



**MINUTES**  
**SPECIAL EXECUTIVE BOARD MEETING – Teleconference**  
**Notre Dame Preparatory**  
**October 28, 2016**

In accordance with Article 6, Section 6.3, Paragraph 6.3.1 of the Arizona Interscholastic Association, Inc. (AIA) Constitution, a special meeting (teleconference) of the Executive Board was held on Friday, October 28, 2016 at the AIA office located at 7007 North 18<sup>th</sup> Street in Phoenix, Arizona.

President Dr. Anna Battle called the meeting to order at 2:00 p.m.

**Members in Attendance:**

Mark Goodman, 1A Conference (St. David Unified School District)\*  
Mark Showers, 2A Conference (Camp Verde High School)\*  
Jacob Holiday, 3A Conference (Monument Valley High School)\*  
Jeannine Brandel, 4A Conference (Flagstaff High School)\*  
Anna Battle, Ed.D., 5A Conference (Tempe Union High School District)  
Herman House, 6A Conference (Tucson Unified School District)\*  
Travis Udall, AdvancED (Round Valley Unified Schools)\*  
Mike DeLaO, Arizona School Boards Association (Safford Unified School District)\*  
Sr. Lynn Winsor, BVM, CMAA, Arizona Interscholastic Athletic Administrators Association (Xavier College Preparatory)  
Camille Casteel, Ed.D, Arizona School Administrators (Chandler Unified School District)  
Harold Slemmer, Ed.D., AIA Executive Director

**AIA Staff Present:**

Mark Mignella, Legal Counsel  
David Hines, Assistant Executive Director\*  
Tayler Coady, Executive Assistant  
Brian Bolitho, Director of Business Development  
Denise Doser, Director of Finance  
Ron Halbach, Tournament Coordinator

**Guests:**

Jose Garcia, AzPreps365	Christa Nyberg, NDP
Scott Bordow, azcentral	Stacey Walsh, NDP
Jerry Zander, NDP*	Craig Isaacs, NDP
Tommy Eubanks, Chaparral	Charles Garrison, NDP
Clint Bushbaum, Chaparral	Todd Slay, NDP
Jason Bacon, ABC 15	Jackie Miller, NDP
James Fry, KTYK-KPHO	Sarah Jaquint, NDP
Hutch Harper, NDP	Joe Jaquint, NDP
Hannah Harper, NDP	Jordan Rose, Rose Law Firm
Aimee White, NDP	

*\*Indicates Teleconference*

## **NOTRE DAME PREPARATORY – APPEAL OF SANCTION – PROBATION**

**NOTRE DAME PREPARATORY** reported two violations of the AIA Bylaws; namely, Article 15. Student Eligibility Rules. Section 15.12 Recruitment Rule  
Article 23. Football. Section 23.8 Out of Season Football Activities

### **Reported Violation:**

1. After completing a review of the allegation of a potential recruiting violation referenced in an August 4, 2016 email from AIA Tournament Coordinator, Ron Halbach, Notre Dame Preparatory has determined that Head Coach Mark Nolan may have inadvertently violated AIA Bylaw 15.12.4.7 by sending an email to a visiting youth football team to invite them to a football skills camp. Although the email was not sent for the purpose of evaluating and recruiting specific prospective athletes but for inviting students to a camp open to all junior high students, the email signed by the NDP head football coach may have caused confusion, and therefore NDP has taken corrective action to address this potential violation.
2. NDP is in receipt of the Notice of Violation dated 9/15/16, indicating that the Executive Board has determined that AIA Bylaw 23.8.1 and 23.8.2 applies to such courses as the Advanced Physical Education course in football instruction offered as part of the 2016 Notre Dame Preparatory summer school curriculum

### **Updated School's Corrective Action:**

In light of Notre Dame Preparatory's determination that the prior corrective action taken by the school as insufficient to address the violations, Notre Dame Preparatory is taking, or is committed to take, the following actions:

1. Mark Nolan is no longer Head Coach of the Notre Dame Preparatory football team, and is no longer employed by Notre Dame Preparatory.
2. Athletic Director Monica Barrett will serve a one-week period of unpaid administrative leave.
3. President James Gmelich has publicly taken responsibility for the class and has apologized to the parents, students and community at Notre Dame Preparatory, both in writing and in person. Mr. Gmelich has offered to be placed on unpaid administrative leave. Notre Dame Preparatory determined that the President should not be absent from the school, and has formally reprimanded Mr. Gmelich and has accepted his offer to donate one week's salary to charity.
4. President James Gmelich will not have any further responsibility for or oversight of athletics, academics, or extracurricular activities. All supervision and oversight of Notre Dame Preparatory athletics, academics and extracurricular activities have been placed under the Principal.
5. On behalf of Notre Dame Preparatory, the Diocese of Phoenix has engaged an outside investigation agency to perform an independent investigation of allegations of other potential violations related to the Notre Dame Preparatory Football program, including an additional possible violation for which additional information was requested by the Board. That investigation is underway, and unfortunately could not be concluded as of the date of this appeal. However, upon completion of that investigation, any additional information will be provided to the Board for review and consideration, and Notre Dame Preparatory will take action to address any violations identified.
6. Notre Dame Preparatory, with the support of the Diocese of Phoenix, is conducting a complete review of the Football program, and will take action as appropriate in light of the findings of that review.
7. In order to remove any competitive advantage that may have been gained from the out-of-season violation, Notre Dame Preparatory confirms its previous commitment not to conduct any football instruction during the three-week Spring Football Instruction in 2017.

### **Executive Board Action:**

Executive Board, in accordance with Article 16, Section 16.1 of the AIA Bylaws, placed the Notre Dame Preparatory **Football Program** on **Probation** for one year 10/17/16-10/17/17.

**Updated Executive Board Actions:**

**Article 15. Student Eligibility Rules. Section 15.12 Recruitment Rule**

On a motion made by Dr. Camille Casteel and seconded by Sr. Lynn Winsor to reduce the sanction from probation to a 2 year warning with the understanding that Coach Nolan could no longer be eligible for reemployment at Notre Dame Preparatory. Mr. Zander accepted this action.

Motion passed. The Notre Dame Preparatory Football Program was placed on **Warning** for two years, 10/17/16-10/17/18 with the acceptance that Coach Nolan could no longer be eligible for reemployment at Notre Dame Preparatory.

**Article 23. Football. Section 23.8 Out of Season Football Activities**

On a motion made by Dr. Camille Casteel and seconded by Sr. Lynn Winsor to place Notre Dame Preparatory Football Program on **Warning** for 2 years with the following provisions:

- Notification sent to the AIA upon completion of the ADs administrative leave.
- Notification sent to the AIA upon completion of President's week salary donation to charity.
- Report of Diocese concluded review of the NDP football program.
- Seek assistance from AIA Staff regarding understanding of AIA Bylaws.
- No football instructional opportunities until beginning of 2017-2018 football season; i.e. camps, clinics, organized football activities.

Motion failed. The Notre Dame Preparatory Football Program will remain on **Probation** for one year 10/17/16-10/17/17.

There being no further business, the meeting adjourned at 3:04 p.m.

Respectfully submitted,

Harold Slemmer, Ed.D.  
Executive Director