

MEMORANDUM

T 206.516.3800
F 206.516.3888

TO: John Miller
Assistant Executive Director
WIAA

Brian Smith
Assistant Executive Director
WIAA

FROM: Carl Blackstone
Robert Westinghouse

DATE: May 25, 2016

RE: WIAA Response to Bellevue School District's Violation Report dated May 23, 2016

On March 22, 2016, Carl Blackstone and Robert Westinghouse submitted an Investigative Report to the Washington Interscholastic Activities Association ("WIAA") relating to the Bellevue High School ("BHS") football program. The WIAA Investigative Report ("Investigative Report") contained findings that BHS and the Bellevue School District ("BSD") had violated a number of WIAA rules. WIAA provided the Investigative Report to BSD on April 1, 2016. On May 11, 2016, BSD/BHS presented a WIAA Violation Report ("Violation Report" or "District's Report") to the KingCo League during a self-report hearing. On May 13, 2016, George Crowder, KingCo League President, requested that WIAA and its investigators evaluate the information contained in the BSD/BHS Violation Report.

The May 11 Violation Report identifies 10 allegations in the Investigative Report. The Violation Report provides substantive responses to only six of the allegations. On May 18, 2016, the WIAA investigators submitted a response to the six allegations addressed in BSD's Violation Report.

On May 23, 2016, BSD presented a supplemental Violation Report to KingCo addressing the four remaining allegations. On the same day, George Crowder requested that the WIAA and its investigators evaluate the information contained in BSD's supplemental Violation Report.

draw the adverse inference that the payments by the Booster Club relate to Coach Goncharoff's duties as a high school football coach.

- The BSD May 23 Violation Report asks the KingCo Conference to accept that all except the Ft. Worden payments to Coach Goncharoff are acceptable under WIAA Rule 23.1.1, but it omits all data and all documentation that would allow the KingCo Conference to make an independent decision.
- The Booster Club has submitted to the KingCo Conference tax returns for a variety of other schools' booster clubs, ostensibly to show that these clubs also raise substantial sums of money. The submission misses the mark in numerous respects. First, the issue before KingCo is whether Bellevue High School's Football program – not that of any other school – has violated WIAA rules. Second, even assuming these returns reveal other booster clubs have similarly violated WIAA rules, it does nothing to explain the conduct of the Bellevue Wolverine Booster Club. Third, three of the tax returns are for Mercer Island booster clubs, e.g., football, basketball, and lacrosse (not a WIAA governed sport), and all relate to programs in which the booster's club's payments to coaches and assistant coaches which, according to Mercer Island's Superintendent of Schools, have been expressly approved in advance by the Mercer Island School Board. Moreover, the tax return for the Mercer Island Football Club specifically lists that the Mercer Island High School Football Coach, Brett Ogata is a member of the booster club's board of directors, thereby evidencing some oversight over the actions of this group.

Allegation #8 – Whether financial payments to support the Fort Worden football camp are excessive and in violation of WIAA Rule 27.1.0

WIAA Rule 27.1.0 provides that “No student athlete may receive, or be offered, any remuneration of any kind, or to receive or be offered any special inducement of any kind which is not made available to all applicants who enroll or continue to be enrolled in the school or apply to the school.”

The BSD May 23 Violation Report concedes that payments to coaches for coaching at the Ft. Worden camp violate WIAA Rule 23.1.1. It objects to any finding that the Ft. Worden payments violate WIAA Rule 27.1.1 because the summer team camp is “not unique” and is an opportunity offered by other booster clubs as well. Again, the concession is much narrower than the facts warrant.

- The Booster Club's tax returns report spending \$556,821 for the Ft. Worden camp between 2008 and 2014. (Investigative Report at 60). It may not be unique for high school football teams to conduct off-site summer camps or for booster clubs to provide support to pay for excess costs not covered by player fees and, possibly to assist some players with camp fees, but the magnitude of the Booster Club's financial support is nothing short of stunning. This financial support, whether used to pay