

IN THE COMMON PLEAS COURT OF MONTGOMERY COUNTY, OHIO
CIVIL DIVISION

THE BOARD OF EDUCATION :
FOR DAYTON PUBLIC SCHOOLS, :
115 S. Ludlow Street :
Dayton, Ohio 45402 : Case No. _____
: :
V. : Judge
: :
THE OHIO HIGH SCHOOL :
ATHLETIC ASSOCIATION. :
4080 Roselea Place :
Columbus, Ohio 43214 :

COMPLAINT FOR INJUNCTIVE RELIEF

The Board of Education for Dayton Public Schools (“DPS”) hereby states the following complaint for temporary and permanent injunctive relief against the Ohio High School Athletic Association:

1. Dayton Public Schools is an urban school district organized under the laws of the State of Ohio and located in Dayton, Ohio. The District serves more than 13,000 students in preschool through high school.
2. The Ohio High School Athletic Association (OHSAA) is a voluntary, unincorporated, not-for-profit association of public and private high schools and 7th-8th grade schools that sets regulations for athletic events and oversees participation in most state-wide athletic tournaments.
3. On February 28 2018, OHSAA issued a decision that the Dunbar High School boys varsity basketball team would be disqualified from the state tournament and that DPS would be obligated to pay a fine of \$2,500. (See Disposition, attached as Exhibit 1)
4. The central basis for that decision is that Dunbar High School inappropriately played an “ineligible” player (John Doe¹) from January 10, 2018 to February 23, 2018.



**Subashi
& Wildermuth**

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¹ The placeholder “John Doe” is being used in the Board’s pleadings in an effort to protect, as much as possible, the privacy of a minor who has involuntarily and unjustifiably been thrust into a very public controversy. The Defendant is already aware of the identity of John Doe and will not be prejudiced by its use in this instance. DPS would respectfully ask that the Court order the continued use of the placeholder throughout the pleadings and any decision in this matter.

||S&W||

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5. OHSAA has released its ruling improvidently and without either factual or legal basis. OHSAA's conclusions are arbitrary, capricious, and motivated by spite, ill will, and/or a desire to do harm to DPS and Dunbar High School students. OHSAA's ruling directly, irreparably, and negatively impacts the lives of DPS students, the Dunbar varsity boys basketball team, Dunbar High School, and DPS as a whole. OSHAA's decision should be immediately enjoined and restrained, and the Dunbar boys varsity basketball team should be permitted to play in the state tournament game scheduled for Sunday, March 4, 2018. Absent this requested relief, DPS will suffer irreparable harm.
6. The underlying facts giving rise to OHSAA's decision occurred on January 10, 2018. On that date, an altercation occurred near the end of a junior varsity basketball game between Dunbar High School and Thurgood Marshall High School.
7. OHSAA's disposition falsely states and/or implies that "John Doe" was one of the students who left the bench to engage in the altercation.
8. The evidence will demonstrate that John Doe did not engage in the altercation and, in fact, left the basketball court to get prepared for his next game. John Doe ordinarily dressed for the varsity game and, in this instance, the junior varsity game was ending and John Doe's coach had advised him to return to the locker room.
9. Video footage reveals that John Doe did not participate in the altercation of January 10, 2018.
10. At no point prior to issuing its decision on February 28, 2018 did OHSAA ask DPS about any legitimate reasons that John Doe may have been leaving the bench area.
11. At no point prior to issuing its decision on February 28, 2018, did OHSAA ask John Doe if he had entered or approached the altercation.
12. During the altercation on January 10, all members of both teams stood up or "cleared the bench." However, John Doe is not alleged to have participated in and/or have incited the fight in any way. He was not ejected by the official. He was not named by the official in the official report of the incident. (See Report, attached as Exhibit 2)
13. Indeed, the basketball court was overrun with members of the community and security person, and the official called the game. In addition, the melee occurred directly in front of the Dunbar bench. The danger to all players standing on the side of the court would have been apparent. OHSAA failed to consider that one reasonable explanation for John Doe leaving the bench area could have been to get out of the way of the other players or crowd or to simply return to the locker room.
14. OHSAA states in its disposition that any student leaving the bench area during the altercation should have been automatically disqualified from participating in the next two basketball games, regardless of whether the student was engaged in the altercation and regardless of whether the student was ejected by the OHSAA official.

15. This rule relied upon by OHSAA for this decision does not exist in any OHSAA regulation or bylaw. Rather, OHSAA cited a rule from the National Federation of High School Sports. Yet, OHSAA has not cited any interpretation of the NFHS rule that would require disqualification of a player for two additional games after a “leave the bench area” violation. OHSAA did not cite any interpretation of the NFHS rule that would require disqualification of a player for leaving the bench to return to the locker room in the face of a dangerous melee. OHSAA did not cite any interpretation of the NFHS rule that would require school districts to impose automatic suspensions of “leave the bench area” players that the OHSAA official did not eject or cite with a foul of any sort.
16. Upon information and belief, it is not the past practice of OHSAA to require school districts to self-impose suspensions on “leave the bench area” students who were not ejected or cited by an OHSAA official. Past practice in enforcing the OSHAA rules related to fighting is that students who were actually ejected or named by OHSAA officials shall be the students who are suspended for two games.
17. DPS does not dispute that there is a rule that students should not step onto the court during an altercation. However, determinations of whether that rule has been violated are left to the discretion of the officials who are present at the time and who are in the position to issue ejections and/or disqualifications.
18. It is OHSAA’s policy that its officials shall identify in their own ejection report those players determined to have violated the rules and are subject to suspensions and/or other discipline.
19. Again, in this instance, the OHSAA official did not identify John Doe as a player disqualified or subject to ejection for violation of OHSAA rules.
20. In issuing subsequent suspensions for ejections or disqualifications, it is the past practice of school districts throughout the State of Ohio to rely upon the ejections and disqualifications issued by the OHSAA officials. Unless the school district official sees a violation of school rules (i.e., engaging in improper physical contact), he/she will not generally second-guess the game calls of OHSAA officials and suspend students for fouls that could have been issued by OHSAA but were not.
21. This past practice of OHSAA and the District must be considered binding on OHSAA when the rights of students and the district are so directly impacted.
22. This past practice is demonstrated by another recent, local event. On December 20, 2017, students from Trotwood-Madison and Fairmont engaged in an altercation. (See Article attached as Exhibit 3) Students from both teams left the bench during the incident, but the OHSAA official promptly ejected eight specific students. Those eight students identified by the official were the ones suspended for two games. The school districts were not called upon by OHSAA to do an additional investigation and determine whether additional players should also be suspended.

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23. Even in this instance, OHSAA has determined that Thurgood Marshall complied with the OHSAA rules and regulations. Yet, the Thurgood students who left the bench during the altercation (who were not ejected or complicit in the fighting) were not required to be automatically suspended. In other words, for arbitrary and capricious reasons, OHSAA is treating Dunbar players differently than Thurgood Marshall players.
24. Based upon information and belief, this past practice regarding OHSAA rules will be further demonstrated by evidence from other districts throughout the State of Ohio, including testimony from Athletic Directors from other districts.
25. On February 23, 2018, John Doe played approximately three minutes at the end of a varsity game against West Carrollton High School in the first game of 2018 OHSAA Boys Basketball State Tournament.
26. At no point between January 10, 2018 and February 23, 2018, did any OHSAA official advise DPS administrators at either Dunbar or Thurgood Marshall that all players leaving the bench area during the altercation were or should have been suspended for two games. Rather, OHSAA decided only after John Doe had played numerous games in the interim and only after Dunbar had a victory in a one-and-done tournament game that John Doe should have been considered “ineligible” throughout the months of January and February
27. OHSAA’s position is that John Doe would be considered ineligible for all games until he had sat out at least two games. And, based upon Dunbar High School playing an “ineligible” player for only a short time in the tournament game, the team’s victory and right to participate in the tournament should be forfeited.
28. While DPS does not believe that suspension was warranted for John Doe in this instance, OHSAA failed to determine whether he had actually sat out two games prior to the February 23, 2018, game. John Doe was eligible for and did play on both the junior varsity and varsity teams. He did sit out the varsity game immediately after the January 10, 2018, junior varsity game. He also sat out at least one other varsity game. OHSAA has not explained whether these facts would have met the supposed “leave the bench area” suspension requirements.
29. This OHSAA disposition was immediately made public by OHSAA and appears to be improper and unwarranted selective enforcement by OHSAA of a rule that would unduly punish students who had no role in the altercation on January 20, 2018.
30. There are provisions in the OHSAA General Regulations that allow team victories to be forfeited and individual performances to be erased. OHSAA is attempting to rely upon those regulations in this instance, but is doing so in an arbitrary and capricious fashion.
31. On March 4, 2018, the next leg of the tournament in which Dunbar High School was scheduled to participate will occur.

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32. If the OHSAA decision is not immediately overturned, the players of that Dunbar tournament team, including five high school seniors, will be prevented from playing in a tournament for which they have worked very hard to earn a spot.
33. There is no way to prevent that harm to the Dunbar team of students, the athletic program, and the District without an immediate temporary restraining order, to be followed by a preliminary and permanent injunction.
34. DPS offers this complaint in conjunction with a contemporaneously-filed motion for a temporary restraining order, supported by affidavits from DPS personnel, all of which are incorporated by reference herein.

FIRST CLAIM FOR RELIEF

35. DPS hereby reincorporates all allegations set forth in the preceding paragraphs as if fully re-written herein.
36. OHSAA's decision was arbitrary and capricious, because the organization failed to conduct a thorough investigation prior to declaring forfeiture of a tournament victory.
37. OHSAA's decision was arbitrary and capricious, because it was based upon mistaken facts and information that any reasonable athletic official would have and/or should have considered in the circumstances.
38. OHSAA's decision was arbitrary and capricious, because the organization failed to follow its own past practice with respect to ejections and disqualifications of players who happen to be on the scene of a skirmish of other players.
39. OHSAA's decision was arbitrary and capricious, because the organization failed to have clear standards and policies for determining when a student leaving the bench area during an altercation would be subject to harsh discipline.
40. OHSAA's decision was arbitrary and capricious, because the organization failed to have clear standards and policies for when a school district was required to self-impose discipline on students absent any finding or foul issued by an OHSAA official.

WHEREFORE, the Board of Education for Dayton Public Schools respectfully requests that the Court issue a temporary restraining order, precluding enforcement of the OHSAA ruling and permitting the Dunbar varsity basketball team to participate in the state tournament game scheduled for March 4, 2018. The Board further requests issuance of a preliminary and permanent injunction, along with all other relief the Court may deem necessary and/or appropriate.

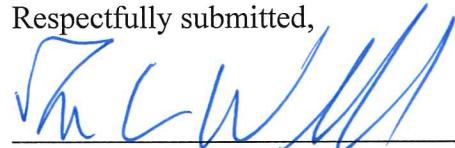
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Respectfully submitted,



Brian L. Wildermuth (0066303)

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Tabitha Justice (0075440)

tjustice@swohiolaw.com

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CERTIFICATE OF SERVICE

I hereby certify that on March 2, 2018, a copy of the foregoing was served via electronic mail upon the following:

STEVEN L. CRAIG, Esq.
scraig@scraig-law.net
Law Offices of Steven L. Craig
437 Market Avenue North
Canton, Ohio 44702-1543
Attorney for Defendant OHSAA



Brian L. Wildermuth (0066303)

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Ohio High School Athletic Association
4080 Roselea Place, Columbus, Ohio 43214

February 28, 2018

Ms. Crystal Phillips, Principal
Dunbar High School – Boys Basketball
Via E-Mail: CPHILLIP@DPS.K12.OH.US

Re: NFHS Rule 10-12-PENb. – Leaving the Bench; OHSAA General Sports Regulation 14.1, note – Ejection for Unsporting Conduct or Flagrant Violation; Administrative Responsibility and Institutional Control – Bylaw 3

Dear Ms. Phillips:

First thank you for the cooperation that was extended to our investigator, Mr. Evans, yesterday as we secured copies of your boys' basketball scorebooks, game schedules and the video of the junior varsity contest played at Dunbar High School vs. Thurgood Marshall High School on January 10, 2018. Your athletic administrator, Ms. Boffman, was very helpful.

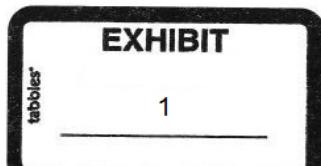
As you are aware, one Dunbar High School basketball player was ejected from a junior varsity basketball game on January 10, 2018. The player who initiated the fight was not identified correctly by the official in his official's report sent to this office and Dayton Dunbar, but video evidence shows that he and an additional player from Dunbar High School were involved in the on-floor altercation which then escalated to a bench-clearing brawl involving most members of both teams and a fairly large number of spectators. Notwithstanding our repeated efforts to communicate with Dayton Dunbar regarding this situation, this office only recently learned that you did suspend the two players, one of whom was ejected by the officials as a result of these flagrant actions in accordance with the Ejected Player Regulations of the member schools of the OHSAA. However, these same rules and regulations require a school that has received an ejection report to respond to the report via our officiating department in writing no later than one week after the event. Obviously, this you did not do.

For weeks this office attempted to ascertain who the bench players were who left the bench area to engage in this brawl, but Dunbar administrators failed to respond. It was only yesterday that we were able to view the video tape of the game in question and ascertain for ourselves who these additional players were. This information is critical because the national playing rules for basketball (NFHS Basketball Rules at Rule 10-12-PENb.) state that any player leaving the bench area during a fight are automatically ejected. Pursuant to the basketball playing rules and OHSAA General Sports Regulation 14.1, these seven (7) Dunbar players whom we were able to identify just yesterday after review of the video tape, were ineligible for the next two (2) games at the junior varsity level and thus required to sit out those games. Yesterday we learned that none of the seven players sat out one single game as a result of this January 10 incident. In every instance such as this where an athlete who becomes ineligible for future contests but does not serve his/her sit out requirement or is otherwise permitted to participate as an ineligible player by the school, this office has consistently interpreted these rules that the player remains ineligible until she/he has sat out the required penalty period, and that any and all contests in which he/she participated as an ineligible player until such penalty has been served, shall be forfeited.

The problems that have come to light in this matter are exacerbated by Dunbar administration and coaches' total lack of communications with this office and its abject disregard of the duties and responsibilities they have as members of this association. Had Dunbar administrators responded to anyone of seven (7) correspondences from the officials and this office in any manner whatsoever, the severity of the matter could have been averted. Instead, as a result of Dunbar's failure to respond, failure to administer the rules in accordance with their duties and responsibilities, an ineligible player was permitted to enter into a tournament contest which in and of itself would require forfeiture of that contest in accordance with Bylaw 10-2-1. However, due to Dunbar coaches and administrators' breaches as outlined above, the penalties outlined in Bylaw 11 would further require this office to remove Dayton Dunbar from the boys' basketball tournament.

What follows are penalties the Ohio High School Athletic Association is issuing against the Dunbar High School.

Continued...



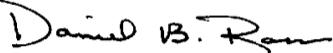
PENALTIES

1. Dunbar High School shall be removed from the 2018 OHSAA Boys Basketball Tournament because of the use of an ineligible player in the first game of the tournament. The bracket will be vacated and Dunbar's last opponent, Thurgood Marshall High School shall advance to the game vs. Bishop Fenwick High School on March 4, 2018.
2. Dunbar High School shall report the forfeiture of all contests in which these ineligible players participated using the guidance here: <http://www.ohsaa.org/Portals/0/Eligibility/OtherEligibilityDocs/GuidelinesForReportingUseOfIneligibleStudent.pdf>
3. Dunbar High School is publicly reprimanded for a lack of administrative responsibility and institutional control for failure to respond to this issue in a timely manner. We intend to have further discussion with your A-Team and you on this matter.
4. This action is a violation of Bylaw 3, the terms of which were delineated in our letter ruling of May 10, 2017. Therefore, the \$2,500 of the original \$10,000 fine is to be forwarded to the OHSAA office c/o Comptroller Todd Boehm no later than May 30, 2018.

Please also note that any further violations of **Bylaw 3, Administrative Responsibility and Institutional Control**, by any administrator at Dunbar High School during the next three years (2017-18, 2018-19, 2019-20) shall be subject to penalties as determined by the Executive Director's Office, and *may* include possible suspension of membership within the OHSAA.

Thank you for your attention to this matter, and please feel free to contact any member of the compliance or basketball staff or me if you have questions.

Respectfully,



Daniel B. Ross, Ph.D.
Executive Director

c. Lamark Baker, District Athletic Administrator, labaker@dps.k12.oh.us
Todd Boehm, Comptroller
Jerry Snodgrass, Director of Sports, Basketball Administrator

Quiona Boffman - OfficialsPortal: Official Game Report Notice - Ejection

From: <info@myohsaa.org>
To: <QLBoffma@dps.k12.oh.us>
Date: 1/11/2018 2:09 PM
Subject: OfficialsPortal: Official Game Report Notice - Ejection

Quiona Boffman,

Dwight Stargell has filed a game report against DUNBAR.

Contest Details: Junior Varsity Boys Basketball @ Dayton Dunbar Prep High School (1/10/2018 6:30:00 PM ET)

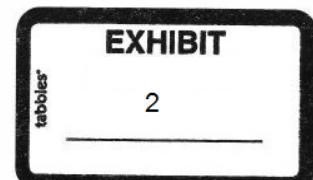
Report is regarding: Ejection

Reported Person(s): Dwight Stargell (Other)

Details: I, Dwight Stargell witness Dunbar #22 intentionally foul a Thurgood Marshall ball handler. Referee Lucius come up with a foul call, I come up with an intentionally foul signal because I felt the foul was severe. I am walking on the floor to make sure no players was injured, I witness punches thrown by players, I begin to try to break up the fight but I seen both benches was clear and fan running on the court. I walk to the middle of the court away from the table to observe and get jersey numbers then I remove myself from the floor. it was 4.4 second left in the game. I told the table the game was over before walking into the locker room. Before the varsity game began I spoke with both Dunbar and Thurgood coaches, they have to remove any players that was going to play in the varsity game that just played in the junior varsity game.

This is for your information only. You are not required to respond to the OHSAA.

If you would no longer like to receive emails click [here](#) to unsubscribe.



Quiona Boffman - Re: OfficialsPortal: Official Game Report Notice - Player Ejection

From: Quiona Boffman
To: info@myohsaa.org
Date: 1/26/2018 10:12 AM
Subject: Re: OfficialsPortal: Official Game Report Notice - Player Ejection

Good morning

The information that was sent may be incorrect. The student that were directly involved was not wearing number #22. I have called OHSAA to try to confirm the correct player information and was not successful. Please let me know what my next should be.

Thank you,

>>> <info@myohsaa.org> 1/12/2018 8:39 AM >>>

Quiona Boffman,

Dwight Stargell has filed an ejection report against DUNBAR.

Contest Details: Junior Varsity Boys Basketball @ Dunbar (1/10/2018 6:30:00 PM ET)

Reported Person(s): # 22 (Player)

Incident Details: I, Dwight Stargell witness Dunbar #22 intentionally foul a Thurgood Marshall ball handler. Referee Lucius come up with a foul call, I come up with an intentionally foul signal because I felt the foul was severe. I am walking on the floor to make sure no players was injured, I witness punches thrown by players, I begin to try to break up the fight but I seen both benches was clear and fan running on the court. I walk to the middle of the court away from the table to observe and get jersey numbers then I remove myself from the floor. it was 4.4 second left in the game. I told the table the game was over before walking into the locker room. Before the varsity game began I spoke with both Dunbar and Thurgood coaches, they have to remove any players that was going to play in the varsity game that just played in the junior varsity game.

You are required by OHSAA to respond to this report before 1/19/2018 8:39:02 AM ET.

To file your response, please click the link below, or paste the url into your browser.

<https://officials.myohsaa.org/Outside/OfficialGameReportResponse/SchoolResponse?token=f9f296cb-0445-4c4f-95af-876805114126>

If you would no longer like to receive emails click [here](#) to unsubscribe.

Quiona Boffman - Re: Ejection report response not received

From: Quiona Boffman
To: Ben Ferree
Date: 2/9/2018 2:09 PM
Subject: Re: Ejection report response not received

Hello Ben.

I do apologize for the inconvenience. I did receive the email. There was a concern with the player names and numbers that we documented. I sent a email to OHSAA stating this but it was sent back to me for no delivery. My concern is the student athlete #22 had no parts during the fight and I didn't want his name or number to be document for ejection. Thompson is #20 that was involved in the fight. Can you please assist me getting the documentation corrected? Should I except the email so that I do not get fined? I can sign and accept I just wanted to make sure the correct student name and number is listed. Thank you for reaching out.

Sincerely,

Quiona L. Boffman
CPR, Health and Physical Education Instructor
Athletic Director
Dunbar Early College High School
1400 Albritton Drive
Dayton, Ohio 45417
School Office [\(937\) 542-6760](tel:(937)542-6760)
Class [\(937\) 542-6789](tel:(937)542-6789)
AD's Office [\(937\) 542-6803](tel:(937)542-6803)

>>> Ben Ferree <Bferree@ohsaa.org> 02/09/18 1:24 PM >>>
Good afternoon Quiona,

Our office has not received a response to the ejection report filed back in January regarding the fight that occurred between your school and Thurgood marshall. Have you been receiving the emails with the report?

Thank you,



Ben Ferree
Assistant Director of Officiating and Sport Management
Ohio High School Athletic Association
4080 Roselea Place
Columbus, Ohio 43214
bferree@ohsaa.org

Quiona Boffman - Ejection report response not received

From: Ben Ferree <Bferree@ohsaa.org>
To: "QLBoffma@dps.k12.oh.us" <QLBoffma@dps.k12.oh.us>
Date: 2/9/2018 1:24 PM
Subject: Ejection report response not received

Good afternoon Quiona,

Our office has not received a response to the ejection report filed back in January regarding the fight that occurred between your school and Thurgood marshall. Have you been receiving the emails with the report?

Thank you,



Ben Ferree
Assistant Director of Officiating and Sport Management
Ohio High School Athletic Association
4080 Roselea Place
Columbus, Ohio 43214
bferree@ohsaa.org

Quiona Boffman - Failure to respond to ejection report

From: Ben Ferree <Bferree@ohsaa.org>
To: "QLBoffma@dps.k12.oh.us" <QLBoffma@dps.k12.oh.us>
Date: 2/22/2018 11:15 AM
Subject: Failure to respond to ejection report
Cc: "CPHILLIP@DPS.K12.OH.US" <CPHILLIP@DPS.K12.OH.US>, Kristin Ronai <kronai...>
Attachments: Dunbar invoice.pdf

Good afternoon,

I have not received any response to the online ejection report filed on 1/12/2018 regarding multiple Dunbar athletes in a bench clearing fight during a JV basketball game against Thurgood Marshall . As a result, you have been assessed a \$150 fine for failing to respond to an ejection report. The attached invoice has also been mailed to your attention. In addition to the fine I still need to know the number of students identified as participating in the fight or coming off the bench during the fight and the dates of the contests they served their suspensions.

Thank you,



Ben Ferree
Assistant Director of Officiating and Sport Management
Ohio High School Athletic Association
4080 Roselea Place
Columbus, Ohio 43214
bferree@ohsaa.org

Quiona Boffman - RE: Failure to respond to ejection report

From: Ben Ferree <Bferree@ohsaa.org>
To: "QLBoffma@dps.k12.oh.us" <QLBoffma@dps.k12.oh.us>
Date: 2/26/2018 9:24 AM
Subject: RE: Failure to respond to ejection report
Cc: "CPHILLIP@DPS.K12.OH.US" <CPHILLIP@DPS.K12.OH.US>,
"labaker@dps.k12.oh.u..."

Good morning Quiona, Crystal,

I cannot stress enough the importance that we receive the information confirming that the ejected players from the JV fight against Thurgood Marshall served their two game suspension. We also need the names of those you identified as coming off the bench to participate in the fight.

The best case scenario right now is that you made sure all the students involved properly served their 2 game suspension, and have just failed to notify us or communicate with us in any way. That's frustrating beyond belief, but in the end would be a good thing.

Worst case scenario is that you have not ensured the students sat their games, they have continued to participate, possibly even at the varsity level, and your boys basketball team would have to forfeit their wins and be out of the tournament. I sincerely hope that isn't the case, and doubt it is, but have absolutely no way of knowing since no one at the school has found it necessary to respond to my many emails and letters.

Please find the time to do so today.

Thank you,

Ben Ferree
Assistant Director of Officiating and Sport Management
bferree@ohsaa.org

From: Ben Ferree
Sent: Thursday, February 22, 2018 11:15 AM
To: 'QLBoffma@dps.k12.oh.us' <QLBoffma@dps.k12.oh.us>
Cc: 'CPHILLIP@DPS.K12.OH.US' <CPHILLIP@DPS.K12.OH.US>; Kristin Ronai <kronai@ohsaa.org>
Subject: Failure to respond to ejection report
Importance: High

Good afternoon,

I have not received any response to the online ejection report filed on 1/12/2018 regarding multiple Dunbar athletes in a bench clearing fight during a JV basketball game against Thurgood Marshall . As a result, you have been assessed a \$150 fine for failing to respond to an ejection report. The attached invoice has also been mailed to your attention. In addition to the fine I still need to know the number of students

Crystal Phillips - Fwd: Failure to respond to ejection report

From: Lamark Baker <labaker@dps.k12.oh.us>
To: <CPHILLIP@dps.k12.oh.us>; <CPHILLIP@dps.k12.oh.us><qlboffma@dps.k12.oh.us>
Date: 2/26/2018 10:44 AM
Subject: Fwd: Failure to respond to ejection report
Cc: <MKBonhar@dps.k12.oh.us>

Ms Phillips/Ms Boffman

Please make sure you respond to Mr. Ferree today. OHSAA need to be ensured that the all players served their required penalty for ejections. I would recommend that you get with your coaches and make copies of the scorebook (two missed games) and send to him. Also send the required report that was done after the game, if it has not been done.

Please let me know if I you have any questions.

Sent from my iPhone

Begin forwarded message:

From: "Ben Ferree" <Bferree@ohsaa.org>
Date: February 26, 2018 at 9:24:02 AM EST
To: "Quiona Boffman" <QLBoffma@dps.k12.oh.us>
Cc: "Crystal Phillips" <CPHILLIP@dps.k12.oh.us>, "Lamark Baker" <LABaker@dps.k12.oh.us>, "Beau Rugg" <BRugg@ohsaa.org>, "Deborah Moore" <DMoore@ohsaa.org>, "Jerry Snodgrass" <jsnodgrass@ohsaa.org>, "LaurenProchaska" <Lprochaska@ohsaa.org>
Subject: RE: Failure to respond to ejection report

Good morning Quiona, Crystal,

I cannot stress enough the importance that we receive the information confirming that the ejected players from the JV fight against Thurgood Marshall served their two game suspension. We also need the names of those you identified as coming off the bench to participate in the fight.

The best case scenario right now is that you made sure all the students involved properly served their 2 game suspension, and have just failed to notify us or communicate with us in any way. That's frustrating beyond belief, but in the end would be a good thing.

Worst case scenario is that you have not ensured the students sat their games, they have continued to participate, possibly even at the varsity level, and your boys basketball team would have to forfeit their wins and be out of the tournament. I sincerely hope that isn't the case, and

doubt it is, but have absolutely no way of knowing since no one at the school has found it necessary to respond to my many emails and letters.

Please find the time to do so today.

Thank you,

Ben Ferree

Assistant Director of Officiating and Sport Management

bferree@ohsaa.org

From: Ben Ferree

Sent: Thursday, February 22, 2018 11:15 AM

To: 'QLBoffma@dps.k12.oh.us' <QLBoffma@dps.k12.oh.us>

Cc: 'CPHILLIP@DPS.K12.OH.US' <CPHILLIP@DPS.K12.OH.US>; Kristin Ronai <kronai@ohsaa.org>

Subject: Failure to respond to ejection report

Importance: High

Good afternoon,

I have not received any response to the online ejection report filed on 1/12/2018 regarding multiple Dunbar athletes in a bench clearing fight during a JV basketball game against Thurgood Marshall . As a result, you have been assessed a \$150 fine for failing to respond to an ejection report. The attached invoice has also been mailed to your attention. In addition to the fine I still need to know the number of students identified as participating in the fight or coming off the bench during the fight and the dates of the contests they served their suspensions.

Thank you,



Ben Ferree

Assistant Director of Officiating and Sport Management

Ohio High School Athletic Association

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Girls Basketball Skirmish Results in Eight Suspensions (/high- school/girls-basketball- skirmish-results-in-eight- suspensions.html)

by Marc Pendleton
December 2017



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Dayton Daily News (Ohio)

Coach Lacy Romine's Fairmont team was
awarded a 52-26 victory.

Coach Henry Benton's Trotwood team was 5-0
entering the game.

A skirmish that broke out between the Fairmont
and Trotwood-Madison girls high school
basketball teams Wednesday night has resulted
in the suspension of eight combined players.

The encounter broke out with about four
minutes remaining in the game at Fairmont's
Trent Arena between the Greater Western Ohio
Conference teams and involved players and
fans who went on court.

The game was halted and called at that point.
Fairmont was awarded a 52-26 victory, the
score at the time of the incident.

GWOC Commissioner Eric Spahr said the
unnamed players all will serve two-game
suspensions, effective immediately. Neither
Fairmont coach Lacy Romine nor Trotwood
coach Henry Benton was disciplined.

"It was an unfortunate incident and we'll learn
from it and move forward," Spahr said. "This
was all player-related. The incident was not as
bad as perceived. The impact of this was based
on players leaving the bench. That's the real
issue."

EXHIBIT

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As per Ohio High School Athletic Association rules, any basketball player ejected from a contest also will be suspended the next two games.

Trotwood was 5-0 going into the game, which served as an early-season crossover GWOC matchup. The Rams averaged an area-best 84.2 points and outscored opponents by a combined average of nearly 52 points.

They also featured one of the area's best players in Shai McGruder, a senior transfer from Wayne who signed with New Mexico State in November.

Fairmont, now 6-3, has a mostly underclass lineup that also is being recruited, especially 6-1 sophomore Maddie Westbeld, the younger sister of former Fairmont standout Kathryn Westbeld who's now a senior starter at the University of Notre Dame. It was the fourth straight win for Fairmont.

Spahr said the incident was triggered when two opposing players entangled after going for a loose ball. The suspensions resulted when other players left their designated bench areas.

Neither of the coaches nor athletic directors, Guy Fogle at Trotwood and Fairmont's Chris Weaver, responded when this news outlet reached out for comments and more information.

"The district is gathering as many facts as possible and looks forward to the official report from game officials and the OHSAA," Trotwood-Madison City Schools superintendent Kevin A. Bell said in a statement. "Our girls basketball players and coaches will continue to demonstrate sportsmanlike attitudes, actions and behaviors against Fairmont and other competitors moving forward."

A GWOC National East Division I team, Fairmont is idle through the holiday. The Firebirds' next scheduled games are Jan. 3 against visiting Beavercreek and Jan. 10 against visiting Lebanon.

Trotwood is the defending GWOC American South champion and ranks among the area's best D-II teams. The Rams' next scheduled game is today against Indianapolis Cathedral as part of the Indianapolis Manuel High School Extravaganza. After that Trotwood is scheduled to play Bogan (Ill.) in the Braggin Rights Classic at Cincinnati Winton Woods on Dec. 28.

Fairmont also handed Trotwood its first loss last season, snapping the Rams' seven-game win streak.

"It was great camaraderie and sportsmanship between the administrations of both schools," Spahr said. "This was an isolated incident. It was between two individuals who got tangled up and got carried away. From that incident, we had the unfortunate ladies who left the bench."

Contact this reporter at 937-225-2381 or email [\(Marc.Pendleton@coxinc.com\)](mailto:Marc.Pendleton@coxinc.com)

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HS Player in Recruiting Complaint Ruled Ineligible (</high-school/hs-player-in-recruiting-complaint-ruled-ineligible.html>)

One of two Fort Myers High School girls basketball players named in a recruiting complaint to the FHSAA was declared ineligible by the state association on Wednesday.

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Wrongful Death Suit Accuses School of AED Missteps (</civil-actions/wrongful-death-suit-filed-on-behalf-of-hs-basketball-player.html>)

The mother of 15-year-old Paul Laurence Dunbar basketball player Star Ifeacho, who collapsed and died during an open-gym session at the school in April, has filed a wrongful death suit against the principal, coaches, athletic trainers and the superintendent.

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Female HS Hockey Players Make Impact on Boys' Teams (</high-school/female-hs-hockey-players-make-impact-on-boys-teams.html>)

Area high schools around Colorado Springs have seen an influx of female hockey players joining the ranks and paving the way for women in high school hockey.

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Transgender Wrestler Raises Questions About Fairness (</high-school/transgender-wrestler-raises-questions-about-fairness.html>)

The same performance-enhancing activity that got Russian athletes banned from the Olympic Winter Games may have helped a transgender

male athlete win the girls' Texas high school wrestling championship.

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Clay-Target Shooting Takes Off as HS Sport (</high-school/clay-target-shooting-grows-as-hs-sport.html>)

Under the guidance of volunteer coaches, and sanctioned by school districts across both states, competitors use shotguns to break clay targets, launched at random across tightly controlled shooting ranges.

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HS Combine Offers Chance to Impress College Coaches (</high-school/hs-football-combine-offers-chance-to-impress-college-coaches.html>)

Some 450 high school seniors, hoping to continue playing football at the next level, took part in the sixth annual California Showcase on Saturday at the Great Park of Orange County in Irvine.

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Stoneman Douglas HS Wins State Hockey Championship (</high-school/stoneman-douglas HS-wins-state-hockey-championship.html>)

Students from Marjory Stoneman Douglas HS actually had reason to celebrate on Sunday when their school's ice-hockey team won the Florida state championship.

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