

# The funding fumble

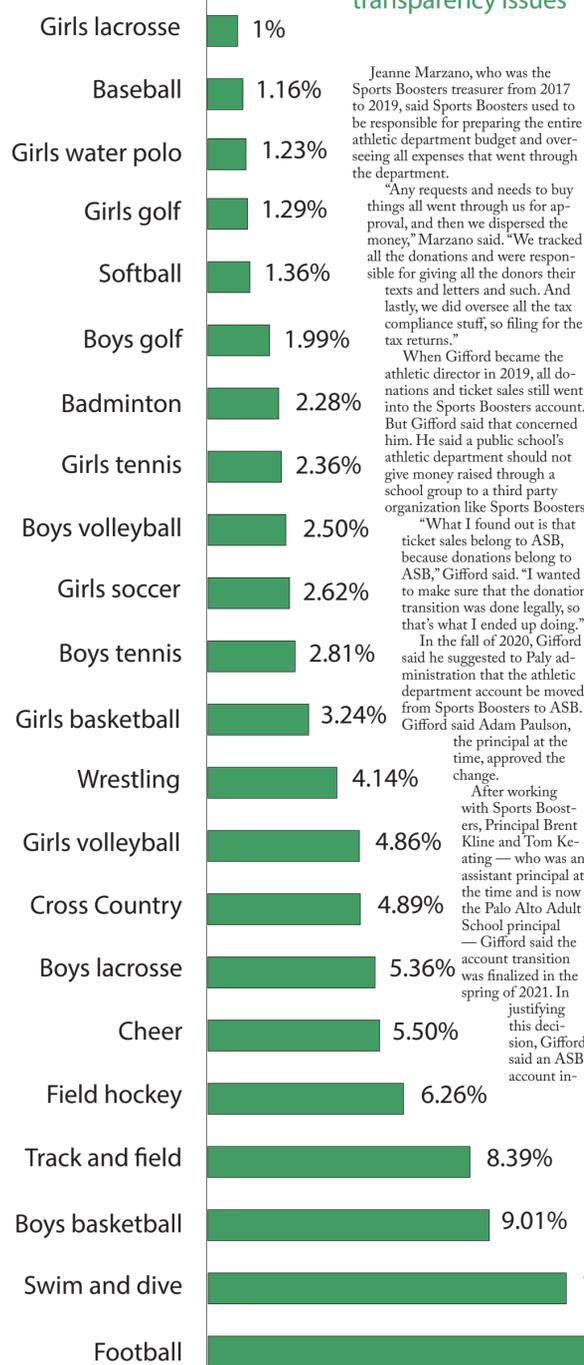
## Sports teams face disparities in financial support, raising concerns about potential conflict of interest and lack of transparency

Nelson Gifford resigned as head football coach on Tuesday. This resignation follows Gifford being let go from his position as athletic director last Thursday. Gifford, a 1999 Paly graduate, was the head football coach for four years and athletic director for three years.

During his tenure as athletic director, he made numerous changes, some controversial. One such change was Gifford's decision to transfer the control of athletic department funding from the Sports Boosters to ASB.

While Gifford said the decision was meant to increase transparency and accountability about how athletic funds were spent, Sports Boosters officials and student-athletes said this decision had the opposite effect, leading to a conflict of interest on Gifford's part and negatively affecting many sports.

### Transfer of funding account amplifies communication, transparency issues



Jeanne Marzano, who was the Sports Boosters treasurer from 2017 to 2019, said Sports Boosters used to be responsible for preparing the entire athletic department budget and overseeing all expenses that went through the department.

"Any requests and needs to buy things all went through us for approval, and then we dispersed the money," Marzano said. "We tracked all the donations and were responsible for giving all the donors their texts and letters and such. And lastly, we did oversee all the tax compliance stuff, so filing for the tax returns."

When Gifford became the athletic director in 2019, all donations and ticket sales still went into the Sports Boosters account. But Gifford said that concerned him. He said a public school's athletic department should not give money raised through a school group to a third party organization like Sports Boosters.

"What I found out is that ticket sales belong to ASB, because donations belong to ASB," Gifford said. "I wanted to make sure that the donation transition was done legally, so that's what I ended up doing."

In the fall of 2020, Gifford said he suggested to Paly administration that the athletic department account be moved from Sports Boosters to ASB. Gifford said Adam Paulson, the principal at the time, approved the change.

After working with Sports Boosters, Principal Brent Kline and Tom Keating — who was an assistant principal at the time and is now the Palo Alto Adult School principal — Gifford said the account transition was finalized in the spring of 2021. In justifying this decision, Gifford said an ASB account in-

creases school oversight since transactions have to be approved by the ASB treasurer, the ASB bookkeeper and school administrators. Kline declined to be interviewed for this story. In justifying this decision, Gifford said an ASB account increases school oversight since transactions have to be approved by the ASB treasurer, the ASB bookkeeper and school administrators.

However, Cindy Liu, who was ASB treasurer during the 2020-2021 school year said her role in signing checks was mostly a formality.

"I felt like it wasn't really my place to say no or reject those checks," Liu said. "I thought there was a system in the athletic department that checked whether those were valid purchases, so I just signed off on most of them without doubting it too much."

Steve Gallagher, who started as Director of Student Activities this school year, said he was concerned to hear this and said there should be better communication between students and administrators.

"I can see it being an intimidating situation," Gallagher said. "I'd hope the student will at least be able to talk to me or someone if they have concerns about this, because you are representing the students. I think we can always improve on things, but it goes both ways."

Gifford said another reason he wanted to move financial control of the athletic department to ASB is coaches and players can directly access an ASB account which they couldn't do easily with the Sports Boosters.

"Coaches can log in and check their account balances," Gifford said. "I actually met with the girls tennis team two days ago to talk about ordering for the fall, and they asked how much money was in their account. I logged in, pulled it up, and showed them their balance. And that's the other piece of it too, which is probably the most critical piece, that now students can be a lot more involved in that process."

Gifford also said Sports Boosters should be involved in the athletic department. He said a relationship with Sports Boosters is important because the organization hosts critical social events like the annual Christmas Tree Lot, raising money necessary to fund the department.

"There's things that the boosters can do and focus on that we can't do as a department," Gifford said. "The big parties or connections involving parents, all of that stuff is critical to a healthy athletic department."

Kristen Andersen, Paly Sports Boosters President said she hopes the next athletic director will bring a fresh perspective to the department.

"We do have too much turnover, but maybe this is an opportunity for the district to put someone in that position that doesn't have a conflict of interest," Andersen said. "I think in general, in this district, we delegate a lot of authority to the sites. And I think that is a mistake."

### Inequity in sports raises gender discrimination concerns

While student athletes and their parents have raised concerns about equity and transparency within the athletic department, Gifford said with increased student oversight, the athletics funding is more transparent.

"I meet with the principal, students and coaches to help them develop a budget and plan going into the year," Gifford said.

Gifford's critics, though, say while fan-favorite sports like football and boys baseball consistently have large rosters, sports like softball have comparably smaller teams.

And while fundraising and donations to teams is partly dependent on the affluence of the athletes' families who donate, the number of athletes on a team contributes to how much money they can fundraise. This means teams with historically small teams have a smaller chance at fundraising money for necessities.

Gifford said this pattern of inequalities between

girls and boys sports is not just a Paly problem.

"What you have in baseball is centuries of a male hierarchy," Gifford said. "Women just started playing organized sport in the advent of Title IX, so the history of women in athletics is a very short one. In comparison to male sports, you can see a reflection of the way they're supported in attendance and participation levels. So, we're not just talking about trying to overcome something that's here in Palo Alto. We're talking about something that is a societal issue."

But some athletes and coaches think the athletic department hasn't done enough to fight these inequities. A senior softball athlete, who agreed to be interviewed only if her name wasn't used because she is worried about how her opinions could affect her college application process, said the softball team had a new coach in the 2020-2021 season and the coach was not told he was responsible for ordering new jerseys before the season started.

As a result, the softball team did not receive jerseys on time for the season and had to resort to alternatives.

"When we finally got them, there weren't even enough for the whole team," the senior said. "So throughout the entire season, we would have to tape numbers on our backs. It was a waste of time and just ridiculous."

Citing COVID-19 shipping delays and supply chain issues, Gifford said the late delivery of softball uniforms was out of his control.

"The uniforms were ordered, and they arrived late," Gifford said. "And that was really unfortunate. Luckily, we were able to get the uniforms out for the team and made sure that they had them."

The senior, however, said the softball team did not receive its uniforms until the last few games and repeatedly wearing duct-taped uniforms made her feel disparaged, both on and off the field.

"It was honestly embarrassing because we'd be playing against these teams, and they would just think we're some kind of a joke because we would have to tape numbers on our back," the senior said. "(This) would never happen to any sport like baseball, basketball — any of the overfunded sports."

Senior softball athlete Madhu Ramkumar also said the team had to borrow and reuse uniforms among teammates throughout the season.

"When the jerseys with the numbers came, we did not have enough for every girl," Ramkumar said. "So the girls that were playing took the jerseys, and the girls that didn't play had to give their jerseys, so we were all sharing jerseys."

Gifford said students can independently fundraise money for their team if they aren't happy with athletic department funding and any excess money from accounts does not overflow to other teams' accounts. He also said the athletic department has a flex account to fill funding gaps.

"We have additional funds for either equipment needs, uniform needs or whatever that is," Gifford said. "So we do have the ability to be able to support programs. That being said, none of our programs in the history of the athletic department have not been able to meet that threshold."

For the anonymous senior, though, her experiences left her feeling that female athletes are treated poorly compared to male athletes. In fact, she said many female athletes don't want to talk to adults in the athletic department about their concerns because they think they won't be taken seriously.

"Every time we've reached out to our athletic department about funding and other issues, they've just made excuses for why we're underfunded, but don't actually tell us the reason why," the senior said. "And so (the softball team) thinks, if we were to file a Title IX complaint, it wouldn't be taken seriously."

PAUSD Title IX Coordinator Kelly Gallagher said she could not comment on the senior's concerns and suggested reporters reach out to Director of Secondary Education Kathie Laurence, who Gallagher said handles the athletic department. Laurence initially agreed to an interview but didn't respond to a follow up request about scheduling the interview.

While sex discrimination exists on a continuum, Susan Stark, an attorney with Nesenoff & Miltenberg, a law firm specializing in Title IX matters, said sex discrimination is used as an umbrella term to define subsets such as stalking, assault and dating violence. While these forms of discrimination are presently commonly-known Title IX violations, Title IX originally was passed to combat sex discrimination in athletics.

"The genesis of the Title IX statute was rooted in sports because it was addressed to prohibit discrimination based on sex in any educational program of any institution receiving federal funding," Stark said. "It was to bring equality in women's sports."

Now known as separate cheer and dance teams, former Spirit Squad coach Hilary McDaniel said there is a history of inequitable treatment from the athletic department which she experienced when she was a coach. McDaniel said while she single-handedly coached around 60 cheerleaders and dancers, she received the same stipend that a junior varsity field hockey coach receives in the 2021-2022 school year.

"When I went to ask for help, the response was to just do less," McDaniel said. "That's not an option. I have other commitments; I have a family, and I did have young children at the time, and their response was that I just had to make sacrifices."

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*Anonymous senior softball player*

of an adequate response from the athletic department, McDaniel said she decided to resign in 2017. After parents were outraged at the way she was treated, though, McDaniel said the district supplemented her stipends to reflect three positions instead of one.

Even though none of the administrators who handled this situation are still employed at PAUSD, McDaniel said the district's non-compliance related to issues of gender equity in athletics is still present.

"I think what's unfortunate is that it just seems to be a pattern," McDaniel said. "It never rises high enough for people to really care until there's something like this."

Even though the coach stipends were eventually altered, McDaniel said inequities such as the ones she confronted should be addressed in a more urgent manner.

"The response that I was getting at the time still seems to be highly unresponsive, like, 'Oh, change takes time,'" McDaniel said. "But it only takes time if we don't make it a priority. If there's a glaring example of (inequity), then we have to make the time."

### Former Athletic Director Gifford aimed to include student, parent input in funding processes

When Gifford moved athletic funds from Sports Boosters into ASB, he also created the Paly Sports Student Association. The PSSA, a student club that Gifford said was meant to increase student engagement in the athletic department has also led to parents and students questioning Gifford's style of management, funding decisions and budget transparency. While managing the change, Gifford said it's important students have input, oversight and involvement into how athletic department money is spent.

"Students can look over the budget, and we have students that actually sign off on checks," Gifford said. "It's important since the account is in ASB that the students have a say in budgeting. We're trying to create a system where we have a regular interface between athletic administration and then the rest of the student body."

Although PSSA members oversee the Athletic Department budget and can sign checks, PSSA co-president senior Ben Szeto said his club's role in budgeting is often forgotten, and that Gifford sometimes authorized spending without consulting club members. For instance, Szeto said Gifford paid students to livestream football games in the fall without approval from the PSSA.

"There were questions about whether he could pay students, and we didn't sign off on that," Szeto said. "The students ended up getting paid, some \$500 dollars a student, but we weren't sure whether he could do that."

Junior Asa Deggeller who helped livestream games for Gifford said he wasn't aware of any of the behind-the-scenes conflict between Gifford and PSSA when he and other students agreed to help. Deggeller also said students who helped livestream games eventually did get paid, but it took about four months for the payments to happen and Assistant Principal LaDonna Butler, who is the administrator who oversees athletics, had to get involved. Athletes from multiple sports have also expressed concerns about the athletic department's transparency with students, especially regarding where the money from donations and fundraisers go.

"I think there's just a really big lack of transparency between the people donating the money and where the money's going. It's like a big black hole," junior Elizabeth Fetter, who participates in track, cross country and swimming said. "The girls (on the track team) got new uniforms after 10 years of having the same old uniform, and that's one of the only things we have to pay for. Paly owns a track, so we don't have to rent a track space or anything, so we just don't know where our money is going when we donate it."

Gifford said the athletic department is transparent and that any questions student athletes have about spending should be directed to their coaches first. Since an athletic director manages distribution of funds, stipends and team expenditures, Fetter said an athletic director should not coach.

"I think it's a conflict of interest if he's the coach of a team and managing funding and resource allocation for all sports," Fetter said. "It seems like that team would get more of the resources because he wants what's best for that team."

Gifford, however, said being a coach and an athletic director are two jobs that he performed separately. There is no state or district policy preventing an athletic director from coaching. And former athletic director and current PE teacher Jason Fung, who coached track while he was Paly's athletic director in 2014, said having the two positions at the same time does not have to be a problem.

"There can be a conflict of interest, but it's not necessarily something that's happening when it comes to Coach Gifford," Fung said.

Although Gifford is no longer the athletic director, he sees this conflict as a catalyst to encourage more communication between students and the district.

"We learn in sport that we have to face obstacles we know are going to be tough, but we have to overcome that fear," Gifford said. "If someone has a problem with the uniform, a coach or harassment, we need to know about these things. That's the only way we can address it. I realized that's not part of the school culture, but it needs to be."

BY MARGOT BLANCO, DINU DESHPANDE & TIFFANY HE

Percentage of total money fundraised per Paly sport from August 2021 to March 2022

Source: teamsponsor.com (Total money fundraised: \$197,868 as of 3/30/22)

KAREN HICKEY/USED WITH PERMISSION

