

# **PENNSYLVANIA ATHLETIC OVERSIGHT COMMITTEE**

## **ANNUAL REPORT**

**2015**

**The Pennsylvania Athletic Oversight Committee Annual Report**  
**Members**

Representative Gene DiGirolamo, Chairman

Senator Joseph B. Scarnati III

Representative Mike Reese

Senator Robert Tomlinson

Representative Rob Matzie

Senator Jay Costa

[www.palegislature.us/aoc](http://www.palegislature.us/aoc)

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# PENNSYLVANIA ATHLETIC OVERSIGHT COMMITTEE

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**PENNSYLVANIA ATHLETIC OVERSIGHT  
COMMITTEE**

**EXECUTIVE SUMMARY  
ANNUAL REPORT  
2015**

## **I. EXECUTIVE SUMMARY**

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### **BACKGROUND**

On November 22, 2000, then Governor Tom Ridge signed Act 91 of 2000 giving the Pennsylvania Interscholastic Athletics Oversight Council (“Council”) the responsibility to review the progress of the Pennsylvania Interscholastic Athletic Association, Inc. (“PIAA”) to comply with thirteen legislatively mandated reforms. The Act required the PIAA to enact specific reforms that were designed to improve the management of high school athletics in the Commonwealth. The Council was given a two-year period to oversee the efforts of the PIAA towards completion of these reforms.

These 13 mandated reforms were as follows:

1. Open Meeting Policy. Adopt and adhere to policies governing the conduct of open meetings that conform with the requirements of 65 PA.C.S. Ch.7.
2. Merchandise Bidding Policy. Adopt and adhere to a policy establishing a competitive bidding process for the purchase of non-incident merchandise and services that conforms with the requirements of this act.
3. Site Selection Policy. Adopt and adhere to a policy establishing a competitive process for the selection of sites for championship competitions.
4. LB&FC Review. Agree to an annual financial and management review conducted by the Legislative Budget and Finance committee.
5. Expansion of the Board of Directors. Ensure that the membership of its Board of Directors complies with the provisions of the act.
6. Restitution Rule. Not require any member school entity to reimburse PIAA for legal fees and expenses incurred by PIAA or any of its personnel in defending a legal action authorized by a member school entity and brought against the PIAA or any of its personnel and take action to repeal any present rule or policy authorizing such reimbursement prior to the final report of the Pennsylvania Athletic Oversight Council.
7. Evaluation System for Game Officials. Adopt an evaluation system for game officials at district, inter-district and championship competitions and utilize that evaluation system in the selection of individuals to officiate those contests.

8. Conflicts of Interest. Adopt and adhere to a policy prohibiting conflicts of interest and setting forth rules of ethics to be followed by PIAA board members and employees.
9. In-House Counsel. Employ in-house counsel.
10. Employee Evaluations. Evaluate the performance of its contracted employees to determine whether they have complied with the provisions of their contracts and to determine whether termination is appropriate for any PIAA employees who have violated the provisions of their contracts.
11. Media Access. Adopt no rules restricting media access to interscholastic athletic competitions or restricting the substance of any commentary offered by the media reporting of interscholastic athletic competitions.
12. Recruiting. Adopt rules intended to discourage its member school entities from recruiting student athletes.
13. Equal Rights Policy. Establish a policy, including a mechanism for enforcement, requiring that persons involved in interscholastic athletics be provided equality of opportunity and treatment without regard to race, sex, religion, national origin or ethnic background.

On November 26 and 25, 2002, House Bill 2644 unanimously passed the House of Representatives and the Senate, respectively. The bill became Act 187 of 2002. The bill extended the life of the Council for one year. It also added an additional requirement for the Council to evaluate the expansion of PIAA sanctioned athletic competitions or sports, including the addition of other athletic associations into PIAA sponsored championships. The rest of the requirements in Act 91 remain unchanged. The Council issued its final report on March 14, 2004, as mandated by Act 91.

Before issuing its final report, the Council held a final meeting on February 24, 2004 at which time the Council voted aye that the PIAA, to the satisfaction of the Council, was in full compliance with the 13 mandated requirements and the Council disbanded, as provided for in Section 1603-A(g)(1) of Act 91 of 2000. Before the Council disbanded, it voted to include recommendations regarding the continued oversight of the PIAA.

### **RECOMMENDATIONS**

The former Oversight Council placed into their Final Report five recommendations for the PIAA, which the Council believed would assist the PIAA in administering high school athletics in Pennsylvania. The five recommendations are as follows:

- Continue to adhere to Act 91 of 2000 and Act 187 of 2002.
- File an annual report to the Chairman and Minority Chairman of the Education Committee of the Senate, the Chairman and Minority Chairman of the Education Committee of the House of Representatives and the Secretary of Education.
- Include in the annual report their internal annual auditor's report.
- Keep in place all policies and bylaws pertaining to the standards in Act 91. If any change occurs, an explanation and reasoning shall be included with the annual report.
- Continually evaluate PIAA procedures and practices and, where needed, adjust them to better serve the students of Pennsylvania.

On July 4, 2004, the General Assembly established the Pennsylvania Athletic Oversight Committee (PAOC) in response to recommendations provided by the Council. The PAOC is statutorily charged with overseeing the continued compliance of the PIAA with Act 91 of 2000.



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**PA Athletic Oversight Committee**

Section 1605-A of Act 70 provides that the Committee be comprised of six members; two appointed by the Speaker of the House of Representatives and one appointed by the Minority Leader of the House; and two appointed by the President pro tempore of the Senate and one appointed by the Minority Leader in the Senate.

The Pennsylvania Athletic Oversight Committee (“Committee”) as created is required to meet at least once a year for the purposes of reviewing the Pennsylvania Interscholastic Athletic Association’s (“Association”) continued compliance with Act 91 of 2000, responding to issues related to the activities of the Association and to issue an annual report of its findings to the presiding officers in both Chambers. This is the **Eleventh** Annual Report of the Oversight Committee.

The following members are currently appointed to the Committee:

**HOUSE**

Representative Gene DiGirolamo  
Representative Mike Reese  
Representative Rob Matzie

**SENATE**

Senator Joseph Scarnati  
Senator Robert Tomlinson  
Senator Jay Costa

**COMMITTEE MEETINGS OF 2015**

On October 27, 2015 the Committee held a meeting to receive reorganize as well as receive testimony from the PIAA. No other meetings or hearings were conducted in the 2015 calendar year by the Oversight Committee.

PIAA testimony can be found in **Appendix 4** and the Questions and Answers in **Appendix 5**.

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# **PENNSYLVANIA ATHLETIC OVERSIGHT COMMITTEE**

<b>Appendix 1</b>	<b>Operating Rules</b>
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<b>Appendix 5</b>	<b>Questions and Answers</b>

## **APPENDICES ANNUAL REPORT 2015**

## **APPENDIX 1 PA Athletic Oversight Committee Operating Rules**

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### **Operating Rules of the Pennsylvania Athletic Oversight Committee (Adopted November 1, 2005)**

- I.** Membership: The membership of the Pennsylvania Athletic Oversight Committee shall be comprised in accordance with the provisions of section 1605-A of the School Code of 1949 (Act 14 of 1949).
- II.** Officers:
- A. Election: The Committee shall elect as officers of the Committee a Chair and a Vice Chair. Election of officers shall be conducted at the first meeting held after January 30 of each odd-numbered year
  - B. Terms of Office: The terms of office of the officers shall be for two years or their termination of service, whichever is less. Initial term of office for the officers shall expire on the December 1 of 2006. Successive terms of office shall expire on December 1 of each even-numbered year.
  - C. How selected: The chair and vice chair shall be from different chambers, one from the Senate and one from the House.
  - D. Duties: (1) Chair—The duties of the chair shall be to set meeting dates, establish an agenda, and notify members of the Committee of the meeting details and agenda. As presiding officer, the chair shall maintain good order at all meetings. The chair shall also see that a transcript of the proceedings of each meeting is prepared and distributed to the members of the Committee. In addition, the chair shall speak for the Committee and may contact individuals and organizations for information and arrange for hearings of the Committee. Furthermore, the chair shall, with the consent of the Committee, appoint such necessary staff as is needed to complete successfully the work of the Committee.
- (2) Vice Chair—The duties of the vice chair are to fill the duties of the Chair in the absence of the Chair. In the event of a vacancy in the office of the Chair, the Vice Chair shall succeed to the office of the Chair. In the event of a vacancy in the office of the vice chair, the Committee shall, within thirty days of the vacancy, elect from among its members a new vice chair.
- III.** Meetings: The Committee shall meet at least once each calendar year for the purpose established in section 1605-A (c) of the School Code.

- I. Quorum: A majority of the members appointed to the Committee shall constitute a quorum. A quorum shall be required for the transaction of business, except that the Committee may take testimony and hold hearings without a quorum when no votes will be taken.
- II. Voting: All matters of business before the Committee shall be decided by a majority vote of the Committee. Members of the committee may vote by proxy only after a quorum has been established by a majority of the members. If a member reports to a scheduled committee meeting and advises the chairman and other members of a conflicting committee meeting or other legislative business which he or she must attend on the same day, the member is authorized to give the chairman his or her proxy in writing which shall be valid only for that day and which shall include written instructions for the exercise of such proxy by the chairman during the meeting.
- III. Parliamentary Authority: *Mason's manual of Legislative Procedures*, current edition, shall serve as the parliamentary authority for all business conducted by the Committee.
- IV. Compliance with Applicable State Statutes: The Committee shall be subject to the provisions of Title 65 Pennsylvania Consolidated Statutes (65 Pa. C.S.), Chapter 7 (Open Meetings) as it relates to the official actions of the Committee.

**Article IV was revised on October 7, 2008.**

**Article V was revised on October 3, 2006.**



**PA ATHLETIC OVERSIGHT COMMITTEE (PAOC)  
REP. GENE DIGIROLAMO, ACTING-CHAIR  
TUESDAY, OCTOBER 27, 2015  
ROOM B-31 MAIN CAPITOL**

**AGENDA**

**Meeting Called to Order**

Acting -Chair, Rep. Gene DiGirolamo

- The following members of the General Assembly have been appointed to the committee for the 2015-2016 Session:

*Representative Gene DiGirolamo*  
*Representative Mike Reese.*  
*Representative Robert F. Matzie*

*Senator Joseph B. Scarnati III*  
*Senator Robert M. Tomlinson*  
*Senator Jay Costa*

**Roll Call**

**First Order of Business**

- Nomination and selection of Chair and Vice Chair

**Old Business**

Approval of the minutes

- January 15, 2014
- April 1, 2014

Reports



- Approval of the 2014 Draft Annual Report

### **New Business**

- Dr. Robert Lombardi, Executive Director of the PIAA, to provide an update on the PIAA's continued compliance with Act 91 of 2000 and any other related business concerning the PIAA and the public.
- Questions and Comments.

### **Good of the order**

### **Next Meeting Announcement**

TBA

### **Adjournment**

**APPENDIX 3 Meeting Minutes**

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**PA ATHLETIC OVERSIGHT COMMITTEE  
MINUTES**

Tuesday, October 27, 2015  
B-31 Main Capitol

Call to order by Acting-Chair Gene DiGirolamo.

**ROLL CALL**

The members appointed to the committee for the 2013-2014 session of the General Assembly are:

Representative Gene DiGirolamo	Present
Representative Mike Reese	Present
Representative Rob Matzie	Present
Senator Joseph Scarnati	Present
Senator Robert Tomlinson	Present
Senator Jay Costa	Present

Also, in attendance were the following individuals, including staff:

Sean Harris, Executive Director of the Oversight Committee  
Pamela Huss, Administrative Assistant for the Oversight Committee

Dr. Robert Lombardi, Executive Director of the PIAA  
Melissa Mertz, Associate Executive Director of the PIAA  
Allen Boyton, Legal Counsel for PIAA  
Andy Goodman, Legislative Counsel and Consultant for PIAA

**OLD BUSINESS**

None.

**NEW BUSINESS**

The meeting was brought to order, roll call taken and the following officers voted by the Committee:

Rep. Gene DiGirolamo, Chair (Moved by Matzie, 2<sup>nd</sup> by Tomlinson)  
Sen. Robert Tomlinson, Vice Chair (Moved by Reese, 2<sup>nd</sup> by DiGirolamo)

### Approval of Minutes

The minutes of January 15, 2014 and April 1, 2014 were approved with Sen. Tomlinson moving and Rep. Matzie making a second.

### Reports

The draft annual report for 2014 was presented and approved with Rep. Reese moving and Rep. Matzie making a second.

The Chair then recognized Dr. Robert Lombardi to begin his testimony by introducing the PIAA representatives who were present. Dr. Lombardi provided five points of discussion:

1. Classification of Schools
2. Recent changes to the Child Protective Services Law
3. Sponsoring of Special Olympics
4. PIAA Foundation and Invitational Cross Country Meet
5. Unionization of Lacrosse Officials in Pittsburgh Area

The Committee questioned the PIAA on several of the issues above.

The meeting was adjourned.

### **NEXT MEETING**

TBD



**Pennsylvania Athletic Oversight Committee Representative Gene  
DiGirolamo, Chairman Tuesday, October 27, 2015-9 AM  
Room B31- Capitol**

Good morning. I'm Bob Lombardi, and I am PIAA's Executive Director. Thank you for the opportunity to speak with you this morning. It is my pleasure to be here. Please allow me an opportunity to introduce Mrs. Melissa Mertz, our Associate Executive Director and our legislative consultant, Mr. Andy Goodman. I would like to report briefly on 5 topics.

**Act91**

All 13 aspects of Act 91 have been annually reviewed and implemented and PIAA continues to comply with the Act as we have since 2004.

**Classifications of Schools**

We are starting the process of classifying our schools for the next two-year cycle. This process is initiated in every odd-numbered year for boys and girls in grades 9-11 and we collect school enrollment numbers that are presented to the Pennsylvania Department of Education from October 1<sup>st</sup> thru October 15<sup>th</sup>.

The timeline for classifications is as follows; we issue schools their classifications by sport and gender based upon their submitted numbers around November 20<sup>th</sup> and the schools have from November 20<sup>th</sup> to December 15<sup>th</sup> to move up in class if they desire. Schools may not move down. The Board of Directors finalizes the classifications at its December 17<sup>th</sup> BOD meeting. At that time, we start the process of post-season bracketing for all our sports based upon a proportional representation of schools by PIAA district.

This year we have a major change for our schools in counting their submitted enrollment numbers. As in the past, schools will submit their student numbers, including all students attending home, alternative, magnet, technological, charter and cyber- charter schools. However, unlike in the past, we will include only 10% of these students to the school's regularly enrolled students to determine their classification. This is in response to an outcry from the membership that the students who are not in full time attendance are not participating in athletics, but still have been effecting their classification while other schools in our membership do not have to add these students since they do not have them. We have listened to the membership and this is something they believe will assist in leveling the competitive playing fields for schools.

Another major change in our classification process is the changing of the number of classifications in 6 girls sports and 5 boys sports. This was initiated originally by the football steering committee due to many schools feel like the disparity in the size of the schools they compete against is overwhelming, so we studied this through 8 different proposals, 6 Board of Directors meetings, 2 strategic plan committee meetings and 3 football steering committee meetings. One of the items

we discovered is that PA is the largest state in the nation with only 4 classes. Most states our size have 6, 7 or 8 classifications. The support was overwhelming statewide as illustrated by a 26-4 vote. Obviously, the Board was not going to expand in only one sport (football) and completely ignore others. We looked at the number of schools participating in other sports and expanded several of them as well to follow the same philosophy of cutting down the disparity in size of schools competing against each other. This vote was by a compelling 23-7 margin.

### **Background Clearances for Sports Officials**

This past June's change in the Child Protective Services Law to ensure that all independent contractors on a school campus that come into contact with students have three background clearances, the FBI, PA State Police and PA Department of Human Services, has presented us with a large task. Under the Public School Code, newly registered sports' officials had to complete these checks for a number of years. The change in the law, though, now requires all officials to complete the checks. PIAA has been working diligently to assist our over 14,000 veteran registered sports officials as well as our 1450 member schools to provide a clearinghouse and repository to assist these groups in having the ability to review that officials have completed these clearances.

### **Special Olympics of PA**

Last year was our initial opportunity to get involved with Unified Sports and the Special Olympics of PA. We are very proud to announce we sponsored our first statewide unified sports championships in the sports of bocce and track and field. We had 10 schools participate in these events and had tremendous support from our membership as well as Special Olympics to continue these events and attempt to expand them into other schools and areas of the state. We will again sponsor these events this year.

### **PIAA Foundation – Student Leadership training**

Our Foundation is primarily funded by an invitational cross country meet we host annually at the Parkview championship course in Hershey. This past year, the Foundation sponsored 10 students selected from a statewide application process to attend a student leadership Summit sponsored by the National Federation of State High School Association (NFHS). These students received leadership training and participated in seminars to further develop their skills and return to their respective schools district and implement some of the skills and initiatives they learned in Indianapolis. Many of these students have already assisted in the implementation of Special Olympics programs in their local communities. We are extremely proud of these students and this program. It is one of a kind nationally and the impact on students, school and their communities is immeasurable.

Thank you for allowing me a few moments to update you. Myself and our staff are available to answer any questions or address any concerns that you may have.

Thank you for the opportunity to be with you today. It is appreciated.

## **APPENDIX 5 Question and Answer – October 27, 2015**

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Thank you very much Mr. Chairman, and thank you Dr. Lombardi and staff for being here today. Couple of comments and then a couple questions. First of all the comments, thank you for your immediacy when Rep. Reese and I contacted you relative to the classification vote. Obviously, Rep. Reese, myself and Sen. Costa all represent District 7 in our home districts and that was an issue that was brought to us by some of our larger school districts relative to their issues and concerns, but majority rules, 26-4 for football, but I think the one thing for the record that needs to be addressed was one of our main concerns that we heard from our school districts and administrators was the fact that it was just being football; and then you had cleared that up for us relative to the fact that it had only gone through 2 readings, but there was a possibility for a vote anyway and ended up happening that following day when the vote of the board was to skip the final reading and have a vote, again majority rules, 23-7 for other sports. I think for the most part that's satisfied, some of the concerns that we heard from our administrators, obviously some folks still have a bone of contention and until the deadline comes relative to schools that determine that whether or not they want to move up in classification or not, you will then have to really go to work. I think really mapping everything out as far as classifications are concerned. We appreciate your immediacy again in meeting with us and specifically Chairman DiGirolamo and Sean for setting that up to ensure that we had our opportunity to voice our concern. Publicly, I wanted to thank you and for hearing our concerns and addressing them in an immediate manner.

You mentioned the background clearances for the sports officials and how you are setting up and working on a setting up a clearing house in a repository. Can you give us an update on that, where we are at, specifically, you talked about 14,000 veterans registered sport officials, where are we at from a number perspective, if you can address that?

Lombardi: Thank you Rep. Matzie and thank you for the kind comments. Where we are with the background checks is, as of today, we are probably right about 3,000 of our veterans officials that have submitted their clearances. We have established a portal on our website for them to electronically transmit their paperwork to us and then our official's staff goes through everyone to make sure they comply with the law. What we will do upon successful completion, we will place a date on our website in our secure area for our officials program and schools may use their codes and go in and see that, for example, Rob Matzie has his clearances and that they were looked at on these dates and they are all in order and anyone that is not, we will correspond with them and take whatever action we need to take. We are following our bylaws and now follows the Child Services Law.

Matzie: One final question that you mentioned at the end of your testimony and additional testimony relative to the lacrosse officials from Pittsburgh and maybe I turn to your counsel for a reply. Are there other jurisdictions where local officials have unionized, has this happened elsewhere around the country, is this something you can answer or looked into? I was blowing away when you said that to be quite frank with you. I look at local officials as being independent contractor and

someone does this as a hobby, or true love of the sport, etc. I was a little surprised by the fact that it has gone to that point.

Lombardi: We do to Rep. Matzie. We believe that they are independent contractors and we also believe that there is some case law out there and precedent that also says that and that is why we have appealed the Regional Director's decision to the NLRB.

Allen: This is the first time in the country that high school officials have unionized. As Bob said, we have strong precedent under state law that the officials are independent contractors. About 30 years ago, football officials tried to unionize, PA Labor Relations Board rejected it and said there were independent contractors. But NLRB is not bound by that decision and at the Federal level, the trend has been toward finding almost everyone to be employees and that is what we have found as well.

Matzie: Thank you again for your answers and for being here before us today. Thank you Mr. Chairman.

Lombardi: Rep. Matzie, one item that I would like to add just for the record to support what your comments were about the expansion of other sports, two representatives from your area one seconded the motion to expand in the other sports and 2 of them voted for that. So it was important as you said to your schools to look at other sports and to expand and I just wanted you to know on the record that those representatives did support that initiative.

Matzie: Thank you.

Gene: Senator Tomlinson....

Tomlinson: Just a maybe an update a little bit, you are considering new classes, have you given any more thought to the problem we face with schools who basically do not have borders. Some of our parochial schools recruit from all over, take from a lot of local schools any thoughts about creating another class for that. I know we have talked about that in the past.

Lombardi: Thank you for the question. That is where our 10% rule comes in, because the schools that you are addressing do not count those home schoolers, magnet schools, charter, and cyber charter school students and because of that, by only counting 10% we feel that we will get a closer competitive playing field than we ever had. That is how the board has addressed us. Because in 1972 you know that act of the legislation omitted all school entities in PA and including our parochial schools and the board felt that was the best first step in the direction and we didn't want raise the ire of legislation that tried to segregate members of our membership. So that is how the board addressed it. I think it was a wise move, I think it was probably the biggest thing we ever done in classifications in, maybe I would say 40 years or more. I talk to our previous Executive Director, Brad about

this and he doesn't remember any time that we have ever gone on record like this. This is how we try to address this.

Tomlinson: In my opinion, these schools are still recruiting. There are schools out there recruiting, I guess it is maybe hard to prove.

Lombardi: We do have a process, we do have a recruiting section of our bylaw and we also have a process that people can come forward through our district committees and have a hearing and if someone is a bad actor. But unfortunately, people live in a world of sometimes of rumor and innuendo and they don't have any facts. We would encourage anyone that has facts to come forward so we could handle it through the process. When they have done that, we believe that the process works and we have found schools that may be had students come there inappropriately for an athletically motivated transfer and our board and our district committees have found them ineligible. Then they have to sit out the required penalty that is imposed.

Tomlinson: Thank you.

Gene: Representative Reese....

Reese: Thank you Mr. Chairman. Dr. Lombardi, just for clarification, can you walk me through the new 10% rule. How does it actually work?

Lombardi: In how it works is this, the schools submit all their numbers to us the same way they submit their numbers to the Department of Education. We have a window of October 1<sup>st</sup> through the 15<sup>th</sup> and they put in all their students, they put in the students that are in regularly attendance and the students that Melissa and I call ancillary students, charter, cyber charter, magnet, technological schools and alternative schools those people are also listed and we have a form that is very clear and easy to complete and they list all those students. This year we will take that total and of those students that are not regularly in attendance, charter, cyber charter, magnet, technological and alternative schools and all those technological students, we will have a number, say its 50 and then we are only going to count 10% of those, which would be 5 and add that to the regularly enrolled number for their classification number. What that does is, in the past where we have schools, and you folks know these in your areas, we have a lot of home schoolers in some areas and those students historically have not participated in athletics and some of them have a large population of those and it was impacting schools putting them up maybe one or maybe two classifications. Say they had a 100 of those, now only counting 10 is not going to have such an impact in moving people up. We think we will get a more accurate number of who is actually participating. Am I clear?

Reese: Absolutely, I think it makes sense. How did you come up with 10%?



Lombardi: It came up because some of our schools and it was part of the city schools in Pittsburgh that said they have a large number of cyber charter school students and to the point that they are playing in the highest classification and they don't even see those students. They are not participating in athletics at all. So we looked at it over a 2 reading period with the board. They said you know what, go back to your schools and meet with your committees and come up with some actual numbers. The original proposal was 25% but when they went back home to talked to their membership and brought it forward to their committee, they found that 25% was high, that the actual number may have been as low as zero. So they thought as a jumping offer or starting point, you have to count some, there has to be a few there somewhere. So let's start with 10% and Melissa, anything to add? That was the process Rep. Reese.

Gene: Senator Scarnati, do you have any questions?

Scarnati: A tough issue such as that, requires incremental steps and I think you took a fine incremental step to try to address it and clearly education changes around here on a continuous basis and God only knows what you are going to find at the end of this year or at the end of next year what we do and how it impacts it. I certainly concur with what you did and appreciate the updates and it is always a nice setting and I apologize for being late, I couldn't sleep last night about my nomination speech for Senator Tomlinson. It's all out the window now.

Gene: Bob, just real quick, you touched a little bit about recruiting. One thing I hear a little bit down our way are some complaints, not a whole lot, but once in a while, are the transfer rules? We had a conversation before, do you think they are working ok? Maybe a little bit of update on how they are working.

Lombardi: Our transfer rule is one of those rules, probably much like things you deal with in the Legislature, always being monitored. Because someone is always trying to find a way around the rule to go to some place. I don't think there is one state in the nation that has a solution on the transfer rule, at least not that we have found over the years. We think ours is living, breathing and as real as possibly our membership and the court system could make it. We continue to try to tweak it, we just looked at something not so much for transfer, but we added a provision for special needs students and curriculum that's something we didn't have and I think it's an important piece. But athletic motivation to go from School A to School B is sometimes difficult to prove, but what we are finding it isn't the student. In many of the cases we see a student moving from school A to school B is because mom and dad have illusions of grandeur. They think that everyone is going to get a scholarship and folks you know better than I do, there's not that many out there. We have 350,000 kids playing athletics in PA. There's not 350,000 opportunities at the collegian level. There's probably not even 50,000 opportunities at the collegian level because we are only talking about the opportunities for incoming freshmen. The other slots are already taken. You take Melissa that played field hockey at a very high level, the amount of scholarships

they have, even at our highly pronounced programs of Penn State and some of the other ones across the Commonwealth, they might have one or two scholarships that they have to split up. So mom and dad get all wrapped up in this and I am here to tell you I think on an annual basis and we are going to try to do a study at some time about this. I believe in our state, more students get academic scholarships or grant aids than they do athletic. But everybody chases that scholarship, because a person like Melissa that is an outstanding player is in the newspaper and its “sexy” and it something that everyone can put their arms around. Gene, I wish I had a better answer about the transfer rule but it is one of those things that is continual evolving, we have asked all our district chairman on an annual basis to take a look at it to tweak it, make it living, breathing and represent our students.

Gene: I think the one part of it that makes sense to me is that the principals of both schools have to sign off on it.

Lombardi: I have to sign off that there is a number of items we list in that athletic transfer form that illustrates some of the reasons for an athletically motivated transfer and if they don't check those off, it at least brings it to the attention of what scenarios could be. If the principal signs off and then it goes to the committee for their ratification.

Gene: I want to thank you all for being here.