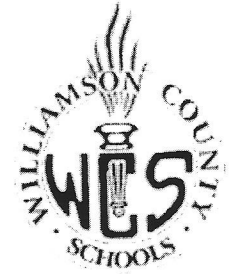


1320 West Main Street Suite 202
Franklin, Tennessee 37064-3700
Phone (615) 472-4000
Fax (615) 472-5619
Website: <http://www.wcs.edu>



To: Dr. Mike Looney, Superintendent
Dr. Charles Farmer, Assistant Superintendent of Middle/High
Dr. Jeremy Qualls, District Athletic Director

From: Lindsey Quirk, Employee Relations Coordinator

Date: 04/17/17

Re: Guy Avery – BHS Cross Country (XC)

I reviewed the parent complaints regarding Mr. Avery and several supplementary documents. I also spoke with Kevin Keidel, Brentwood High Principal, Ron Seigenthaler, BHS Athletic Director, and several parents throughout this investigation.

Mr. Avery refused to comply with the investigation and to meet. (*Appendix 1*)

Complaint #1: Parents were paying Mr. Avery for coaching services (pay for play) and also required to pay for travel for Mr. Avery.

- Tennessee Rules and Regulations 0520-01-03-.03(14) “All school fees must be authorized by the local board of education.”
 - Parents were paying more than the board established fee for High School Cross Country (XC).
 - Many felt that if they did not pay Mr. Avery that their child would not be on the Varsity team.
 - Many parents stated that Mr. Avery was their private coach that they chose to use and they did not pay him during the XC season.
 - Text documentation shows that Mr. Avery requested pay for services during the months XC season occurs. “That covers August thru end of October” (*Appendix 2.0*). In addition to the text messages, we received voided checks. One of the checks was cashed during the month of September.
- Emails show where the cost for Mr. Avery’s hotel room would be divided up between the students running at particular meets.
 - These costs should not be paid for by the families. All reimbursement costs should have gone through the school prior to the event occurring.
 - One parent stated that this was the “club” team. Meaning certain Boy XC runners would run in meets outside the school schedule as BHS XC Club. BHS does not have a registered booster club organization for XC.
- Mr. Avery has pushed families to pay him if they are “behind” on payments to him. We have text messages to document these requests for pay as well as him stating he would

accept a “nice car” as form of payment. Mr. Avery is referring to a car the parents recently bought their child. (*Appendix 2.1*)

- Mr. Avery is listed as a volunteer coach (*Appendix 2.2*) his signature indicates he understands that he is “volunteering without promise, expectation, or receipt of compensation for my services.”
 - Mr. Avery was/is charging students anywhere from \$300 to \$400 per month per child in order for them to train with him. Many stated that they would pay Mr. Avery in the off season when XC was not in season.
 - We found that parents paid him on a schedule that was based on a monthly rate. Mr. Avery would hold the checks during the XC season. However, that does not mean that they were not still paying for services during those months. Some parents paid monthly, quarterly, or yearly based on their preference. See text messages regarding payments during the months that XC occurred. (*Appendix 2.0*)

Complaint #2: Guy Avery is a for profit entity using WCS property for personal use and for profit.

- WCS School Board Policy 3.206 – *Community Use of School Facilities*.
 - “No building shall be available for personal, private or for-profit use.”
- WCS Procedures and Guidelines 3.206P – *Community Use of School Facilities*.
 - Mr. Avery did not follow the proper procedures to request appropriate use of WCS facilities in order to conduct practices and camps on WCS property.
- December 13, 2013 email (*Appendix 3*) shows that Mr. Avery has been using BHS campus for for-profit camps. Mr. Avery charged \$500 per student for a camp to prepare the athletes for track season on BHS property.
- Mr. Avery held practice at BHS during the week and on weekends for the athletes that he trains. These athletes include other WCS students as well as students from other school districts.

Complaint #3: Mr. Avery acts as if he is the BHS XC coach and he dictates who runs.

- Coach Billy Anderson is listed as the Boys XC country coach for Brentwood High. However, most of the parents stated that Guy Avery is the coach. Mr. Avery works with our athletes, tells them what workouts to do, what supplements to take, and instructs them at track meets acting as the coach. This is based on the various emails read where Mr. Avery tells various individuals who needs to run in certain races and how they need to train for such events.
- Mr. Avery is listed as a volunteer coach for BHS, however, he is also a private coach. The two should not be mixed due to a conflict of interest. TSSAA rules state that private coaches cannot coach at meets. Mr. Avery was listed as a volunteer coach and he was acting as a private coach during this time.
- Meeting notes with Guy Avery and Coach Ron Seigenthaler dated February 23, 2015 state the following:
 - “as a reminder his [Guy Avery] role would be that of a fan, supporter or volunteer. If he [Guy Avery] has a suggestion for an athlete it must be communicated to the coach. He [Guy Avery] is not to have any direct contact or communication (instructions) with a student athlete. He [Guy Avery] knows the he is allowed to

cheer, encourage or support as any other fan can/would do. Guy Avery agreed to all of this.”

- This was not done. Mr. Avery instructed our students and told our paid coaches how to run practice and events as he saw best for the athletes.
- This has also become an issue with the BHS Track Team. Coach Chris Duncan was hired in 2017 as an assistant track coach to work with the middle and long distance runners. Students who were training with Mr. Avery have not wanted to run Coach Duncan’s workouts because they wanted to run Mr. Avery’s workouts.

Conclusion:

There is no clear definition on who the BHS XC coach is for parents. Mr. Avery is viewed as the BHS cross country coach when in reality he is a private coach. There have been several complaints over the years regarding Mr. Avery and suspected rule and board policy violations. WCS investigations into these allegations in the past have been subpar. In addition to the WCS Central office investigations being handled in a subpar manner, Brentwood High School’s principal and athletic director knew of these complaints for several years and did not effectively take action to remedy or handle the situations. Mr. Avery has convinced our students and families that in order to be successful they must train with him which comes at a price of around \$400 per child a month. The perception by some families that they must pay Mr. Avery in order for their child to remain on the BHS XC team is concerning on various levels. It does allude to the atmosphere of pay for play which seems to be a truth for certain families. There is a lack of institutional control regarding athletics at Brentwood High School and the school has lost trust from various families.

Recommendation:

If there is a BHS XC club, a Booster club board needs to be established and all fees need to be paid from the Booster club account. Runners should not associate their name with BHS XC or Track unless this Booster Club organization is established and there is a true “club”.

Mr. Avery does not need to be on WCS property without appropriate authorization. Mr. Avery has used WCS property for several years for profit.

All WCS athletes should have to abide by the rules, guidelines, and practice regimens as directed by the school paid supplement coach. Supplement coaches are the coaches of record and should not have to accept any outside or private coach’s workout if they do not wish to receive it. If an athlete wishes to represent WCS and their school in an event they must follow directives given to them by their WCS Supplemented coach, not their private coach/entity.

School Board Policies and the Coaching Handbook need to be reviewed and updated to ensure these situations do not occur again in the future. This should be completed by August 1, 2017 to ensure that all schools are following board policy.

Lindsey Quirk

From: Guy Avery <guyavery@hotmail.com>
Sent: Wednesday, March 29, 2017 6:08 PM
To: Lindsey Quirk
Subject: Re: BHS Track & Cross Country Investigation

Like I said, when you're done with all of your other interviews, and when it is clear to me that the students are the priority for the school district office, and you confirm that you are aligned with your organization's mission statement, i'd be happy to meet with you. Also happy to meet with you even if you acknowledge that you are not aligned with your mission statement, but I do want to know what you are aligned with and what you stand for. Please let me know when you're done with all your other interviews regarding this matter, and I'll be happy to arrange my schedule in order to meet with you for the clarity you are seeking. In most cases, all I need is a 24 hour notice. Thank you.

Guy A. Avery

The Privilege of a Lifetime, is Being who You are.

Love Your Self.

From: Lindsey Quirk <lindsey.quirk@wcs.edu>
Sent: Wednesday, March 29, 2017 1:57:07 PM
To: Guy Avery
Cc: Charles Farmer; Jeremy Qualls
Subject: RE: BHS Track & Cross Country Investigation

Mr. Avery,

I don't believe that I every stated I would not be interviewing additional individuals. I simply asked you for dates and times that you are available to meet to discuss this situation. If you wish to provide your side of the story, which it sounds like you do, I will need some dates and times that you are available to do so.

If you do not wish to provide those dates and times that is your choice.

Thank you,

Lindsey Jones Quirk
Employee Relations Coordinator
Human Resources
Williamson County Schools
1320 West Main Street, Suite 202
Franklin, TN 37064
615.472.4052 Office
615.472.5619 Fax

Email: Lindsey.Quirk@wcs.edu
url: www.wcs.edu

From: Guy Avery [mailto:guyavery@hotmail.com]
Sent: Wednesday, March 29, 2017 1:38 PM
To: Lindsey Quirk <lindsey.quirk@wcs.edu>
Subject: Re: BHS Track & Cross Country Investigation

Well....i'd be glad to help if it meant i'd be helping the students...
I am sorry if asking for something so basic makes you defensive.
Certainly an investigation into brentwood cross country and track, would gain in integrity, from asking me questions.
However, it would not surprise me at all, if you drew conclusions without me, as that might be seen as very consistent with my view of the current approach at BHS.

I wonder...does that then mean it is too much to ask, to make the students you are supposed to serve, a priority, and to align with your own written mission statement?
That's known as transparency and accountability: two concepts that change everything for the better.
Transparency and accountability take one very simple staff meeting run by a positive leader with simple, practical, follow-up action for positive change.

Like i said, when you've completed all of your interviews, i am open to clarifying anything you sincerely seek clarity on, as long as your intention is to serve the students and align with your stated mission.
At least, all the hidden agendas and bureaucratic prejudices, will be on the table then, and I can know if your intentions are genuine.
This feels very reasonable to me and it is all that i ask and the least i would expect.

Sincerely,
Guy Avery

Guy A. Avery

The Privilege of a Lifetime, is Being who You are.

From: Lindsey Quirk <lindsey.quirk@wcs.edu>
Sent: Wednesday, March 29, 2017 12:29 PM
To: Guy Avery
Cc: Charles Farmer; Jeremy Qualls
Subject: RE: BHS Track & Cross Country Investigation

If you do not wish to meet with me that is fine. I will take the information that I have and formulate my report.

Thank you,

Lindsey Jones Quirk
Employee Relations Coordinator
Human Resources
Williamson County Schools
1320 West Main Street, Suite 202
Franklin, TN 37064
615.472.4052 Office
615.472.5619 Fax
Email: Lindsey.Quirk@wcs.edu
url: www.wcs.edu

From: Guy Avery [<mailto:guyavery@hotmail.com>]
Sent: Wednesday, March 29, 2017 12:03 PM
To: Lindsey Quirk <lindsey.quirk@wcs.edu>
Subject: Re: BHS Track & Cross Country Investigation

Lindsey-- Please communicate with me after you have interviewed everyone else in your investigation, and also, once you and the school district decide that you actually want what's best and what is right, for the student-athletes, and you actually want to align with your very own Williamson County School District Mission Statement that you have posted in writing, front and center on the second floor of your offices (and once your office has clarity about that), then I will consider talking to you, at that point.

In the meantime, I don't want more of my time wasted on all of these bureaucratic manipulations that actually seek to cut off students from being empowered and being authentic, ethical human beings.

I feel the school and school district has once again turned it's back on the very people they are in place, to serve.

I encourage you and the District office to put the students first and consider aligning with the current mission statement you have posted for all to see, but that very few seem to be following.

It's really not that hard to do. I can get the ball rolling to align your office with it's mission statement in one staff meeting.

It does, however, require a commitment (not a fear of) integrity and transparency -- two things it appears everyone is scared to death of -- and the two very simple, authentic human things, that makes this whole thing work for everyone if your mission and mission statement, is not just a bunch of bureaucratic hot air.

Guy A. Avery

The Privilege of a Lifetime, is Being who You are.

From: Lindsey Quirk <lindsey.quirk@wcs.edu>
Sent: Wednesday, March 29, 2017 8:50 AM
To: Guy Avery
Subject: BHS Track & Cross Country Investigation

Hello Mr. Avery,

I have been assigned to investigate the concerns with BHS Cross Country and Track Programs. I have extensively been working on this investigation for several weeks now. I have reviewed several documents. I would like to have a meeting to sit with you to discuss these complaints and ask any clarifying questions.

I would like to know when is a good time for this to occur, based on your schedule.. Please just let me know what dates and times that you are available so we can schedule a time to meet.

Thank you,

Lindsey Jones Quirk
Employee Relations Coordinator
Human Resources
Williamson County Schools
1320 West Main Street, Suite 202
Franklin, TN 37064
615.472.4052 Office
615.472.5619 Fax
Email: Lindsey.Quirk@wcs.edu
url: www.wcs.edu



Guy

Appendix 2.0

Fri, Jul 29, 5:55 PM

FYI

Hi Brenda. Reminding you again that you'll be two months due on 8/4. You've literally texted me and said "I promise" at least five times now and you've yet to follow through on your promise. You're getting half my monthly rate. I've given you free months. Im paying for Rolfing. You've got a \$312K college jackpot. I really feel I have done everything I can to help. I feel it's a relatively very small investment in your sons' lives. I'm beginning to feel very under-valued and disrespected.



< 222

GA



Guy

MONTHS ARE ON 6/4. YOU'VE
literally texted me and said
"I promise" at least five
times now and you've yet
to follow through on your
promise. You're getting
half my monthly rate. I've
given you free months. Im
paying for Rolfing. You've
got a \$312K college
jackpot. I really feel I have
done everything I can to
help. I feel it's a relatively
very small investment in
your sons' lives. I'm
beginning to feel very
under-valued and
disrespected.

Could you get us caught
up and stay caught up? I'd
really like a clean slate
going forward...



< 222

GA



Guy

Good job tonight. Just wanted to confirm you received the \$1800. Should be paid through November.

Sat, Oct 22, 9:36 PM

18 yes. But that covers august thru end of October, correct? You had previously caught up through school start ? So that's cover aug-sep-oct??

Sun, Oct 23, 8:23 AM

Remember when I gave the boys another \$580 cash to give you and they were \$20 short? Taylor said he then gave you



< 222

GA



Guy

Appendix 2.1

putting together the
college list

100

I need a car. You can pay
thru Fall by giving me one
of their nice cars. 😊

And by the way, I pay full
private school tuition. No
scholarships. 😊

👉👉 I'm working on it.... I
promise. The boys want to
go together.... Samford....
They want them. Too
religious. UNC.... Too far.
NYC state... Too far. There
are not that many places

Yep. I know.

37000 x 4 x 2 = \$296,000



APPENDIX 1-A



COPY

1320 West Main Street Suite 202
Franklin, Tennessee 37064-3700
Phone (615) 472-4000
Fax (615) 472-4190
Website: <http://www.wcs.edu>



Volunteer Release Form

I, GUY AVERY, certify that I have requested to volunteer to perform the duties of ASSISTANT COACH BOYS AND GIRLS CROSS COUNTRY

I further stipulate that I am volunteering without promise, expectation, or receipt of compensation for my services.

I understand that I may be eligible to receive reimbursement for reasonable expenses that I will incur while performing this activity upon presentation of receipts and required forms and records to the school principal.

I understand that I cannot begin working with the students until I have completed the background/fingerprinting process and released to volunteer by HR. I understand I am responsible for the cost of the background/fingerprinting expense and the school may or may not reimburse me for this expense.

I certify that I have discussed these expense reimbursements with the local school principal and understand the limitations and requirements of same.

Volunteer Guy Avery Date 7/29/16 ☒ Returning ☐ New
Phone Number: 615-557-5243 For School Year: 2016/17
Email Address: guyavery@hotmail.com

School: BRENTWOOD HIGH SCHOOL

Principal Signature: [Signature] Date: 7/29/16

SEND TO HR FOR FILE

Ronnie J. Sengulthas
AD

8/12/16 - Cleared

RECEIVED

AUG 11 2016

HUMAN RESOURCES

From: "Guy Avery" <guyavery@hotmail.com>

To: "Brenda Vroon" <brendav@wcs.edu>

CC:

Date: 12/13/2013 3:47:28 PM

Subject: RE: Winter Training

Appendix 3

2013-2014 WINTER TRAINING GROUP PROGRAM

- This 7-week (Dec. 24th thru Feb. 8th) training group is for goal-oriented > distance runners from many different schools across the mid-state. We will > provide the individual training guidance for all 6-7 days and we'll meet 3 > days each week to train together to develop increased speed, power and > strength in preparation for the track season. Runs, drills, and speedwork > will be tailored to individuals with the intention for each athlete to > benefit from the group as much as possible. All meetings will be at either > Edwin Warner or the Brentwood's track. Many athletes in the group are > individually-coached on a year-round basis and about 80% of all Mid-State > Region & State Champions in cross country and track, have come out of this > small group, over the last seven years (94 Region Champions & 50 State > Champions). In this group, friendships are made among your running peers -- > with the support, encouragement, and guidance needed for your improvement > and success. If you stick with this winter training group program and keep > yourself healthy, you'll be in great shape going into the 2014 track > season.
- >
- > **Weekly Schedule & Locations:** Tuesdays, Thursdays @ 3:40 PM and Saturdays @ > 8:30 AM. We will also meet offer optional Mondays (most likely @ Brentwood > H.S. track) in the final 3 weeks of the group for 24 total group practices. > We will meet in the mornings over holiday break from school. Athletes are > encouraged to meet with their high school track teams on Mondays, > Wednesdays, and Fridays for conditioning offered from the school. The > coach(es) will provide specific training assignments on the days we do not > meet (Monday, Wednesday & Fridays).
- >
- > **Time Commitment:** Athletes are expected to be on-time each day and to show up > three days a week. Practices will usually last about 80-90 minutes, but > sometimes they may last up to 2 hours later in the training program. If you > will need to miss more than 5 total days of the group practice with this > group, you need to inform me before joining and get my approval first. > Athletes are expected to approximate missed workouts on their own if on > vacation or if they have to miss meeting with the group for some other > reason.
- >
- > -----
- > Cost of this Summer Training Group is \$500 for the 7 week program, which is > due with this signed waiver on the first day we meet as a group. I have

> never turned down an ambitious and committed athlete that has financial
> concerns. Please call me at 557-5243, if you have an issue to see if we
> can work it out.

> Athlete's Full Name _____ Age _____

> Best Times: 400m _____ 800m _____ 1600m _____ 3200m _____

> 2014 Track Goals: _____

> Athlete's Email _____ Athlete's Cell # _____

> I acknowledge that participation in this training group carries risk of
> injury or death. Athletes should only participate if medically able and
> properly trained. The signatures below verify that I am in good health and
> medically able to participate. In consideration of my participation, I
> hereby release, waive, discharge and covenant not to sue any and all
> representatives or participants from all claims or liabilities of any kind
> arising from my participation in said training, even if that liability may
> arise out of negligence or carelessness on the part of representatives or
> participants in this program.

> Athlete Signature _____ Date _____

> Parent Signature _____ Date _____

> Parent's Email _____ Parent's Cell # _____

> I will arrange for a supplemental dynamic core fitness program to meet for
> approximately 20 sessions of 35-minutes, starting the third week of this
> group, that will meet at Granny White Park @ 4:15 pm on most Mondays &
> Wednesdays for after runs. This is optional and the cost is estimated @
> \$125-\$150.

Guy A. Avery

The Privilege of a Lifetime, is Being who You are.

Love Your Self.

> From: brendav@wcs.edu
> To: guyavery@hotmail.com
> Subject: RE: Winter Training
> Date: Fri, 13 Dec 2013 12:25:27 +0000
>
> Hi Guy,
>
> I cannot open the attachment. Can you try to save it a different way and re-send?
>
> Thanks,
>
> Brenda Vroon, Physical Education Teacher
> Lipscomb Elementary School
>
>
> Phone 615-472-4650
> Fax 615-472-4661
>
> Want to see what's going on in P.E.? Visit our website!<<http://teachers2.wcs.edu/elem/ses/brendav/default.aspx>>
>
> From: Guy Avery [guyavery@hotmail.com]
> Sent: Wednesday, December 11, 2013 9:32 PM
> To: Brenda Vroon
> Subject: RE: Winter Training
>
> Hi Brenda.
>
> Here's the flyer/waiver form (attached).
>
> Also, I talked to Taylor about next 12 days for him to get ready safely.
>
> Thanks.
>
> Guy
>
>
>
>
>
>
> Guy A. Avery

>
> The Privilege of a Lifetime, is Being who You are.
>
> Love Your Self.
>
>
> From: brendav@wcs.edu
> To: guyavery@hotmail.com
> Subject: Winter Training
> Date: Wed, 11 Dec 2013 22:45:56 +0000
>
> Hi Guy,
>
>
>
> Thanks for the phone call. I look forward to hearing from you.
>
>
>
> Brenda Vroon, Physical Education Teacher
> Lipscomb Elementary School
>
>
>
> Phone 615-472-4650
> Fax 615-472-4661
>
> Want to see what's going on in P.E.? Visit our website!<<http://teachers2.wcs.edu/elem/ses/brendav/default.aspx>>