

October 25, 2016

Ms. MaryBeth Mueller
Superintendent of Catholic Schools
Diocese of Phoenix
400 E. Monroe Street
Phoenix, Arizona 85004-2336
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RE: Demand for Immediate Appeal regarding AIA Decision of Norte Dame Prep
Football

Ms. Mueller:

This Firm, on behalf of a group of concerned parents, demands that Notre Dame Prep through its Advisory School Board ("Board") or through its governance at the Diocese of Phoenix ("Diocese") immediately request an appeal of the AIA suspension of the Notre Dame Prep football program. The school should endeavor to pursue and exhaust all avenues of redress under the AIA Bylaws. The deadline to appeal this suspension of the Notre Dame Prep football program is October 27, 2016. The parents justifiably believe that their children should not pay a price for the actions of adults who were entrusted with their care, education, and physical development.

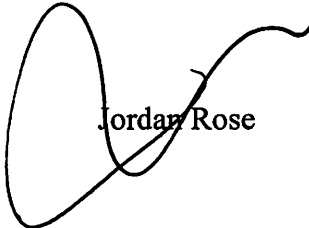
The AIA has indicated to the news media (Arizona Republic article enclosed with this letter) that it will entertain an appeal if Notre Dame Prep chose to file one. Here, the Board and the Diocese have witnessed two Notre Dame Prep employees to be found culpable of violating AIA rules which resulted in high school football players being barred from participating in a playoff tournament for which they deservedly earned a berth. Notre Dame Prep should take the most severe corrective action and terminate or discipline these employees, to indicate to the AIA, the school's parents, and the students, that it is seriously committed to compliance with AIA rules and supports the students on the Notre Dame Prep football team to be permitted to compete this season and play, without a cloud of controversy, next year. Alternatively, these employees should be asked to voluntarily resign and take responsibility for their part in this scheme which has affected the high school football careers of so many senior football players. Further, Notre Dame Prep should, as part of its appeal of the probation, plead with the AIA to reverse Notre Dame Prep's playoff ban.

In addition to an immediate appeal, termination or discipline of the head coach and school president, Notre Dame Prep should immediately file an injunction against the AIA to permit the Notre Dame Prep football team to participate in the playoffs this season until the appeal is fully and finally determined.

If Notre Dame Prep fails to take appropriate action against these employees, fails to file a timely appeal, or fails to take appropriate legal action to stop the suspension, it will be apparent that Notre Dame Prep is placing the interest of a coach, with a history of violating rules, ahead of the interest of its students. The parents that this Firm represents are considering various options available to them in the event the governing body of Notre Dame Prep does not act expeditiously or appropriately to protect the interest of its students. The parents are considering filing an injunction to stop the AIA from enforcing the sanction until the appeal is heard, withdrawing their students and their financial support from the school, filing an action against the school and/or its coach and litigation director.

On behalf of many concerned parents, we demand that the Board file an appeal of the AIA before 4:00 pm on Tuesday, October 25, 2016 in advance of the meeting with parents at 6:00 pm on October 25, 2016.

Sincerely,



Jordan Rose

Enclosure

cc:

Robert De Francesco, Director of Communications
Domonic Salce, Assistant Superintendent
Margaret Hardy, Schools Admin Assistant
JoAnn Faix, Schools Admin Assistant
Dennis Naughton, General Counsel
Catherine Eckland, Legal & HR Coordinator
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Krista Schwartz
Tracy Stanton
Lynn Hoebing
Gary Naquin

Notre Dame Prep put on probation, ineligible for playoffs

The Scottsdale Notre Dame Prep football program has been placed on probation, making it ineligible for the state playoffs this season.

The Arizona Interscholastic Association executive board voted unanimously Monday to put Notre Dame on probation for its summer football class, which violated AIA bylaws. The board also placed Notre Dame on probation for a recruiting violation but that penalty will run concurrently with the football class probation, meaning Notre Dame will be eligible for the playoffs in 2017.

AIA Executive Director Harold Slemmer said Notre Dame also is being asked to respond to a third potential violation, this one involving alleged inducements to a player in an effort to get him to stay at the school rather than transfer.

Notre Dame has 10 days to appeal the probation penalty. Notre Dame Athletic Director Monica Barrett, who was at Monday's meeting, declined comment. She said Notre Dame's legal counsel might release a statement later in the day.

RELATED: [Notre Dame Prep gives up spring practice as self-imposed penalty](#)

Todd Stengel, father of Notre Dame junior wide receiver/cornerback Jordan Stengel, said, "It's hard to have the kids get punished for something the administration did. That's the toughest part for us to swallow as parents."

Slemmer said the AIA does not have the authority to discipline or suspend school personnel. Also, he said, board members felt "there should have been firmer action" taken by Notre Dame earlier on in the process. Notre Dame recently agreed to suspend its spring practice in 2017, and Slemmer said that self-imposed penalty will stand.

"That's the promise they made in their report," he said.

Board member Dr. Camille Casteel said the AIA did not want to punish Notre Dame's players but, "Unfortunately, when these programs are sanctioned, it is the kids that pay for the ultimate consequence for things the adults had control over."

Rob Yowell, the father of starting senior quarterback Cameron Yowell, said in a text message that he was "extremely disappointed with the decision and the missed opportunity for NDP to take more corrective action prior to today's verdict. The players are being punished for administrative decisions ... I hope that NDP has more to offer in the appeal process because this team deserves the right to play in an earned playoff spot."

Slemmer said it's unlikely the executive board would consider any appeal Notre Dame might make unless there's a new "perspective" on the appeal.

"What we're going to do to make sure this doesn't happen again. Who we're going to hold accountable. Who's responsible for the decision," Slemmer said. "I would expect those people to be held accountable. In my mind, that's the only thing I see left."