS General Bylaws, under Bylaw 205.B.3 – Grading Period

3. Grading Period

The grading period is that time when all students in a school are graded. If two grades are given at the end of a grading period, scholastic eligibility shall be established according to the grade issued for credit.

A. *For playing contests, one grading period does not end until the next one begins.*

Note: This day is identified as the "date of determination".

B. *Each member school must file its "dates of determination" for scholastic eligibility for each regular grading period with its league or conference. All students shall be declared eligible or ineligible for athletics for the following grading period on the respective dates.*

M – Kinser S - Panas

- B. Review of NCS Report of Waivers and Appeals for the 2008-09 School Year

INFORMATION

Attachment B

- C. Review of Two Hardship Cases

INFORMATION

The Committee reviewed two hardship cases, one denial and one approval.

- D. Physical Assault

NO ACTION - INSTRUCTION

The language was adjusted and the committee instructed the Commissioner to bring the item back in March.

Physical Assault

Any student who physical assaults the person of a game or event official shall be banned from interscholastic athletics for the remainder of the student's eligibility. A game or event official is defined as a referee, umpire or any other official assigned to interpret or enforce rules of competition at an event or contest. A student may, after a lapse of ~~18 calendar months~~ **120 days** from the date of incident, apply for reinstatement of eligibility to the State Executive Director.

Definition of Assault

A physical assault is the intentional infliction of, or an attempt to inflict a harmful or offensive touching or contact upon the person of an official. Note that the rule is violated even if no contact is made with the person of the official. All that is required is the "attempt". However, the act constituting the attempt must be accompanied by a specific intent, which may be inferred from the circumstances and nature of the act, to inflict a harmful or offensive touching contact of the official's person.

- E. Review of off-campus Physical Education classes

NO ACTION - INSTRUCTION

The committee reviewed the off-campus physical education program at Cardinal Newman High School as an example of possible programs offered at NCS member schools. Concern was expressed about the structure of Cardinal Newman High School's program and the potential for other schools to offer such a program. After a great deal of discussion the committee instructed Commissioner Lemmon to review the bylaws of the other sections and bring potential bylaw language to the next meeting.

- F. Review of Novato Unified School District's Multi-School Agreement with Novato Oaks

INFORMATION AND DISCUSSION

Continuation schools are not allowed to apply for multi-school team status as provided for under CIF Bylaw 303. A school district may declare a Continuation school as an alternative school and apply for multi-school status. However, the CIF Multi-school application does allow local governing boards to determine if a continuation is an alternative. When Commissioner Lemmon reviews on a yearly basis these Multi-school applications there will be close review of these arrangements. Under no circumstances will agreements be approved where students are transferred to these alternative programs for disciplinary issues.

- G. Southern Section Administrative Error Rule

PASSED 10-0

Motion to adopt language that will allow the NCS Commissioner the authority to review cases where school administrative error would only forfeit the first game won or tied.

NCS Constitution and General Bylaws 219.B.3

In the case where it is determined that an ineligible player competed due to the failure of the school administration to submit the proper paper work which would have granted immediate unlimited eligibility, the school would only be forced to forfeit the initial game won or tied that the student in question played.

M – Cuddeback S - Kinser

H. Suspension from School

NO ACTION - INSTRUCTION

Motion to adopt language stating that any student suspended from school is ineligible during the period of the suspension.

Members of the committee were fairly certain that language already exists in the California Education Code that prohibits students from participation in extracurricular activities if they have been suspended. Commissioner Lemmon was instructed to review the CA Education Code and bring similar language back for consideration.

Proposed Language

NCS Constitution and General Bylaws 219.B.4 - Suspension

If a student is suspended from high school, the student is ineligible during the period of suspension. When the student returns to the school, the period of ineligibility is determined by the principal.

I. Review of the Interpretations of Undue Influence

INFORMATION

Commissioner Lemmon presented a document that is being written to provide guidance to school administrations, coaches, parents and students regarding undue influence. Commissioner Lemmon will continue to work on this document, adding additional information. The Eligibility Committee asked that the document be shared with league commissioners so that leagues could review the interpretations. A more complete document will be presented in March.

VII. OLD BUSINESS

1. Report on the Bentley School Hearing

INFORMATION

A short report was made concerning the Bentley School hearing concerning undue influence. A NCS Eligibility Hearing Panel ruled that Bentley should be placed on probation and take steps to correct procedures at their school that allows administrative staff to approve all school promotional materials making sure that all materials adhere to CIF and NCS guidelines.

2. Review of CIF/NCS Bylaw 205 – Progress towards graduation

NO ACTION

Commissioner Lemmon has not had time to pursue procedures schools have put in place to track the progress of students, making sure that all students participating on high school athletic teams are making progress towards graduation according to guidelines enacted by NCS member schools last year. Commissioner Lemmon will report back in March.

4. Development of the NCS Eligibility Poster

INFORMATION

A NCS Eligibility Poster was presented. The poster is detailed and will be made available to all schools to post in their gyms, locker rooms and administrative offices. Copies of the poster will be given to league commissioners at their August Workshop for distribution to schools for the 2009-10 school year. Staff will make a Word document available online so schools may want to utilize the information for handbooks or newsletters.

Attachment G

5. Independent Study Programs and CIF Bylaw 306

INFORMATION

Commissioner Lemmon shared the letter from State Superintendent Jack O'Connell's general counsel and assistant general counsel regarding home schooling and "independent study". The letter states that it is the opinion of legal counsel that a private school may not offer instruction through "independent study". The concern by Commissioner Lemmon is the possibility of operation of an independent study program through a school that is really a program designed to allow parents to home school their children, receive credit through a school as independent study, and then participate on the school athletic team. Unless the independent study program meets the parameters of CIF Bylaw 306 students in these programs are not eligible for participation. More information will be available as CIF legal counsel and section commissioner discuss this issue.

Attachment H

6. Summertime Dead Period

FORWARD TO JANUARY BOARD OF MANAGERS

At the last meeting the committee approved the creation of a summertime dead period for submission of eligibility applications. This item will be forwarded to the NCS Executive Committee and then the NCS Board of Managers.

Motion to establish a summertime dead period for submission of eligibility applications from June 15 to July 31 each year. Passed 7-0 at the September 11, 2008 Eligibility Committee meeting.

VIII. REPORT FROM ATTENDING LEAGUES AND NCS STAFF

3. League Reports – No reports given by individual leagues
4. NCS Report – Information was shared during the course of the meeting.

X. ADJOURNMENT

PASSED 9-0

Motion by Sharafinski and Second by Booker to adjourn.

ATTACHMENT B₂

APPEALS HELD	#	OUTCOME Sustained / Overturned	Reason for Appeal
Central	3	3/0	Financial; Transp.; Academics
Central Coast	3	2/1	Academics; Social; Financial
North Coast	18	10/8	2 Discp.; Racial; Ment. Hlth; 3 Social; 5 Academic; Financial; 2 Safety; 2 Family; Transportation
Northern	3	2/1	2 Family; 1 Academic
Oakland	0		
Los Angeles	2	1/1	2 Family
Sac Joaquin	10	5/5	2 Academic; Racial; 2 Safety; Family; Valid move; emotional; 2 Financial
San Diego	13	10/3	4 Academic; Discipline; 4 Financial; emotional; 3 Family
San Francisco	1	0/1	Discipline
Southern	39	26/13	8 Safety; 11 Financial; Confl. w/ Staff; Discp.; Religious; 2 Academic; 7 Family; 2 Health; 3 Transportation; Discrimination
Total	92		
APPEALS PENDING			
Central			
Central Coast			
North Coast			
Northern			
Oakland			
Los Angeles			
Sac Joaquin			
San Diego	3		2 Family; Financial
San Francisco			
Southern	1		Family
Total	4		
TOTALS	96		

SUMMARY REPORT OF REQUESTS FOR WAIVER OF CIF RULES
2008-09

ATTACHMENT C

Section _____

SECTION	203-205.E		206		207.A (3)		207.B (1)		208		209.A/B		210		510		Other 202			
	A	D	A	D	A	D	Lim	DNP	Den	Unlim	Den/Lim	Den	A	D	D	Unlim		Den/Lim	Den	
203 = Age Requirement																				
204 = Charged semester of attendance																				
205.E = 20 Semester Units																				
206.B(2) = Continuing Eligibility																				
206.B(4) = Return to previous school																				
207.A(3) = First Transfer																				
207.B(1) = Limited Eligibility																				
207.B(1) = Unlimited Eligibility																				
208 = Hardship																				
209 = Foreign Student																				
210 = Discipline, Expulsion																				
510 = Undue Influence																				
JULY																				
AUGUST	3	1	1	0	27	0	3	4	1	8	1	1	7	0	0	0	0	0	0	57
SEPTEMBER	0	1	11	0	62	0	19	32	0	18	9	3	27	2	0	0	1	0	1	186
OCTOBER	0	0	11	0	17	0	6	10	0	15	6	1	20	1	0	0	0	0	0	87
NOVEMBER	0	0	2	0	20	0	2	2	0	6	9	0	5	0	0	0	0	0	2	49
DECEMBER	0	0	2	0	19	0	6	8	0	7	6	0	1	0	0	0	1	1	0	51
JANUARY	0	0	5	0	15	0	5	5	0	8	4	0	4	0	0	0	0	0	1	47
FEBRUARY	0	0	7	0	20	0	15	11	0	5	7	1	7	0	1	0	0	0	0	74
MARCH	0	0	6	0	12	0	9	14	0	8	5	1	5	0	0	0	0	0	1	61
APRIL	0	0	1	0	4	0	1	0	0	1	0	0	0	0	0	0	0	0	0	7
MAY	0	0	0	0	3	0	0	0	0	1	0	0	0	0	0	0	0	0	0	4
JUNE	0	0	0	0	1	0	0	2	0	1	0	0	0	0	0	0	0	0	0	4
TOTAL	3	2	46	0	200	0	66	88	1	78	47	7	76	3	1	0	2	3	4	627

Survey Concerning CIF/NCS 205 – Minimum Progress Towards Graduation

RULE

In the North Coast Section, minimum progress toward graduation is defined as:

- 1) The student has earned credits at a rate of no less than the equivalent of 20 semester credits of work behind normal progress at any time prior to graduation, AND
- 2) The student is no more than two courses (semester courses) behind normal progress in successfully completing specific courses required for HS graduation as prescribed by the governing board.

RESPONSES

QUESTION ONE

1. How is your school tracking the progress towards graduation as defined above? What tools have you developed?

Rancho Cotate HS

Our Athletic Director, Henri Sarlatte reviews all rosters and evaluates GPA and graduation progress. He has access to our Student Information System software that makes this a relatively painless project.

College Park

Reclassification – Students who do not earn sufficient credits are reclassified to the prior grade. The credit monitoring is done through transcript review. 9th grade equals 0 – 51 credits; 10th grade equals 52-110 credits; 11th grade equals 111-170 credits; 12th grade equals 170 or above.

Mt. Eden

When a student is in trouble regarding their academic performance, we use a contract to track them throughout each grading period.

Miramonte

At each reporting period our registrar prints out an eligibility list for our athletic director. Also, our counselors meet with students when they are not making progress toward graduation. So it is a twofold process - eligibility checks and graduation progress checks.

Cloverdale

I create a list of all players participating, or trying out, for a team. I check their GPA and at the same time their credits earned. All this is on our computer system and therefore takes no more time to check than the GPA. I have identified the credits needed to be on track for each grade level at each semester and calculated the minimum progress using the definition provided by the NCS. If the student athlete falls below the credits earned for minimum standards, he/she is not eligible. The only investment in time was in calculating the credits involved in minimum standards and on track standards. After that, it is just a matter of checking their status. I have it all on a computer spreadsheet and update it every 6-week grade period. I would be willing to share it and save others the time it took me to figure it out.

Arroyo

I as the athletic director do it all and go and ask the counselors or registrar for help if needed. We have a high number of credits for students to graduate. I look at their transcripts and credits from the semester and overall credits for the year to see if they meet this requirement and or on target to graduate.

Concord

We have an eligibility check off list for all coaches to complete which includes tracking minimum progress. V.P.'s also check progress toward graduation.

Petaluma

We track by looking at transcripts. I have Global access to "Aeries". This is Petaluma School District's Student database system.

Mendocino

At each grading period, we run a list of the GPAs and credits completed for all athletes. We also run a list of all students who received any F's (which would, of course, mean no credit was earned for that class) and can cross reference athletes on that list. Earning an F automatically makes them ineligible by our local requirements, even if they earn a 2.0. If it is the beginning of new season, the registrar and A.D. look at the transcripts of new students (either new to the school or first season of athletic participation for the year) to check for "on track" status.

Freedom

We try as best as possible using a minimum number of failed classes policy. e.g. A student can not have two or more F's or Three of more if taking 8 classes. When new students arrive or leave we check their transcripts before we sign any of the eligibility forms.

Piner

Working with the counselors and looking at the number of credits earned. No tools developed, other than communication with counselors.

Ygnacio Valley

We have three staff members dedicated to tracking students' progress toward graduation. They review transcripts regularly and meet with students and parents to keep all informed. We have a form used in these meetings that details the plan a student must follow to complete grad requirements on time.

Holy Names

Our Assistant Principal and Counselors track every student in the school regarding progress toward graduation and a review committee handles any student who might be falling behind due to grades. Athletes are included in this process and no separate process is needed.

Marin Catholic

This is the job of our counselors, each semester they call in every student and check their schedule towards graduation progress. We have asked students to leave because they will not be able to graduate from our school. In a private schools we do this in other school within our league they have one person for all this would be impossible

Windsor

Each School Counselor creates and maintains a Grad Plan for each student on his/her caseload. Students meet a minimum of one time per year with counselor reviewing Grad Plan and identifying credit deficiencies and options for making up missing credits.

San Lorenzo

Our Athletic Director (AD) verifies eligibility each term. He checks grades to determine eligibility, then units/credits earned to ensure students are have the credit site has determined "meet progress" towards graduation. This is an item all counselors and those who mentor students pay close attention as we are on a modified four by four block schedule and we have a 290 unit graduation requirement.

Valley Christian

1. Review semester grades at close of each semester.
2. Schedule requirements on a four-year planner that is reviewed yearly
3. Review summer school credits each August.

QUESTION TWO

2. Is it difficult for your school to track these students? Please include a brief explanation.

Rancho Cotate HS

There is always the possibility of a clerical error or oversight, since grades change quarterly and we have a large number of athletic participants to review.

College Park

Not difficult to track but it is time consuming with so few resources and personnel.

Mt. Eden

Yes, it is difficult for us to track these students because we have a transient population, and we find that it is difficult to track the progress in this case.

Miramonte

Not really, this should be part of the normal process if a school has counselors and a registrar.

Cloverdale

No it is not difficult. As I mentioned, the only difficulty was in creating the standards. I do have some trouble with students that transfer from another school with different standards for graduation, but we don't get many of those and it only takes a few minutes to read their individual transcripts. Once I identified the credits for the standards, it allowed me to do GPA & minimum progress checks in a couple of hours.

Arroyo

Yes and No. Yes because transfer students may have different number of credits, but are waived a little bit here. Sometimes things are confusing with credits. And lastly, because it is time consuming for me by myself as an Athletic Director to do. No because I manage to get through it.

Concord

No, with our student data system it is relatively easy to track progress. Coaches, however, need to work with the vice principals in order to access data.

Petaluma

Yes, it is very difficult and time consuming. Every athlete at Every grading period must be reviewed.

Mendocino

No. We use the Aeries student data system and doing queries to cross reference athletes and their grades/credit completion/transcripts is pretty easy. Also, we are a very small school which may make it easier to track than would be the case in a really large school (though the query functions would be run the same way).

Freedom

In order to be 100% compliant the AD must review every transcript for each athlete. Also, the term course can be determined differently.

Piner

Sometimes...depending on whether or not the students had been in the district for their entire academic career or have transferred. If the student has transferred into the district, there are often conflicts and/or difficulties

Ygnacio Valley

As you can see above, it is time consuming. However, we do it as a matter of form, not just for sports eligibility.

Holy Names

No it is not difficult.

Windsor

Although each Counselor maintains a Grad Plan for each student, Grad Plan data is not part of the student information data network (Aeries). We can, of course, run queries to identify students who are falling behind on credits earned; however, the recovery plan to make up those units are not included in the information system.

San Lorenzo

It is not difficult to track progress. Counselors work very closely with AD and Assistant Principals. We have a very caring faculty who work very hard to keep students on track and not just graduation but college ready.

Valley Christian

No, the number of students who require remedial planning is minimal.

QUESTION THREE

3. If this above definition is difficult to track do you believe NCS should consider revising this portion of the NCS Bylaws to simply state the language in the State CIF Constitution?

CIF State Constitution Language

- c. The student is maintaining minimum progress toward meeting the high school graduation requirements as prescribed by the governing board;

Rancho Cotate

If we continue to be staffed with an Athletic Director, we feel comfortable we can continue to monitor progress as stated in the original language. However, if budget cuts reduce our staffing to eliminate this position, we would appreciate consideration for wording that would require less effort. This suggested wording seems to be adequate.

College Park

Yes

Mt. Eden

Yes, we believe it should be changed to the language in "c" below.

Miramonte

In my previous district we had a district policy that parallels. I would think it may be difficult if a school does not have counselors.

Cloverdale

No, I do not think they should revise the language. I believe it is a good policy and helps ensure student-athletes progress toward graduation, not just an acceptable GPA for that season of sport. We have had to modify our probationary period to accommodate this language, but we have actually had students make up credits/classes to get back on track so they could participate in athletics. I think it is a good policy.

Arroyo

Yes I do especially if this is what other sections are doing.

Concord

No, I believe the language is appropriate for the definition of minimum progress.

Petaluma

Yes, but there too "minimum progress" needs to be defined. "Minimum" is too ambiguous!

Mendocino

Personally, I prefer the more narrowly prescribed definition of "adequate progress". Otherwise there might be quite a disparity among what different schools define as "minimum progress toward meeting graduation requirements" and create inequities among student athletes.

Freedom

At Freedom a senior can be 20 credits behind for some mistakes made his freshmen year but still be able to graduate by taking 8 classes on our site. That student should not be penalized.

Piner

YES

Ygnacio Valley

Since we carefully track students toward graduation anyway, the change would have little impact on our procedures.

Holy Names

Pretty vague. What is "minimum progress?" Depending on the athlete, great exceptions could be made.

Marin Catholic

It would probably be easier for all, but do we make things easier because we can't do the job or is it the right thing to do????

Windsor

Although the NCS language is difficult to track, we feel the CIF language is too vague and, moreover, could give the impression that everything is okay with the student's progress when it may be the opposite.

San Lorenzo

No

General Response

Carondelet

In checking with my AD, I am told that we don't usually have nay trouble with this because we don't accept a lot of students after their freshman year. I would hope that if a student was not eligible in this way that an advisor would let the athletics department know.

Also, it would be a rare situation that someone wouldn't have enough units and that our academic counselors would notify the athlete department if there was a special situation. Most likely the school would have to let someone go if they were in this situation.

I hope this answers your questions.

Clear Lake

The NCS By-law still requires that local Governing Boards decide what "normal progress" is before the by-law can be applied. Our Athletic Packet states that "satisfactory progress shall be evidenced by earning a minimum of 160 units by the end of the eleventh grade." That is pretty easy to track or calculate for transferring students. A student who is not on track would most likely already be ineligible based on the 2.0 GPA and no "Fs." The State CIF language would work as well for us and it's simple.

Ft. Bragg

Our school is small so it makes it easy. Our athletic secretary and counselors are very aware of the requirementand there are so few students. It is part of our clearance check-off sheet!!

Arroyo

I would like to say the rule can be monitored inconsistently given the limited resources and different data bases schools have. I would recommend revision as a result.

Cardinal Newman

Gil, we can easily track it off our transcripts, counsellor's work, class level meetings and yearly evaluations; I like the rules and appreciate the effort, they seem reasonable to me. We should have academic achievement as one of our main purposes or the school becomes a club.

Clayton Valley

Mt Diablo Unified implemented a "retention" policy two years ago that requires all schools to redesignate students who have not completed a minimum number of units required for each grade level back to the previous grade level. This is done once a year by October 1st for all but seniors who are reviewed again at the end of the fall semester. If a student is redesignated back a grade level, they are not considered to be making adequate progress towards graduation and are not eligible.

El Molino

This is, indeed, a difficult one to monitor. It is hard enough to get everyone on board with the other, basic, eligibility requirements that have been in place regarding transfer eligibility, residential eligibility, the imposition of a one-time probation for athletes who have less than a 2.0 GPA, etc.

As the "CIF" guru on campus I constantly get questions from our counselors coaches, parents, students, registrars and others about the rules and guidelines. I am not complaining about that at all. However, having to track the minimum progress toward graduation, looking at every athlete's grades at the end of each semester is a real time sponge.

The other issue that comes up is whether this is fair to the student-athlete who has turned himself or herself around and is now consistently maintaining a satisfactory GPA and earning the minimum number of credits but who, because of past poor performance, is still below the 'waterline' of the 20 credit deficiency.

All in all I would be in favor to being consistent with the rest of the state. Perhaps we could look at a policy that is uniform for the state with some 'minor' variations that are not quite so onerous on the schools to maintain.

Analy

I personally think it is on board or too lenient. I would be opposed to relaxing the requirements unless I heard a compelling reason. We have used the criteria to establish a very minimum standard of progress. We evaluate transcripts and progress reports as needed in this area but do not have a tool.

Oakland Military Institute

OMI has adopted an even more stringent definition of progress toward graduation that basically does not allow a student to be less than ten credits deficient. We require 260 credits for graduation which is also more stringent than most. We are a relatively small school and tracking this is not difficult with less than 250 high school students total.

I do not feel strongly one way or the other about keeping the existing NCS bylaw or adopting the less defined version.

Hercules

At HMHS the administration generally knows about the student-athletes that are not making progress towards graduation – we do not allow them to play; however, the way it works out is that the vast majority of student-athletes who are not making adequate progress towards graduation usually are not eligible (for more than a grading quarter at a time).

We do not have a formal system to monitor (logistically too difficult)...

**NORTH COAST SECTION HEARING PANEL DECISION
IN THE MATTER OF *Bishop O'Dowd High School*
VIOLATION OF CIF BYLAW 510 AND 202 UNDUE UNFLUENCE**

Date of Hearing: 2/5/09

Location of Hearing: North Coast Section Office, San Ramon, California

Time of Hearing: 10:00 AM

Appeals Panel Members: 1). Mike Panas
 2) Craig Kinser
 3) Jerome Wiggins (absent)

Appeal Panel Chair: Mike Panas

I. INTRODUCTION

The North Coast Section ("NCS") Panel ("Panel") met on Thursday, February 5, 2009, to consider possible violations by Bishop O'Dowd High School of State CIF Bylaws 202 and 510.

Present at the hearing were Bishop O'Dowd Athletic Director Mike Bowler, Assistant Principal Kevin Cushing, and Assistant Athletic Director Carlos Arriaga. (Bishop O'Dowd's Principal was unable to attend due to the death of a staff member.)

Gil Lemmon CIF North Coast Section Commissioner was present on behalf of the Section.

All parties agreed to the case being heard before a two (2) member panel in the absence of the scheduled third member, Mr. Wiggins. The appellant in this case was Bishop O'Dowd High School, the Respondent Commissioner Lemmon for the Section.

All parties presented oral and documentary evidence. Furthermore, the parties were timely providing copies of all documents in advance of the hearing.

II. BACKGROUND INFORMATION

1. A female student transferred to Bishop O'Dowd High School from American High School at the beginning of her sophomore year (within her first three semesters of eligibility) seeking unlimited eligibility for basketball. Based on the information provided her eligibility was granted by the NCS Commissioner
2. A phone call from the parent of another student prompted the commissioner to re-examine the case and telephone and Bishop O'Dowd HS regarding alleged

undisclosed pre-enrollment contact by this student with an O'Dowd basketball coach.

3. After investigating, Bishop O'Dowd HS confirmed via email to the Commissioner that pre-enrollment conduct, not reported on CIF 510, had occurred. Thus it had erred in signing that there had been no pre-enrollment contact.
4. Because failure to report pre-enrollment contact is a violation of CIF Bylaws, Commissioner Lemmon declared the student ineligible due to violations of CIF 510 and 202. The family appealed to the State CIF and a State CIF Appeals Panel subsequently confirmed her ineligibility.
5. Commissioner Lemmon informed Bishop O'Dowd High School that it may have violated CIF 510 and 202 by failing to disclose the pre-enrollment contact and convened a panel of NCS Eligibility Committee members to hear the case and determine any penalty to Bishop O'Dowd as per CIF 510, 202 and 219.

III. FINDINGS

Based upon the oral and documentary evidence presented by the parties in this matter, the Panel finds as follows:

1. Bishop O'Dowd High school failed to discover and disclose pre-enrollment contact between one of its basketball coaches and the female transfer student.
2. Bishop O'Dowd High School subsequently self reported this violation and accepted full responsibility for it.
3. During the summer of 2007, within 24 months of her enrollment at O'Dowd, the female student had played for a team coached by a current Bishop O'Dowd girls' basketball assistant coach. In addition the coach was a long-time family friend of the female student.
4. This contact should have been reported on CIF 510 by the student and parent and attested by Bishop O'Dowd. It was not.
5. Bishop O'Dowd has withheld the student from all basketball competition (with the exception of a non-league "foundation" game).
6. The O'Dowd staff has taken action to reduce the likelihood of a similar violation in the future. This action, as reported by O'Dowd staff at the hearing has included:
 - A one hour meeting with Commissioner Lemmon to clarify the intent and application of CIF 510 and 202

- A similar meeting with its League Commissioner
- A meeting at school among all administrative, athletic and admissions staff regarding the intent and application of these bylaws
- A phone conversation between Commissioner Lemmon and the O'Dowd President
- The creation of forms for use at O'Dowd to reduce the likelihood of a similar violation.

6. The Commissioner recommended that there be no sanctions against the O'Dowd Girl's Varsity Basketball team, and that O'Dowd be placed on two (2) years probation as a result of the errors and resulting violation.

IV. DECISION

Pursuant to NCS Bylaw 219, PENALIES INCLUDING FORFEITURE, it is the unanimous decision of the NCS Hearing Panel as follows:

1. Bishop O'Dowd High School is placed on probation for the balance of this year (2008-09) and all of next year (2009-10). Any violation of NCS/CIF bylaws during the probation period may result in more stringent consequences.
2. The Bishop O'Dowd HS Girls Basketball program is placed on probation for the balance of this year (2008-09) and all of next year (2009-10). Any violation of NCS/CIF bylaws during the probation period may result in more stringent consequences.
3. Bylaw 219, D, 3, self evaluation, improvements **and a written report to the school's League and the NCS Eligibility Committee.**
4. Bylaw 219, D, 4. Since school staff has already had a lengthy meeting with Commissioner Lemmon and its League Commissioner this remedy is considered met.

Thank you for your participation in the NCS hearing process.

On behalf of the Hearing Panel,

February 6, 2009
Date

Mike Panas, Appeal Panel Chair