

# 2017 Sports Law Year-In-Review

By Lee Green, J.D. on December 19, 2017

hst

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## Legal Issues in Athletics Administration

Over the course of the year, lawsuits were filed, court cases were decided, legislation was enacted, administrative agency rulings were released, state athletic association decisions were issued and other legal pronouncements were handed down impacting school sports programs. In each instance, the principles established illustrate the importance for school administrators and athletics personnel of understanding contemporary issues in sports law and proactively applying that knowledge to policy development and day-to-day management of their athletics programs.

## Liability for Sports Injuries

In August 2017, in *Elias v. Winnetonka High School & Davis*, the Missouri Court of Appeals reversed a lower court dismissal of the lawsuit and ordered a full jury trial in the case of a high school football player who sustained multiple injuries, including a broken ankle, when ~~one of his team's assistant coaches participated in a full contact scrimmage~~ with the high school players. Although the lower court applied statutory immunity to shield the school and its athletics personnel from liability for ordinary negligence related to the decision to allow an adult of significantly greater size, strength, skill and experience than the high schoolers to participate against them head-to-head, the Court of Appeals noted that statutory immunity does not block liability for gross negligence or intentional torts and that the case should go to a jury for a determination of whether the participation of the coach was so reckless as to constitute gross negligence or possibly even the intentional torts of assault and battery. The ruling illustrates the standard of practice that schools and athletics personnel have a duty to provide proper technique instruction to student-athletes and that allowing the participation of adults or others who might foreseeably injure young athletes violates baseline standards of reasonable care. The decision also illustrates the limitations of the statutory immunity doctrine and the principle that schools and athletics personnel should not assume that the doctrine will in all situations shield them from liability for an injury to a student-athlete.

In June 2017, in *Ludman v. Davenport Assumption High School*, the Iowa Supreme Court ordered a new trial in a case involving a 2015 jury verdict that ~~inadequate dugout screening~~ was 70 percent responsible for \$1.5 million of damages sustained by a high school baseball player who suffered a fractured skull when hit by a line drive foul ball while standing in the dugout, a determination that under the



# CENTRAL COAST SECTION TRACK & FIELD



Organizational Meeting  
January 10, 2018

- I. Welcome & Introductions
- II. Approval of Agenda
  - A. Additions to Agenda
  - B. Approval of Agenda
- III. Review of Tournament Guide Dates
  - A. Meets:
    - *Semifinals*: Saturday, May 19, 2018
    - *Finals*: Friday, May 25, 2018
  - B. State Meet Dates:
    - *Trials*: Friday, June 1, 2018 @ Buchanan HS, Clovis
    - *Finals*: Saturday, June 2, 2018 @ Buchanan HS, Clovis
  - C. Evaluation Meeting: Monday, June 4, 2018, 4 pm  
(if necessary/possible conference call meeting)
- IV. CCS Meet
  - A. Participating School Sheet – check for accuracy
  - B. Review By-laws
    - Tournament Guide changes of note
    - Number of entries from each league
    - CCS At-large times
    - League responsibilities-meet officials
  - C. Site: Gilroy High School  
Meet Director: Steve Filios  
Seeding & Results: Mark McConnell
  - D. Meet/ time schedule
    - Semifinals: Field events: 10:00 Track events: 11:00 (discussion item)
    - Finals: Field events: 4:00 pm; Running events: 6:00 pm
  - E. Admission
    - **Please remind runners, parents, and other interested folks that there is an entrance charge & parking charge for the CCS Meets**
    - Admission for Coaches/Athletes

## F. Other Items

- Warm-up area
- Award Procedure
- Medals & Participation Certificates
- T-shirt availability – at least **5 days ahead** (credit card sales at the meet)
- Patch availability - anytime
- Other items of concern

## V. Additional information

### A. Sanctioned invitational meets

1. Implement certification
2. Wind gauges

### B. League meet schedule & host

### C. NFHS Rule changes

### D. Coach accompanying athletes (CIF rules)

### E. 2018-19 CIF Calendar (reminder)

1. CCS Meets:
  - Semifinals: Saturday, May 11, 2019
  - Finals: Friday, May 17, 2019
2. CIF State Meet:
  - Trials: Friday, May 24, 2019
  - Finals: Saturday, May 25, 2019

## VI. Items added to agenda

## VII. Adjournment

**CENTRAL COAST SECTION  
2017 TRACK & FIELD CHAMPIONSHIPS  
League Responsibilities**

<u><b>EVENT</b></u>	<u><b>MINIMUM # OF PEOPLE NEEDED</b></u>	<u><b>EQUIPMENT NEEDED</b></u>	<u><b>LEAGUE RESPONSIBILITY</b></u>
<b>LONG JUMP - GIRLS</b>	6 total (head official, 2 for measuring, 2 on rakes, 1 to operate "performance sign")	Measuring tape, pencils <i>CCS provides: rakes, shovel, cones, flag, clipboard, wind gauge and instructions</i>	<b>WVAL</b>
<b>LONG JUMP - BOYS</b>	6 total (head official, 2 for measuring, 2 on rakes, 1 to operate "performance sign")	Measuring tape, pencils <i>CCS provides: rakes, shovel, cones, flag, clipboard, wind gauge and instructions</i>	<b>MTAL</b>
<b>HIGH JUMP</b>	3 (head official, 2 to place bar, operate "performance sign" and help measure the bar)	Measuring tape, pencils <i>CCS provides: crossbar, clipboard and instructions</i>	<b>SCVAL with USATF official</b>
<b>DISCUS - GIRLS</b>	6 total (head official, 2 for measuring, 2 spotters, 1 to operate "performance sign")	Back up measuring tape, pencils <i>CCS provides: measuring device, broom, clipboard and instructions</i>	<b>STAL</b>
<b>DISCUS - BOYS</b>	6 total (head official, 2 for measuring, 2 spotters, 1 to operate "performance sign")	Back up measuring tape, pencils <i>CCS provides: measuring device, broom, clipboard and instructions</i>	<b>WBAL</b>
<b>POLE VAULT - GIRLS</b>	3 (head official, 2 to place bar & move standards, operate "performance sign" and help measure the bar)	Measuring tape, pencils <i>CCS provides: crossbar, clipboard and instructions</i>	<b>WCAL</b>
<b>POLE VAULT - BOYS</b>	3 (head official, 2 to place bar & move standards, operate "performance sign" and help measure the bar)	Measuring tape, pencils <i>CCS provides: crossbar, clipboard and instructions</i>	<b>MBL-Gabilan</b>
<b>SHOT PUT - GIRLS</b>	6 total (head official, 2 for measuring, 2 spotters, 1 to operate "performance sign")	Measuring tape, pencils <i>CCS provides: broom, clipboard and instructions</i>	<b>SCCAL with USATF Official</b>
<b>SHOT PUT - BOYS</b>	6 total (head official, 2 for measuring, 2 spotters, 1 to operate "performance sign")	Measuring tape, pencils <i>CCS provides: broom, clipboard and instructions</i>	<b>MHAL with USATF Official</b>
<b>TRIPLE JUMP - BOYS</b>	6 total (Head official, 2 for measuring, 2 on rakes, 1 to operate "performance sign")	Measuring tape, pencils <i>CCS provides: rakes, shovel, cones, flag, clipboard, wind gauge and instructions</i>	<b>PAL</b>
<b>TRIPLE JUMP - GIRLS</b>	6 total (Head official, 2 for measuring, 2 on rakes, 1 to operate "performance sign")	Measuring tape, pencils <i>CCS provides: rakes, shovel, cones, flag, clipboard, wind gauge and instructions</i>	<b>MBL-Paciific</b>
<b>TURN JUDGES / INSPECTORS</b>	<i>Needed for all races except 100m</i> Insure that: - in the 4x100 relay: relay exchanges are made in the zone - in the 800, 1600 and 3200 : runners do not impede or foul - In the 800 & 4x400 relay(2 <sup>nd</sup> runner): insure compliance with break-line (WCAL & MHAL inspectors) - in 200, 300H, 400, 800 (1 <sup>st</sup> turn) inspect for lane line violations - In 300H inspect for trail leg violations over hurdle - in the 100/110m hurdles inspect for fouls (SCVAL & TCAL inspectors)	<i>CCS provides: flag, clipboard and instructions</i>	<b>MHAL(2):</b> beginning & end of relay zone 1 <b>WCAL(1):</b> end of relay zone 1 <b>WBAL(2):</b> one at 150m mark, one at beginning of relay zone 2 <b>PAL(2):</b> end of relay zone 2 <b>SCVAL(2):</b> beginning & end of relay zone 3 <b>MBL-Gabilan (1):</b> end of relay zone 3 / 350m mark
<b>HURDLE CREW</b>	8-10 people	<i>CCS provides: hurdles</i>	<b>WCAL</b>



# CIF/CENTRAL COAST SECTION

## CONFERENCE & LEAGUE ALIGNMENT BY SPORT

### 2017-2018

### TRACK & FIELD

<u>BVAL</u>			<u>SCVAL</u>		<u>PAL</u>		
<u>MT. HAMILTON</u>	<u>SANTA TERESA</u>	<u>WEST VALLEY</u>	<u>DEANZA</u>	<u>EL CAMINO</u>	<u>Bay</u>	<u>Ocean</u>	<u>Lake</u>
Branham	Evergreen Valley	Andrew Hill	Gunn	Cupertino	Aragon	Burlingame	El Camino
Leigh	James Lick	Del Mar	Los Altos	Fremont	Carlmont	Capuchino	Jefferson
Leland	Lincoln	Gunderson	Los Gatos	Homestead	Menlo-Atherton	Half Moon Bay	Oceana
Mt. Pleasant	Oak Grove	Independence	Lynbrook	Monta Vista	Mills	Hillsdale	San Mateo
Santa Teresa	Piedmont Hills	Live Oak	Milpitas	Santa Clara	Sequoia	Terra Nova	So. San Francisco
Silver Creek	Pioneer	Overfelt	Mountain View	Saratoga	Westmoor	Woodside	
Westmont	Prospect	San Jose	Palo Alto	Wilcox			
Willow Glen	Sobrato	Yerba Buena					

<u>WCAL</u>	<u>MTAL</u>	<u>WBAL</u>	<u>SCCAL</u>	<u>Gabilan</u>	<u>MBL</u>
Archbishop Mitty	Anzar	Castilleja	Aptos		<u>Pacific</u>
Arch. Riordan (B)	Carmel	Crystal Springs	Harbor		Christopher
Bellarmino (B)	Georgiana Bruce Kirby	Eastside Col. Prep	Mt. Madonna	Gabilan	Gilroy
Junipero Serra (B)	Gonzales	Harker School	San Lorenzo Vly	Alisal	Monterey
Presentation (G)	Greenfield	Harker School	Santa Cruz	Everett Alvarez	Monterey
Sacred Heart Cath	King City	King's Academy	Scotts Valley	North Monterey Co.	Monte Vista Christian
St. Francis	Marina	Menlo	St. Francis SCP	North Salinas	Pajaro Valley
St. Ignatius	Oakwood	Mercy-Burlingame	Soquel	Notre Dame-Sal.(G)	Pajaro Valley
Valley Christian	Pacific Collegiate	Mercy-San Francisco		Palma (B)	Seaside
	Pacific Grove	Notre Dame- Bel (G)		Salinas	Watsonville
	Pacific Point	Notre Dame-SJ		San Benito	
	Santa Catalina (G)	Nueva			
	Soledad	Pinewood			
	Stevenson	Priory			
	Trinity Christian	Sacred Heart Prep			
	York				

**INDEPENDENT:** (not confirmed) *Not eligible for CCS Championships:* Downtown College Prep, Kehillah Jewish, Latino College Prep, Thomas More, University Prep Academy

**ASSOCIATE MEMBERS (19) – not eligible for CCS championship meets:**

- |  |   |   |
|--|---|---|
| Ace Charter<br>Alto International School<br>Alpha: Cindy Avitia HS<br>Apostles Lutheran<br>BASIS Independent Silicon Valley<br>CEIBA College Prep Academy<br>Cristo Rey San Jose | Denali – Summit Public Schools<br>East Palo Alto Academy<br>East Palo Alto Phoenix Academy<br>Everest Public<br>German International School of Silicon Valley<br>Luis Valdez Leadership Academy | Monterey Bay Academy<br>Roberto Cruz Leadership Academy<br>St. Abraham's Classic Christian Academy<br>Summit Public HS-Rainer<br>Summit Public HS-Tahoma<br>Waldorf HS of the Peninsula |
|--|---|---|



# CENTRAL COAST SECTION Sanctioned Tournaments/Meets Spring 2018



## TOURNAMENT DIRECTORS—ALERT!

*By hosting a tournament schools agree to insure that all CIF, CCS and NFHS rules and regulations are followed. The approval of your tournament is contingent upon your signature affirming that you intend and are responsible to insure that every aspect of your tournament will be run in compliance with all NFHS, CIF and CCS rules and regulations.*

**MEMBERS OF DIFFERENT SCHOOL TEAMS MAY NOT COMPETE ON A "JOINT" TEAM AT ANY TIME IN ANY TYPE OF CONTEST.** If a school is deficient in the minimum number of players required to play in a contest, you may not allow players from another school to play with them in order to make up that deficiency. You may not allow such a team to forfeit and then play the contest anyway or by calling it a scrimmage or something else. Scrimmages are NOT part of a tournament and should not be considered as a solution to allow a team, otherwise unqualified or ineligible to play per NFHS, CIF or CCS rules in your tournament. However well-intentioned such actions might be, they are a very serious violation of several rules and will result in sanctions against all schools involved (both schools from the combined teams and the schools that play them AND it will jeopardize the future conduct of the tournament at which this is allowed).

<u>Name of Tournament</u>	<u>Host School</u>	<u>Sport</u>	<u>Gender</u>	<u>Level</u>	<u>Tournament Dates</u>	<u>Application Received</u>	<u>Last reviewed</u>	<u>STATUS</u>	<u>Counts as</u>	<u>Minimum #</u>	<u>Maximum #</u>
<b>Track &amp; Field</b>											
Alisal Invitational	Alisal	T&F	B/G	V/JV-FS	4/28	12/7	12/8	approved	1	1	1
Santa Cruz Coast Relays	Aptos	T&F	B/G	V	3/3	11/27	11/27	approved	1	1	1
Aragon Don Invitational Track & Field Meet	Aragon	T&F	B/G	V/F-S	4/7	11/16	11/16	approved	1	1	1
K-Bell Track & Field Classic	Bellarmine	T&F	B/G	VB/VG/ FSB	3/10	11/7	11/8	approved	1	1	1
"Garlic Classic"/Don Christopher Track Inv.	Christopher	T&F	B/G	V/F-S	3/17	9/2	9/4	approved	1	1	1
Cupertino HS/DeAnza College Invitational	Cupertino	T&F	B/G	V/F-S	3/24	9/25	9/26	approved	1	1	1
Firebird Relays	Fremont	T&F	B/G	V/F-S	3/31	10/6	10/10	approved	1	1	1
Mustang Multis	Gilroy	T&F	B/G	VB/VG/ FSB	3/3	6/10	6/12	approved	1	1	1
Avis Kelley Invitational	Gilroy	T&F	B/G	VB/VG/ FSB	3/24	6/10	6/12	approved	1	1	1
Spartan Jumpers & Throwers Meet	Gonzales	T&F	B/G	V/F-S	3/3	4/7	4/10	approved	1	1	1
Serra Throwers Meet	Junipero Serra	T&F	B/G	V/F-S	3/24	12/7	12/8	approved	1	1	1
Serra Top 7 Invitational	Junipero Serra	T&F	B/G	V/JV-FS	4/14	11/17	11/22	approved	1	1	1
King City Invitational	King City	T&F	B/G	V/JV/FS	3/24	10/27	11/2	approved	1	1	1
Don Bell Quicksilver Classic	Leland	T&F	B/G	V/F-S	4/7	11/20	11/22	approved	1	1	1





## CENTRAL COAST SECTION Sanctioned Tournaments/Meets Spring 2018



<u>Name of Tournament</u>	<u>Host School</u>	<u>Sport</u>	<u>Gender</u>	<u>Level</u>	<u>Tournament Dates</u>	<u>Application Received</u>	<u>Last reviewed</u>	<u>STATUS</u>	<u>Counts as</u>	<u>Minimum # of</u>	<u>Maximum # of</u>
Top 8 Track Classic	Los Gatos	T&F	B/G	BV/GV/ BFS	4/21	12/8	12/9	approved	1	1	1
Mills Invitational	Mills	T&F	B/G	V/FS	4/28	11/28	11/29	approved	1	1	1
Rustbuster Invitational	Monta Vista	T&F	B/G	V/F-S	3/3	5/25	5/31	approved	1	1	1
NMC O-Condon Invitational	No. Monterey Co	T&F	B/G	V	4/6	10/17	10/19	approved	1	1	1
North Salinas Time Trials	North Salinas	T&F	B/G	V	3/3	12/5	12/8	approved	1	1	1
Freshman Focus Invitational	North Salinas	T&F	B/G	Fr	3/16	12/5	12/8	approved	1	1	1
North Salinas Invitational & Relays	North Salinas	T&F	B/G	V/FS	4/7	12/5	12/8	approved	1	1	1
Royal Relays	Overfelt	T&F	B/G	VB/VG/ FSB	3/31	11/29	11/30	approved	1	1	1
50th Annual Rotary T&F Invitational	Pacific Grove	T&F	B/G	V/FS	4/7	8/1	8/4	approved	1	1	1
Castilleja-Stanford T&F Invitational	Castilleja	T&F	B/G	V	3/30-3/31	12/20	1/10	approved	1	1	1
Bill Kearney Invitational	Salinas	T&F	B/G	V/FS	4/21	11/1	11/2	approved	1	1	1
Bearcat Invitational	San Mateo	T&F	B/G	V/FS	4/14	12/10	12/11	approved	1	1	1
Knights Invite	Soquel	T&F	B/G	V	new date 4/13 4/44	11/2	12/21	approved	1	1	1
St. Francis Track & Field Invitational	St. Francis	T&F	B/G	VB/VG/ FSB/JV	3/17	10/17	10/18	approved	1	1	1
Wildcat Frosh/Soph Invitational	St. Ignastius	T&F	B/G	F/S	3/3	11/3	11/3	approved	1	1	1
TKA Track & Field Invitational	The Kings Acad.	T&F	B/G	V/FS	3/10	11/27	1/27	approved	1	1	1
Winter Time Trials	Watsonville	T&F	B/G	V/JV	3/2	10/19	10/19	approved	1	1	1
Wildcat Relays	Watsonville	T&F	B/G	V/JV	3/10	10/19	10/23	approved	1	1	1
Willow Glen Track Invitational	Willow Glen	T&F	B/G	V/FS	3/3	10/13	10/13	approved	1	1	1

**CENTRAL COAST SECTION  
2018  
Track Field At-large Standards**

<b><u>Boys</u></b>	<b><u>2015</u></b>	<b><u>2016</u></b>	<b><u>2017</u></b>	<b><u>Avg.</u></b>	<b><u>2018</u></b>						
100	11.03	11.22	11.07	11.107	11.11						
200	22.41	22.74	22.79	22.647	22.65						
400	51.24	50.5	50.69	50.810	50.81						
800	01:56.37	01:58.82	01:59.12	01:58.103	1:58.11						
1600	04:23.10	04:25.07	04:22.35	04:23.507	4:23.51						
3200	09:32.70	09:36.41	09:49.35	09:39.487	9:39.48						
110HH	15.47	15.36	15.54	15.457	15.46						
300IH	40.28	40.19	40.99	40.487	40.49						
400R	43.53	43.65	43.26	43.480	43.48						
1600R	3:27.91	3:26.81	3:27.55	03:27.423	3:27.43						
						<u>2015 in inches</u>	<u>2016 in inches</u>	<u>2017 in inches</u>	<u>avg in inches</u>	<u>avg in feet</u>	<u>avg in ft/in</u>
LJ	21'00.5	21'01.75	21'00.25	see right	21'1	252.5	253.75	252.25	252.833	21.06944	21'1
TJ	42'04	43'05	43'07.25	see right	43'1	508	521	523.25	517.417	43.11806	43'1
HJ	6'2	6'1	5'11	see right	6'0	74	73	71	72.667	6.055556	6'0.5
PV	13'6	12'6	13'0	see right	13'0	162	150	156	156.000	13	13'0
Shot	47'00	48'7	50'3	see right	48'7	564	583	603	583.333	48.61111	48'7
Disc	142'03	146'02	141'0	see right	143'1	1707	1754	1692	1717.667	143.1389	143'1



**CENTRAL COAST SECTION  
2018  
Track Field At-large Standards**

<b><u>Girls</u></b>	<b><u>2015</u></b>	<b><u>2016</u></b>	<b><u>2017</u></b>	<b><u>Avg.</u></b>	<b><u>2018</u></b>						
100	12.34	12.71	12.44	12.49666667	<b>12.50</b>						
200	25.47	25.95	25.64	25.68666667	<b>25.69</b>						
400	59.45	58.46	59.14	59.01666667	<b>59.02</b>						
800	02:16.42	02:19.51	2:19.75	02:18.560	<b>2:18.56</b>						
1600	05:05.00	05:08.06	05:19.13	05:10.730	<b>5:10.73</b>						
3200	11:12.49	11:13.24	11:48.48	11:24.737	<b>11:24.74</b>						
100HH	15.62	15.79	15.7	15.70333333	<b>15.71</b>						
300LH	46.96	47.59	46.96	47.17	<b>47.17</b>						
400R	49.08	49.71	49.65	49.48	<b>49.48</b>						
1600R	04:04.48	04:06.27	04:04.80	04:05.183	<b>4:05.19</b>						
						<u>2015 in inches</u>	<u>2016 in inches</u>	<u>2017 in inches</u>	<u>avg in inches</u>	<u>avg in feet</u>	<u>avg in ft/in</u>
LJ	16'9	17'5	17'3	see right	<b>17'1</b>	201	209	207	205.667	17.13889	17'1.
TJ	36'2.5	35'3	36'9	see right	<b>36'0</b>	434.5	423	441	432.833	36.06944	36'0
HJ	5'2	5'2	5'2	see right	<b>5'2</b>	62	62	62	62.000	5.166667	5'2
PV	10'6	11'6	10'6	see right	<b>10'10</b>	126	138	126	130.000	10.83333	10'10
Shot	36'10	38'03	36'07	see right	<b>37'2</b>	442	459	439	446.667	37.22222	37'2
Disc	113'6	117'02	114'03	see right	<b>114'11</b>	1362	1406	1371	1379.667	114.9722	114'11

**CENTRAL COAST SECTION  
Track Field Championships  
2018 LEAGUE ENTRIES**

1/12/2018

<b>GIRLS LEAGUES</b>	<b>LG. ENROLLMENT</b>	<b>FORMULA TOTAL</b>	<b>AUTO ENTRIES</b>	<b>NO ADD'L ENTRIES TO FILL 32</b>	<b>TOTAL LG. ENTRIES</b>
BVAL	42,649	8.736	8		8
MBL	25,222	5.166	5		5
MTAL	8,796	1.802	2		2
PAL	25,401	5.203	5		5
SCCAL	6,559	1.343	2		2
SCVAL	29,942	6.133	6		6
WBAL	8,082	1.655	2		2
WCAL	9,580	1.962	2		2
<b>TOTAL</b>	<b>156,231</b>		<b>32</b>		<b>32</b>
<b>BOYS LEAGUES</b>	<b>LG. ENROLLMENT</b>	<b>FORMULA TOTAL</b>	<b>AUTO ENTRIES</b>	<b>NO ADD'L ENTRIES TO FILL 32</b>	<b>TOTAL LG. ENTRIES</b>
BVAL	42,649	8.810	8		8
MBL	25,552	5.278	5		5
MTAL	8,344	1.724	2		2
PAL	25,401	5.247	5		5
SCCAL	6,559	1.355	2		2
SCVAL	29,942	6.185	6		6
WBAL	3,964	0.819	2		2
WCAL	12,507	2.583	2		2
<b>TOTAL</b>	<b>154,918</b>		<b>32</b>		<b>32</b>
<i>Changes in enrollments for 2017-18 have provided no changes from 2016-17</i>					

**FORMULA:** LG. ENROLLMENT DIVIDED BY SECTION ENROLLMENT, MULTIPLIED BY 32



**CIF/CENTRAL COAST SECTION**

333 Piercy Road  
 San Jose CA 95138  
 408-224-2294  
 www.cifccs.org

**2018-19 Start Dates & End Dates**

*This reflects the Calendar changes passed at the CCS BOM Meeting in April 2018*

Beginning of Summer	1 <sup>st</sup> Saturday in June		June 2, 2018
End of Summer	Sunday	NFHS week #4	July 22, 2018
Dead Period-1 week for all Sports No contact between coaches and athletes	Monday-Sunday	NFHS week #4/5	July 23-29, 2018
Limited Dead Period for all Sports	Limitations in CCS Bylaw Article V		July 30-August 2, 2018
Fall-1 <sup>st</sup> Day of Practice	Friday	NFHS week 5	August 3, 2018
Fall-1 <sup>st</sup> Day of Scrimmages	Friday	NFHS week 7	August 17, 2018
Fall-1 <sup>st</sup> Day of Contests	Thursday	NFHS week 8	August 23, 2018
Fall-End of League Season	Girls Golf	NFHS week 17	October 25, 2018
	Field Hockey	NFHS week 17	October 27, 2018
	Girls Volleyball	NFHS week 17	October 24, 2018
	Water Polo	NFHS week 17	October 27, 2018
	Girls Tennis	NFHS week 18	November 2, 2018
	Cross Country	NFHS week 18	November 3, 2018
	Football	NFHS week 18	November 3, 2018
Winter 1 <sup>st</sup> Day of Practice	Monday	NFHS week 18	October 29, 2018
Winter 1 <sup>st</sup> Day of Scrimmage	Monday	NFHS week 20	November 12, 2018
Winter 1 <sup>st</sup> Day of Contests	Monday	NFHS week 21	November 19, 2018
Winter-End of League Season	Basketball	NFHS week 33	February 12, 2019
	Soccer	NFHS week 33	February 13, 2019
	Wrestling	NFHS week 32	February 9, 2019
Spring 1 <sup>st</sup> Day of Practice	Monday	NFHS week 31	January 28, 2019
Spring 1 <sup>st</sup> Day of Scrimmage	Monday	NFHS week 33	February 11, 2019
Spring 1 <sup>st</sup> Day of Contests	Monday	NFHS week 34	February 18, 2019
Spring-End of League Season	Boys Golf	NFHS week 44	May 2, 2019
	Boys Tennis	NFHS week 44	April 29, 2019
	Boys Volleyball	NFHS week 44	May 3, 2019
	Badminton	NFHS week 44	May 4, 2019
	Swimming	NFHS week 43	April 27, 2019
	Baseball	NFHS week 45	May 11, 2019
	Gymnastics	NFHS week 45	May 11, 2019
	Lacrosse	NFHS week 45	May 11, 2019
	Softball	NFHS week 45	May 11, 2019
	Track & Field	NFHS week 44	May 4, 2019
CCS Semifinals	Track & Field	NFHS week 45	May 11, 2019
CCS Finals	Track & Field	NFHS week 46	May 17, 2019
CIF State Meet	Track & Field	NFHS week 47	May 24-25, 2019
Beginning of Summer	1 <sup>st</sup> Saturday in June		June 1, 2019
End of Summer	Sunday	NFHS week #4	July 21, 2019
Dead Period-1 week for all Sports No contact between coaches and athletes	Monday-Sunday	NFHS week #4/5	July 22-28, 2019
Limited Dead Period for all Sports	Limitations in CCS Bylaw Article V		July 29, 2019-Aug. 1, 2019



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## CIF/Central Coast Section Track & Field Bylaws



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### Section 1. SCHEDULED MEETINGS

- A. *Organizational:* **WEDNESDAY, JANUARY 10, 2018 @ CCS Office, 7:00 PM**  
 B. *Evaluation:* **MONDAY, JUNE 4, 2018 @ CCS Office, 4:00 PM**

### SECTION 2. MEET DATES

*The 2018 CCS Track & Field Championships are scheduled as follows:*

*Semi-Finals:* **SATURDAY, MAY 19, 2018**  
*Finals:* **FRIDAY, MAY 25, 2018**

**SITES:** The CCS Commissioner and/or staff shall be responsible for all contracts for sites used during the CCS Play-offs. The CCS Commissioner and/or staff have sole authority to schedule or cancel sites, as well as full discretion as to the assignment or re-assignment of teams to times and sites throughout the CCS Play-offs. The CCS Commissioner and/or staff have the final authority in any disputes over sites or times of play, and the decision of the CCS Commissioner is not subject to appeal, due to the immediacy of running the Tournament for the good of the whole. Neutral sites are not a policy of the CCS and should not be expected in any rounds of play. Sites will be assigned by the CCS for the good of the Tournament.

### Section 3. QUALIFYING FROM LEAGUE MEETS TO SEMI-FINAL MEET

- A. There will be 32 qualifiers to the CCS Semi-Final Meet, determined as follows:
1. Each League/Division will have at least two (2) Automatic Qualifiers.
  2. The remaining qualifiers to equal 32 will be divided among the Leagues, using the following formula:
    - a. The combined total enrollment for each League (current year's grade 9-12 CBEDS enrollment figures for all schools competing in Track & Field) will be divided by the total Section enrollment (current year's grade 9-12 CBEDS enrollment figures for all schools competing in Track & Field); then multiplied by 32;
    - b. The derived value in **A.-2.-a.** above must be a whole number. No rounding up of decimals will apply under **A.-2.-a.**
    - c. No league will have more than eight (8) automatic qualifiers.
  3. If there are less than 32 qualifiers after implementing steps **A.-1.** and **A.-2.** above, one (1) additional qualifier will be awarded to each League, in ranked order, until all 32 qualifiers have been determined.
    - a. The Leagues will be ranked according to the decimal portion of the number computed in **A.-2.** above.
    - b. In the event that two (2) or more Leagues' decimal portions are the same, a coin toss will determine which is awarded the higher rank.
  4. League entries will be up-dated at the Track & Field Committee's Organizational meeting in **January**, then posted shortly thereafter on the CCS web-site ([www.cifccs.org](http://www.cifccs.org)).
- B. Only athletes (including relay teams) who qualify by performance and finish in their respective final League event which qualifies athletes to the CCS Semi-Finals at the Varsity level may go on to the Semi-Final Meet.
1. Any competitor who is disqualified from an event in his/her final League event which qualifies athletes to the CCS Semi-Finals at the Varsity level may not advance in that event to the Semi-Final Meet.
- C. Qualifiers from League or CCS Championship Track & Field Meets may advance to the next post-season meet regardless of school affiliation. (This rule supersedes the limit of three [3] entrants from the same school contained in the **NF** Track & Field Rulebook.)
- D. When two [2] or more basic Leagues join together to form two [2] or more supplemental Leagues, the following shall apply:

1. When two [2] or more supplemental Leagues are formed by the joining of two [2] or more basic Leagues that each had one [1] or more Automatic Qualifiers to the CCS Tournament, the new supplemental Leagues shall retain the total of their previous Automatic Qualifiers (e.g., basic League A and B each have one [1] Automatic Qualifier. When the new supplemental Leagues are formed, combining A and B, they will have a total of two [2] Automatic Qualifiers.).
2. The League Board of Managers having governance authority over the supplemental Leagues shall determine in its bylaws how those Automatic Qualifiers will be allocated from the supplemental Leagues. In the absence of a basic League tournament to determine Section qualifiers, they MUST allocate an automatic berth to each of the supplemental League Champions.

**E. AT-LARGE ENTRIES**

1. At-large entries into the CCS Semi-Finals are available to qualifying athletes. If an athlete does not automatically qualify for the CCS Semi-Finals but his/her mark from their performance at the final League event which qualifies athletes to the CCS Semi-Finals at the Varsity level is equal to or better than the average of the eighth (8<sup>th</sup>) place qualifying mark to the CCS Finals from the three [3] most recent years, then that athlete will be added to the CCS Semi-Final competition. This provision is for all events, including relays.

**2018 CCS AT-LARGE ENTRY STANDARDS**

<b>Boys:</b>							
<b>100</b>	11.11	<b>1600</b>	4:23.51	<b>400R</b>	43.48	<b>HJ</b>	6'0
<b>200</b>	22.65	<b>3200</b>	9:39.48	<b>1600R</b>	3:27.43	<b>PV</b>	13'0
<b>400</b>	50.81	<b>110HH</b>	15.46	<b>LJ</b>	21' 01	<b>Shot Put</b>	48'07
<b>800</b>	1:58.11	<b>300IH</b>	40.49	<b>TJ</b>	43'01	<b>Discus</b>	143'01
<b>Girls:</b>							
<b>100</b>	12.50	<b>1600</b>	5:10.73	<b>400R</b>	49.48	<b>HJ</b>	5'02
<b>200</b>	25.69	<b>3200</b>	11:24.74	<b>1600R</b>	4:05.19	<b>PV</b>	10'10
<b>400</b>	59.02	<b>110HH</b>	15.71	<b>LJ</b>	17'01	<b>Shot Put</b>	37'02
<b>800</b>	2:18.56	<b>300LH</b>	47.17	<b>TJ</b>	36'00	<b>Discus</b>	114'11

2. At-Large entries will be allowed in the 800, 1600 and 3200; however, extra heats will not be created.

**F. LEAGUE RESULTS**

1. League Representatives must submit their final League entries, after removing all scratches and inserting all alternates from their League, to the CCS Office and the Semi-Final Results Director by 9:00am, on the Tuesday prior to the CCS Semi-finals.
2. Once League entries are submitted for the CCS Semi-Final Meet, alternates will not replace scratched athletes.
3. League entries, from League Qualifying Meets, are to be submitted electronically, via e-mail as described in the CCS Track & Field Participant Information Bulletin and also as posted on the CCS web site.

**Section 4. QUALIFYING FROM SECTION SEMI-FINALS TO SECTION FINALS**

**A. RUNNING EVENTS**

1. **Running Events (except the 800 m, 1600m and 3200m):** Eight [8] finalists. Winners of each heat, plus the next fastest, qualify for the Finals.
2. **800 m:** Three (3) equal heats using alley starts. Twelve athletes will advance following the current CIF State Meet formula for advancement.
3. **1600m:** Two [2] equal heats. Top four (4) finishers in each heat, plus the next four (4) fastest, qualify for the Finals.
4. **3200m:** Two [2] equal heats. Top four (4) finishers in each heat, plus the next four (4) fastest, qualify for the Finals.

**B. FIELD EVENTS**

1. **Long Jump, Triple Jump, Shot Put, and Discus:** Four [4] attempts. The top twelve (12) qualify for the Finals. Semifinal marks do not carry over to the finals. The twelve (12) qualifiers from the semifinals will be given three trials at the finals. The competitors with the eight (8) best marks will be given three additional trials.
2. **High Jump and Pole Vault:** The Games Committee will determine whether meet logistics will allow for the events to be conducted to completion. The twelve [12] competitors with the best marks will advance to the Finals. Normal NFHS tie breaking rules will be used to advance to finals. When competition is complete, the area will be closed and no further practice will be allowed.

**Section 5. QUALIFYING FROM SECTION FINALS TO STATE MEET**

- A. CCS qualifies three [3] in each event to the State CIF Meet.
- B. There is no provision for granting hardship exemption from competing in the Section Semi-Finals and Finals Meets.

An athlete **MUST** compete in the CCS Meet to qualify for the State Meet.

### C. AT-LARGE ENTRIES

An athlete shall earn an At-Large entry into the State Meet if his/her mark at the Section Finals is equal to or better than the average of the 9th-place qualifying marks to the State Meet Finals from the three [3] most recent years ([CIF By-Law 2802](#)).

#### 2018 STATE CIF AT-LARGE ENTRIES

<b>Boys:</b>							
<b>100</b>	10.75	<b>1600</b>	4:14.73	<b>400R</b>	41.81	<b>HJ</b>	6' 06
<b>200</b>	21.80	<b>3200</b>	9:08.89	<b>1600R</b>	3:19.12	<b>PV</b>	14' 09
<b>400</b>	48.37	<b>110HH</b>	14.35	<b>LJ</b>	22' 04	<b>Shot Put</b>	54' 04
<b>800</b>	1:54.68	<b>300IH</b>	38.17	<b>TJ</b>	45' 11	<b>Discus</b>	168' 11
<b>Girls:</b>							
<b>100</b>	11.94	<b>1600</b>	4:56.02	<b>400R</b>	47.46	<b>HJ</b>	5' 04
<b>200</b>	24.17	<b>3200</b>	10:34.21	<b>1600R</b>	3:50.42	<b>PV</b>	11' 11
<b>400</b>	55.50	<b>110HH</b>	14.21	<b>LJ</b>	18' 02	<b>Shot Put</b>	40' 10
<b>800</b>	2:10.86	<b>300LH</b>	43.48	<b>TJ</b>	38' 04	<b>Discus</b>	134' 05

## Section 6. SEEDING PROCEDURES

### A. RUNNING EVENTS REQUIRING TRIAL

- Equal heats will be formed. Heat winners, plus the next fastest times, qualify for the Finals. (League Champions and Heat winners are not "protected" in the seeding process. Athletes are seeded by time or mark.)
- Semi-Final winners will be seeded by time.
- Lanes in heats will be assigned in accordance with the NFHS rules by the games committee.
- Stagger-Start:** In the Section Meet, the stagger-start for all running events, except the 800m, 1600m and 3200m, will be the same as used at the current year's CIF State Meet.
- Alley-Start:** In the Section Meet, the alley-start will be used for the 800m, 1600m and 3200m. Seeding for these races will be the same as used for the CIF State Meet.

### B. FIELD EVENTS

#### 1. Shot Put, Discus, Long Jump & Triple Jump:

- Athletes will be seeded on the basis of League qualifying marks, with the best mark last, broken into an equal number of competitors in each flight. Each flight will take four [4] attempts before moving to the next flight. The top flight in all cases will be last.
- The twelve [12] best will advance to the Finals.
- In the event of a perfect tie, all competitors will advance in that event.
- At the Section Finals, the athletes will be seeded 1 to 12 on the basis of qualifying marks, with the best competing last. Each athlete will take three [3] trials. The top eight [8] and ties (must be a fair attempt) from the trials will take three [3] final efforts in inverse order of standings at the end of the trials. Each fair attempt will be marked, and the time-limit will be observed **in accordance with NFHS rules**.
- If a contestant is entered in a track event and a field event at the same time, he/she should first sign out and be excused by the field event judge, then report to the Clerk-of-the-Course. Coaches may check in their athletes for running events while the athlete is competing in a field event. He/she must report back to the field event immediately after completion of the running event. He/she will be allowed 10 minutes to recover before resuming competition in the field events.

#### 2. High Jump and Pole Vault:

- Athletes will be seeded on the basis of League qualifying marks, with the best mark last. Continuing flights of "five alive" will be used at each height.
- Starting heights will be determined by Meet Management after all entries are submitted. Under no circumstances will the opening height be higher than the 40th percentile of League entry marks.
- The twelve [12] competitors with the best marks will advance to the Finals. Normal NFHS tie breaking rules will be used to advance to finals. When competition is complete, the area will be closed and no further practice will be allowed.
- If a contestant is entered in a track event and a field event at the same time, he/she should first sign out and be excused by the field event judge, then report to the Clerk-of-the-Course. Coaches may check in their athletes for running events while the athlete is competing in a field event. He/she must report back to the field event immediately after completion of the running event. He/she will be allowed 10 minutes to recover before resuming competition in the field events. An athlete may request the Head Event Official to complete his/her trials at the current height out of order or opt to return to the event with the number of trials remaining he/she was excused with. In both cases, the competition will continue and the athlete will return at wherever

the crossbar has been raised during his/her excused absence.

- e. The time limit rule will be in effect in the high jump and pole vault in accordance with the NFHS rules.
- f. Ties for First-Place, or CIF-qualifying, will be resolved by using the **NF** rule-book tie-breaking procedures; or, if still unresolved, by pre-determined jump-off heights.

## **Section 7. RULES**

A. The current NFHS Track & Field Rules will be used.

### **B. COACH MUST BE PRESENT**

Coaches are expected to be present for the entire Meet. All athletes competing in any CCS contest (scrimmages, alumni contests, pre-season, League and CCS Play-offs) must be accompanied by a coach that meets the following criteria, as addressed in [CIF Bylaws 308 and 506](#):

1. **MUST BE THE "REGULAR COACH"** The coach of either a public or private school team or athlete must be the coach of record for that school for the current season and must comply with all requirements of [CIF Bylaw 506](#):
  - a. **PUBLIC SCHOOLS** - All public school teams must be coached by persons who meet the requirements of the California Education Code and California Administrative Code Title V.
  - b. **NON-PUBLIC SCHOOLS** - In the case of a non-public school, persons engaged by that school on a yearly contract basis as regular members of the school coaching or teaching staff and certified by the administrator for that school as competent for the position held.
2. **EMERGENCY SITUATIONS** In the case of an emergency ONLY, the Principal of the school may designate an alternate coach, as long as it is done in writing prior to the contest and submitted to the League Commissioner for all pre-season and League contests, and the CCS Commissioner for CCS Play-off contests. Any alternate coach MUST be an individual who meets all the conditions, as stipulated in **Section 7.B-1.** above.
3. NO COACH PRESENT = STUDENT INELIGIBLE TO PARTICIPATE

C. Competitors must check in with the clerk of the course or the field-event judge no later than 15 minutes prior to the the published start time for that event.

## **Section 8. APPEALS**

### **A. HARDSHIP APPEALS:**

1. Hardships may only be considered for qualification from League to the Semi-Finals;
2. Hardship only applies to an illness/accident that is non-sports related;
3. The athlete must be under a medical doctor's care;
4. Any request for hardship must be presented to the League Meet Director, IN WRITING, before the start of the athlete's first race in the League meet;
5. The athlete must have posted a previous mark that is better than the last qualifier's mark;
6. The hardship hearing will be held on the second working day following the request for hardship;
7. Appeals shall be conducted according to the respective League's By-Laws.
8. A run-off/throw-off/jump-off between the athlete with the hardship and the last qualifier, will be held no later than two [2] days before the Sectional Semifinals. The site will be determined by the League.

### **B. THE JURY OF APPEALS:**

**At Semi-Finals and Finals** -The meet director shall appoint a jury of appeals with approval of the CCS office. Appeals will be addressed immediately, and are final, with no further action to follow.

## **Section 9. MEET OFFICIALS - Section Semi-Finals and Finals**

A. League responsibilities for providing Field Event judges and other Meet personnel are as follows:

*\*\*Note: To be reviewed and confirmed. Any changes will be determined at the Organizational meeting in January*

<b><u>Event:</u></b>	<b><u>League Responsibility</u></b>
LONG JUMP:	WVAL - Girls / MTAL - Boys
HIGH JUMP:	SCVAL - Girls & Boys
DISCUS:	STAL - Girls / WBAL - Boys
POLE VAULT:	WCAL - Girls / MBL (Gabilan) - Boys
SHOT PUT:	SCCAL - Girls / MHAL - Boys
TRIPLE JUMP:	MBL (Pacific) - Girls / PAL - Boys
Turn Judges/Inspectors:	MHAL(2); WCAL(1); PAL(2); SCVAL(2); WBAL (2); MBL (Gabilan) (1)
Hurdles:	WCAL

**ALL LEAGUES SHALL PROVIDE THEIR OWN CREWS AND EQUIPMENT NECESSARY TO CARRY OUT THEIR RESPONSIBILITIES.**

B. Any League not providing personnel **45** minutes prior to the start of its assigned event shall be fined \$100.

## **Section 10. UNIFORMS**

As per **NFHS** Rule 4-3.



**Section 11. AWARDS & SCORING**

Awards will be presented at the Finals, for both Girls and Boys, as follows:

- A. *Team Trophies*: Champion, Runner-Up, 3rd- and 4th-Place;
  1. Scoring for 8 places shall be as follows: 10,8,6,5,4,3,2,1
  2. In case of a tie by two (2) or more competitors for any place scoring in a event, the points for all places involved shall be divided equally among the tying competitors.
- B. *Medals*: The top six [6] finishers in each event (must have a mark to receive a medal);
- C. *Plaques*: Awarded to the Coach of each Champion Team.

**Section 12. SPORTSMANSHIP**

- A. The member-schools of the CIF/Central Coast Section are committed to providing a sportsmanlike environment for students, coaches, and spectators

Our Sportsmanship Definition is:  
***A person who can take a loss or defeat without complaint, or victory without gloating, and who treats his/her opponents with fairness, courtesy and respect.***

- B. The following behavior is **unacceptable** at all CIF/CCS High School contests:

<ul style="list-style-type: none"> <li>• berating your opponent's school or mascot</li> <li>• complaining about officials' calls (verbally or in gestures)</li> <li>• berating opposing players</li> </ul>	<ul style="list-style-type: none"> <li>• artificial noise-makers</li> <li>• obscene cheers / gestures</li> <li>• negative signs</li> </ul>
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- C. To this end, each school is required to submit one (1) signed Sportsmanship Contract on or prior to September 15 of the school year. This contract confirms that the principal has verbally and through written communication addressed the importance of sportsmanship to his/her student body, faculty and community.
- D. **Each Principal** is required by the CCS Board of Managers to meet with any individual or team from his/her school participating in the CCS Tournament to review CCS Sportsmanship Information.  
**(REQUIRED PRE-GAME SPORTSMANSHIP MEETING)**
- E. **Coaches** will attend a meeting with the Site Director the first day of the meet where they will be reminded of the importance of good sportsmanship and to make certain their Administrators have reviewed this information with their athletes in the past week.

**Section 13. ELIGIBLE ATHLETES**

- A. All athletes must be in good standing with their school, League and CCS in order to compete. No ineligible athletes will be allowed to compete.
- B. Any participant or coach who is ejected from the Semi-Finals or Finals Section Meet for FLAGRANT MISCONDUCT or UNSPORTSMANLIKE BEHAVIOR will be disqualified from all remaining meets in that sport that season, including the CIF State Meet.

**Section 14. PASSES**

- A. **ONLY** CCS and State-CIF Passes will be honored.
- B. Coaches (a maximum of five [5] official school Track & Field coaches) will be admitted at the "Participants' Gate."

**Section 15. MEET PROGRAMS**

Programs will be produced by the CCS office and placed on sale at the Section Meet.

**Section 16. TOURNAMENT INFORMATION**

The *Participant Information Bulletin* will be sent to all schools and the media approximately three [3] weeks prior to the start of the Tournament.



## **OTHER IMPORTANT DOCUMENTS RELATED TO PLAYOFFS:**

### **CCS PLAYOFF POLICY - [Click here to see entire policy](#)**

#### **SEASON LONG LEAGUE PLAY**

The sole purpose of CCS Playoffs is to provide a post-season championship event for its member school teams and athletes who have been engaged in season-long league play in a given sport.

- A. Section playoffs are to be conducted as the culminating activity for teams and/or individuals who have been engaged in season-long league play in a given sport.
- B. Schools or leagues which do not conduct a given sport on a recognized league basis for the majority of a given sport season will not be allowed to enter playoff competition. Exceptions to this general policy may be made by the Board of Managers as a result of a unique, short-term and specific circumstance beyond a school's control that directly causes the school to be unable to participate in that sport in season-long league play,
- C. In individual sports, (swimming, track & field, cross country, tennis, golf, gymnastics, badminton, wrestling), a student athlete must compete in at least  $\frac{1}{2}$  of the regularly-scheduled league meets in order to participate in the CCS playoffs in that sport. The specific qualification standards outlined in the CCS bylaws for each of these sports must be met in addition to this general minimum participation standard. Exceptions to this rule may be considered by the league ONLY
  - o if there is a serious medical condition or hardship that is beyond the student's control and which clearly and solely causes their lack of participation in a minimum of  $\frac{1}{2}$  of their regularly-scheduled league contests OR
  - o if the student has corrected a scholastic ineligibility in the most recent grading period which occurs after the first half of the league season is complete and which directly and solely causes their lack of participation in a minimum of  $\frac{1}{2}$  of their regularly-scheduled league contests.
  - o if through internal team competition and ladder movement an athlete has not had the opportunity to participate in  $\frac{1}{2}$  the regular-scheduled league contests.

### **CCS SPORTSMANSHIP POLICY - [Click here to see entire policy](#)**

comparative negligence system resulted in an award to the injured athlete of \$1.05 million (with the player being assigned 30 percent responsibility for failing to elude the foul ball and therefore having to forego \$450,000 of the damages).

The state Supreme Court ruled that erroneous jury instructions during the first trial may have deprived the school of the opportunity to establish that it had fulfilled its duty to provide a safe playing environment by designing a dugout that met minimum industry safety standards for screening and that the jury instructions also may have misled jurors into believing that they could not assign most or all of the fault for the injuries to the player for his alleged failure to keep a "proper lookout" for foul balls. The state Supreme Court failed to address on appeal another issue that was an important component of the jury's verdict - the refusal to recognize a preseason waiver of liability signed by the injured plaintiff and his parents because the player was a minor and did not have contractual capacity to bind himself to a waiver and because public policy generally prevents third parties such as parents from waiving the legal rights of others such as their children.

In September 2017, a \$15 million wrongful death lawsuit was filed in New York, *Mileto v. Sachem Central School District & Sachem East Touchdown Club*, asserting that football coaches violated their duties of proper technique instruction, safe playing environment and supervision, in a situation where ~~a 400~~ pound log being carried by Mileto and four other players during a preseason football camp, in a simulation of a drill used in military special forces training, fell on Mileto's head, killing him. The primary issue to be resolved in the case is whether an activity engaged in by Navy Seals or Green Berets during training is reasonably safe for those with the typical size, strength, skill and athleticism of high school student-athletes. A secondary issue in the suit is whether the school's football booster club - the financial sponsor of the preseason football camp - should be held liable for violation of the duties imposed on schools and athletics personnel to safeguard the health and well-being of student-athletes.

In August 2017, in *Ray v. Chelsea School District and Swager*, the Michigan Supreme Court reversed a lower court dismissal on statutory immunity grounds of a lawsuit filed by the family of a high school cross country runner who was severely injured when he was hit by a car while crossing a street during a pre-dawn team training run being conducted in darkness. The state Supreme Court relied on longstanding precedents that statutory immunity shields public entities (e.g., school districts) and public employees (e.g., athletic administrators and coaches) only against claims of ordinary negligence and that a full trial should be held to determine whether the facts of the case indicated that the decision to hold the training run in the dark constituted gross negligence by the coach. The ruling illustrates the standard of practice that the legal duty to provide a safe playing environment for student-athletes encompasses not just sports fields, courts, weight rooms and other such physical venues, but also participation

environments such as a route along city streets that a team might use for a conditioning run. The decision also illustrates the limitations of statutory immunity, a doctrine that athletic personnel often mistakenly assume will shield them from any and all liability for injuries to student-athletes.

## Concussions

In October 2017, a settlement involving undisclosed financial terms and extensive concussion protocol changes was reached in *Langston v. Wake County Schools*, a wrongful death lawsuit alleging negligence by coaches in ~~prematurely returning to action~~ a Rolesville High School (North Carolina) football player who suffered a head injury during practice. After sustaining a helmet-to-helmet hit during practice and exhibiting indicia of a concussion, Isaiah Langston was withheld from the rest of the practice and from team activities for the next two days, but his parents were never notified about the injury and on the third day after the incident, he was allowed to return to play by participating in pre-game drills without having obtained written medical clearance from a licensed healthcare professional as mandated by state law.

During the drills, Langston began complaining of severe head pain and he then collapsed, dying shortly thereafter. The case demonstrates the critical importance for schools, athletic administrators and coaches of complying with prevailing concussion protocol standards, including the requirements set forth in applicable state concussion laws, almost all of which 1) mandate immediate removal from play of an athlete suspected of having sustained a concussion, 2) bar same-day return to action, 3) permit return to play contingent upon written medical clearance from a licensed healthcare professional (specifically defined in each state statute) and 4) require some level of concussion education for athletic personnel, parents and student-athletes (specifically defined in each state law).

In July 2017, in *Swank v. Valley Christian School*, the Washington Supreme Court held that a full trial should be held in the wrongful death lawsuit filed by the family of Drew Swank, a high school football player who died after allegedly ~~being prematurely returned to action following a head injury sustained~~ during a game. On the Monday following the Friday night contest where the initial injury occurred, the Swank family's doctor diagnosed a concussion and imposed "no practice, no play restrictions" on the young man. On Thursday, Swank told his mother that his headaches and other concussion symptoms had disappeared and that he wanted to play in the next day's game. His mother contacted the doctor, convincing him to lift the restrictions without a follow-up exam, and based on that medical clearance – despite the fact that before and during the contest Swank appeared to his team's coaches and athletic trainer to be sluggish, confused and still exhibiting indicia of a concussion – Swank was allowed to participate in the game. Following a play where he sustained a blow to his head, Swank staggered to the sideline, vomited and collapsed. He was airlifted to a hospital where he died two days later.

The case illustrates an important standard of practice for athletic personnel – the principle that even if a concussed athlete has been cleared by a doctor to return to action, if coaches or athletic trainers believe it is unsafe for the player to participate, the athlete should be withheld from competition. The Washington Supreme Court, in applying the Zackery Lystedt law – the nation’s first concussion protocol law, enacted in 2009 – stated that “although the Valley Christian School argues it had a right to rely on Dr. Burns’ note that Drew was fit to play, the Zackery Lystedt law does not permit [school athletic personnel] to ignore observable signs that Drew continued to suffer from the concussion he had earlier sustained and ignore its own concussion plan that required the school to remove Drew from play.” Athletic directors, coaches and athletic trainers often operate under the misconception that they cannot “overrule” the clearance-to-participate issued by doctor – the Swank case demonstrates the principle that if athletic personnel recognize the manifestation by an athlete of concussion indicia, the player should be withheld from competition, period.

## Hazing

Throughout 2017, pre-trial discovery continued in the case of *Doe v. Hamilton County Department of Education*, a federal civil suit filed against an East Tennessee school district, a high school principal, an athletic director and a basketball coach related to a high school basketball hazing incident. The plaintiff in Doe was a freshman on the Ooltewah High School basketball team, who as part of a hazing ritual, in the basement of a cabin in which the team was staying during a December 2015 road trip, was sodomized with a pool cue and sustained injuries so severe that he had to be rushed to a hospital for emergency surgery. Three other freshmen were also raped with the pool cue during the hazing.

The hazing led to the cancellation of the remainder of the team’s 2015-16 basketball season. The three perpetrators of the attack were convicted in a juvenile court of aggravated rape and aggravated assault and received sentences of varying lengths in juvenile detention. The school’s athletic director pleaded guilty to failure to report child abuse and entered a diversion program which upon completion will permit his record to be expunged. The head basketball coach pleaded not guilty to similar charges, arguing that the Tennessee Child Abuse Reporting Law is too vague concerning who is required to report instances of sexual assault, to whom the reports should be made and how timely such reports must be.

The pleadings in the civil suit allege knowledge by school personnel of a long history of hazing incidents in Ooltewah’s athletic program and a failure to develop and implement effective anti-hazing policies. Based on U.S. Supreme Court precedents, schools and personnel will be held strictly liable when someone in a position to take corrective action has knowledge that such harassment is occurring and exhibits deliberate indifference to remedying the situation, a two-prong analysis resulting in automatic liability if the criteria of knowledge and deliberate indifference are both established in a civil suit.

A 23-page report issued following an investigation by the Hamilton County District Attorney's Office and a 27-page report issued following an investigation by a law firm retained by the Hamilton County Board of Education set forth numerous recommendations regarding the strategies that schools should adopt when developing and implementing anti-hazing policies for athletic programs, including directives that schools should specifically define prohibited behaviors in the policy, that reporting and investigation protocols should be detailed in the policy, that all athletics personnel should be in-serviced regarding the policy, that all athletics personnel should receive education regarding the state's child abuse reporting law (because most high school sports hazing victims are minors), that all student-athletes and their parents should receive

copies of and education regarding the policy, that anti-hazing educational efforts should be focused on student-athletes and changing any culture of hazing that might exist in a school sports program, that appropriate team-building activities should be substituted for now-prohibited hazing rituals, and that athletic personnel should focus on supervising environments where hazing tends to occur, including preseason training camps, hotels during away game overnight stays, aboard buses during road trip transportation and in unsupervised locker rooms.

## **Title IX**

June 23, 2017 was the 45th birthday of Title IX of the Education Amendments of 1972, the broad-based federal statute banning any form of gender discrimination in educational institutions receiving federal financial assistance, including discrimination manifested through inequities between girls and boys high school sports programs. One of the many positive influences of Title IX is reflected in the impact the law has had on increasing sports participation opportunities for females. In 1972, the year of Title IX's enactment, NFHS sports participation data indicated that 294,000 girls participated in high school sports, which represented approximately one out of every 27 girls enrolled nationwide. In 2017, 3.4 million girls played high school sports, an increase to approximately one out of every three girls enrolled nationwide.

Beyond sports participation statistics, Title IX has also led to dramatic improvements in the "other athletic benefits and opportunities" accompanying participation by girls in high school sports – the eleven categories of issues set forth in the Title IX Regulations for evaluating the quality of the sports offerings for girls and boys, represented by the acronym PLAYING FAIR.

**P - L - A - Y - I - N - G F - A - I - R**

Protective athletic equipment, uniforms and athletic supplies  
Locker rooms and practice/competition facilities

- Allocation of travel/transportation/per diem benefits
- Years of experience, quality and salaries of coaches
- Institutional housing and dining facilities and services
- Nature of publicity, marketing and media services
- Game and practice times and scheduling
- Facilities for and access to athletic training and medical services
- Academic tutoring services for student-athletes
- Institutional support services for athletic programs
- Recruiting resources provided to athletic programs

In November 2017, in *Struthers et al v. Red Bluff Joint Union High School District*, a settlement was reached in a Title IX lawsuit that had been filed in federal court in California. Included in the resolution of the case was an agreement by the district to add sports for girls to remedy a deficiency in participation opportunities – although 52 percent of the enrollment at Red Bluff High School was female, only 38 percent of the school's sports participation opportunities were in girls sports, a 14 percent difference that far exceeded the five percent gap generally allowed by the U.S. Department of Education's Office for Civil Rights, the federal agency charged with the responsibility of enforcing Title IX. Also provided for in the settlement were solutions to inequities in eight of the eleven areas of "other athletic benefits and opportunities," including deficient facilities for the girls basketball team and softball program, a lack of equivalence in locker room quality, and a range of issues related to uniforms, equipment, access to quality coaching, publicity for girls teams, fundraising support for girls sports and institutional support services for girls teams.

The case, like so many other similar Title IX suits, illustrates the importance for school districts of proactively evaluating Title IX compliance and providing timely corrective measures to any concerns identified by coaches of girls teams, female student-athletes or parents. In the Red Bluff case, the girls basketball coach had for several years communicated to district administrators and school board members problems regarding the high school's compliance with Title IX, but she was ignored and eventually was fired, allegedly in retaliation for having raised Title IX concerns. And although retaliation was not part of the Red Bluff lawsuit or settlement, the U.S. Supreme Court, in the 2007 case *Jackson v. Birmingham Board of Education* – a suit involving a girls basketball coach fired in retaliation for complaining about Title IX violations – ruled that Title IX prohibits retaliation against complainants and that such victims may sue for monetary damages.

In July 2017, in *I.W., A.A., & L.S. v. Huntsville City School District*, a settlement was reached in a case filed against an Alabama district based on what is likely the most common inciting issue nationwide for high school Title IX complaints and lawsuits – facility inequities in a high school softball complex as compared



to the institution's baseball stadium, with the difference in the facilities resulting from improvements to the baseball stadium funded by booster club money. The settlement included an agreement that Huntsville High School's softball facility would receive upgrades to make it equivalent to the institution's baseball stadium, including a regulation softball field, dugouts, fencing, a press box, concession stands, lighting, batting cages and pitching machines, a restroom and a storage room. The case illustrates the principle that schools

are permitted to receive financial support from outside sources, including booster clubs, fundraising, donors and corporate sponsors, but that the school is nonetheless obligated to remedy any Title IX inequities resulting from the use of such monies to improve boys sports programs.

### **Constitutional Law: Freedom of Speech and Social Media**

In February 2017, the U.S. Fifth Circuit Court of Appeals refused to grant a rehearing in *Bell v. Itawamba County School Board*, an August 2015 decision by that appellate court sitting en banc (all 15 active judges participating) which reversed a December 2014 ruling by a Fifth Circuit three-judge panel that the district had violated the free speech rights of a student expelled from his extracurricular activities and suspended from school for posting online a video he created featuring a rap song that accused two coaches at Itawamba Agricultural High School (Mississippi) of inappropriate conduct with female students. In the 2015 en banc ruling, the Court of Appeals upheld the district's sanctions and ruled that it did not violate the student's free speech rights based upon the "substantial disruption" standard established in the U.S. Supreme Court's 1969

decision in *Tinker v. Des Moines School District*, concluding that the intimidating and harassing language directed at school officials in the postings could reasonably be forecast to cause a substantial disruption on school property and that, despite the fact that the postings took place off school property, the school had the authority to punish the offender.

### **Constitutional Law: Freedom of Speech and National Anthem Protests**

As with so many other actions by professional athletes that filter down to college, high school and youth sports, former San Francisco 49ers quarterback Colin Kaepernick's national anthem protests during the 2016 season have been imitated by athletes at all levels. During the 2016-17 school year, and again in the fall of 2017, hundreds of college, high school and youth sports athletes have engaged in similar stands at the beginning of games. The issue facing school and athletic administrators has been whether to sanction players conducting such protests with suspensions or expulsions from their teams and whether such punishments would be constitutionally permissible or would violate the student-athletes' First Amendment rights to freedom of speech and protest.

Based on U.S. Supreme Court decisions interpreting the authority of schools to limit student speech, any penalties levied by a public school (a state actor) against a student sitting or kneeling during the national anthem would likely fail judicial scrutiny on constitutional grounds should the student file a free speech challenge. In the Supreme Court's decision in *Tinker v. Des Moines Independent Community School District* (1969), a case in which students conducted an anti-Vietnam War protest that was just as controversial then as the national anthem protests are today, Justice Abe Fortas made the now-famous statement in the Court's majority opinion that "students do not shed their constitutional rights at the schoolhouse gate" and concluded that schools do not have the authority to limit student speech unless it "materially and substantially" interferes with the educational process. Subsequent Supreme Court rulings clarified that schools may limit on-campus student speech that is lewd or profane, speech that is part of the school curriculum such as a student newspaper, and speech that advocates drug use by students in violation of a school policy.

The national anthem protests that have taken place at dozens of high school sports events nationwide over the course of the last year do not fit into any of those categories of permissible restrictions on student speech. Although the protests have been controversial and have created a generalized buzz in schools and communities, there has been no evidence that a substantial disruption has occurred that interfered with the ability of the school to function or with the ability of teachers to conduct their classes. And courts have consistently refused to apply the legal standard that interscholastic sports participation is a privilege, not a right when freedom of speech issues are involved in a sanction imposed on a student – alleged free speech violations receive a higher level of review referred to by courts as "strict scrutiny."

Despite the objections from community members that sometimes arise when protests by student-athletes take place during the national anthem – blowback that is often highly vitriolic in nature – most school and athletic administrators have demonstrated strong and positive leadership on the issue. For instance, on October 6, 2017, a football player at Clear Creek-Amana High School in Iowa chose to kneel before a game to protest social injustice. In the following days, he was the victim of racist postings on social media and to show support for their teammate, on October 13, 2017, many of the players on the team joined him in kneeling pre-game. In advance of their actions, the players announced that they wanted the community to understand that they were not going to be protesting the national anthem itself, nor were they going to be protesting against the flag itself, nor did they intend any disrespect to those serving in the military (many of them stated that they had family members who had served or were currently serving in the armed forces) – instead, the team members emphasized that they were protesting only social injustice.

After the second-game protest, there was intense blowback from a small number of community

members, with a few arguing that the players should be removed from the team and expelled from school. There were even a few social media postings calling for the players – all U.S. citizens – to be deported. The district countered by issuing a statement supporting the right of students to protest, with the release reading in part, “The Clear Creek-Amana Community School District, as an educational institution, supports the free exchange of ideas embodied by the First Amendment. The District will not interfere with a student’s right of expression by peacefully kneeling or sitting during the traditional standing for the National Anthem.” The school’s athletic director, exercising the teachable-moment approach to leadership that is so common among those who work in education-based athletics, stated that not only did the student-athletes have the right of free speech, but as American citizens they have the duty to protest against any shortcomings they believe are occurring in the operation of our democracy, including social injustice. He also commented that his hope was that the education the student-athletes were receiving at Clear Creek-Amana High School would provide them with the skills of informed critical thinking necessary for them to engage in a lifetime of political advocacy for their country.

### **Constitutional Law: Freedom of Religion**

In October 2017, in *Kennedy v. Bremerton School District*, the U.S. Court of Appeals for the Ninth Circuit ruled that a Washington school district was not required to allow a high school football coach to pray on the field at the end of each game, an activity that often involved players, coaches and other students. The decision was based on the U.S. Supreme Court’s ruling in *Santa Fe ISD v. Doe* (2000), in which the Court held that prayer at sports events sponsored by “state actors” violates the Establishment Clause. Although the ruling prohibited prayer sponsored by schools or school personnel, the Supreme Court made it clear in its written opinion that the Establishment Clause does not limit the ability of student-athletes or students to pray anytime they choose on school property, including before, during or after school sports events. The First Amendment bars only government involvement in that prayer by state actors such as public school employees and athletic personnel. Therefore, spontaneous prayers initiated by players in a locker room or on a field are permissible as private speech – it is only the involvement, endorsement and promotion of religion or a particular denomination by a government employee such as a public high school coach that is constitutionally impermissible.

In September 2017, in *Matthews v. Kountze Independent School District*, a Texas Court of Appeals ruled that the display of Bible verses on run-through banners created and held aloft by cheerleaders at the beginning of Kountze High School football games was protected as “private speech.” The dispute arose in September 2012 when the district, concerned that the display of the verses violated the First Amendment’s Establishment Clause, prohibited the practice. Citing their free speech and free exercise of religion rights, the cheerleaders filed a lawsuit and a state trial court judge issued a temporary

restraining order staying the implementation of the ban pending a full resolution of the case.

In April 2013, the district changed its policy to allow such banners at school sports events and in May 2013, the same judge who had previously issued the temporary injunction ruled that the display of the banners was constitutionally permissible. The Kountze ISD then requested that a state appellate court clarify the district's obligations regarding church-and-state issues, but in May 2014, a Texas Court of Appeals ruled that the issue was moot because of the district's policy change. A January 2016 decision by the Texas Supreme Court stated that the issue was not moot, because the district could reinstate the ban in the future if it so decided, and remanded the case back to the Texas Court of Appeals for a full review of the First Amendment issues related to the situation, foremost the question whether the banners are school-sponsored speech, in which case they are impermissible under the Establishment Clause, or whether they are private speech by the cheerleaders, in which case they are permissible based on the Free Speech Clause and the Free Exercise of Religion Clause.

The decision by the Texas Court of Appeals that the cheerleaders were engaged in private speech may not be representative of the approach of the courts in most states towards such issues – the Texas court sidestepped the fact that the cheer squad was a school-sponsored (government-sponsored) organization, that the cheer sponsor was a public employee (a government employee), and that the display of the Bible verses on the run-through banners carried the strong imprimatur of government-endorsed speech.

### **Constitutional Law: Invasion of Privacy**

In May 2017, a plea deal was reached in a California criminal case, *State v. Mathers*, illustrating the need for operators of athletic facilities, including schools, to enact reasonable rules and safeguards designed to protect the privacy of individuals using restrooms, locker rooms and shower rooms against surreptitious photography using digital cameras, smartphones, tablets or other devices. The situation involved a former Playboy Playmate of the Year, Dani Mathers, 29, who took a picture of a 70-year-old woman in a locker room shower at an LA Fitness Center and posted the image on her Snapchat social media account, along with a mocking caption "fat-shaming" the elderly woman. Mathers received extensive backlash for the malicious act from her Snapchat followers, the media and her radio-station employer, who fired her after the incident, and the victim is threatening a civil suit for invasion of privacy.

Although Mathers argued to authorities investigating the incident that the victim did not have a reasonable expectation of privacy in a shower room, the Los Angeles City Attorney's Office – although acknowledging a diminished level of privacy against what presumably was a limited number of persons

who might have been physically present in the fitness center locker room – concluded that no one would expect a nude photo taken without permission to be disseminated to tens of thousands on social media. The criminal charge filed against Mathers was an invasion of privacy cause of action called Dissemination of Private Images, which although it carried a possible sentence of up to six months in jail, resulted in a diversion sentence for the defendant through which she pleaded guilty, paid a fine and was ordered to perform community service, following which the conviction will be expunged from her criminal record.

The lesson to be learned from the situation for school athletic programs is that ~~student-athlete codes of conduct should include~~ ~~strict prohibitions on the use of~~ ~~cameras~~ in any form, now ubiquitous in their presence in electronic devices, in ~~locker rooms, shower rooms and restrooms~~, and that an emphasis should be placed by athletic personnel on educating student-athletes regarding common sense parameters for the posting of images and messages on social media.

### **Constitutional Law: Due Process**

In February 2017, in *DeLaTorre v. Minnesota State High School League*, a federal judge refused to reconsider his August 2016 ruling dismissing a lawsuit filed by a former high school soccer player who claimed that the state athletic association had violated his constitutional right to due process when it refused to grant to him an exception to the state's transfer and residency requirements for athletic eligibility. The case involved a student at Cretin-Derham Hall High School whose parents were divorced and who in 2012 had moved from Mexico with his mother and sister and played on the high school soccer team, followed by a decision to return to Mexico to live with his father for his sophomore year of high school. When he returned to CDH for his junior year and attempted to regain his eligibility to play interscholastic soccer, DeLaTorre discovered that he would be required to sit out a year and would not be eligible until his senior year. After an appeal to the MSHSL failed, he sued the association and several of its officials for a violation of his right to due process.

In ruling that DeLaTorre did not have a constitutionally protected property or fundamental liberty interest to successfully make a due process claim, the judge cited numerous judicial rulings holding that participation in interscholastic athletics is a privilege, not a constitutional right. The court therefore concluded that, because DeLaTorre had prior notice of the eligibility rules and transfer bylaws, along with receiving an opportunity to request a waiver and appeal the denial of that waiver, his legal interests had been more than adequately protected.

### **Constitutional Law: Equal Protection & Transgender Students**

