

**NEBRASKA SCHOOL ACTIVITIES ASSOCIATION
OFFICIAL MINUTES OF THE BOARD OF CONTROL**

The Board of Control met August 28, 2009, at the Association Office, Lincoln, Nebraska, with members present as follows.

District I	--	Mark Norvell, Fillmore Central
District II	--	Dr. Bob Reznicek, Omaha Westside
District III	--	Jay Bellar, Battle Creek
District IV	--	Max Kroger, Ord
District V	--	Dr. Dallas Watkins, Dundy County-Stratton
District VI	--	Kent Halley, Mitchell

Also in attendance at the meeting were Rick Moses, Nebraska Department of Education liaison; Peg Naylor, Omaha Public Schools; Stu Pospisil, Omaha World Herald; Mike Purdy, NSIAAA; Rex Schultz, NSAA Legal Council; Jeff Jensen, Creighton High School Activities Director; Allen Walton, parent; Paul Pistulka, Eustis-Farnam High School Principal; Bobby Johnson, Eustis-Farnam Activities Director; Bruce and Sharon Hueftle, parents; William Thompson, Ponca High School Superintendent; Robert and Michelle Finnegan, parents; Beth Finnegan, student; Mallory Wortman, sibling; Dan Brost, Mullen High School Activities Director; Jeff Hoelsing, Mullen High School Superintendent (telephonic); Mitzi Kramer, parent (telephonic); Mike Thompson, Omaha Christian Academy Activities Director; Gerald and Deb Schmidt, parents; Beau Schmidt, student; Roni Huerta, Omaha South High School Athletic Director; Bob Doscher, Omaha South High School Football Coach; Antoine Williams, student; Rich and Cari Tokheim, parents; Clare Tokheim, student; and Randy Paragas, legal counsel.

The meeting was called to order at 8:00 a.m. by 2008-09 Chairman Kent Halley.

1. Board Chairman Kent Halley asked for nominees for the 2009-10 Board Chairman and Vice-Chairman, noting that the Board Policy Manual provides a suggested officer-rotation schedule. It was moved by Dallas Watkins, seconded by Bob Reznicek, to nominate and elect Max Kroger as Chairman and Jay Bellar as Vice-Chairman. **Motion Carried, 6-0.** The Board commended Kent Halley for his leadership as Board Chairman during the 2008-09 Association year.
2. It was moved by Bob Reznicek, seconded by Dallas Watkins, to approve the Consent Agenda as presented. **Motion Carried, 6-0.** Items approved on the Consent Agenda included approval of the Agenda as amended; approval of the minutes of the June 2, 2009, Regular Board of Control meeting; the June 5, 2009, Speech and Play Production Committee meeting; and the June 10, 2009, Music Advisory Committee meeting; approval of the May, June, and July 2009 Financial Statements; approval of new cooperative sponsorships for Omaha Brownell-Talbot, Concordia, and Roncalli High Schools for boys and girls swimming and diving; South Sioux City and Ponca High Schools for girls swimming and diving; Omaha Skutt Catholic and Mt. Michael High Schools for boys swimming and diving; and approval of cooperative sponsorship renewals for Wahoo and Cedar Bluffs High Schools for wrestling; Papillion-LaVista and Papillion-LaVista South High Schools in boys and girls swimming and diving; Nebraska City, Lourdes Central, and Auburn High Schools for boys tennis; Nebraska City, Lourdes Central High Schools for boys and girls cross country and softball; Humphrey and Humphrey St. Francis High Schools for instrumental music; and Grand Island, Grand Island Central Catholic, Northwest, and Doniphan-Trumbull High Schools for boys and girls swimming and diving.
3. It was moved by Jay Bellar, seconded by Kent Halley, to continue the current mileage rate and Per Diem for Board, Staff, Committees, Officials, Judges and Representative Assembly. **Motion Carried, 6-0.**
4. The revised Board of Control Manual was approved as presented on a motion by Kent Halley and a second by Mark Norvell. **Motion Carried, 6-0.**
6. It was moved by Mark Norvell, seconded by Jay Bellar, to appoint Callam Sports Photography as the official NSAA Photographer. **Motion Carried, 6-0.**
5. The Fall Activities Manuals were approved on a motion by Kent Halley, seconded by Dallas Watkins. **Motion Carried, 6-0.**

6. It was moved by Bob Reznicek, seconded by Kent Halley, to commit to participation in the 2010 NFHS Student Leadership Conference in Indianapolis. **Motion Carried, 6-0.**
7. It was moved by Mark Norvell, seconded by Dallas Watkins, to approve the following Speech Approved Rulings:
 - 6.6.3 *A student may enter and participate in two different events. A student may not enter and participate in two Duet Acting entries or two Oral Interpretation of Drama entries.*
 - 6.8.2.2 *The selections(s) must be interpreted from manuscript. The contestant may interpret the selection by referencing the manuscript or may give the selection solely by memory without reference to the manuscript. No costumes or props, with the exception of the intact manuscript, shall be permitted.***Motion Carried, 6-0.**
8. It was moved by Mark Norvell, seconded by Kent Halley, to accept the print bids as presented for the 2009-10 and 2010-11 school years. **Motion Carried, 6-0.**
9. It was moved by Jay Bellar, seconded by Bob Reznicek, to approve the softball pitching distance for varsity and non-varsity softball at 43 feet effective with the 2010 season. **Motion Carried, 6-0.**
10. The Board discussed issues in regard to middle level activities; specifically, appointing a Middle School Advisory Committee, initiating legislative proposals, district meeting attendance and voting on proposals.
11. It was moved by Bob Reznicek, seconded by Mark Norvell, to approve payment of State Tennis Officials as presented. **Motion Carried, 6-0.**
12. It was moved by Bob Reznicek, seconded by Jay Bellar, to designate the three-color panel volleyball (blue/gray/white) to be used for subdistrict, district and state competition beginning with the 2010 season. **Motion Carried, 6-0.**
13. It was moved by Mark Norvell, seconded by Bob Reznicek, to reappoint Julia Plucker as the NSAA's legislative lobbyist for 2009-10. **Motion Carried, 6-0.**
14. It was moved by Dallas Watkins, seconded by Kent Halley, to reappoint Perry Law Firm and Rex Schultze as the NSAA's legal counsel for 2009-10. **Motion Carried, 6-0 .**
15. It was moved by Bob Reznicek, seconded by Jay Bellar, to allow Omaha Marian to opt up in music, speech and journalism. **Motion Carried, 6-0.**
16. It was moved by Kent Halley, seconded by Dallas Watkins, to allow dissolution of the cooperative sponsorship in boys tennis for Kearney Catholic and Ansley High Schools. **Motion Carried, 6-0.**
17. The Board heard a report on infractions by member schools that resulted in a sanction. Grand Island High School violated the football organized practice rule and the school's internal sanctions were accepted. Millard West High School violated the summer practice regulations and the school's internal sanctions were accepted.
18. It was moved by Mark Norvell, seconded by Kent Halley, to enter closed session at the request of the appealing parties for a closed hearing at 9:30 a.m. **Motion Carried, 6-0.**
19. Creighton High School requested a domicile determination for Dylan Walton. Following a presentation of the evidence, those representing the student provided clarifying information and answers to Board members' questions.
20. Eustis-Farnam High School requested a domicile determination ruling for Kaleb Hueftle. Following a presentation of the evidence, those representing the student provided clarifying information and answers to Board members' questions.
21. Ponca High School appealed the Executive Director's denied domicile hardship ruling for Beth Finnegan. Following a presentation of the evidence, those representing the student provided clarifying information and answers to Board members' questions.
22. It was moved by Kent Halley, seconded by Jay Bellar, to exit the closed session at 11:00 a.m. **Motion Carried, 6-0.**
23. Mullen High School requested a domicile determination ruling for Charles and Kody Kramer. Following a presentation of the evidence, those representing the student provided clarifying information and answers to Board members' questions.
24. Omaha Christian Academy High School appealed the Executive Director's denied domicile hardship ruling for Beau Schmidt. Following a presentation of the evidence, those representing the student provided clarifying information and answers to Board members' questions.

25. It was moved by Dallas Watkins, seconded by Kent Halley, to enter executive session at 11:55 a.m. to further discuss evidence from the hardship hearings presented thus far. **Motion Carried, 6-0.** It was moved by Mark Novell, seconded by Dallas Watkins, to exit executive session at 12:30 p.m.
26. It was moved by Kent Halley, seconded by Dallas Watkins to enter closed session at the request of the appealing parties for a closed hearing at 1:00 p.m. **Motion Carried, 6-0.** It was moved by Jay Bellar, seconded by Kent Halley, to exit the closed session at 3:20 p.m. **Motion Carried, 6-0.**
27. Omaha South High School appealed the Executive Director's denied scholastic and eight-semester hardship ruling for Antoine Williams. Following a presentation of the evidence, those representing the student provided clarifying information and answers to Board member's questions.
28. Omaha Westside High School appealed the Executive Director's denied domicile hardship ruling for Clare Tokheim. Following a presentation of the evidence, those representing the student provided clarifying information and answers to Board members' questions.
29. In open session, the Board further addressed the domicile determination for Creighton's Dylan Walton. On a motion by Jay Bellar, seconded by Dallas Watkins, the Board determined that domicile criteria had been met. **Motion Carried, 6-0.**
30. In open session, the Board further addressed the domicile determination for Eustis-Farnam's Kaleb Hueftle. On a motion by Dallas Watkins, seconded by Kent Halley, the Board determined that domicile criteria had been met. **Motion Carried, 6-0.**
31. In open session, the Board further addressed the domicile hardship waiver for Ponca's Beth Finnegan. On a motion by Mark Norvell, seconded by Bob Reznicek, the Board adopted findings of fact and determination to uphold the Executive Director's ineligibility ruling. **Motion Carried, 6-0.**
32. In open session, the Board further addressed the domicile determination for Mullen's Charles and Kody Kramer. On a motion by Kent Halley, seconded by Jay Bellar, the Board determined that a bona fide domicile change had occurred. **Motion Carried, 6-0.**
33. In open session, the Board further addressed the domicile hardship waiver for Omaha Christian Academy's Beau Schmidt. On a motion by Bob Reznicek, seconded by Mark Norvell, the Board adopted findings of fact and determination to overturn the Executive Director's ineligibility ruling. **Motion Carried, 6-0.**
34. In open session, the Board further addressed the scholastic and eight-semester hardship for Omaha South's Antoine Williams. On a motion by Mark Norvell, seconded by Jay Bellar, the Board adopted findings of fact and determination to uphold the Executive Director's ineligibility ruling. **Motion Carried, 6-0.**
35. In open session, the Board further addressed the domicile hardship waiver for Omaha Westside's Clare Tokheim. On a motion by Dallas Watkins, seconded by Kent Halley, the Board adopted findings of fact and determination to overturn the Executive Director's ineligibility ruling. **Motion Carried, 3 For (IV, V, VI), 2 Against (I, III), 1 Abstention (II).**
36. It was moved by Bob Reznicek, seconded by Mark Norvell, that when classifying schools for NSAA activities, if schools are tied in enrollment number, a tie-breaker will be implemented using the following steps: 1) 3-year enrollment average; 2) the school's enrollment figure the immediate preceding year; and, 3) a flip of a coin. **Motion Carried, 6-0.**

There being no further business, the meeting adjourned 3:50 p.m.

The next meeting of the Board of Control is September 18, 2009.

Debra Velder
Associate Director