



They Don't Call That in the Pros



By Alan Goldberger

Dateline: Sunday afternoon. Any professional football stadium. A screen pass lands in the hands of a receiver and, almost immediately, he is flattened by a 270-pound linebacker. The ball pops loose and a teammate of the receiver scoops up the ball and heads downfield when another equally monstrous linebacker takes him down with a brutal tackle. All the while, the covering official is wearing out his whistle and signaling incomplete pass. The two opponents rise, angry words are exchanged and a shoving match between the opponents ensues. No penalty markers hit the ground. Three officials step in and discreetly persuade the combatants to retreat to their huddles. Life goes on.

Dateline: Friday night. Anytown High School versus Mainville Prep. A screen pass lands in the hands of a receiver and, almost immediately, he is flattened by a 270-pound linebacker. The ball pops loose and a teammate of the receiver scoops up the ball and heads downfield when another equally monstrous linebacker takes him down with a brutal tackle. All the while, the covering official is wearing out his whistle and signaling incomplete pass. The two opponents rise, angry words are exchanged and a shoving match between the opponents ensues. Yellow flags all over the field. Three officials step in and discreetly persuade the combatants to retreat to their huddles. Life goes on.

What is the difference between these two scenarios? Why are fouls called on the high school level and no fouls are called on the professional level? And why should you, as an official working the high school games, care? Rules differences and officials' judgment aside, oftentimes the same action that draws multiple penalties on the high school level barely slows down the professional game. How come? And what do these differences in calling a game mean in terms of potential legal liability for high school referees? After all, this IS the "Legal Issues" section of the OQ. We will answer this question. But first, a word from our programs' sponsors! The sponsors, after all, make it possible for players to play and for referees and umpires to officiate. So we need to know the goals (no pun intended) of the game we are working to do it right.

High school officials are engaged by assigners, commis-

sioners and schools to enter onto school grounds and buildings and officiate games played by schoolboys and schoolgirls under a rules code formulated to provide a safe environment for school-age children.

By contrast, professional sports league officials are employees of businesses. Most professional athletes are adults — not children. They are paid to perform before the public — and to make those performances entertaining in stadiums with tens of thousands of spectators looking on, and millions more watching on television and the Internet.

Referees and umpires employed by the professional sports industry use mechanics and enforce a rules book with interpretations designed to produce a commercially viable entertainment product. The athletes whose games the officials work are also employees. Unionized employees. With contracts. Discipline of players (and officials, for that matter) are governed by written contracts that set limits on behavior and spell out a number of downward adjustments to one's salary as rewards for unsporting and uncivilized behavior.

Oftentimes, high school coaches — and sometimes high school officials — overlook the fact that professional sports and high school sports have fundamentally different goals and purposes. High school coaches may have an excuse: their oft-criticized preoccupation with win-loss records at all costs, if not justifiable, is at least understandable. Officials have no excuses. We are the gatekeepers and the stewards of making high schools sports not only fair and fun — but SAFE. And, those of us officiating high school sports, are, for the most part, not employees of an entertainment spectacle. High school officials are engaged to officiate games under rules to promote the educational purposes of interscholastic athletics. Thus, while pro sports officials are working in the entertainment industry, officials on the high school level are working in the "sports are fun and educational and safe" business. There's a big difference.

Safety-related rules written to protect student-athletes may be more restrictive than professional rules codes. These rules include not only restrictions on player contact, but restrictions on behavior of the athletes. Unlike their professional athlete counterparts, high school athletes do not necessarily possess the maturity and depth of experience to perform at peak levels without letting a taunting opponent cause

them to lose control.

Now to the “legal part.” To avoid liability, officials working high school sports need to be prepared to practice good risk management by penalizing without hesitation conduct which presents a danger to the student-athletes under their charge. Rules regarding both contact and conduct must be enforced. If they are not, officials’ exposure to legal liability increases. Professional sports have their own methods and mechanisms for managing risk — and heavy fines and sanctions for those whose violent conduct endangers their opponents. Those who officiate high school sports successfully early on come to grips with the realization that their players are students — not adults and their level of play is amateur — not professional. Different rules, yes. But also different goals and purposes mean different rules interpretations and different officiating mechanics: rules and mechanics necessary to reduce the potential for injuries to the children who participate in interscholastic sports.

Those who are conversant with the NFHS Mission Statement know that high school sports are supposed to be a vehi-

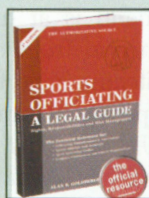
cle to “enrich each student’s educational experience ... to develop good citizenship and healthy lifestyles ... [and to] promote fair play and minimize risks for student participants.” To carry out this mission, coaches and school administrators need our help. Every game. Every pitch. Every time down the court.

In this space next issue: PREVENTIVE OFFICIATING and THE TWO-EDGED SWORD OF WARNINGS.

ABOUT THE AUTHOR: Alan Goldberger, who is a former member of the NFHS Officials’ Quarterly Publications Committee, is an attorney licensed in New Jersey, New York and Maryland and practices in the areas of sports law, business law, association law, and sports and commercial litigation. Goldberger has been a certified baseball, basketball and football official for more than 30 years. He is the author of *SPORTS OFFICIATING: A LEGAL GUIDE*, the recognized legal authority for game officials, and co-author of *SPORT, PHYSICAL ACTIVITY AND THE LAW*. He has written numerous articles that have appeared in legal and athletic publications nationwide. He serves as Parliamentarian and counsel to the International Association of Approved Basketball Officials, Inc. and is a Past-President of IAABO Board 33. He has been a featured speaker at many national conferences.



Second edition of sports officiating book now available



The second edition of “Sports Officiating: A Legal Guide,” which addresses the rights, responsibilities and risk management issues associated with sports officiating, is now available.

Written by Alan Goldberger, a New Jersey-based attorney and official and former member of the NFHS Officials’ Quarterly Publications Committee, the 318-page book is an essential guide for sports officials and those who supervise, manage and use their services. It spells out in simple terms officials’ duties before, during and after games. Among the topics covered are “steps to take to avoid litigation,” “injury situations,” “officials’ duties” and “sportsmanship issues.”

It is an ideal reference for officiating administrators and associations; sports officials and assignors; sports governing bodies; and leagues, conferences and athletic organizations.

To order a copy, call Referee Books toll-free 1-800-733-6100.

NFHS OFFICIALS ASSOCIATION INSURANCE SUMMARY

ADMINISTERED BY:

Bollinger, Inc.
Brenda Lodato, Assistant Vice President
101 JFK Parkway • Short Hills, NJ 07078
Phone: (800) 350-8005 • Fax: (973) 921-2876
E-Mail: Brenda@BollingerInsurance.com
Web: <http://www.bollingerfhhs.com/>

GENERAL LIABILITY

\$1,000,000 per Occurrence Limit
\$2,000,000 per Occurrence Limit for those Successfully Completed the NFHS OEP Bronze Level
\$5,000,000 Aggregate Limit

EXCESS ACCIDENT MEDICAL

\$50,000 Accident Medical Expense Limit per claim
\$500 Deductible per claim
\$5,000 Accidental Death and Dismemberment Benefit

WHO IS COVERED?

• In order for coverage to apply, each official must be a registered official with a member state association or affiliate association of the NFHS, if that association registers officials.

INSURER

Markel Insurance Company

WHEN DOES THIS COVERAGE APPLY?

- The insurance coverage applies only while the member official is performing his/her officiating duties (as defined below) during regularly scheduled sports or activities competitions.
- In order for a member to be covered for his/her officiating, the sport/activity must be recognized in that state (or U.S. territory or possession) by the member state high school association, or by high schools that follow the guidelines of the member state associations.
- If the sport is recognized for either men or women in that state, territory or possession, the official will be covered for officiating that sport for both men and women.
- Officiating duties also include chain crews and attending officiating camps, clinics and meetings.
- Assignors, instructors and rule interpreters while acting in their official capacity. Note: No liability coverage is provided for claims that do not involve Bodily Injury or Property Damage. See “Who is Covered” above.
- Coverage for officials is not limited to high school activities. It also extends to officiating college, junior college, independent youth, adult and recreational leagues. Coverage is limited only to officiating sports that are recognized by that state’s high school association.
- No coverage is provided for the officiating or management of any professional sport or activity.

This summary is a brief description of the insurance coverage offered and is not intended to describe all the details of the terms, conditions and exclusions. For more complete information, contact Bollinger, Inc.

