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A Performance Audit of the Utah High School Athletics Association

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Table of Contents

Page

Digest i

Chapter I
Introduction 1

Equity in UHSAA Athletic Eligibility Determination Is Difficult . . 1

Open Enrollment Has a Strong Effect on High School Athletics . . . 2

Scope and Objectives 3

Chapter II
Misconceptions Surround Utah Student Transfers 5

Athletic Transfer Rates Do Not Significantly Differ from Overall Transfer Rates 5

Many Student Athlete Transfers Occur Before High School 12

Many UHSAA Athletic Transfer Hearings Are Handled Subjectively 15

Recommendation 16

Chapter III
Monitoring Could Improve With Better Record Keeping 17

Student Record Keeping Practices Are Inconsistent 17

Inconsistencies Exist in Monitoring Athletic Booster Club and Private Donations 19

Recommendation 22

Agency Response 23

Appendices 27

Digest of A Performance Audit of the Utah High School Activities Association

Chapter I: Introduction

Over the past year, the Utah High School Activities Association (UHSAA) has made policy changes to improve the overall consistency in its hearing processes on athletic transfers during a student's high school years. However, there have been continuing questions regarding pre-high school transfers that, due to state open enrollment policies, are outside of UHSAA control. Some people argue that these transfers create unfairness in competition between high schools.

A review of transfers at all grade levels shows that while a few transfers do appear questionable, overall the problem is often one of perception. To some individuals, transfers are perceived to occur more frequently than they do in actuality. There is also a perception of coaches recruiting athletes into their programs, when actually, many transfers occur before high school and are often related to peer relationships. However, due to a lack of information available to the UHSAA and also a lack of comprehensive record keeping on student transfers in the schools, it is difficult to get a true grasp of the actual numbers of student-athletes who transfer.

UHSAA policies and rules are primarily set for athletically-related high school transfers between grades 9 and 12. Lower grade and academically-related transfers are not addressed by the UHSAA nor are they tracked in any way. This situation has created what some believe to be a loophole in the system that, in effect, penalizes student athletes who determine the high school of their choice after junior high school while failing to acknowledge students who make the determination earlier in their schooling.

Scope and Objectives. This report is in response to a legislative request to perform an audit on the Utah High School Activities Association. Our objectives were to:

- Determine avenues of avoiding athletic eligibility transfer rules via junior high transfers
- Evaluate the use of non-school funded facilities and projects that may influence student athlete transfers.
- Review the sufficiency of current enrollment policies.

Chapter II: Misconceptions Surround Utah Student Transfers

Misconceptions Surround Utah Student Transfers. There are few instances where student athlete transfers appear to significantly differ from general student population transfers for the same high school. That said, it also appears that Utah High School Activities Association (UHSAA) student-athlete transfer policies do not equally address all student athlete transfers. A key responsibility of UHSAA is to promote fairness in competition by monitoring athletically-related transfers. A significant portion of athletically-related transfers are not recognized under the current policy because they occur outside the purview of the UHSAA, often prior to a student entering high school. As a result of not tracking pre-high school transfers, UHSSA does not have accurate information to review the potentially higher number of athletically-related student transfers.

Athletic transfers, in total, do not differ significantly from non-athletic transfers for the 2003 and 2004 school year periods . There are, however, some instances particular to specific sports in some schools that are questionable. We found that in looking at four different sports there were one or two schools that appear to have a greater percentage of athletes that transfer in than one might expect when looking at the out-of-boundary student population for the same school. The raw data and methodology can be found in Appendix A.

Some out-of-boundary student athletes transfer into junior high schools which feed into the high school they desire to attend. In doing so, they are outside of the UHSAA's oversight; therefore, the association does not receive an accurate picture of the number of out-of-boundary athletes playing at high schools.

The UHSAA's student athlete transfer policy allows students a hearing in which, if the hearing panel concludes the student is not in

violation, the student may transfer schools during high school without loss of athletic eligibility. Unfortunately, the reasons students use to transfer schools may or may not be legitimate. The UHSAA hearing panel must then decide whether a student receives some penalty or none. In our observation, it appears that if a student is aware of the loopholes in the system, whether it is an academic or hardship-related reason, the student may transfer schools while avoiding penalties.

Chapter II Recommendation

1. We recommend that the UHSAA continue to monitor student athletic transfers and make changes to policy as they see fit.

Chapter III: Monitoring Could Improve with Better Record Keeping

Monitoring Could Improve with Better Record Keeping. Record keeping is inconsistent from high school to high school and school district to school district, making it difficult to obtain comparable information on student histories and school finances used in athletic programs. If a program is desired by the Legislature to monitor student athlete transfers and athletic funding, then it is necessary to have timely and complete analysis of student records and athletic contributions. In some instances, we were able to find the information we needed after some searching; however, in others we were completely unable to acquire any data. To track student athletes and the transfer rates, better record keeping is needed. Further, better record keeping may be needed for future UHSAA policy revisions and development.

Chapter III Recommendation

1. We recommend that if the legislature elects to monitor student athlete transfers, then a statewide policy pertaining to the length of time student records are kept ought to be in place.

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Chapter I
Introduction

Over the past year, the Utah High School Activities Association (UHSAA) has made policy changes to improve the overall consistency in its hearing processes on athletic transfers during a student's high school years. However, there have been continuing questions regarding pre-high school transfers that, due to state open enrollment policies, are outside of UHSAA control. Some people argue that these transfers create unfairness in competition between high schools.

A review of transfers at all grade levels shows that while a few transfers do appear questionable, overall the problem is often one of perception. To some individuals, transfers are perceived to occur more frequently than they do in actuality. There is also a perception of coaches recruiting athletes into their programs, when actually, many transfers occur before high school and are often related to peer relationships. One reason given for these transfers is that teammate relationships develop during a student's elementary and junior high school years while playing on non-school affiliated club teams. As a result, some of these athletes do transfer schools to play on teams with their friends. However, due to a lack of comprehensive record keeping on student transfers in the schools, it is difficult for schools and the UHSAA to grasp the actual numbers of student-athletes who transfer.

Equity in UHSAA Athletic Eligibility Determination Is Difficult

UHSAA policies and rules are primarily set for athletically-related high school transfers between grades 9 and 12. Lower grade and academically-related transfers are not addressed by the UHSAA nor are they tracked in any way. This situation has created what some believe to be a loophole in the system that, in effect, penalizes student athletes who transfer during high school while failing to acknowledge students who make the determination earlier in their schooling.

Prior Report Outlined Process Inconsistencies

In June 2003, this office released report ILR2003-B, **A Review of the Utah High School Activities Association's Transfer of Athletic Eligibility Process**. That report addressed the transfer of high school-aged student athletes but did not address transfers taking place in lower grades nor possible recruiting of student athletes.

The report did as intended and identified inconsistences in the UHSAA process that needed correction. The greatest problem was the inconsistency between the state open enrollment law as applied by the Utah State Office of Education (USOE) and the policies followed by the UHSAA. In addition, the system was inconsistent in its application of evidence, decision-making, and evaluation of transfer intent. The UHSAA has since modified its processes to answer the report's concerns.

Athletic Transfers Occur External to UHSAA Oversight

UHSAA does not track pre-high school transfers of high school athletes.

The UHSAA monitors high school athletic transfers and has made policy modifications in an effort to improve the consistency in athletic transfer hearings. However, transfers occurring before students enter high school are outside of the organization's control. Student athletic transfers can take place before UHSAA policies come into effect and, therefore, avoid UHSAA oversight.

It appears that some student transfers occur in elementary and junior high school for the purpose of feeding into a specific high school. These pre-high school athletic and academically-related transfers, made possible by open-enrollment policies, make it extremely difficult to maintain a consistently applied athletic eligibility program.

Open Enrollment Has a Strong Effect on High School Athletics

Most open enrollment states have similar issues as Utah in dealing with student athletic transfers.

A review of nine states, six with open enrollment policies, demonstrate that no state with open enrollment has a widely accepted solution for handling student athlete transfers. Each open enrollment state we contacted had issues similar to those found in Utah's system. Most states

evoke penalties for athletically-based transfers but have a difficult time controlling such transfers.

Restrictive Transfer Policies Are Difficult To Administer with Open Enrollment

Most states have stayed away from highly restrictive athlete transfer policies, or prohibitions, because they fear a strong negative effect on student participation and a clash with state-mandated open enrollment. The use of automatic transfer sanctions and "play where you live" systems do eliminate loopholes but are believed to have high social costs that some school officials see as reduced participation, reduced socialization, and possible harm to attendance.

Less Restrictive Policies Require Case-by-Case Reviews

States with open enrollment regularly revise athlete transfer policies to thwart misuse of policy loopholes.

In place of restrictive policies, most of the states contacted have opted to regularly revise and/or re-write eligibility and transfer requirements in attempts to find some way of creating fairness and equity between schools. Accompanying these revisions is the need for case-by-case reviews, hearings, and some form of penalty.

UHSAA leadership believes that the rapid growth in the number of hearings and the time commitment necessary from the UHSAA, both schools involved, and the athlete, have become too much. The result of continuous policy development appears to be the natural discovery and capitalization of new exceptions and loopholes.

Scope and Objectives

This audit was requested by Representative Ann Hardy as a follow-up to a previously released audit report (ILR2003-B). That report concluded a number of inconsistencies in the application of UHSAA rules resulted in transfers that should not have been allowed. It was determined that the process could be improved, while still maintaining UHSAA intent. Suggested possible changes included ensuring by-laws conform with state laws and UHSAA rules, clarification of the standard of evidence, reconstruction of the hearing and appeal process and lessening the severity of restrictions on transferring student athletes.

Since the release of that report, further refinement of UHSAA rules and policies have addressed a number of the report's concerns at the high school level but have not addressed pre-high school or academic transfers. In addition to reviewing the sufficiency and effectiveness of current enrollment/athletic eligibility policies, Representative Hardy requested that we determine

- avenues of avoiding enrollment/athletic eligibility transfer rules via junior high transfers.

- use of non-school funded facilities and projects that may influence student athlete transfers or may affect high school athletics.

Chapter II
Misconceptions Surround Utah Student Transfers

Few instances occur where student athlete transfers appear to significantly differ from general student population transfers for the same high school. That said, it also appears that Utah High School Activities Association (UHSAA) student-athlete transfer policies do not equally address all student athlete transfers. A key responsibility of UHSAA is to promote fairness in competition by monitoring athletically-related transfers. A significant portion of athletically-related transfers are not recognized under the current policy because they occur outside the purview of the UHSAA, often prior to a student entering high school. As a result of not tracking pre-high school transfers, UHSSA does not have accurate information to review the potentially higher number of athletically-related student transfers.

The Utah High School Activities Association's (UHSAA) student transfer policy only addresses student athletes currently attending or entering high school. The policy does not apply to students who transfer before or during junior high school for athletic purposes. UHSAA policies and rules are primarily set for athletically-related high school transfers between grades 9 and 12 and do not address lower grade and academically-related transfers.

Athletic Transfer Rates Do Not Significantly Differ from Overall Transfer Rates

Athletic transfers, in total, do not differ significantly from non-athletic transfers for the 2003 and 2004 school year periods. Some instances particular to specific sports in some schools, however, are questionable. We found in looking at four different sports, one or two schools appear to have a greater percentage of athletes that transfer in than one might expect when looking at the out-of-boundary student population for the same school. The raw data and methodology can be found in Appendix A.

Athletic Transfers at Times Exceed General Student Population Transfers

Some Utah high schools have higher percentages of athletes that live outside of the designated school boundaries as compared to the overall student population for the same school. These cases of higher percentages indicate that athletically-based transfers are taking place, but overall the transfer rates do not appear to be a significant problem.

Under Utah state open enrollment laws, students are allowed to attend any school of their choice as long as there is sufficient space in the receiving school. However, there is a limitation to the state's open enrollment policy regarding student athletic transfers. UHSAA policies dictate that if a student transfers schools for athletic reasons then they are subject to possible athletic eligibility penalties. These two policies create a conflict between individuals who feel that open enrollment should have no limitations on student participation and those who feel open enrollment creates unfair athletic competition.

Figures 1 thru 4 depict transfer rates of four sports at selected high schools. These sports are football, baseball, and boys' and girls' basketball. The high schools were selected based on athletic performance, constituent concerns, and parity between neighboring high schools.

Figure 1. The Number of Out-of-Boundary Football Athletes Is Comparable to the Overall Total Student Population.

High School	Average Percent of Players Out of Boundaries 2002-2003	Percent of Total Students Out of Boundaries Fall 2004*	Percentage Difference of Out-of-Boundary Athletes vs Total Students
Bountiful	12%	12%	0%
Cottonwood	21	25	-4
Granger	14	13	1
Hunter	22	22	0
Northridge	14	6	8
Skyline	31	43	-12
Woods Cross	10	7	3

** Note: Overall student population was not available for past years; therefore, we used the most recent data.*

All high school football teams that we looked at had 10-31 percent of their team residing out of their respective school boundaries. These numbers appear high; however, upon comparing these percentages with the respective high school's total out-of-boundary student population, there is little difference. The greatest deviation occurs in Northridge High School where the difference between the percentages of out-of-boundary student athletes and total student population is 8%. While the differences between the percentages do not represent a literal value, they can be used to identify possible problems.

Looking at transfer rates can be deceiving especially at Skyline High School. For the years reviewed, 31 percent of the football athletes came from out of boundaries, but 43 percent of the overall student population came from outside the school's boundaries for a difference of 12 percent fewer athletes than expected. For the 2002 football season, Northridge High and Bountiful High Schools were the 5-A and 4-A state champions. The 5-A runner-up for the 2002 season was Skyline High School.

Figure 2 depicts four baseball programs at Cottonwood, Jordan, Skyline and Taylorsville High Schools.

Figure 2. The Number of Out-of-Boundary Baseball Athletes In Some Instances Is Disproportionately High Compared to the Overall Total Student Population.

High School	Average Percent of Players Out of Boundaries 2003-2004	Percent of Student Body Out of Boundaries Fall 2004	Percentage Difference of Out-of-Boundary Athletes vs Total Students
Cottonwood	42%	25%	17%
Jordan	26	22	4
Skyline	43	43	0
Taylorsville	16	20	-4

** Note: Overall student population was not available for past years; therefore, we used the most recent data.*

The greatest difference of the schools sampled for boys' baseball programs was found at Cottonwood High School. Forty-two percent of Cottonwood's baseball team live outside of the school's boundaries, while only 25 percent of the overall student body live out of boundaries. The lowest percentage difference is Taylorsville High School where 16 percent of the athletes versus 20 percent of the overall student body live outside their school's boundaries.

Of the schools we reviewed, none of the teams were state champions for the 2003 and 2004 school years. However, in 2004, Skyline High School took 2nd place while in 2003, Taylorsville High School took 2nd place.

Figure 3 shows the boys' basketball programs and demonstrates that there are some schools that did have a greater number of athletes that transferred into the school when compared to what might be expected based on the total out-of-boundary student population.

Figure 3. The Number of Out-of-Boundary Boys' Basketball Athletes Is Disproportionately High Compared to the Overall Total Student Population at Some Schools.

High School	Average Percent of Players Out of Boundaries 2003-2004	Percent of Student Body Out of Boundaries Fall 2004	Percent Difference of Out-of-Boundary Athletes vs Total Students
Bountiful	23%	12%	11%
Mountain View	29	6	23
Skyline	28	43	-15
Timpview	3	2	1
Woods Cross	7	7	0

** Note: Overall student population was not available for past years; therefore, we used the most recent data*

The average percentage of basketball players living out of boundaries ranged from 29 to 3 percent. In comparing the percentages of out-of-boundary athletes and total student population, we see that two schools—Bountiful and Mountain View—have percentages which exceed the expected value. While these are higher, neither team was 1st or 2nd in state during the 2003 and 2004 boys' basketball season. In contrast, Timpview High School, with a low out-of boundary difference, was the State Champion for Class 4-A in 2003.

Figure 4 shows the girls' basketball programs which have some similarities to the boys' basketball programs.

Figure 4. The Percentage of Out-of-Boundary Girls' Basketball Athletes Is Higher in Three Instances in Comparison to the Overall Total Student Population.

High School	Average Percent of Players Out of Boundaries 2003-2004	Percent of Student Body Out of Boundaries Fall 2004	Percent Difference of Out-of-Boundary Athletes vs Total Students
Bountiful	25%	12%	13%
Mountain View	20	6	14
Skyline	29	43	-14
Timpview	13	2	11
Woods Cross	2	7	-5

** Note: Overall student population was not available for past years; therefore, we used the most recent data.*

The girls' basketball programs at the five reviewed high schools show a range of 29 percent to 2 percent of the players living out of boundaries. In comparing the differences between overall total student populations and the athletes that are out of boundaries, three schools have double digit percentage point differences: Bountiful High School, Mountain View High School, and Timpview High School. During the 2003 and 2004 school years, Mountain View High School was the state's 4-A girls' basketball champions. In 2003, Skyline's girls' basketball team took second place in the state 5-A tournament.

Out-of-boundary Transfers Who Start Are More Numerous in Selected Programs

In some sports, the percentage of out-of-boundary starters is higher than for the total out-of-boundary athletes.

In some instances, the number of out-of-boundary students with a starting position do appear higher when comparing the percentage of out-of-boundary athletes for the same sport and school. The purpose of this analysis is to look at whether a greater proportion of out-of-boundary athletes are starters when compared with the number of overall athletes that are out of boundary. The starters are the key players, would be of greatest benefit to the team in competition, and are the focus of recruiting rumors and allegations.

Figure 5 demonstrates the differences between the percentages of the starters on the team versus the total athletes on the team that are out of boundaries.

Figure 5. Proportion of Starters from Out of Boundaries By School and Sport. The highest percentages of starters for 2003 to 2004 are a better indicator of impact on team composition.

High School	Sport	Average Percent of Starters Out of Boundaries 2003-2004	Average Percent of Players Out Of Boundaries 2003-2004	Percentage Difference Starters vs Student Body
Skyline	Baseball	64%	43%	21%
Cottonwood	Baseball	37	42	-5
Skyline	Football	34	31	3
Mountain View	Girls' Basketball	30	20	10
Mountain View	Boys' Basketball	30	29	1
Hunter	Football	30	22	8
Skyline	Girls' Swimming	29	22	7
Skyline	Boys' Swimming	27	28	-1
Mountain View	Track	25	25	0

This figure depicts the highest percentage of starters that were out of boundaries in the sports and schools where we collected data. The figure also compares the differences with the percentages of athletes on the team that are out of boundaries. This figure demonstrates, then, that for some sports and schools, the number of out-of-boundary starters compose a greater percentage than the total percentage of athletes out of boundaries.

The largest difference was between the starters and the total athletes on Skyline High School's baseball team—with a 21 percentage point difference. The second largest point spread was the Mountain View High School's girls' basketball team with 10 percentage points.

With open enrollment several issues arise when a student transfers into a school and becomes a starter for an athletic team. Parents, other students and athletes believe it is unfair to bring in athletes from outside a school's boundaries for the sake of winning. One such argument is that out-of-boundary starters can affect the level of talent on the team, which may result in more wins for that team. Another issue is that out-of-boundary starters inevitably displace an athlete who resides in the school's boundaries. This displacement can create anger on the part of the athletes and the parents of an athlete who feel that they, or their child, have a right to play on the team, especially if they live within their school boundaries.

Many Student Athlete Transfers Occur Before High School

One important factor that prevents getting a total accounting of student athlete transfers is the timing of the transfer. Some out-of-boundary student athletes transfer into junior high schools which feed into the high school they desire to attend. In doing so, they are outside of the UHSAA's oversight; therefore, the association does not receive an accurate picture of the number of out-of-boundary athletes playing at high schools.

Knowing the number of out-of-boundary athletes could be helpful in monitoring activities that may be perceived as recruiting. For example, some individuals who work with high school athletics claim that relationships develop between a pre-high school athlete and high school coaches or assistant coaches during sports camps or even at the little league or athletic club team levels. There are allegations that these relationships affect a student's decision to transfer into high school programs of the coaches they have become acquainted with in these pre-high school activities.

Some Student Athletes Transfer Into Feeder Junior High Schools

Student athlete transfers do occur at Junior High School level.

We found that some student athletes do transfer into feeder junior high schools before they begin their high school years. Some students switch schools during junior high school, and some transfer at the beginning of their junior high careers. In doing so, a student athlete

would not fill out any paperwork with the UHSAA as he/she would have to if he/she transferred during high school.

While UHSAA does not have access to this student transfer information, this information does exist. The receiving school of the out-of-boundary athlete obtains paperwork on the student in the form of a boundary waiver or special permit. These permits are kept by the school registrar at each school and are not shared with the UHSAA in determining out-of-boundary athletes. These permits contain the reasons a student desires to attend a school outside of his/her home school boundary. In many cases, the student's transfer is accepted by the receiving school. There is a risk of the student not being accepted at the receiving school, but only if the school was at or near capacity.

Figure 6 depicts the percentages of students that are out of boundary and transferred into a feeder junior high school prior to beginning high school. Football was selected for this figure due to the number of schools we sampled, and also the percentages help demonstrate the transfer situation at the junior high level.

Figure 6. A Larger Portion of Athletes Transfer Into Feeder Junior High Schools Before UHSAA Gets Involved. Of the players that transferred from out of boundary, a large percentage transferred in their junior high school years and would not be recognized as transferred students by the UHSAA.

High School	Average Percent of Players Out of Boundaries 2002-2003	Percentage of Previous Column Transferring to a Feeder Jr. High School 2002-2003
Bountiful	12%	41%
Cottonwood	21	36
Granger	14	57
Hunter	22	45
Northridge	14	52
Skyline	31	75
Woods Cross	10	24

Of the students who transfer in from out of boundaries, anywhere from 24 to 75 percent of those individuals transfer into a feeder junior high school of the high school they eventually attend. The reason cannot be determined for certain as to why these students are transferring. Regardless of the reason, student athletes who transfer into feeder schools go unnoticed by the UHSAA. This practice makes it difficult for the UHSAA to distinguish the number of student athletes who are from out of boundaries. The USHAA would only know the number of students who requested a transfer once they started high school.

UHSAA has a limited scope of information on all student athlete transfers.

The level of information that the UHSAA does receive includes eligibility lists of all of the players on a team. On these lists, a student specifies the school he/she last attended. For 10th graders who live out of boundaries and attended a feeder junior high school, their names would appear on the sheet the same as any other student who lives inside the boundaries. In contrast, all out-of-boundary students at the schools we looked at must fill out a waiver or permit to attend the high school. However, this information is not provided to the UHSAA.

Non-school Affiliated Club Teams Contribute To Transfers Before and During Junior High School

Club athletic teams, summer leagues, and even sports camps can potentially influence a student's decision to transfer schools by promoting an athletic program before the student is ever in high school. In discussing this potential occurrence, most principals and coaches say that parents of the athletes and friends are the prime influences on getting a student to transfer schools either to play in a better program or to remain with their friends. The influence of friends and parents is often perceived by some as a form of recruiting, even though no school personnel may be involved at this level.

Student athletic participation in club teams and sports leagues influences some students to transfer schools.

A student participating in club teams, camps, or summer leagues competes for or performs in front of high school coaches or assistant coaches outside of UHSAA-sponsored athletics. Often, these activities bring individuals together whose home addresses correspond to different high school boundaries. The potential for coaches to recruit is there. One principal told us that high school coaches can and do recruit students at the junior high level. In this principal's opinion, it is perfectly legal to do so.

However, in discussions with high school administrators all have rules in place to help prevent direct recruiting by coaches of high school age out-of-boundary students. For example, if a coach is approached by a student, the coach is to send the student to talk to the principal and athletic director. Further, if a coach is caught actively recruiting students from out of boundaries, then penalties will be and have been applied. When followed, this is a good control to help thwart active athletic recruiting.

Many UHSAA Athletic Transfer Hearings Are Handled Subjectively

The UHSAA's student athlete transfer policy allows students a hearing in which, if the hearing panel concludes the student is not in violation, the student may transfer schools during high school without loss of athletic eligibility. Unfortunately, the reasons students use to transfer schools may or may not be legitimate. The UHSAA hearing panel must then decide whether a student receives some penalty or none. In our observation, it appears that a knowledgeable student aware of the exceptions in UHSAA rules for academic or hardship-related reasons, may transfer schools while avoiding penalties.

UHSAA Policy Supporting Academic Transfers Can Be Misused

Some students use a variety of academic courses as a means to transfer high schools and play athletics without penalties at another high school of their choice. The UHSAA Policy prohibits student transfers for athletic reasons but not for academic reasons.

In some UHSAA eligibility hearings, we observed students asking to have their transfer approved so they could take a specialty course at another school. For example, two swimmers wanted to attend Kearns High School instead of their own school to take the unique marine biology classes. Their transfers were approved. Kearns happened to take 2nd place in state swimming in 2004.

The UHSAA staff are caught in a difficult situation trying to understand the true motives behind a student's desires to change schools. The UHSAA policy is often at odds with the open enrollment policy.

When a transfer request is made for an academic reason, the UHSAA finds it difficult to rule against such a transfer because of open enrollment.

A loophole in the hearing process exists that students and parents are aware of and are using. A student-athlete has a good chance of the hearing panel approving a transfer, with full athletic eligibility, if the student gives an academic reason for his/her transfer. Academic course work is just one of the reasons students give for changing schools, while the true motive may be athletics. One Granite School District principal dismissed the need for students transferring schools for academic courses stating that most students in their school who take courses elsewhere do not move their records to the other school. The student would receive release time to take the course.

Hardship Reasons Are Another Method Students May Misuse UHSAA Transfer Rules

Students may misuse hardship allowances in order to transfer schools for athletic reasons. Some of the hardships that may be considered as worthy reasons to transfer school include student conflicts, gang affiliation, grades, and parental divorce. The UHSAA hearing panels are faced with the dilemma of determining whether a student's reasons create an undue hardship and merit a transfer without penalties.

The UHSAA hearing panel is a revolving panel consisting of three individuals. There are arguments for and against a revolving panel, and both arguments have valid points. Some argue that a revolving panel makes decisions that are subjective and inconsistent. Two similar hearing cases have been reported to be handled differently because the ruling panel was composed of different members. However, as one principal noted, a revolving hearing panel also allows for potentially less bias because the panel may have a more open view.

Recommendation

1. We recommend that the UHSAA continue to monitor student athletic transfers and make changes to policy as they see fit.

Chapter III
Monitoring Could Improve With Better Record Keeping

Record keeping is inconsistent from high school to high school and school district to school district, making it difficult to obtain comparable information on student histories and school finances used in athletic programs. If a program is desired by the Legislature to monitor student athlete transfers and athletic funding, then it is necessary to have timely and complete analysis of student records and athletic contributions. In some instances, we were able to find the information we needed after some searching; however, in others we were completely unable to acquire any data. To track student athletes and the transfer rates, better record keeping is needed. Further, better record keeping may be needed for future UHSAA policy revisions and development.

Student Record Keeping Practices Are Inconsistent

Availability of student records kept at the school and district levels was inconsistent and, in some instances, unattainable. All high schools are required to keep student immunizations and transcripts post-graduation; however, schools' and districts' programs differ on the maintenance of student school attendance histories and related information.

Inability to acquire some records makes athletic transfer analysis difficult.

In addition to the inaccessibility of some individual student records, little information exists on aggregate student population records of prior years. This information would show the number of total students that live out of boundaries attending a high school on special permit. Many school districts only keep information for the current year's student enrollment. Lack of aggregate student information from prior years makes it difficult to compare out-of-boundary student numbers with out-of-boundary athlete numbers. This information is necessary if ongoing monitoring is desired. Further, better records could help answer some of the questions raised involving unfair, athletically-related transfers over a multiple-year period

High School Student Record Keeping Is Inconsistent

Inconsistent record keeping practices at the high schools made it difficult to compile equal data at each school. To establish if students are moving schools for athletic purposes, it was necessary to track student attendance records through school-maintained student cumulative folders. Unfortunately, several high schools relinquish their student cumulative records to students upon graduation. This practice makes tracking transfers of graduated students difficult.

In addition to student record keeping inconsistencies, few high schools and districts keep general student population data past the current year. General population data contains information on whether the students attending high school are attending their home school or are attending on boundary waivers. These records are destroyed once students graduate. Therefore, it was difficult to establish any previous years' trends for comparing the out-of-boundary student population with the out-of-boundary athletes. If some districts already require schools to keep individual student records for a couple of years then it may be beneficial for the districts to keep aggregate population data for the same amount of time.

In regards to individual student records, we were able to find in most instances a student's transcript records which each high school keeps indefinitely. However, transcript records contain only grades, domicile address and the school a student attended in the ninth grade. Information on student junior high attendance or possible transfers into those schools is difficult to obtain without student folders.

Inconsistencies in record keeping exist between schools and districts.

For example, we reviewed three high schools in Davis School District, and each had a unique record keeping system. Northridge and Bountiful High Schools give student records to students upon graduation. Woods Cross High School keeps student record folders for two years after graduation. On the other end of the spectrum, in the Granite School District, Granger and Skyline High Schools maintain student cumulative folders for at least ten years post-graduation while Cottonwood High School maintains records for the district-prescribed three years.

When asked about record keeping policies, each school believes it is operating within school district policy. However, schools within the same

district had various record keeping procedures which were inconsistent with district policy. These inconsistencies made the collection of comparable school attendance records difficult.

Utah School Districts Have Differing Policies Regarding Student Records

School districts differ in their policies concerning the length of time necessary in keeping student records. The district record keeping policies range from keeping records for one year after graduation to three years after graduation. Granite and Jordan School Districts' schools are required to keep student records for three years after graduation. Each of the Granite School District schools visited and Jordan High School had student records for the required three years or beyond.

District policies on student record keeping are often not followed.

Davis and Alpine School Districts' high schools are supposed to keep records for one year after graduation. However, two of the three Davis schools reviewed did not follow the district policy, giving students their records at graduation—one year earlier than prescribed by the district. This policy made it impossible to track student attendance information from previous years. Alpine School District maintains a computer database that appeared more comprehensive than other school districts, which allowed us to look at a greater level of information on an individual student.

Provo School District offers the student records to the student upon graduation. If the folders are not collected they are shredded at the district offices. Timpview High School in the Provo School District had cumulative folders for each of the students who elected not to pick up their folders the previous year. Unfortunately, all of the records we needed for those who had graduated were already picked up.

Inconsistencies Exist in Monitoring Athletic Booster Club and Private Donations

High schools and school districts do not have consistent policies in tracking financial contributions to athletic programs either in the form of booster club or private donations. At the high school level, there are various degrees of booster club and private donor involvement.

Most schools have loosely organized clubs with small budgets that high school administrators may or may not monitor. Some of the schools we reviewed claim to have no say or knowledge of where the booster money is spent. Athletic booster club donations are usually tied to a specific school and sport. Private donations usually involve more funding and are often given in the form of equipment, facilities or cash. It has been suspected that donations and contributions can be used as a recruiting tool to entice athletes into a well-funded program.

Athletic Booster Donations Often Go Untracked

Most schools differ on monitoring booster and athletic donations record keeping.

School districts vary in their tracking of booster money and donations. Jordan, Alpine and Davis School Districts are involved in monitoring booster monies in their schools. However, Granite School District's high schools have little tracking of booster club monies. The Jordan and Alpine School Districts have the ability to watch booster club balances, but they have no say in how the money is allocated. Granite and Davis School Districts have foundations in which they control the out-going money, but only if the money went into the foundation. However, some school administrators admit that most of the booster money and donations do not go through the foundations but instead go directly to the schools.

Many schools have only limited booster club involvement. Granger and Mountain View High Schools each have booster clubs with small budgets that primarily operate untracked behind the scenes. While most schools have booster clubs, Bountiful High in the Davis School District has chosen not to allow booster clubs in their high school. Administrators told us that this was to prevent undue influence by donors on the athletic programs, such as pressures to play a certain athlete.

Granite School District has a unique policy because it has no form for tracking booster money spent at the schools. Granite School District treats the booster clubs as completely separate and independent entities which are not monitored or connected with the schools or the district in any way. None of the school employees in Granite School District are allowed to be listed on any of the booster accounts and have little knowledge of their operations. District personnel told us that the policy is in place to prevent the appearance of improper spending of booster monies by school officials.

While not listed on the booster accounts, Granite School District administrators and coaches can and do make requests of the booster clubs when funds are needed. The benefit of booster club monies is that coaches and principals like having the freedom to make fast purchases at better prices than could be obtained by going through the school district purchasing channels.

At Cottonwood High School in Granite School District the principal did get involved with the general athletics booster club's budget to help ensure fairness in the distribution of some extra funds that coaches receive from booster accounts. However, the principal has little knowledge of how the sport-specific, football booster club spends its money on a yearly basis. Granite District schools like Skyline and Hunter have no tracking of how the booster money is being spent.

Timpview High School in Provo School District requires that all booster money be included in a school account to be dispersed as the school sees fit. The Provo School District has all of their schools manage their own booster funds as long as they adhere to their basic accounting principles. The Provo District has an independent audit conducted of each high schools' accounts every third year and includes the booster funds.

The Jordan School District also employs an outside auditor to perform audits on a regular basis. Jordan High School tracks booster money by requiring principals to track their spending and keep receipts of purchases. The Jordan District office also tries to visit each school and audit their spending. The Jordan and Alpine Districts also have access to view balances and details of each of the school-run booster accounts.

Private Donations Are Seldom Tracked

Private donations for athletic programs are often not tracked.

Private donations, however, are the most difficult to track because they can be given in many different forms. These funds are frequently donated to specific programs in specific schools, often from parents of student athletes. Private donations can be made in the form of cash, equipment or even gifting whole athletic facilities. In the past, donations have been used to build baseball fields and press boxes or to buy scoreboards and team uniforms. These donations are approved by the perspective districts, but the money is not tracked by the school district or the high schools. In effect, nothing prevents one school from getting all new equipment and

facilities from private donors while their competition relies on district allocations for its facilities and equipment.

Granite School District representatives say donation tracking is left up to the individual schools to manage. However, Granite District high school representatives say that they do not track private donations in either value or in an inventory of facilities and equipment. Other school districts take a more active role in oversight by encouraging these funds to go through district-monitored accounts in district foundations or school booster programs.

Recommendation

1. We recommend that if the Legislature elects to monitor student athlete transfers, then a statewide policy pertaining to the length of time student records are kept ought to be in place.

Agency Response

Davis School District

January 20, 2005

John Schaff
Office of the Legislative Auditor General
W315 State Capitol Complex
Salt Lake City, Utah 84114-5315

Dear Sir:

Thank you for sharing a draft copy of your audit of high school athletes playing outside their home boundary schools. We appreciate the tremendous amount of work and time this required of your office. We are particularly appreciative of the difficult, yet thorough job you completed. Though many of us have speculated about the information contained within this report, none of us has attempted to tackle the work of actual numbers because we know what a difficult job it would be to complete. With these actual numbers, we can end speculation and work from a concrete position.

This report is useful to us as we balance opportunities for parents and students to make educational choices appropriate to their individual needs with our goal to have healthy schools which offer a basic array of academic programs for all students at each school. This is an important conversation which we have had frequently and will continue to have. As you know, most recently, we assembled a task force comprised of parents, district staff, and principals to prepare policy recommendations for our Board of Education relative to this delicate balance of school choice and healthy schools. The task force recommendations have been implemented into policy for a two year review period. Your report provides critical data that are important to our discussion.

Thank you again for the service you continue to provide and for the attention you give to quality products.

Sincerely,

Bryan Bowles

Dr. Bryan Bowles
Superintendent of Schools

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Appendices