

REPORT TO THE LAW OFFICES OF
COWDELL & WOOLLEY PC



**CONCERNING THE AUDIT AND COMPLIANCE OF
SUMMIT ACADEMY HIGH SCHOOL**
In the matter before the Utah High School Activities Association

JUNE 2016

CONDUCTED BY
KIM M. HORIUCHI
Investigator

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June 9, 2016

Tracy S. Cowdell
Cowdell & Woolley PC
32 E. Main St.
Sandy, UT 84070

Dear Mr. Cowdell,

Enclosed please find the assessment your firm retained me to conduct in the matter of Summit Academy High School (SAHS) and the recent ruling concerning the school made by the Utah High School Activities Association (UHSAA). My report constitutes an initial compliance audit of Summit Academy High School, a public charter school located in Bluffdale, Utah.

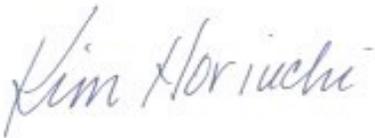
By way of background, my services were retained by your firm on May 19, 2016. Specifically, I was asked to look into operations at Summit Academy High School and the training provided by the school to its coaches and staff regarding proper coaching practices. It also was requested that I examine the case matter and allegations involving the school that were considered by a five-member hearing panel of the Utah High School Activities Association on May 10, 2016.

It was alleged during that hearing that an "assistant coach," who was basically a parent volunteer but was paid a one-time \$500 stipend by SAHS, had engaged in improper conduct by sending text messages meant to recruit two students at Copper Hills High School, a traditional public high school in West Jordan, Utah. The hearing committee of the Utah High School Activities Association, questioning whether the matter was an isolated incident or systemic problem, imposed penalties on Summit Academy including a ban on postseason football play for upcoming 2016, a \$3,000 fine, and a school-wide probationary period for all sports for two years.

In my investigation of this matter, I have reached several determinations, including: 1) the incident was indeed an isolated one by an individual acting on his own 2) Summit Academy High School leaders and full-time coaches are highly cognizant and respectful of abiding by policies and requirements governing coaching conduct including prohibitions on recruitment 3) particular attention is paid by SAHS leaders to provide proper training to coaches and staff involved in sports and activities, and 4) penalties imposed by the UHSAA hearing committee will cause damage to Summit Academy High School and its student body. My investigation also has brought me to the further conclusion that those penalties are severe, even punitive, and ought to be revised.

Please contact me with any questions. I am happy to discuss any item contained within, as well as help facilitate the recommendations detailed at the end of this report.

Sincerely,



Kim M. Horiuchi

INTRODUCTION

On May 19, 2016, I was asked by the law firm of Cowdell & Woolley P.C. to conduct an initial audit and assessment of Summit Academy High School, a public charter high school in Bluffdale, Utah. My background as an investigative journalist gives me the requisite experience to conduct such an investigation. I also have been actively involved in education issues in Utah, even serving for a time on the Utah High School Activities Association's Board of Trustees.

I am a journalist by trade, and worked as an investigative reporter for The Associated Press Intermountain Bureau in Salt Lake City, covering the Utah Legislature for several years. During my career, I also have worked at every daily newspaper in northern Utah, including the *Deseret News*, *Salt Lake Tribune*, *Ogden Standard-Examiner* and *Logan Herald Journal*. I was elected to and served on both the Canyons and Jordan school boards for eight years. As a member of the Board of Trustees for the Utah High School Activities Association, I represented Region 3 from 2010-2014. I met regularly with the Board of Trustees as a member of the body and was assigned by the board to its Finance Committee. During my term of service, the Finance Committee successfully secured salary raises and improved benefits for UHSAA staff. I also have served on the Board of Directors and Legislative Committee for the Utah School Boards Association, and was a member of Salt Lake County's Parks and Recreation Advisory Board, as well as a community chairwoman for the grassroots Utah Small Districts Coalition.

While I was tasked by Cowdell & Woolley with conducting an initial compliance audit of Summit Academy High School (SAHS), I am available to perform periodic assessment of the school as specified by the Utah High School Activities Association (UHSAA), which has mandated that SAHS fund a compliance audit for this year and two years forward. The UHSAA has stated it intends to monitor the audits to ensure transferring students to SAHS are not being recruited.

SCOPE OF WORK

My assessment of Summit Academy High School and its operations was formulated from personal observation, interviews of school leaders and staff, a review of several reports and other documents, a visit to the school, and random conversations with students and parents.

Specifically, the scope of work included:

- A meeting on May 25, 2016, with Cowdell & Woolley law interns who detailed their own findings and provided me with background information and materials.
- A two-hour visit to Summit Academy High School on May 31, 2016, where I was able to observe staff at work and students engaged in school activities and classroom learning.
- Interviews with SAHS administrators, including:
 - Executive Director Steve Crandall
 - Assistant Director/ Athletic Director Tammy Harter
- Random conversation with a classroom of about 40 SAHS students, all involved in various sports at the school.
- A conversation with SAHS parent John Leiter, whose daughter transferred last year from Copper Hills High School where she played basketball. The student, a graduating senior, also played basketball at SAHS after transferring and will attend Utah State University Eastern in Price on a basketball scholarship.
- Interviews with four SAHS coaches, including:
 - Girls Basketball Head Coach Gianni Ellefsen
 - Boys Basketball Head Coach Evric Gray
 - Boys Assistant Basketball Coach and School Guidance Counselor Hector Marquez
 - Girls Volleyball Head Coach Don Uesele
- A review of the written reports of interviews that Cowdell & Woolley law interns conducted with:
 - SAHS Principal Ted Mecham
 - Head Football Coach Les Hamilton
 - Ken Denos, an assistant coach, parent and private attorney who drafted a general compliance policy for the school.
- Listening in its entirety to a recording of the Utah High School Activities Association's 90-minute hearing held May 10, 2016, on the matter involving SAHS.
- A review of the packet of materials and information provided to the five-member panel at that May 10 hearing of the UHSAA.

- A review of media reports, including those by *The Salt Lake Tribune* and *Deseret News*, about the hearing. (I also reviewed media reports detailing the racial slurs uttered against SAHS players preceding their recent 2A state boys basketball championship win on Feb. 27, 2016).
- A review of current training procedures, including the UHSAA Handbook, that SAHS has used to instruct coaches and staff.
- A review of the new policies and procedures drafted for SAHS to guide future training of coaches and staff.
- I also investigated an anonymous letter self-reported to me by SAHS leaders. The letter, addressed to Summit Academy administrators, was received after the UHSAA's May 10 hearing and involved allegations concerning Mr. Leiter and his daughter, Baylee. (It is attached at the end of this report).

CASE DETAILS

The core allegations against Summit Academy High School (SAHS) involve the improper recruitment of two students from Copper Hills High School (CHHS), who reported they were sent text messages from Jeff Callahan, a parent and former assistant coach at Summit Academy High School, in the spring of 2016. It is acknowledged by all parties that Mr. Callahan was acting on his own when he sent the texts, and SAHS leaders were not aware of the text messages until they were informed about them by the Utah High School Activities Association (UHSAA) on April 4, 2016. Summit Academy High School is a public charter school in Bluffdale, Utah, that is designated to play sports in the UHSAA's 2A classification and has about 550 students enrolled in grades 9 through 12. It clinched the 2A boys basketball championship in February. Copper Hills High School is a public high school in West Jordan, Utah, with about 2,500 students in grades 10-12. It is designated as a 5A school in the UHSAA's highly competitive Region 3, and ended its football season with a disappointing 0-10 record.¹

In regard to the text messages at issue, the CHHS students dismissed the overtures from Mr. Callahan, stating they were uninterested in leaving their school, and they remain enrolled at Copper Hills High. The students reported the contact by Mr. Callahan to their football coach, and Copper Hills High School Principal Todd Quarnberg and Copper Hills Athletic Director Darby Cowles notified the Utah High School Activities Association. Ms. Cowles wrote in an April 7 email to UHSAA Executive Director Rob Cuff that her "head football coach, Tavita Sagapolu, has been informed by his players that they have been contacted by Jeff Callahan, who is affiliated with Summit Academy football, and has been sending text messages to them. Todd Quarnberg (principal), Kim Searle (assistant principal over athletics), and I ask that you please look into this matter."² UHSAA convened a hearing on May 10, 2016, to discuss the allegations.

However, that hearing was wide-ranging and strayed far beyond the allegations involving the text messages sent by Mr. Callahan to the two students. The bulk of the forum instead was used to discuss other unrelated, unfounded matters—even assumptions, rumors and innuendo. Summit Academy High School leaders were informed of some of the additional allegations the evening prior to the hearing, leaving them little to no time to prepare to address, investigate or refute the other matters that were discussed in the hearing. SAHS leaders did not find out about some of the allegations until they were brought up at the hearing. The two specific matters of undue recruiting influence were supported by evidence of the text messages, and Summit Academy leaders have acknowledged that while Mr. Callahan was acting on his own, his actions were improper. The other allegations brought up and discussed by the five-member panel of the UHSAA lacked any foundation or proof. Indeed, all of the allusions to impropriety detailed during the hearing concerned instances that are easily explained and above-board, or in fact were already decided by UHSAA or did not happen. Despite the insufficient evidence, UHSAA

¹ CHHS principal Todd Quarnberg cited the school's record during his testimony before the UHSAA hearing panel which took up the allegations against SAHS on May 10, 2016.

² Ms. Cowles' email is contained in the packet provided to members of the UHSAA hearing panel.

committee members determined “a pair of recruiting violations were indicative of more serious issues at the 2A charter school.”³

During the hearing, committee members acknowledged that “fair or unfair,” Summit Academy High School, as “a private charter school,” is held to a higher standard.⁴ The committee fined SAHS \$3,000, banned its football team from postseason play for the upcoming 2016 season, placed the entire school on probation for all sports, and required the school perform a three-year compliance audit. It also stated that if it finds any additional incidents of recruiting or undue influence, the case can be re-opened for further penalties. The UHSAA hearing committee members questioned whether the texts sent by Mr. Callahan signified a “systemic problem” and they concluded that there was a fundamental lack of institutional control at the school⁵:

“Are you doing enough? Are you making your efforts to be transparent to the rest of the state to say, ‘We do not prescribe to undue influence; we do not prescribe to recruiting in any way shape or form,’ said Royd Darrington, a member of the panel and principal of Juab High School, a 3A traditional public high school in Nephi, Utah. “You understand that you have a body of peers that have you under a microscope and being under that microscope, and (with) these things coming to light, I would hope that you are going above and beyond.”⁶

“You are under a microscope and this is hurting multiple people,” said hearing panel member Roberta Hardy, principal of Pinnacle High School, a 1A charter school in Price, Utah. Hardy said she would have “circled the wagons” and that SAHS leaders should have questioned every one of their students to determine whether anyone had had any contact from any coach.⁷

The incidents brought up and discussed by the committee at the hearing include:

- 1. The text messages sent to the two CHHS students:** Text messages were sent by Jeff Callahan, a parent at SAHS, to two students at Copper Hills High school in early April, asking them to come play football for Summit Academy. Throughout the hearing and in all allegations, Mr. Callahan is described as an assistant coach at Summit Academy. However, even at the time the texts were

³ Amy Donaldson, *UHSAA panel bans Summit Academy football team from postseason after recruiting incidents* (Deseret News, May 10, 2016).

⁴ The quoted comments were made by Royd Darrington, a member of the hearing panel and principal at Juab High School.

⁵ Trevor Phibbs, *Prep sports: Summit Academy violates recruiting rules; football ineligible for 2016 postseason* (The Salt Lake Tribune, May 11, 2016).

⁶ Mr. Darrington, a member of the hearing panel, made the comments at the May 10, 2016, meeting of the UHSAA committee convened to hear allegations against SAHS. It was announced at the start of the meeting that it was open to the public, and a recording of the meeting was made available for review. There were no objections raised during the meeting to the public discussions of students and other individuals by name or to the public discussion of their personal case histories.

⁷ Hardy’s comments, also recorded, were made during the May 10 hearing.

sent, he was not working as an assistant coach, since all assistant and volunteer coaches had been terminated the month before by former SAHS football coach and athletic director Scott Gorringer. The timeline is as follows:

- On August 14, 2015, Jeff Callahan was hired as an assistant coach at SAHS by then-head football coach and athletic director Scott Gorringer. Mr. Callahan was paid a one-time stipend of \$500 to assist the football team as sophomore defensive coach.
- On February 12, 2016, Scott Gorringer resigned from his positions as a Social Studies teacher at SAHS and as the school's athletics director to take a position outside the school in sales. Coach Gorringer stayed on temporarily to coach the football team until his replacement could be found.
- On March 14, 2016, Mr. Gorringer was released as head football coach by school administrators, who had hired his replacement, Les Hamilton, formerly the football coach of Pleasant Grove High School. Mr. Hamilton also has worked as head football coach at Alta and Hunter high schools.
- The same day, on March 14, 2016, Mr. Gorringer notified his assistant coaches, including Mr. Callahan, that their positions were terminated to allow the new coach to hire his own team of assistant coaches. (Mr. Callahan was not rehired by Coach Hamilton and the school formerly terminated any coaching relationship with him after the text messages came to light).⁸
- On March 15, 2016, Mr. Hamilton was hired to be the new athletics director and head football coach for SAHS.
- In early April 2016, Mr. Callahan sent text messages to two CHHS students, asking them to come play football at SAHS.⁹
- On April 4, 2016, SAHS Assistant Director Tammy Harter was notified by Ryan Bishop, an administrator with Utah High School Activities Association, about the allegations of improper student contact.
- On April 18, 2016, Ms. Harter, who is also the school's Athletic Director, sent a letter to the Utah High School Activities Association, stating she had thoroughly investigated the allegations involving the text messages from Mr. Callahan. "Summit Academy High school takes these allegations very seriously," she wrote.
- On May 10, 2016, the five-member panel of the UHSAA convened to hear the allegations of undue recruiting influence.

⁸ In an April 18, 2016, letter to the UHSAA Board of Trustees, SAHS Assistant Director Tammy Harter wrote that the school had decided to "terminate any coaching relationship with Mr. Callahan."

⁹ The texts to the students do not contain a date but it was stated during the May 10 UHSAA hearing that they were sent within a week of when they had been reported.

It is important to note that SAHS is operating under a completely different coaching staff with the hiring of Mr. Hamilton, and that Mr. Callahan's association with the school as a sophomore defensive coach had ended at least two weeks before the text messages were sent, following the change-over in head football coaches. Mr. Callahan maintains that he sent the texts as "a parent" and not in his capacity as a coach at SAHS¹⁰, and there seems to be truth in that statement since he had been notified that his position had ended with Coach Gorringer's leave. Mr. Callahan is a super-league baseball coach and knew the CHHS students through that association. While Mr. Callahan's coaching services ended in March, SAHS also formally ended any coaching relationship with the school after the text messages came to light and removed him from the volunteer work he was doing as a parent on the SAHS baseball Twitter account. The texts sent by Mr. Callahan were reported by the CHHS students to their coach who reported the incident to the school's principal, Todd Quarnberg. Mr. Quarnberg then notified the UHSAA. In texted replies to Mr. Callahan, the students said they were uninterested in leaving their school, and they remain at CHHS.

- 2. The transfer of a CHHS student, Alex Zettler, to SAHS:** While the hearing was convened to discuss the texts sent by Mr. Callahan, the bulk of the hearing was spent on this matter and item No. 4, both of which were vetted and decided previously by UHSSA. At the May 10 hearing and in an undated letter sent to UHSAA, Mr. Quarnberg expressed dismay that Alex, who was the quarterback on the CHHS football team, had transferred from his school and that his father, Brian Zettler, who it was noted is an athletic trainer for the Utah Jazz, had become critical of CHHS. "Alex Zettler withdrew from Copper Hills and stated he was leaving because of a stronger academic program at Summit Academy, and the UHSAA approved the transfer," Quarnberg stated.¹¹

At the hearing, Mr. Quarnberg acknowledged that with Zettler's decision to leave CHHS, his "dander was up a bit." He also noted that "we truly are 0-10 in football. We're not going to take state this next year unless a miracle happens. I just want to keep the consistency and fairness across the board."

Mr. Crandall said in an interview after the hearing that Alex Zettler's Jan. 20 transfer had been approved by the UHSAA. "We went through the process," Crandall said.¹² He also said that Coach Hamilton had talked to Mr. Zettler after

¹⁰ The May 11, 2016, Salt Lake Tribune article notes, "Callahan did not deny communication with the players, but said he was under the impression he was not committing an infraction after Gorringer notified his staff of his termination. Callahan has a son who participates in athletics at Summit Academy and developed contact with the Copper Hills players whom he contacted while coaching little league." SAHS administrators Crandall and Harter also both said Mr. Callahan told them he had contacted the students "as a parent."

¹¹ Todd Quarnberg's comment is made in an undated letter to UHSAA, in which he also requested a hearing by UHSAA. The letter was sent as an attachment to an email from CHHS Athletic Director Darby Cowles, dated April 7, to the UHSAA.

¹² I conducted an interview with Mr. Crandall at SAHS on May 31, 2016.

the hearing, and that Mr. Zettler now wants to transfer his son from SAHS to a different school. Certainly, he is free to do so under Utah Open Enrollment laws, which allow students to attend any school of their choosing, whether it be Copper Hills, Summit Academy or neither.

3. The supposed attendance of a SAHS meeting by CHHS student Mike Smith:

Mike Smith is a student at CHHS. Principal Quarnberg became aware that Mike needed to miss part of a wrestling match to attend a football-related meeting on January 20, 2016, at SAHS, and according to Mr. Quarnberg it was to meet with someone “about football.” SAHS has open house events on January 14 and January 27 but not on January 20. No other general meetings were held during this time. Coach Gorringer attended these events as one of two representatives of the Social Studies department of SAHS, and not as part of the Athletics Department. It is unknown who Mike or his parents supposedly met with. Furthermore, Mike Smith has not attempted to transfer from CHHS. Officials with SAHS say no one with that name is enrolled at their school. “No one knows who [Smith] is,” Ms. Harter said in an interview after the hearing. “We have no idea who that is. He didn’t come to any of our open houses.”

The UHSAA hearing panel “kept saying he met with someone at one of our open houses,” Mr. Crandall said in an interview after the hearing. “And I’m asking, ‘Who? Can you tell us? But they didn’t know.’”

4. The transfer of Wasatch Academy student Barzin Baban to SAHS:

Student Barzin Baban transferred to SAHS from Wasatch Academy. Barzin had lost a scholarship at Wasatch and could no longer afford to attend. To avoid deportation to his home-country, Iran, Barzin needed to enroll in a school. So Barzin transferred to SAHS. Barzin applied for a hardship waiver, in accordance with UHSAA bylaws, to play basketball while at SAHS, but was denied. Barzin appealed (on his own and without help from SAHS) to be eligible to play basketball at SAHS but was denied permission to do so by the UHSAA. He attended SAHS, graduating in June, but did not play sports there in compliance with the decision by the UHSAA.

Mr. Crandall noted in an interview after the May 10 UHSAA hearing that he contacted both the Utah State Office of Education and the Utah High School Activities Association for advice when he learned that Barzin wanted to transfer to SAHS. “We thought we did everything right,” Crandall said. “The system worked. He didn’t get approved” to play basketball at SAHS and he did not play. Barzin and SAHS abided by UHSAA’s earlier decision declaring him ineligible to play sports. Utah Open Enrollment laws allowed Barzin to attend any school of his choosing.

5. The conversation between Pleasant Grove players and Beaver High Athletic Director Randy Hunter:

An email, dated May 3, from Beaver High Athletic Director Randy Hunter sent to UHSAA alleges that SAHS’s Hamilton was

recruiting players from Pleasant Grove. Mr. Hunter describes a conversation he had with Pleasant Grove students and a parent, Greg Sorensen, during a sports conference at Brigham Young University on March 26, 2015, in which two of the students and one parent allegedly said Coach Hamilton was recruiting players. Mr. Hamilton, in a May 9, email to SAHS principal Ted Mecham, denies the allegations. “None are true,” Mr. Hamilton said. “I have never talked to, let alone asked any players from PG to come to Summit.” Mr. Sorensen, the parent whom Mr. Hunter said he talked to at the conference, also said in a May 10 email that the matter was “all a misunderstanding” and that the conversation did not happen as was described.

- **In addition, Summit Academy High School administrators self-reported to me an anonymous letter, alleging improper recruiting**, that they received following the UHSAA’s May 10 hearing. I interviewed SAHS administrators, as well as the coach and parent accused in the letter, and found the allegations to be without merit. (The anonymous letter is attached at the end of this report).

The letter alleges that SAHS coach Gianni Ellefsen recruited student Baylee Leiter from Copper Hills High School. SAHS Assistant Director Harter said although the letter was sent anonymously, she took the allegations seriously and immediately investigated them. She spoke with the coach, parent John Leiter, and the student. She found the allegations to be wholly unfounded. “I will tell you I investigated that, and the basketball coach knew nothing of her coming until after she was already here,” Ms. Harter said.

I also interviewed Mr. Leiter, who said his daughter Baylee was struggling academically at CHHS. “I needed her here where it was smaller,” Mr. Leiter said. “No one, no one, at Summit Academy knew my daughter was coming here ‘til I registered her. I had no idea if Baylee was even going to be eligible to play here. I needed to bring her here to have some social and academic correction—that was it.”¹³ Baylee was declared eligible to play basketball at SAHS by the UHSAA. “I had to go through the process,” Mr. Leiter said. “It was the whole nine yards. And even if she wouldn’t have been able to play basketball this past year, this would have been the right move.”

¹³ I interviewed Mr. Leiter while at SAHS on May 31, 2016.

FINDINGS

This audit finds that each of the allegations discussed during the UHSAA hearing are without merit, and that in each instance, including the sending of the text messages, Summit Academy responded properly and with prudence. In conducting this investigation, I further find:

1. **The incident involving the text messages sent to CHHS students was indeed an isolated one by an individual acting on his own.** Mr. Callahan had been released as an assistant coach at SAHS at least two weeks before the text messages were sent. In addition, when informed of the texts, SAHS administrators took the matter seriously and responded quickly with a thorough investigation and action. Copper Hills Athletic Director Darby Cowles even noted during the May 10 hearing, “I think they (SAHS) have addressed the coach Callahan issue, which was our primary concern.”
2. **Summit Academy High School leaders and full-time coaches are highly cognizant and respectful of abiding by policies and requirements governing coaching conduct including prohibitions on recruitment.** A coaches meeting is held at the beginning of every school year at SAHS where school administrators and the athletic director meet with coaches and review school and coaching policies. SAHS also requires that coaches take the training offered by the UHSAA. All of the coaches interviewed for this report said they had participated in and received training at SAHS at the start of the school years and beginning of each season, and have accessed online training from the UHSAA. Training at SAHS also is provided to assistant coaches, they said. The coaches also have participated in training certification by the National Federation of High Schools. In addition, all of the SAHS head coaches interviewed for this report have a long career history either in coaching at SAHS or other high schools, so they know what is expected of them. “The recruiting rules are clear,” said Coach Ellefsen. In addition, Coach Gray noted that UHSAA itself has approved the eligibility of all transferring students playing sports at SAHS. “We have done our due diligence,” he said.

Coach Gorringer, as SAHS athletic director at the the time, was particularly “a stickler on these issues” of training and coaches’ conduct, Mr. Crandall said. Ms. Harter also noted that coaches and teachers at SAHS are discouraged from texting students at all about social matters, let alone sports. “One of the main things we talk to teachers and coaches about is professionalism,” she said. “I mean you should not be text messaging students. We are very, very clear when we talk about professional boundaries.”

3. **Particular attention is paid by SAHS leaders to provide proper training to coaches and staff involved in sports and activities.** In response to the allegations, SAHS is in the process of adopting a strict General Compliance Policy. According to the policy, any coach, advisor, or volunteer violating its provisions “will be subject to immediate disciplinary action, up to and including termination regarding their association with SAHS.” In addition, the new policy cites specific examples that could be considered recruiting and requires coaches to sign an affidavit that “he or she will abide by the undue influence rule as stated by

UHSAA.” It further states, “Upon termination of one’s coaching career at SAHS, the coach will receive a letter reiterating this section along with a copy of their signed affidavit.”¹⁴

- 4. Penalties imposed by the UHSAA hearing committee will cause damage to Summit Academy High School and its student body.** I spoke with a group of about 40 students enrolled at SAHS during my visit to the school. The group included freshman, sophomores and juniors. Seniors were not represented, as they were busy preparing for graduation ceremonies that were held the next day. All of the students I spoke with were involved in various sports at the school, including tennis, cheer and drill, softball, volleyball, basketball, football, wrestling, cross country, swimming and golf. Most said they had previously been enrolled in Summit Academy schools but several said they had transferred to SAHS from other schools. While involved in sports, not one of the transferring students said they had transferred to SAHS for the sole purpose of playing sports there. Most cited the reasons for their decisions to transfer as: academics, location of the school, friends or other family members who attend the school, amenities such as a dance studio, smaller class sizes and the fact it is a smaller high school. All of the students said they were able to form strong relationships at the school, including with peers and faculty members. They noted the school’s GPA requirements to participate in sports and said school leaders, teachers and counselors have made their academic success a priority. Many of the students said they participate in sports at the school because of the spirit of collegiality and comradery. “They are another family,” one student said. “I have loved being a part of this group.”

Assistant coach Marquez sat in on about the first five minutes of the meeting but was called away at which time there were no other adults in the room while I talked to the students. The students spoke freely and with excitement about their school. The meeting with the students lasted about 20 minutes. Another student said participating in sports at SAHS has provided him with a community. “I am part of a team,” he said.

Separately, Mr. Crandall expressed concern that the UHSAA penalties will negatively impact the school’s ability to attract students. In particular, the UHSAA decision has left the football team in limbo, especially with ninth-graders arriving and summer conditioning coming up. “The ban on postseason play impacts students severely when they did nothing wrong,” Mr. Crandall said. “The kids have been encouraged to do their training and let the adults work it out, but it’s still on everyone’s mind.”

- 5. The penalties imposed by the UHSAA hearing panel are severe, even punitive, and ought to be revised.** “You’re taking a group that has done nothing wrong and punishing them for transgressions that happened in the past,” SAHS parent John Leiter said. “So as a parent, I would not be at all happy with that.” The coaches interviewed for this report also expressed concern about the acknowledged perceptions that charter schools must operate at a higher standard.

¹⁴ The policy is being drafted with the help of Ken Denos, a private attorney and parent whose son plays football at SAHS. It is a strong policy that he expects could be replicated by other charter schools in the state.

Mr. Crandall further noted that it is very difficult to investigate anonymous allegations and rumors. “One thing about the hearing was that there was so much (said) that wasn’t even related to why we were there. They kept talking about these things, and we were thinking, ‘We don’t even know that that happened,’” he said. “That’s what was really strange. It wasn’t really about us. It was about what other people were saying about us.

“This parade of horrors, we never let any of them happen,” he added. “I mean they actually *didn’t* happen. We self-reported. We cooperated. We did what we were supposed to do.”

RECOMMENDATIONS

In conclusion, I would make the following recommendations for SAHS, as well as some suggestions for UHSAA:

- **SAHS** should appeal the hearing committee's decision and ask that UHSAA overturn the decision to ban postseason football play for 2016, as well as the ruling to place all sports for the entire school on probation for two years. Those provisions are damaging and penalize students at the school, who are not at fault, while doing nothing to address the improper conduct of one individual or even the arguable lapse in training that may have occurred at the school level.
- **SAHS** should continue to monitor its training practices for coaches as required by the Utah High School Activities Association to guarantee it is operating with the highest propriety.
- **SAHS** should continue toward implementation of its new compliance standards that have been drafted to make sure all coaching staff, even volunteers and parents, know exactly what is expected of them.
- **UHSAA** should encourage direct communications between schools and coaches, and discourage the engagement in rumors and innuendo.
- **UHSAA** should work to make each of its regions more evenly competitive to prevent demoralizing losing records for certain schools. Copper Hills High School's losing 0-10 football record is unacceptable and not the fault of its coaches or students. Rather, its losing record is endemic to a system that matches powerhouse schools that have many more resources and more affluent student populations to schools that are less advantaged. That is not to say that the system should bend so far the other way so as to create a contrived environment where "everyone gets a trophy," but action must be taken to ensure all schools at least have a fighting chance. To do otherwise runs counter to UHSAA's mission to "improve the participation experience in activities." A formula that takes into account win-loss records may be in order in advance of the upcoming realignment of classifications and regions by the UHSAA Board of Trustees. No school should go an entire season without winning one game. Summit Academy High School officials indicated that they sympathize with CHHS and do not fault them for their desire to help their school, although directing the blame on SAHS is misplaced.
- **UHSAA** should actively work to include charter schools and tamp down on any real or perceived bias, the existence of which committee members acknowledged during the hearing. Charter schools are public schools that educate thousands of students across the state and should not be penalized or held to a higher standard (or placed under a stronger microscope) because of the misconceptions held by some members of the traditional public school community.

untitled

To Whom

To the Summit Academy Administration

My wife and I have two children in the Summit Academy school system. Our daughter is in the high school and our son attends the junior high. Last week, after the news of our football programs' issues in the news, my daughter offered some disappointing news, that several of team members were aware of, about our girls basketball program. ~~Coach Gianni has run the Primo club team for girls for many years. Bailee Leiter was a member of his club teams for the past few years. She started her high school career at Murray, then transferred to Copper Hills, before coming Summit Academy. At the end of the 2014-15 season, Gianni, who was an assistant coach at Summit Academy at the time, began talking to Bailee and her father (John) about attending and playing at Summit Academy. She transferred here at the end of~~ ⁸⁻²⁰⁻¹⁵ ~~last school year. The issue my wife and I have is that coach Gianni went as far as having Bailee and her father move in to the basement apartment of his home, rent free! Then, when Gianni was named head coach, he hired John Leiter to be his assistant coach. Moving into coach Gianni's home also satisfied the change of address that I'm sure the High School Association would require. This type of recruiting is hurtful for our students who have worked hard to gain a spot on the team. Clearly, Bailee did not transfer to Summit for academics, but to play for her longtime club coach and where her dad could coach as well.~~

We will be forwarding this information to the High school Association as well as the Deseret News as this behavior from our coaches is unacceptable. Please also understand that our daughter still attends the high school and plays basketball, so we will keep this letter to the school anonymous as we are well aware of repercussions from coaches who feel they were tattled on.

Thank you for your time and attention on this matter