Presented by Home Team Marketing



March 2015

### TEXAS HIGH SCHOOL ATHLETIC DIRECTORS ASSOCIATION

**Executive Director's Report** Rusty Dowling, Executive Director – THSADA

I'd like to take this opportunity to they may have regarding athletic There was a good turnout of AD's for the welcome everyone to Frisco, TX and the 44th annual Home Team Marketing-THSADA State Conference. We hope you have a great time and find the Conference not only a unique social experience but equally as rewarding in fulfilling your professional needs and requirements. This will be our 3rd State Conference during my role of Executive Director, with prior State Conferences held in San Angelo and Houston. We are very excited about the participation of our university Director of Athletics and their presentations to our members. We look forward to those presentations by Chris Del Conte-Director of Athletics-TCU, Rick Hart-Director of Athletics-SMU and Rick Villarreal-Director of Athletics-UNT. These speakers along with our THSADA speakers will contribute to a great conference.

A year ago the THSADA Board of Directors approved a major initiative in approving the addition of three more Regional Directors to develop those Regions in the state that had been somewhat neglected. Those new Region Directors are: Mark Ball-Lubbock ISD-Region 1, Kenneth Owen-El Paso ISD-Region 4 and Dwayne Weirich-Round Rock ISD-Region 6. Region 1 and 4 were essentially new Regions that the Board felt needed a specific Region Director for that area of the state. Region 6 was an adjustment of Region 8 and Region 3. With the tremendous population growth in Central Texas and the increase and expansion of schools and ISDs, Region 6 became its own Region and is the 4th largest Region in the THSADA. Each Region now hosts a various number of Region meetings that further raise the profile of the THSADA and allows members to network and facilitate professional concerns

administration. It also gives the THSADA a strong state-wide presence through collaborative communication and statewide organizational component. Region meetings are a strong feature of the THSADA.

The THSADA has also been instrumental in providing training for new and aspiring Athletic Directors in Texas. The THSADA office has been involved in advising ISDs on athletic administrative protocol, procedures and processes that are essential in fluid administrative and operational concerns of athletic leadership. Numerous New and Aspiring ADs have attended these sessions that are held at the THSADA office. It will be the decision of the Board to expand these services and develop the requisite curriculum to further assist those individuals interested in athletic administration in the State of Texas.

The THSADA office has also added a part-time position of Special Events Manager. Handling this position will be Keith Kilgore, former long-time Director of Athletics for the Fort Bend ISD in Houston. Keith's many years of successful experience will be significant and further strengthen the different programs and initiatives of the THSADA.

With the convening of the 84th Texas Legislature, the THSADA will be in the loop on those bills, discussions and decisions that affect Athletics in the State of Texas. All of the Texas Associations do a great job of staying informed and ready to get involved when the situation necessitates a collaborative movement.

THSADA hosted The athletic administrators at AT&T Stadium over the UIL State Football Championships weekend in Dallas at the end of December.

games as the Association to make this an annual event for all athletic administrators. It's a great time to network with not only other AD's but the UIL, other coaches Associations, Superintendents and various individuals and companies we deal with on a daily basis. Plan now to attend next year.

Kathy Mathis and I had the opportunity for a visit to Cleveland, Ohio and specifically to the offices of our State Conference sponsor-Home It was an extremely Marketing. interesting visit as we had the opportunity to see all of the action behind the scenes and meet the people that make HTM go. The corporate offices of HTM are located in downtown Cleveland in a very unique building and office set up. Patrick Spear acted as our host and introduced us to most of the entire office and what their duties and functions were. It was also on this visit that HTM and the THSADA confirmed their continued partnership for the next several years. We also had a chance to visit with NACDA. NACDA stands for the National Association of Collegiate Directors of Athletics. This was significant because a lot of what we do with the THSADA mirrors several of the administrative functions used by NACDA, specifically the Tradeshow setup and operation. Denise Manak acted as our host and introduced us to the entire NACDA staff and what function each individual had. It was extremely interesting and a visit that we will plan on doing on regular basis.

The THSADA Executive Director will be actively involved with the UIL Review Advisory Committee. This committee is being created as a result of the review and decisions of the Sunset Commission.

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The first meetings were held this past and involved significant February conversations and discussions within the sub-committees assigned to study the various topics assigned to them.

The purpose of this group is to review the UILConstitution and Contest Rules, as well as other aspects of the UIL, and provide recommendations to the UIL Legislative Council for changes and improvements. Additionally, we will review virtually all things related to UIL to help determine how the organization will operate moving forward. To accomplish this in the most effective manner, the committee is comprised of representatives from a very diverse collection of stakeholder groups. In addition to these members, other stakeholders will be engaged in discussions through subcommittee assignments.

The plan is for this group to meet three to four times over the next twelve to eighteen months. The meeting format will include a combination of Sunday and Monday sessions. The full RAC committee will meet Sunday morning to begin the session. Following the full RAC committee meeting, subcommittees will meet. Monday morning, the full RAC committee will reconvene to summarize

the work of the subcommittees. Much **UIL Student Eligibility:** the same way as UIL Legislative Council. Generally, we will be considering issues related to four main categories: UIL Structure and Governance, UIL Finances, UIL Membership and Conference/District Alignment, and UIL Student Eligibility. Each of these four general categories will be reviewed through two subcommittees as follows:

### **UIL Structure and Governance:**

- Subcommittee on Rules Promulgation and Executive Authority
- Subcommittee on UIL Hearings Processes and Adjudication

### **UIL Finances:**

- Subcommittee on General **UIL** Revenues and Finances
- Subcommittee on Post-Season Revenue and Broadcast Plans

### **UIL** Membership and **Conference/District Alignment:**

- · Subcommittee on UIL General Membership
- Subcommittee on Conference and District Alignment

- · Subcommittee on General Student Eligibility
- Rules Subcommittee on Age and Amateurism Rules

With this structure, the review process will start with full committee discussions. UIL staff has identified several areas of focus within each of these categories. Committee members will have opportunities to add topics to these for discussion. From the larger committee, subcommittees will engage in focused discussions on specific topics. Once the subcommittees find consensus on topics, the subcommittees will make recommendations up to the larger committee. Then, the full RAC committee will find consensus on recommendations to submit to the UIL Legislative Council for formal promulgation.

In closing the THSADA calendar looks forward to more Region meetings, the May Board of Directors meeting, both TGCA and THSCA Summer Conferences along with our pinnacle event, the PBK Sports-THSADA Hall of Honor Banquet.



### TEXAS HIGH SCHOOL ATHLETIC DIRECTORS ASSOCIATION

### President's Remarks Bob DeJonge, President - THSADA, Director of Athletics for Keller ISD

Welcome to the 44th Texas High School Athletic Directors State Conference! In 1971 our 1st President Joe Bill Fox and his board started our association. Even as we have evolved and grown, the foundation that was set in place over four decades ago has served us well.

conference This year's theme "Leadership in Motion." Today's Athletic Director must be a master at multitasking and problem solving. Over the course of a year we hire, evaluate, mentor, and build budgets, oversee construction and renovation projects and of course exhibit great skill in the areas of mediation and problem solving.

That's quite an extensive list of job

requirements to say the least! This year's conference agenda has been specifically designed to provide training and insight in the key areas that today's job requires.

There has never been a better time to be an AD in Texas. There also has never been a more important time for us as athletic directors or for our association. As our THSADA membership has increased our sphere of influence has also continued to grow. Our voice is stronger than ever with the UIL and our coaching associations. We have the ability to influence local and state decisions related to the programs and activities that we oversee, our superintendents and school boards have a growing understanding of the role and importance of extracurricular activities and we are also now recognized as one of the largest and most influential Athletic Administrators organizations in the nation. All of these things are happening because of our collective commitment to professional development and our willingness to lead.

On behalf of our Executive Director Rusty Dowling and our Board of Directors, I want to welcome you to this year's conference and hope that your attendance will provide you with opportunities for continued growth.

Enjoy the Conference! ★



THSADA President



### **Athletic Director's Logistic Interview**

The THSADA Publications Committee interviewed Athletic Directors that were involved with a State Championship, either in Volleyball or Football. Here are their thoughts on some Logistical Issues they faced. Thank you to Danny Long (AD Conroe ISD) Steve Williams (AD Allen ISD), Debbie Decker (AD Katy ISD), Tim Buchanan (AD Aledo ISD), Gina Farmer (AD Cedar Hill ISD) and Jack Alvarez (AD/HD FB Ennis ISD) Ed Warken (AD Cy Fair ISD) & Ray Zepeda (Asst. AD Cy Fair ISD)

1. As your team approached the late rounds of playoffs and the State Championship, what factors cross your mind in terms of venue and travel? (Assuming that the venue is close and assuming you might have to travel out of your region)

Jack Alvarez: a.) When we played in venues that were close it took pressure off of the day and site decision because we made a commitment to playing all of our games on Friday due to the finals beings played on Friday at ATT for 5A II. The factor that we did have to take in consideration was stadium size because our fans travel really well.

b.) When having to travel outside the region (Lubbock) which was a 7 hour drive from Ennis. The factors that we felt that came into play was; Keeping the game on Friday so we did not lose a day of preparation and rest going into the state Championship game. Other factors were Buses, meals, a walk-through venue, hydration and returning at home at 5 in the morning. We also had a bus driver change on the way back.

**Gina Farmer:** Size of the stadium. The atmosphere for the kids and the locker room configuration. We want to make the playoffs a big deal for our kids and provide them with opportunities they may not otherwise receive.

Tim Buchanan: As you go deeper into the football playoffs, travel becomes a very big factor due to the size of the state, specifically Region 1, so finding a neutral game venue is very difficult. This sometimes results in teams flipping for home/home venues.

**Steve Williams:** The number one issue for us, is securing and agreeing on a site that can hold the crowd. The worst thing that can happen in the play-offs is to

have a venue that cannot accommodate the crowd. We also try to secure a venue where the kids will be excited to play.

Danny Long: When securing a venue the number one priority is locating an agreeable neutral location, which prior to the regional tournament are normally high schools.

Debbie Decker: We start in the Summer and look at possible match up and possible venues may be available. We also reserve charter buses in July August for every sport. It is easy to cancel than try to find with limited notice. Venue seating capacity is also important. One thing we have run into is officials pay. Some venues are turn-key while others are not.

Ed Warken & Ray Zepeda: In general, our focus as an athletic office it to take the load off of our coaching staff and our campus administration in regards to all travel and venue arrangements. We want our coaches to be able to focus on their jobs of preparing their teams and we hope that we provide a service that allows them to do that. To do this, our staff works a week in advance to try to work with possible corresponding athletic directors of potential opponents for the next round to secure basic, possible arrangements. We try to get this out of the way on Monday and Tuesday of the work week prior to the next round. As we get to Wednesday, our focus turns to the game that week and we work to provide final information to the venue that we are playing at that week. Finally, we use Thursday and Friday to clean up any loose ends for our game that week.

The most important factor for us is to work with our coaching staff to give them the best, most appropriate venue that they feel would be the most advantageous for their team. Obviously, the distance that we will travel, venue amenities, etc. all come into play as we are trying to discern the best venue from our specific vantage point.

## 2. Logistically, what is the most difficult part of travel to these contests?

*J.A.* Here at Ennis the hardest thing is setting up buses, because of the size of the district, if we have to leave earlier than usual we must secure charter buses for everyone. Football, band, cheer, drill team etc.

**G.F.** Athletic Trainers getting to the sta-

dium before the team gets there in order to prepare. Accessibility for equipment trucks, band semi, etc.

**T.B.** Logistically, the most difficult part of travel is securing the best means of transportation for your team (ex. Yellow Bus, Charter Bus or Air Plane) at an affordable price.

S.W. For us, the largest problem is if we have to travel out of the metroplex. The cost associated with the number of buses and feeding the kids is prohibitive. We have been very fortunate this year to never have to leave the metroplex, and we traveled to every game on school buses. We have never had to stay overnight during of our play-off runs and feel that would be extremely difficult and expensive for our district.

**D.L.** Securing charter buses on such a short notice is always challenging.

D.D. Identifying and providing parking passes for VIP's and necessary personnel. We have found that being organized helps with this process. One thing we look at is departure times to meet with when we can gain access to a venue locker room. You do not want students sitting in a bus when you can plan other stops or leave at a different time.

E.W. & R.Z. Handling all of the non-athletic campus needs. It is sometimes very difficult to accommodate the specific needs and expectations of our non-athletic groups that travel with us, such as band, drill teams and cheerleaders.

# 3. Outside of winning the State Championship, what has been the most pleasant part of setting up the travel?

J.A. Seeing the kids benefit from a good solid plan and the appreciation of the school district and fan base.

**G.F.** The great stadiums in which we have played.

**T.B** I can't say there was anything rewarding about travel except for winning a venue flip.

**S.W.** I think the most pleasant part is that you get meet new people and develop new relationships that can help you in future with play-off arrangements.

**D.L.** The district requires travel requests to be done 15 days in advance, therefore

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the coaches have filled out their paper work in advance. The week of the contest the campus contacts central administration with the locations and costs for the paper work.

- **D.D.** I am relieved when all buses and support vehicles have all arrived safely on-time and without issues.
- E.W. & R.Z. While we did not win the state championship, it was a thrill for our community to experience a state championship atmosphere. We enjoyed helping to facilitate this experience for our community and school district.

#### 4. How helpful have the venues been?

- J.A. They have done a great job taking care of us and making us feel at home. The hospitality of the host school and venues and getting to network with other Athletic Directors and coaches. They all seem to follow the golden rule and treat us like they would want to be treated.
- **G.F.** All have been incredible hosts!
- T.B. Most venues have been really good but some are a lot more helpful than others. The most hospitable stadiums have been Northwest ISD and Pennington Field. AT&T Cowboy Stadium will never be the same without Bruce Hardy.
- *S.W.* The people we have dealt with this year have been extremely helpful and made it very special for our kids.
- **D.L.** The Venue in Garland is a first class venue. It was extremely helpful that we were provided a contact to arrange practice times at the nearby high school. We utilized this both years.
- **D.D.** Communication is key and the venues that communicate well have been very helpful to running a smooth contest.
- *E.W.* & *R.Z.* All venues have strengths and weaknesses. Here is our assessment of the major venues that we played at this year:

San Antonio Alamodome - Fantastic staff, great communication between all parties. Overall their entire staff worked hard to provide a great experience for our group at a very reasonable price point. They took care of all arrangements to pay officials, UIL etc.

Rice University - Excellent communication and great to work with. However, do not get some of the amenities that other venues provide. We did not have the use of a video board for replay or other needs and the visiting team had to dress in a concession storage area on the concourse level. The home team had to make all arrangements in regards to paying the officials. Rice's staff would make adjustments to reimburse the home team.

University of Houston - Excellent communication, Great facility for football. Professional announcer and video board were included in rental. Our schools and community loved the venue, but we found that the management staff at U of H did not really understand the needs of a high school athletic department. The cost is very high, but they have agreed to continue to work on this moving forward to make it more affordable.

- 5. Coaches like routines, what if any had to be changed, due to the State Championships being set for a specific time and place in advance?
- J.A. We started practicing our warm up two weeks in advance. We called it our ATT stadium warm up because we knew the scheduled was usually 1hr 20 min before kick- off and we would be reduced to 25 min of on the field warm-up. We set up some stations and groups to prewarm up before we went on the field.
- **G.F.** None really... we just want to play games on a Saturday in order to get in routine of what the state championship day might look like.
- T.B. There are positives and negatives about the central site state championship venue. For us, being 35 miles from Cowboy Stadium, it has been very easy to stay in our routine, but I don't think the Region 3 or 4 schools feel the same. Knowing the exact date and time of your game allows you to plan throughout the playoffs to stay on a 7 day routine. For example, if you know your game is going to be a Friday 8:00 p.m. game, then you should try to stay on Friday nights throughout the tournament.
- S.W. Our Coach doesn't get up tight about the small things, and I think it carries over to the kids. We just stick to our normal play-off routine and adjust the times to fit the travel and start time of the game.
- D.D. We try to keep the routine the same and play on the same day. Friday to Friday, Saturday to Saturday and we are up front with future opponents that this site available on this day. Example, next week NRG Stadium is only available on Friday. Driving to and from Dallas has brought up new adjustments.

Those adjustments include locker room availability, what food can be brought in and coordinating a charter bus driver change do to federal laws and drive time restrictions.

E.W. & R.Z. Very limited warm up time 45-60 minutes on the field and we could not get into the locker rooms until three hours before game time. This is a difficult arrangement when traveling to get to the venue itself. As a 6A district, we did not experience the disruption that some of the other smaller schools had by needing to play on Thursday of the state championship week. Also, it was difficult for our team to make post-game meal arrangements on site with such a late post-game time.

- 6. Any suggestions to fellow Athletic Directors on making this trip as seamless as possible for their players and coaches?
- J.A. The UIL and ATT does a good job of sending you out specific information about how everything flows, make sure you read it and pay attention to its detail because if you do not it could cause coaches and players to panic.
- G.F. Be extremely organized.....can't be too organized. Have a time table for everything. Communicate expectations of behavior to auxiliary groups so that all understand who is supposed to be where / when AND how they are to act. I have found that this has saved many headaches on game day. Have cell phone numbers for everyone involved so that if something does comes up it can be addressed immediately.
- T.B I believe kids perform better when they sleep in their own beds the night before a game, so we do everything possible to make that happen. If you look at the history of the late state championship games on Thursday, Friday and Saturday nights, the teams that slept in their own beds the night before the game have usually won the game. If you must travel and stay in a hotel, then have a script you will follow throughout the day that is as similar as possible to the routine they follow throughout the season and playoffs.
- **S.W.** We try to take as much of the work off the coaches as possible. We secure the venue, setup travel, meals, tickets, ticket prices, parking and any other things associated with the game. The Head Coach then just has to worry about officials and who is home team.
- D.L. Be aware that your regional tournament location may charge an entry



fee. It is not charged at all regional sites but it is charged by Sam Houston State University and this caught us by surprise the first year.

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**D.D.** Daily communication with the venue is necessary. We also have parent meetings about expectations, especially when the trip is overnight. We also give our coaches a checklist on what needs to be done prior to the state tournament.

E.W. & R.Z. Need to fill out the information sheet properly the week before the game taking into account all groups that might need field access. I would also suggest talking to other athletic directors that have made the trip in previous years. Katy ISD was very helpful in giving us advice and explaining their past experience.

## 7. Is there anything you might change, if given another opportunity next year?

J.A. Not really, we had a plan of playing on Friday and stuck to it. We did not treat the kids any different as far as travel or meals because we were in the play-offs. We felt like that was one of the best things we did was stay on our routine.

**G. F.** No

- *T.B.* We were State Champions so we're going to try to follow the exact same script in 2015.
- **S.W.** Every year always brings new challenges, and it is always exciting if you are fortunate to make a long run in the play-offs.
- D.L. Schools that may be located in the area of the state tournament site get the opportunity to play at the site during the course of the year or during their playoff run.
- D.D. Everything was pretty efficient.
- E.W. & R.Z. No, not really. We would just fine tune our processes given the experience that we now have.
- 8. Anything you would like to add? Final Thoughts.
- J.A. I have a great admin and support staff that helps me be successful. Without them I do not think this season would have went as smooth. I just want a chance to go do it again.
- G.F. My goal as athletic director is to make each game an incredible Longhorn experience for the players, coaches, fans, and all auxiliary groups. I want them to love being a part of our programs! During playoff runs, I also take everything I can

off of our head coach so that he/she can fully prepare for the competition.

- T.B. I was the Head Football Coach/ Athletic Director for 21 years, 18 straight playoffs appearances with 5 state championships, so going straight AD was a much easier assignment, however, it wasn't near as much fun once the game started.
- S.W. Always try to make the game special for your kids and coaches. Try to take as much work of the Head Coach so they can just concentrate on the game. Try to secure sites for your next opponent as soon as possible for the following week. Try to build relationships and new friendships. Never take winning for granted.
- **D.L.** We would like to suggest the venue location of the state championship tournament to be rotated between different geographical regions.
- D.D. Field access is much more limited than regular season game and making sure the people understand that. As well as communicating that the number of passes/tickets are limited.

### From Surgery to Recovery: Athletes and ACLs

Research evaluates athletes' chances of returning to sport after ACL tear

#### Houston, TX - 10/2/2014

National Hockey League players have the best chance to return to their sport after an ACL tear, and snowboarders have the lowest rate of returning to their sport, according to a series of papers recently published in the Orthopaedic Journal of Sports Medicine.

In these papers, plus published articles in Orthopedics and Sports Health: A Multidisciplinary Approach, orthopedic surgeons evaluated several major sports to determine the return to sport rate for athletes with an ACL tear. Joshua Harris, M.D., a Houston Methodist orthopedic surgeon, co-authored the papers.

"There are nearly 250,000 ACL tears each year in the United States and that number is increasing," said Harris. "Research in causes, treatment, and recovery of ACL tears is important because it's help-

ing us better understand ways to prevent and treat these injuries."

For athletes in the NFL, NBA, NHL, Major League Soccer, and the X Games, Harris and his team matched athletes with ACL tears to athletes without tears based on age, experience and pre-tear performance to determine the return to sport rate for these elite athletes.

- NHL: Athletes in the NHL had a return to sport rate of 97 percent the highest rate of all major sports leagues. Left-handed shooters are more likely to tear their ACL, but all performed better after returning to the ice.
- *NFL*: For the NFL, Harris and his research team evaluated quarterbacks with ACL tears.

"Because the rates of ACL tears in the NFL are so high and specific offensive and defensive positions are unique in their cutting and pivoting demands on the knee, we decided to narrow our research for this study to quarterbacks," explained Harris. "We chose quarterbacks because the majority of them are seen as the leaders of their team and their return from an injury can make or break a season."

The researchers found quarterbacks have a return-to-sport rate of 92 percent and, on average, played for five years after returning from an ACL tear, which proved ACL tears are not career-ending injuries for quarterbacks.

• *NBA*: Harris' team found that 62 percent of ACL tears in the NBA occur in the second half, mostly in the fourth quarter of the game, possibly due to fatigue. Overall, NBA athletes have a high return to sport rate of 86 percent.

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opportunity when you see Guards have the most difficult time returning to sport, while centers have the most predictable outcomes.

• *MLS*: While most injuries in Major League Soccer athletes are non-contact injuries, these players tend to have more ACL tears in their left knee and have a 77 percent chance of returning to the field after an ACL tear.

"Because of the cutting and pivoting nature of soccer, MLS players may have more ACL tears in the leg they plant with," said Harris. "The majority of soccer players kick with their right and plant with their left, which may explain why they tend to have more ACL tears in their left knee."

• *X Games:* For athletes participating in the X Games, Harris and his team looked specifically at skiers and snowboarders. Skiers tend to have more tears in their left knee and had an 87 percent chance of returning to their sport. Snowboarders had a 70 percent return to sport rate and won more medals after recovering from an ACL tear.

"While ACL tears are more common in athletes, this injury can happen to any-

one," said Harris. "Researching ACL tears in athletes helps all of our patients because we are able to evaluate treatments and bring the best solutions back to our practice and get our patients back to their favorite sport or hobby."

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Houston Methodist serves as the official health care provider for the Houston Texans, Houston Astros, Houston Dynamo, Houston Dash, Rice Athletics, Rodeo Houston and Houston Ballet. For more information about Houston Methodist, visit houstonmethodist.org. Follow us on Twitter and Facebook.

### **Every Time a Bell Rhymes, A School District Gets its Wings Clipped?**

By Dennis J. Eichelbaum, Shareholder Eichelbaum Wardell Hansen Powell & Mehl, P.C.

On December 12, a panel for the Fifth Circuit Court of Appeals issued Bell v. Itawamba County School Board, et al., Cause No. 12-60264. This is the first instance of the Fifth Circuit opining on student discipline for out-ofschool conduct involving Facebook and YouTube. The case involved a high school student who was placed in alternative discipline for having written and recorded a rap song about two coaches that his fellow students had accused of sexually harassing them. The divided panel decision reversed the trial court and granted judgment for the student, holding that the discipline violated his First Amendment free speech rights.

Because this case is the first time a Fifth Circuit panel has found that a school violated the First Amendment for disciplining a student for conduct on Facebook and YouTube, and it is a divided decision (in this case meaning a very strong dissent), there is a tremendous likelihood that this decision will be considered by the entire court en banc.

The lyrics include many offensive and possibly threatening terms, including "Middle fingers up if you want to cap that nigga[1]." The school found

the outside school conduct to be a potential substantial disruption to the school environment. In an effort to minimize the effect of the words, the Court went to great lengths to explain why it did not believe the threat was serious or significant, concluding that the "evidence and materials do not support the conclusion that a material and substantial disruption at school actually or reasonably could have been forecasted. Id. at 17.

According to the Fifth Circuit, the student did not discuss the "song" with other students, it was blocked on school computers, and students were prohibited from bringing cellphones to school, Id. at 8. No witnesses testified that an actual disruption was caused at school, and the subject of the song only claimed he felt he had been slandered. Id. at 9. The lyrics included calling the coaches "fat," "pervert," and making pejorative remarks about a coach's spouse's lack of endowment. Id. at 5. the proscription cannot be based on the officials' mere expectation that the speech will cause such a disruption.' Further, school officials 'must base their decisions 'on fact, not intuition, that the expected disruption would

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# The 84th Texas Legislative Session Begins

Austin, TX - Tuesday, January 13th, marked the opening day of the 84th Texas Legislative Session. There were 150 members of the Texas House of Representatives and 31 State Senators sworn-in as duly-elected representatives of their House and Senate districts, respectively. The Texas Legislature meets in regular session on the second Tuesday in January of each odd-numbered year. The regular session is limited by the Texas Constitution to 140 calendar days

## Senate Committee on Education (C530)

Legislature: 84(R) - 2015

#### **Position**

### Member

Chair: Vice Chair: Members: Sen. Larry Taylor Sen. Eddie Lucio, Jr. Sen. Paul Bettencourt

Sen. Donna Campbell

Sen. Sylvia Garcia

Sen. Don Huffines

Sen. Lois W. Kolkhorst Sen. José R. Rodríguez

Sen. Kel Seliger

Sen. Van Taylor

Sen. Royce West



probably result from the exercise of the constitutional right and that foregoing such exercise would tend to make the expected disruption substantially less probable or less severe." Id. at 20 (citations omitted).

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The Court found the fact that this was a song to not only be relevant, but to create some type of mitigating factor if the conduct is artistic, noting that no one would believe that "Johnny Cash literally 'shot a man. . . just to watch him die," or that Bob Marley "shot the sheriff' but spared the deputy's life." Id. at 35.

In conclusion, the Court found that the song was not a true threat, "even assuming arguendo the School Board could invoke Tinker in this case, it would not afford the School Board a defense for its violation of Bell's First Amendment rights because the evidence does not support a finding, as would be required by Tinker, that Bell's song either substantially disrupted the school's work or discipline or that the school officials reasonably could have forecasted such a disruption. Id. at 39-40.

The strongly worded dissent is replete with statistics of school shootings and goes so far as to quote Justice Jackson's dissent in Terminiello, "There is danger that, if the Court does not temper

its doctrinaire logic with a little practical wisdom, it will convert the constitutional Bill of Rights into a suicide pact." Terminiello v. City of Chicago, 337 U.S. 1, 37 (1949) (Jackson, J., dissenting). In light of such dangers, the dissent felt that "school administrators must be afforded wide latitude in proactively addressing language that reasonably could be interpreted as a threat, harassment, or intimidation against members of the school community." Id. at 41 (Barksdale dissenting). The dissent believed that "[c]combining Bell's intentional communication of the rap recording toward students and administrators with the school board's objective determination that Bell threatened, harassed and intimidated two teachers, there is no genuine dispute that Bell's threats satisfy the true-threat test and, therefore, are unprotected speech." Id. at 64 (Barksdale dissenting). The dissent even made the absurdist comment that under "the majority's understanding of Tinker, a student could say anything so long as he set it to melody or rhyme." The dissent found the wording threatening and disruptive, and accused the majority opinion of promoting form over substance.

An interesting side note is the failure of either the majority or dissent to really address whether or not the subject of the song (coaches allegedly "messing with" students) somehow received any special protection, as certainly if the song brought the issue to light and it were true, then the school's discipline for the song would be an example of the tail wagging the dog. Bell was not by any means claiming to be a whistleblower, but it is interesting that whether or not the subject matter may or may not have been true was not even given any analysis.

So what can schools take from this? While the answers as to whether off-campus speech is protected is unclear, what is clear is that the rules are different in each Circuit, and the Supreme Court will eventually have to address this to provide uniformity as to the speech rights of students. As stated earlier, it is likely the entire Court will review this possibly groundbreaking decision. While some Courts of Appeal have jumped on the prohibition-of-discipline-for-off-campus-conduct bandwagon, the Fifth Circuit has yet to do so. Perhaps it will even lead to the U.S. Supreme Court addressing this ever emerging issue of social media and school discipline. For now the safest answer is reviewing the specific facts that arise at your school and supporting any decision you make to discipline a student for off-campus social media conduct based upon whether you can show evidence of a substantial disruption to the educational environment.

### "What You Should Know and How You Should be Prepared for the Athletic Director Search and Interview Process."

Paula Gonzalez - Director of Athletics- McAllen ISD

Gone are the days when an aspiring head coach can just go to the Athletic Director, Athletic Coordinator, or Principal and be hired on the spot without an official job posting or job interview consisting of an intricately planned process and selection committee. Also, gone are the days when an Athletic Director is hired on the spot after a successful coach comes to the decision that they will be retiring from coaching, but would like to

continue in athletics as an administrator. Coaching is definitely one of the most rewarding professions around. It provides coaches and Athletic Directors an opportunity to mold student athletes and impact their lives forever. With this in mind, it has become very crucial and a big responsibility for school districts to make every effort to hire the most qualified coaches and Athletic Directors.

The Athletic Director position is very

unique in regards to the visibility and responsibility that goes hand in hand with the job. We are seen as administrative leaders who spearhead coaching staffs, athletic programs, and facilities while also being in compliance with all regulations and providing a positive climate and school culture for all our athletes, parents, and community. Doesn't sound like an easy job does it? But, boy is it a rewarding

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all the benefits that athletics provides for our male and female, middle and high school, and team and individual sport athletes.

Athletic Director job vacancies do not come around very often, since there is one position per school district and because like coaching, many Athletic Directors tend to love their jobs, and therefore, stay in their positions for years.. When those job vacancy opportunities do come around and it is a job of interest to you, it's imperative that you understand the impact of the job interview. As a head coach who remained at a high school for 27 years, it was hard for me to realize the significance of a job interview when other coaches would say that they wanted to apply for a job so that they could go through the job interview experience. After going through several Athletic Director job interviews, it did not take me long to realize that preparation and performance at the interview is significant. Interviews are more crucial than ever since school districts want to make sure that they are thorough in the selection process, not only to choose the best candidate, but to be able to validate their interview process to all applicants and to the community.

The search for the Athletic Director position begins once the job is vacant. It is important to read all information on the job posting and abide by all procedure requirements. Make sure that you meet all deadlines and all paperwork is complete. You must also meet qualifications and years of experience as listed. Once all information is turned in, it is not a bad idea to call the district Human Resources Department and confirm that all required paperwork is turned in. The resume is also a very important part of the application process. This is the story of your professional experience and accomplishments. Make sure that all information is updated and all your leadership involvement is listed. A good resume lists specific and important information, but at the same time is not too lengthy.

When you list your references, include

immediate supervisors from your current or last place of employment. It will send a red flag when they are not included since it can imply that there is some information that you do not want to be known.

After all required paperwork is turned in; hopefully you receive a call inviting you to the interview process. When you get the call, note as many details as possible: How long will the interview be? Will the interview be timed? What is the procedure? Is a PowerPoint required? How many people are on the interview committee? Where will the interview be held? What time is your interview? Is there anything that you need to take to the interview?

This begins the preparation for the interview. There are many different formats that school districts may follow. It could be a committee panel asking all candidates the same questions or it could require a PowerPoint which would then lay the foundation for questions. Questions may also come from information on your application or resume since interview committee members will have had the opportunity to review these documents. At the interview, listen to all instructions given. If you are told that you have a 30 minute interview and they will ask you 20 questions, then you must make sure to pace yourself so that all questions are answered. When a question is asked, be specific and provide information that accurately answers the question.

One strategy that may be helpful is to break down the Athletic Director position into different job areas and prepare for questions about those areas. Areas may include topics such safety; facility assessments; budget formulation and distribution; UIL and state regulations and compliance; Title IX; parent & community relationships; school culture; vertical alignment; strength & conditioning; college scholarships; addressing programs in need; staffing; evaluation of coaches; reassignment & termination of coaches; game management; documentation; taking programs to the next level; student athlete eligibility & discipline; multi-sport participation; booster clubs; and fundraising. Of course, the list goes on and on, but these areas may provide the foundations to the content to be addressed.

Be familiar with the school district's Athletic Department strengths and areas of concern. If there have been violations, high turnover of coaches, low numbers of student athlete participation, concerns with coach's conduct, or budget limitations – these may provide a platform for questions. If there are accomplishments, be prepared to provide information as to how you will ensure that success continues.

The interview begins the minute you walk in the door and most importantly when you walk in front of the committee. Make sure that you dress in professional attire and that you greet everyone with a firm handshake. If interviewing for a one high school district, wearing their school colors is a bonus. It is essential that you do your homework and be prepared for the interview. As an Athletic Director, I have seen great coaches interview poorly and I have seen average coaches who interview great. I have also seen coaches who get the job because of a minor point that left a great impression and I have seen coaches not get the job because of a minor point that raised concerns. Be genuine and be truthful never criticize other coaches, school districts, or your supervisors. School districts like to begin interviews with you describing your job experience and giving background information about yourself. Some like to end the interview with why you feel you are the best candidate and why the school district should hire you. Be specific as to why you will be an asset to their school district – outline your points.

The great thing about an interview is that it allows you the opportunity to sell yourself and to shoot for the job of your dreams. But remember, the interview is a one-time shot. Gather your thoughts, be motivated and energetic and give it your best. Good luck!!!!