



MEMORANDUM

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TO: John Miller
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Brian Smith
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FROM: Carl Blackstone
Robert Westinghouse

DATE: May 25, 2016

RE: WIAA Response to Bellevue School District's Violation Report dated May 23, 2016

On March 22, 2016, Carl Blackstone and Robert Westinghouse submitted an Investigative Report to the Washington Interscholastic Activities Association ("WIAA") relating to the Bellevue High School ("BHS") football program. The WIAA Investigative Report ("Investigative Report") contained findings that BHS and the Bellevue School District ("BSD") had violated a number of WIAA rules. WIAA provided the Investigative Report to BSD on April 1, 2016. On May 11, 2016, BSD/BHS presented a WIAA Violation Report ("Violation Report" or "District's Report") to the KingCo League during a self-report hearing. On May 13, 2016, George Crowder, KingCo League President, requested that WIAA and its investigators evaluate the information contained in the BSD/BHS Violation Report.

The May 11 Violation Report identifies 10 allegations in the Investigative Report. The Violation Report provides substantive responses to only six of the allegations. On May 18, 2016, the WIAA investigators submitted a response to the six allegations addressed in BSD's Violation Report.

On May 23, 2016, BSD presented a supplemental Violation Report to KingCo addressing the four remaining allegations. On the same day, George Crowder requested that the WIAA and its investigators evaluate the information contained in BSD's supplemental Violation Report.

the Booster Club to Coach Goncharoff were for “work done outside of season” and that Coach Goncharoff signed Independent Contractor Agreements with the Booster Club for this work, as noted previously the federal tax returns filed by the Booster Club with the Internal Revenue Service each report that the payments to Coach Goncharoff constituted a “coaches (sic) stipend.”

- Pat Jones told the WIAA investigators that he was paid nothing by the Booster Club. In the most technical sense, this may be correct because, according to the BSD May 23 Violation Report, Pat Jones told the Bellevue School District that the Booster Club is a client of Athletic Camps Northwest, LLC and that “they donate money to the company to offset some of the costs of the camps I the summer.”² This more recent acknowledgement, however, makes clear that Pat Jones’ business was used as a conduit to transfer money from the Booster Club to Coach Goncharoff and possibly other coaches.
- The BSD May 23 Violation Report suggests that an exchange of emails between Tom Castle, a Booster Club member, and Judy Bushnell, a Bellevue School Board member, constitutes Board approval for the payment of coaches for summer camps. This argument might be meritorious if there had, in fact, been some action by the school board instead of an opinion by one of its members without any factual underpinning, but the documentation offered as Exhibit 44 to the BHS Report is striking for what is not said. There is no evidence of a board resolution or vote; there is no indication that Ms. Bushnell was provided with any details about what compensation was contemplated for what services and there is no indication that this authorization had anything to do with the Ft. Worden camp. The email exchange speaks only of “summer camp.”
- The BSD May 23 Violation Report cites various administrative procedures applicable to school overnight field trips, including one that prohibits any staff member from personally benefitting from such a trip. Thus, it seems the BSD Report initially says that the payment of coaches for Ft. Worden was approved by the board and then reverses course and acknowledges that it would be a violation of board policy for any coach to benefit from such an activity. These contradictory positions suggest that the Bellevue School District is flailing to justify annual payments to Coach Goncharoff and Coach Jones which are in violation of the board’s administrative procedures and, more importantly, WIAA rules.
- The BSD May 23 Violation Report proposes only “internal remedies” for the violation of WIAA 23.1.1, notwithstanding that this violation apparently involved several hundred thousand dollars in unauthorized payments to Coach Goncharoff and Coach Jones beginning in 2008 for Ft. Worden, even without consideration of the payments to Coach Goncharoff made directly by the Booster Club and supposedly justified as being for other services. This proposal stands in sharp contrast to the

² Significantly, the Booster Club tax returns do not report any donations to Athletic Camps Northwest, LLC.