August 31, 2010

To the Emergency Financial Manager:

Under the Administration and leadership of the Emergency Financial Manager, the District is making a concerted effort to ensure its athletic program maintains high standards for its student athletes. In this regard, this is the second audit report conducted within the last year concerning the eligibility of DPS athletes.

A previous audit of a high school eligibility based on grades conducted by the OAG led to the discovery that other eligibility requirements must be met and it was decided that a review should be performed to determine compliance with these eligibility standards throughout the district.

OBJECTIVE, SCOPE & METHODOLOGY

The objective of this review was to determine compliance with Detroit Public Schools (DPS) and the Michigan High School Athletic Association (MHSAA). The focal point of this review was to assess how effective the Department of Athletics administers, monitors and controls the eligibility process.

The scope of our review was the winter season of School Year 2009-2010. Specifically, we reviewed and assessed the eligibility requirements for DPS student athletes for 2009 – 2010 Boys Basketball; Girls Basketball; Boys Swimming and Cheerleading. Our audit was timed to commence after each winter sport in our sample had begun. By this time, all eligibility documentation should have been on file at the individual schools or in the Athletic Director’s office or both. We used District and MHSAA eligibility requirements to determine the level of compliance.

The methodology included selecting a sample of student athletes from the Master Eligibility List for each sport as provided by the school’s Athletic Coordinator to the Department of Athletics. A maximum of five student athletes from each high school was selected for detailed review. Auditors interviewed the Athletic Administrator and former Athletic Senior Coordinator to understand and document the eligibility process.

The following eligibility documents for each student-athletic were requested from the schools’ Athletic Coordinator: (1) Master Eligibility List for each sport, (2) Physical Examination Cards, (3) Parental Permission Document, (4) Equipment Authorization, (5) Insurance Verification, (6) Medical Consent, and (7) Student Policy Agreement. Once received, the documents were reviewed for completeness and compliance. The OAG reviewed the student information system for each student athlete to determine eligibility based on grade point averages. Our field work on this audit ended August 2, 2010.
BACKGROUND

DPS created an interscholastic athletic program that provides an opportunity for Middle and High Schools students to participate in organized sporting events. The Detroit Public Schools Athletic League Eligibility (DPSAL) is governed by Detroit Board of Education and Michigan High School Athletic Association (MHSAA). The DPS and DPSAL abide by the rules governing student athlete eligibility as set forth by MHSAA.

The DPS Athletic Manual provides guidelines for all involved to help ensure an educational value in developing good sportsmanship and setting standards for operations and eligibility. The MHSAA Handbook and DPS Athletic Manual have specific criteria for student eligibility and reasons that make a player ineligible.

Grade eligibility is determined two times a year with on-going monitoring of the students activities and eligibility. Eligibility is determined at the beginning of school for fall and winter sports and in January for spring sporting activities. Mid-term "Progress Reports," are evaluated to ensure that the student athlete remains eligible to participate in the sport for the remainder of the season. The results of the mid-term progress (grade) report can make a player ineligible to participate in the sport but cannot make them eligible to play. In addition to a 2.0 GPA, the DPS athletic manual lists 6 documents that each player must have on file to be eligible which include physical examination card, parental consent form, equipment authorization form, insurance verification, medical consent and the student policy agreement.

At the beginning of each sporting activity the Eligibility Coordinator prepares a Master Eligibility List, which certifies that all students are eligible to participate. This document is signed and approved by the Principal and provided to the Athletic Coordinator, coaching staff and the department of athletics.

The Eligibility Coordinator advises the coach and Athletic Director of any student athlete who does not meet current academic standards based on a review of the Progress Reports. The Master Eligibility List must be available for distribution upon request at any MHSAA sponsored event such as the regional or state play-offs.

Results In Brief

The Department of Athletics is not effectively monitoring and controlling the process to ensure that student athletes who participate in DPS sporting events are eligible to do so. We found that the eligibility of student athletes that participated in winter sports during the 2009 season at DPS is in question based on our review of required documentation. Specifically, none of the 95 students in our sample participating in boys and girls basketball, swimming and cheerleading at 22 high schools had all the required eligibility forms in their files. We recognize, however, that not having all the required documents does not, in itself, make a student ineligible. For example, the
equipment authorization is required, but not having it would not make a player ineligible. According to the Athletic Director, no student is eligible to participate in sports in DPS if they do not have (1) a 2.0 grade point average, (2) physical exam card, (3) parental permission, (4) verification of insurance, (5) medical consent form signed, and (6) the student policy agreement.

The MHSAA handbook states that a student is eligible to participate if they have a signed statement by a medical examiner that the student is physically able to compete in athletic activity along with a consent form signed by parent or guardian allowing the disclosure of information protected by federal laws. According to the District’s General Counsel, at a minimum student athletes have to have this information in their file. All other forms required can be waived by DPS. Although six schools, Cody, CMA, Denby, Finney, Southeastern, and Western were able to provide this documentation for all of their students in our sample, we found that only 37 of 95 students, or about 39 percent of the students in our sample, had these forms on file.

Although we found significant non compliance, all of the schools with the exception of DIA submitted master eligibility list that were signed by the principals of each school for each sport in our sample. This document certifies that all students participating in athletics are eligible to do so in accordance with the District’s eligibility requirements.

Given that our audit commenced after each sporting activity had already started, we anticipated that all requested documents would be on file at the individual schools, and in the Athletic Department or both. The timeframe of our request for eligibility documents from the schools was extended to provide additional time; however, 12 of the 22 schools or 59 percent did not submit any of the requested eligibility forms to our office for review.

Of the nine schools that provided information, we noted two of the schools submitted forms that were dated after the beginning of the winter season. In fact, the forms were dated subsequent to the Office of the Auditor General’s request. It appears the forms were only completed as a result of our inquiry. This would indicate that the schools are not complying with the eligibility requirements and the Athletic Department lacks an effective process to monitor the schools to ensure they comply.

Most of the schools, 20 out of 22, did ensure that their students met the Grade Point Average requirement. Only 4 student athletes at two schools; Henry Ford and Finney failed to make the minimum 2.0 grade point average. Consequently, it appears that grade point average is the only eligibility requirement being closely monitored for compliance. This may, in part, be attributable to District actions last year to rescind a divisional championship for football from a District High School for playing with students that did not meet the grade point average.

We found that having an eligibility chairperson did not enhance the level of compliance at these schools. In fact, of the 12 schools that did not fill this position last winter 6 provided the requested eligibility documentation for its student athletes. In contrast, of the 10 schools that did fill the position only 3 complied with the request for eligibility documentation.
Last year, the Office of Athletics had a Senior Athletic Coordinator who performed duties that would be expected of the Eligibility Chairperson for high schools where one had not been appointed. However, when this occurred, we believe it reduced the degree of independence of the review performed by the Athletic Department. That is, the senior athletic coordinator should be reviewing whether or not schools are complying instead of performing eligibility activities for the school, which should have been performed by another person at the school. Furthermore, that position is no longer filled. As such, those schools without an eligibility chairperson will have to assign these duties to someone in the coming semester to ensure its student athletes are in fact eligible.

Ultimately, the Office of Athletics is responsible for ensuring that each school complies with eligibility requirements. Failure to do so poses the risk of forfeiture for the schools and exposes the district to potential liability in the event an athlete is hurt or injured.
DETAILED REPORT
Lack of Monitoring By Athletic Department Poses Risk to District

Failure on the part of the Athletic Department to establish a process for ensuring students at each school participating in sporting events are eligible exposes the District to the risk of liability if a student were to get injured and/or the forfeiture of any divisional, regional or state championship that the teams might win. This, in turn, poses a reputation risk to the District if this were to occur.

The District hired a new Athletic Director in January, 2010 who is in the process of restructuring his department. However, our review of a proposed structure found no reference to monitoring eligibility. Although the schools have the direct responsibility to ensure students on their sporting teams are eligible to participate and compete, the Athletic Department has the ultimate responsibility of ensuring that the schools are in compliance. To achieve this, the department has to have (1) a process in place that has set timeframes for schools to submit eligibility documentation for every student participating at each school, (2) someone assigned to review the documentation for compliance, and (3) a mechanism to enforce compliance with these requirements. Currently, no such process is in place.

Although we noted a concerted effort to ensure that student's were academically eligible by independent verification of GPA's, we noted very little formal communications from the Athletic Department to the schools requesting evidence of compliance with the completion of all required eligibility documents.

Other than the Grade Point Average, it does not appear that other eligibility documents are being closely monitored by the Athletic Department for completion and compliance. Without monitoring and reviewing all the eligibility requirements, the Office of Athletics is unable to ensure that students are eligible to participate in sports.

Schools Unable to Provide Evidence that Students Fully Met DPS & MHSAA Eligibility Requirements

The District was unable to provide documentation that verified that the 95 students in our sample from 22 high schools met the eligibility requirements. As such, none of the 95 students in our sample met all DPS eligibility requirements, but only 10 of the 22 schools responded to our request for documentation. This raises serious concern about whether or not the District allowed students to participate in DPS sporting events whom were not eligible to do so. We recognize that the failure of the schools to provide documentation that evidenced the students were eligible may not, in itself, mean that the students were ineligible. However, without documentation to support requirements was met there is no way to ensure students were eligible to participate.

The DPS Athletic Manual outlines specific eligibility requirements to play interscholastic sports at DPS, student athletes must have a minimum of a “C” (2.0) GPA and the following forms on file:
1. Physical Examination Card
2. Parental Permission
3. Equipment Authorization
4. Insurance Verification
5. Medical Consent
6. Student Policy Agreement

Of the 7 DPS eligibility requirements, some are more critical than others in deciding a student’s eligibility to participate in sporting events. The DPS Athletic Director stated that no student is eligible to participate in sports in DPS if they do not have (1) a 2.0 grade point average, (2) physical examination card, (3) parental permission, (4) verification of insurance, (5) medical consent form signed and (6) student policy agreement. For the student athletes in our sample, we found:

- 96 percent met the GPA requirement,
- 39 percent provided the physical examination form,
- 39 percent provided the parental consent form,
- 36 percent provided the insurance verification form, and
- 37 percent provided the medical consent form,
- 39 percent provided the student policy agreement.

The compliance rate for students who met the District’s grade point average requirement was nearly 96 percent. This is considerably higher than the compliance rate for all other eligibility requirements. This in part, may be attributable to actions taken by the District last year to relinquish a divisional football title because the team played with athletes who did not meet the GPA requirement.

The Office of Athletics review of eligibility appears to focus on grades and transfer students to the district or to new schools. For example, we found only 4 students at 2 schools that did not have the required 2.0 GPA for the preceding semester necessary to participate. One of the schools did not have an Eligibility Chairperson while the other school did. Although the number of students not meeting the District’s grade point requirement is low, it is critical that all DPS student athletes meet this requirement. Beginning next fall, DPS student athletes will have a more stringent GPA requirement to meet and it will be critical to have a mechanism in place to ensure all athletes are meeting this requirement.

The MHSAA handbook only references the physical examination card which must be signed by the doctor, assistant or nurse practitioner stating the student is physically able to play and a consent form signed by a parent, guardian or 18 year old student. According to the DPS General Counsel, at a minimum, the student must be in compliance with the MHSAA requirement that says a student must have these forms on file for eligibility purposes. The other forms can be waived by the District.
Based on the MHSAA eligibility requirements, six schools fully complied, Cody, CMA, Denby, Finney, Southeastern and Western provided the physical examination card and parental consent forms for all their students in our sample. However, we found that only 37 of 95 students, or about 39 percent of the students in our sample, had these forms on file.

**Principals Certify Ineligible Students**

The District requires each school principal to certify that student athletes listed on the master eligibility listing are eligible to participate in sporting activity. Although we received a master eligibility list for all but one school in our sample certifying that all listed players were eligible to participate in sports and signed by the principal, we found only 34-37 of the 95 students met the eligibility requirements listed by the Athletic Director.

Even when you consider the number of students that met the MHSAA standards of having the physical examination cards and parental consent forms, only 37 students complied. Given that the schools did not provide these forms for so many of their student athletes, we question how the principals could certify these students as being eligible without verification. The possibility exist that some student athletes had the proper eligibility forms on file, but the schools failed to provide such information. The auditors requested the information in a memo hand delivered to 16 of the 22 athletic coordinators in our sample during a meeting in February. The remaining 6 coordinators and their respective principals were contacted by email. The timeframe for responding was extended by one week, but the auditors accepted documentation from the schools through May.

Given the many day to day responsibilities that principals have it is reasonable that they will delegate the responsibility of ensuring student athletes are eligible to participate. In addition to having an Athletic Coordinator, each school is supposed to fill the position of eligibility chairperson for this purpose. Our audit identified that only 10 of the 22 schools in our sample had an eligibility chairperson.

**Having Eligibility Chairperson Does Not Ensure Compliance**

The Eligibility Chairperson is primarily responsible for ensuring the eligibility of the student athlete by working with coaches, parents and students in collecting required documents and reviewing grade point averages and homestead information of transfer students. They oversee and investigate any questions of student athlete eligibility and report findings and recommendations to the Principal. However, we found that having an eligibility chairperson at the schools did not increase the level of compliance for the student athletes in our sample. Twelve of the 22 schools did not have an eligibility chairperson. However, 7 of these schools did provide eligibility documentation for their students. By comparison, only 3 schools that had an Eligibility Chairperson submitted the eligibility documentation for their student athletes.

During the winter sports season, the Office of Athletics had a senior athletic coordinator who performed some of the duties related to student eligibility for the schools. This may explain why...
schools without an eligibility chairperson were more compliant than those that did. Currently, that position is no longer filled. This places greater responsibility on those schools without a chairperson to ensure eligibility requirements are met. At the same time, we believe it is critical that eligibility chairpersons be held accountable for documenting the eligibility of each student athlete for their respective school.

School and Department Leaders
Have Ultimate Responsibility for Compliance

Regardless of whether or not a school has an eligibility chairperson assigned for its athletics, the ultimate responsibility for compliance rests with the principal and the athletic administrator for ensuring the school and the district do not allow ineligible players to participate in DPS sporting events. Principals approve the Master Eligibility List as evidence that all student-athletes listed are in fact eligible.

The Athletic Administrator is responsible for ensuring that principals and school athletic coordinators are aware of all eligibility requirements, establishing timeframes for receiving eligibility documentation from the schools, maintaining copies of such documentation for review, monitoring the level of compliance achieved by each school and enforcing penalties for non-compliance. We found no evidence that such a process existed in the Office of Athletics. Until such time a process is implemented, the Office of Athletics will have no way of ensuring that students participating in DPS sporting events are eligible and such eligibility can be verified.

CONCLUSION

There appears to be no systematic process in place at the school level or at the Department of Athletics to ensure that all DPS and MHSAA eligibility standards including required documents are completed and on file. Without such a process in place, there is no way of verifying that student athletes are eligible to participate in District sporting events.

Grade point averages and the eligibility of transfer students appear to be the focal point of eligibility compliance activities at the schools and within the Athletic Department. However, greater attention must be given to the other eligibility standards that require compliance, particularly those that must be in place according to the Athletic Administrator.

The eligibility chairperson has the direct responsibility for obtaining documentation to support the eligibility of student athletes for the respective school. Ironically, we found that having an eligibility chairperson does not result in a greater level of compliance. At the same time, not having someone in this position does not relieve the school or the Office of Athletics from having documentation to support all students who participate in DPS sporting events are eligible to participate.

Ultimately, the Athletic Administrator and the Principal are responsible for ensuring the eligibility of student athletes. When the school’s Principal approves the Master Eligibility List, it implies that all
eligibility requirements for the students in question have been met. All but one school submitted the master eligibility list for the sports in our sample signed by the principals and certifying that all students were eligible. However, none of the 95 students in our sample met all the requirements and only 6 schools met those requirements listed by the Athletic Director as critical. We recognize that the non response by 12 schools does not, in itself, mean that the students were ineligible. However, at a minimum, the schools which did not reply to our request for documentation are not taking eligibility seriously. The challenge for the Department of Athletics is to establish a culture of compliance, which we believe requires a clear understanding of the eligibility requirements, open communication with schools, verification of documentation and strict enforcement.

Our review noted a general lack of compliance, review, and oversight from all levels. This is a disservice to student athletes and could prevent them from participating in school and college level sports. The lack of compliance exposes DPS to a risk of potential liability. The Office of Athletics should work to strengthen its policies, adapt MHSAA documents for compliance or modify the language in the DPS forms to ensure compliance and develop a monitoring process to ensure compliance. For their parts, schools must take the requirements seriously and recognize that the failure to do so can expose the school to the forfeiture of any divisional, regional or state championship.

RECOMMENDATION(S)

To address non compliance with the DPS and MHSAA eligibility standards, we recommend that school principals:

- Ensure an Eligibility Chairperson is appointed at every school, or someone at the school is assigned these duties,
- Develop a process to monitor the eligibility compliance at the school level.
- Only sign the Master Eligibility listing if evidence exists to support all students have met eligibility requirements.

To ensure the District is meeting its obligations of complying with eligibility requirements and to limit the District from the risk of forfeiture and potential liability, we recommend The Office of Athletics

- Establish a process for receiving and reviewing eligibility documentation for student athletes that includes timeframes for submission and a depository for eligibility documents.
- Capture DPS’ 2.0 GPA requirement on the Master Eligibility List to ensure that all DPS and MHSAA standards are met when the principal certifies through signature that all players listed meet eligibility requirements.
- Conduct a training session for all Athletic Coordinators, Eligibility Chairpersons and Head Coaches to review the eligibility requirements, monitoring process and timelines for submitting documentation for each sport.
To ensure consistent documentation is obtained for student eligibility, we recommend that the Office of Athletics

- Update the DPS Interscholastic Athletic Manual and include MHSAA physical examination form as a replacement for DPS forms.

Our review was performed in accordance with U.S. General Accounting Office Government Auditing Standard and Standards of the Institute of Internal Auditors.

This report is intended solely for management and should not be used for any other purpose. This restriction is not intended to limit the distribution of the report which is a matter of public record.

Odell W. Bailey, CIA
Auditor General
### APPENDIX I

**OFFICE OF THE AUDITOR GENERAL**

**DISTRICT WIDE ELIGIBILITY REVIEW OF SAMPLE WINTER SPORTS**

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August 27, 2010

Odell Bailey, DPS Auditor General
Fisher Building
3011 West Grand Blvd. Suite 601A
Detroit, MI 48202

RESPONSE TO DISTRICT WIDE ELIGIBILITY
SCHOOL YEAR 2009-10
REPORT NO: 09-213

The Office of Athletics has reviewed the Auditor General’s District Wide Eligibility School Year 2009-2010 Report No: 09-213. Upon reading the conclusion contained in the report, the Administrator of Athletics and supporting staff give the following responses to the major mentioned compliance recommendations:

- To address non compliance with DPS and MHSAA eligibility standards as it relates to principals. The Office of Athletics will request mandatory identification of an Eligibility Chairperson for each high school with athletic programs. This procedure shall be accomplished through a memorandum sign off procedure with Assistant Superintendents’ approval/support. The office will convene an early year in-service for Eligibility Chairpersons covering duties and responsibilities as it relates to establishing one hundred percent total compliance in each school. The mandatory compliance tools/forms that will be used are those found in the MHSAA Handbook and DPS Athletic Manual (under revision). These mandatory documents/tools were listed in Appendix I of the Auditor General’s Report and include: (1). Master Eligibility List (scholar-athletes must first have the DPS 2.0 G.P.A. requirement to be placed on the list), (2). MHSAA Medical History form (includes insurance statement & medical history, physical examination, medical treatment consent) and (3). Student Parent Consent form.

- To address the recommendation to develop a process to monitor the eligibility compliance at the school level, the Office of Athletics will: (1). Request and collect each school’s eligibility information on scholar-athletes (with Principal sign-off), (2). Documents will be scanned and kept on computer files at central office, (3). Check all documents for compliance and eligibility, (4). Run reports to determine individual and local schools’ eligibility, (5). Request mandatory updates of changes to eligibility, (6). Have random checks of schools’ eligibility, (7). Send notification to schools that are out of compliance, (8). Determine the process (with assistance of the Auditor General’s Office) for bringing the school(s) back into compliance.
To address the recommendation that Principals only sign the Masters Eligibility lists if evidence exists to support all scholar-athletes have met eligibility requirements. The Office of Athletics will: (1) Recommend a review and check-off of all grading eligibility requirements is completed by the guidance counselors for all scholar-athletes listed on the Master Eligibility List, (2) Recommend a review and check-off of all other required MHSAA documents is completed by the Eligibility Chairperson and (3) Recommends Principal’s signature after all requirements are met.

To ensure the District is meeting its obligations with eligibility requirements and to limit the District from the risk of forfeiture and potential liability, The Office of Athletics will: (1). Request and collect each school’s eligibility information on scholar-athletes (with Principal sign-off), (2). Documents will be scanned and kept on computer files at central office, (3). Check all documents for compliance and eligibility, (4). Run reports to determine individual and local schools’ eligibility, (5). Request mandatory updates of changes to eligibility, (6). Have random checks of schools’ eligibility, (7). Send notification to schools that are out of compliance, (8). Determine the process (with assistance of the Auditor General’s Office) for bringing the school(s) back into compliance, (9) determine the deadline for submission of all eligibility documentation from schools as the being before the first date of competition. To capture the District’s 2.0 G.P.A. requirement on the Master Eligibility List, the Office of Athletics will add an additional column entitled Section 9. The Office of Athletics has preseason meetings and in-services for Athletic Coordinators, Coaches and Eligibility Chairpersons to review eligibility requirements, monitoring processes and timelines.

The Office of Athletics will use the Auditors General’s Appendix I review chart as the check-off at the school and district levels for final signatures.