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Section III Athletics  
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**REPORT TO SECTION III**

Please accept this report regarding information the Skaneateles Central School District has obtained regarding what the district has deemed rules infractions per the New York State Public High School Athletic Association (NYSPHAA) Handbook within the Skaneateles athletic program. The specific incidents were reported to the district by a private investigator hired to look into allegations of eligibility issues and possible recruiting by members of the Skaneateles athletic staff and/or others on their behalf.

The submission of this report fulfills the Skaneateles Central School District's duty pursuant to Section 19(e) of the NYSPHAA Bylaws and Eligibility Standards which states "*Consistent with good ethical standards, the prompt reporting of the knowledge of an infraction shall be made to the proper authorities in writing.*" It is the district's understanding that Section III is the proper authority to which the reporting of "knowledge of an infraction" should be made.

Since March 2010, the Skaneateles School District has received numerous unsolicited reports that members of its football coaching staff made contact with student-athletes who attend schools other than Skaneateles in an effort to persuade those student-athletes to move to Skaneateles to play football. The information provided was deemed credible enough to warrant further inquiry with the goal of protecting the integrity of the Skaneateles athletic department by either validating or disproving the unsolicited information provided to the district. Some of the reports the district received follow:

1. A letter received in March 2010 from a representative of the Section III Football Committee regarding an allegation of recruitment by members of the Skaneateles football coaching staff.
2. A phone call from a representative of NYSPHAA in May 2011 reporting that the NYSPHAA had received reports of recruitment by members of the Skaneateles coaching staff.
3. Oral communications from a representative of Section III advising that Section III had received oral reports of recruitment by members of the Skaneateles coaching staff.

4. Numerous and ongoing other oral communications from a variety of sources made directly to the school district regarding recruitment of student-athletes outside the school district by members of the Skaneateles coaching staff.

The district advised Section III in May 2011 that it was performing due diligence by looking into the allegations of recruiting occurring within the district. As you are aware, this situation is uncharted territory for the Skaneateles School District. The process took significantly longer than had been expected due to the nature, quality and volume of information provided coupled with the apparent lack of clarity with respect to the NYSPHAA rules.

It should be noted also from the outset that the district has conducted a thorough evaluation of any potential eligibility issues and has not determined that any such eligibility issues existed during the 2011 football season.

The specific rules at issue with respect to this report are contained in Section 24 of the NYSPHAA Bylaws and Eligibility Standards. NYSPHAA defines Recruitment in the definitions section of its 2010-2012 Handbook as: "An act, on behalf of or for the benefit of a school, which attempts to influence a student to transfer to a member school for the purpose of participating in athletics." Section 24 of the Bylaws and Eligibility Standards sets forth the rules with respect to Recruitment and Undue Influence:

**24. RECRUITMENT AND UNDUE INFLUENCE.** Recruitment and Undue Influence is defined as the use of influence by any person connected directly or indirectly with a NYSPHAA school to induce a student to transfer from one school to another, or to enter the ninth grade at a member school, for athletic purposes – whether or not the school presently attended by the student is a member of the NYSPHAA.

- a. The use of undue influence to secure a student for competitive purposes in a sport is prohibited. An infraction shall cause the student to forfeit eligibility in that sport for one year from the date of enrollment. The offending school shall be subject to provisions of Bylaw 19(D).
- b. Evidence of undue influence includes, but is not limited to, personal contact by coaches and sponsors in an attempt to persuade transfer, gifts of money, jobs, supplies, clothing, free transportation, admission to contests, invitation to attend practices and/or games, or free and/or reduced tuition.

The District has struggled to interpret the true meaning of this section. After lengthy consultations with counsel, with you directly and with your counsel, the district understands that Section 24 of the Handbook prohibits the use of influence to attempt to persuade an individual to enroll in a school district for the purpose of engaging in athletics whether or not the influence was successful.

The district's counsel has reviewed the rules at length and conferred with Section III counsel who also advised that there is no established evidentiary standard set forth in the NYSPHAA Handbook or in any other location to guide schools in determining when information rises to the level of "knowledge of an infraction" sufficient to trigger the duty to self-report pursuant to Section 19(e). Because there is no known evidentiary standard, in an effort to

be as fair as possible to all parties, the district has interpreted the rules and applied them to the information it has gathered as strictly as possible. The school district and/or its authorized agents and/or representatives have spoken with more than sixty (60) individuals believed to have information that would tend to validate or disprove the reports of recruitment by or on behalf of the Skaneateles athletic department and is reporting only those incidents which, in the school's best judgment, rise to the level of "knowledge of an infraction."

The Skaneateles School District has been aware of and has been monitoring reports of possible recruiting by the football coaching staff since March 2010. At that time, the Skaneateles athletic director was advised by athletic directors at West Genesee, Fowler and Christian Brothers Academy and by an employee of the East Syracuse-Minoa school district about possible recruiting by the Skaneateles football coaching staff. The Skaneateles athletic director specifically advised the coaching staff at that time, both in a phone conversation and through a written e-mail communication of the allegations. In the e-mail communication, the athletic director further provided a written explanation of the NYSPHAA rules with respect to recruiting and put the coaching staff on formal written notice that such behavior is not tolerated in the Skaneateles School District. Thereafter, the district continued to receive reports that individuals acting on behalf of the school district were engaged in recruiting student-athletes from other districts and, in the Spring of 2011 engaged the services of counsel to either validate or disprove the reports.

The specific incidents which the School has determined rise to the level of "knowledge of an infraction" sufficient to trigger the duty to self-report under Section 19(e) follow:

- On or about October 14, 2011, a Central New York student-athlete who now attends college contacted the investigator. This student indicated he played football for a Section IV school in the 2010-11 school year. The student-athlete reported to the investigator that he was recruited to play football in Skaneateles while participating in a three-day football camp at Skaneateles schools in June 2010. During the camp, the student-athlete reported that he was taken aside by a Skaneateles football coach and asked to move to Skaneateles to play football. The student-athlete further reported that there were other non-Skaneateles football players present with him and who received the same offer at the same time. The student-athlete declined the invitation. The following day, while attending the camp, the Skaneateles coach again made the same offer and stated that the student-athlete could live in an apartment in Skaneateles with a flat-screen television and a video game console. The student athlete again declined the invitation.
- Another former Central New York high school student-athlete who attended a Section III school other than Skaneateles reported being recruited while attending the same football camp at Skaneateles schools in June 2010. The student-athlete reported that a Skaneateles football coach approached him during the camp and asked him to move to Skaneateles to play football. The student reported that the football coach told him that there was an apartment in the Skaneateles School District where he could live. The student stated that he declined the offer at that time. The student further stated that the following day, while attending the camp, the same offer was made to him by the same coach. The student did not move to Skaneateles and has since graduated from high school.

- In addition to the above, five current and/or former Section III athletic coaches provided information. Each of the coaches stated that student-athletes from the schools in which they coached reported (to the coaches) that they (the students) had been contacted by an individual claiming to be a member of the Skaneateles football coaching staff and asked to move to Skaneateles to play football. Three of the coaches indicated the student-athletes from their schools reported that they were advised of the availability of an apartment within the Skaneateles School District where they could live. In each of the instances, the coaches indicated they verified the information with the student-athletes and their family members directly but refused to provide any identifying information regarding the student-athletes. None of the students described in this paragraph enrolled in the Skaneateles Central School District.
- A Skaneateles district employee reported that he spoke with a student from a Section III school district other than Skaneateles who was visiting the Skaneateles campus. The student-athlete told the district employee that a Skaneateles football coach had asked him to move to Skaneateles to play football. The student-athlete stated that he was there to inform Skaneateles coaches that he had decided to remain in his school district and had decided not to move to Skaneateles.
- A district employee who is also a coach of a sport other than football reported that he spoke to a student who had moved into the district recently and asked that student to try out for the sport the district employee coaches. The student responded that he could not because the Skaneateles football coaching staff did not want him playing other sports. The student-athlete further advised the district employee that a Skaneateles football coach had recruited him to play football in Skaneateles. The student-athlete did not play for the Skaneateles varsity football team in 2011.

The Skaneateles head varsity football coach was questioned about his knowledge of the NYSPHAA Handbook's rules regarding recruitment and also regarding his knowledge of recruitment activity within the Skaneateles football community. The coach stated his understanding of the handbook was that a coach is prohibited from using undue influence to convince student-athletes to change school districts. The coach further indicated that he had not engaged in any recruitment activity such as is described herein nor was he aware of anyone else engaging in the same on behalf of the Skaneateles School District.

The Skaneateles School District has made every effort to protect its student-athletes and its sports program. The district has conducted a thorough inquiry into its football program and has provided only information it deems "knowledge of an infraction" within the meaning of the NYSPHAA Handbook using its own interpretation and guidance that Section III has provided. The district understands fully the consequences set forth in Section 19(d) of the Handbook and requests that Section III take into consideration the exhaustive efforts the district has undertaken to address this situation when determining its response.

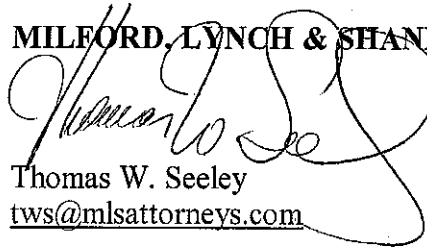
The Skaneateles School District also wishes to express its deep dissatisfaction with the NYSPHAA Handbook as it relates to recruitment. Specifically, the rules as written require the district to factually determine whether recruitment and undue influence occurred but do not provide any level of guidance to assist a school in making such a determination. By copy of this

letter, Skaneateles formally requests that Section III advocate to the NYSPHAA for a revision of the rules to provide more guidance and/or a committee to work with districts in addressing issues of recruiting in the future.

The Skaneateles School District will continue to act in the best interests of its student-athletes and sports programs as prescribed by Section III and the NYSPHAA. Thank you for your anticipated cooperation in this matter.

Report prepared by:

**MILFORD, LYNCH & SHANNON**

A handwritten signature in black ink, appearing to read 'Thomas W. Seeley', is written over the firm name. The signature is fluid and cursive, with the first name 'Thomas' being the most prominent.

Thomas W. Seeley  
[tw@mlsattorneys.com](mailto:tw@mlsattorneys.com)

VERIFICATION

William B. Sullivan, being duly sworn, deposes and states that he is a licensed private investigator licensed by the State of New York. Mr. Sullivan has read the foregoing five-page report summarizing the information gathered only as it relates to allegations into recruiting by the Skaneateles Central School District football coaching staff, knows the contents thereof and affirms that the information contained therein is consistent with the information gathered pursuant to his investigation.



William B. Sullivan

Subscribed and sworn to before me  
this 24<sup>th</sup> day of October 2011.



Notary Public

**LYNN M. NUNEZ**  
Notary Public, State of New York  
Qualified in Onondaga County  
No. 01NU6230755  
My Commission Expires 11-08-2014