

NFL Play 60 Assembly

Open Issues and Questions

Unknown details, unverified facts, or open issues pertaining to the NFL Play 60 contest and celebration assembly held at Cathcart Elementary School on 2011 November 15.

Regarding the scope of the NFL Play 60 contests:

- 1 How many years has the NFL been conducting its Play 60 program?
According to this website, since October 2007.
https://www.nflcharities.org/grants/nfl_teams/play_60
- 2 How many schools or public institutions have won Play 60 contest awards over the lifespan of the program?
According to this website, 34 schools that won grand prize awards for this past NFL season. <http://www.nflrush.com/backtofootball>
- 3 Have all of the institutions who won Play 60 contest awards been public schools? If not, please detail the different institutions and the awards.
- 4 Are there different classes of Play 60 awards? If so, please specify all of the different types of awards and their distribution (award, school, date, etc.).
- 5 How many waivers (Waiver of Liability and Release) have the NFL collected over the lifespan of the program?
- 6 Are all of the individual names from the waivers stored in an electronic database? If so, what other information associated with these names is stored in the database?
- 7 Did any of the winning individuals/schools/institutions turn down the award?
 - A If so, how many turned down the award?
 - B If so, why did they refuse the award?

Regarding the person(s) who entered the NFL Play 60 contest on behalf of Cathcart Elementary:

- 8 Was the contest entered into by a single individual or by multiple individuals?
- 9 Who signed the contest entry form?
- 10 What was the capacity/title of the signers of the contest entry form (e.g., school administrator, parent organization member, etc)?
- 11 Did these people have the authority to enter this contest on behalf of the school and all of its students (collective bargaining authority)? From our perspective, the answer is no.
- 12 Did the NFL Play 60 contest entry conform to state and school district policies and procedures?
- 13 Did these individuals read and understand the NFL's Play 60 contest rules? If so, can they provide a copy of those rules?

Regarding the person(s) from the Snohomish School District who approved the Cathcart Elementary NFL Play 60 contest entry and celebration assembly:

- 14 Who, from the Snohomish School District, approved the NFL's Play 60 contest entry?
- 15 Who, from the Snohomish School District, approved the NFL's Play 60 celebration assembly?
- 16 Did these individuals read and understand the NFL's Play 60 contest rules?
- 17 Did the NFL Play 60 contest entry for Cathcart Elementary undergo any legal or process review? If so, who performed this review?

Regarding the NFL's Waiver of Liability and Release:

- 18 Did the NFL's Play 60 contest rules specify the necessity of the waiver?
 - A If not, at what point was the contest entrant informed about the necessity of the waiver?
 - B If so, were the contest rules specific regarding who would be required to sign a waiver?
 - C If so, were the contest rules specific in stating that all student's parents or guardians would be required to sign a waiver?
- 19 At what point were school administrators informed about the necessity of the waiver?
- 20 Were any students' parents required to sign any additional waivers (e.g., for fitness station participants)? If so, in what capacity? Please provide/obtain details and a copy of these waivers.
- 21 How were the waivers delivered to parents?
- 22 How were the waivers returned to the NFL?

Regarding some of the specific language of the waiver:

- 23 What does the NFL envision for the future use of the images and biographical information collected for these school children?
- 24 "... for any purpose whatsoever..." What does this mean?
 - A Would the NFL be allowed to alter the images? We assume the answer is yes.
 - B Would the NFL be allowed to cut/copy a portion of one image and paste it into another image? We assume the answer is yes.
 - C Would the NFL be allowed to update images and/or biographical information in the future? We assume the answer is yes.
- 25 "... throughout the universe in perpetuity..." What does this mean?
 - A What other purpose does the NFL intend for these collected materials besides historical value?
- 26 "I understand that this document is intended to be as broad and as inclusive as permitted by the laws of the state in which the event is taking place..." How broad of a purpose does the NFL intend for these collected materials?

Regarding the reasonableness of the NFL Play 60 contest rules:

- 27 According to a version of the NFL Play 60 contest rules (not necessarily the version in use for the contest in question), much/all of the burden for securing waivers, publicity releases, and associated approvals has been placed upon the schools receiving the award. However, is this expectation reasonable?
- 28 Can the NFL reasonably expect that any school would be able to secure a waiver and/or publicity release for all of the students who attend that school?
- 29 How many schools that won NFL Play 60 awards were able to achieve 100 percent participation in their celebration assemblies? In other words, how many schools were able to obtain signed waivers from all of their students parents/guardians?
- 30 If schools were not able to obtain 100 percent participation, then what did the NFL think was going to happen to these students (whose parents did not sign the waiver)?
- 31 If some students were barred from the celebration assemblies based on their parent's refusal to sign the waivers, then did this create a class distinction (between those who cooperated with the NFL's promotional goals and those who did not cooperate)?

Regarding the statement made by Casey Bowers in the announcement that, "this is a publicity event for them" (the Seattle Seahawks and/or NFL):

- 32 Who informed Casey Bowers that this was a publicity event for the NFL?
- 33 Did the NFL Play 60 contest rules specify that the celebration assembly was a publicity event?
- 34 At what point did the contest entrant(s) become aware that the award assembly was a publicity event for the NFL and Seattle Seahawks?

Regarding student attendance during the day of the NFL Play 60 celebration assembly at Cathcart Elementary:

- 35 How many students were enrolled at Cathcart Elementary at the time of the NFL Play 60 celebration assembly?
- 36 How many students were absent from school that day?
- 37 How many students are absent from school on an average day (average daily student absenteeism)?
- 38 How many children attended the Play 60 assembly in all?
- 39 How many children attended the Play 60 assembly as audience members?
- 40 According to the announcement, about 50 students actively participated in the assembly (e.g. at fitness stations and/or interacting with NFL personnel). What was the exact number of active student participants?

Regarding the number of students excluded from the NFL Play 60 celebration assembly at Cathcart Elementary:

- 41 According to our children, two other students were in their classroom during the Play 60 assembly. Is this correct?
- 42 Were there other classrooms during this time with other students who did not attend the celebration assembly?
- 43 If so, how many total students were assigned to classrooms during the Play 60 celebration assembly?
- 44 Were these classrooms tended by certified teachers?
- 45 If not, who were tending to these children during this time?

Regarding the educational activities our children were engaged during the Play 60 celebration assembly:

- 46 Who was tending to our children during the NFL Play 60 celebration assembly?
- 47 According to our children, while they were in the classroom (during the assembly), they watched a video from the Magic School Bus series titled, "The Human Body." Is this correct? If not, please specify the activities in which they were engaged.
- 48 Did our children engage in any other activities during this time? If so, what were they?
- 49 Did our children receive any individualized attention from a teacher during this time?
- 50 If so, what activities did the teacher engage with our children?

Regarding the business decisions driving the NFL's Play 60 program:

- 51 What is the purpose of the NFL Play 60 program?
- 52 How is the Play 60 program promoted?
 - A How are the contests advertised?
 - B How are the images, videos, and biographical materials collected from contest award winners used?
 - C Are these materials used to advertise for the NFL and/or their individual franchises? If so, how are they used?
 - D Are the contest award winners compensated? If so, is any of this compensation paid directly to individuals? If so, please specify (name, date, location, amount, etc.).
- 53 Has the NFL performed any cost analysis for producing similar promotional materials using paid actors? If so, please specify.

Legal questions:

- 54 Did the requirement of the waiver constitute a contract? If so, between whom?
- 55 If a child's parents/guardians failed/refused to sign the waiver, thereby refusing the contract, then were there consequences for refusing to engage in business with the NFL? If there were consequences, then what laws, if any, were violated?
- 56 Were parents/guardians rights (to choose those private enterprises they wish to support or promote) violated because they refused to sign the waiver? Was a fundamental freedom or civil right infringed?
- 57 Was an illegal class distinction made between students whose parents signed the waiver (cooperators with the NFL) and those who chose not to (non-cooperators)?
- 58 If so, did any class distinction meet the legal standard of discrimination?
- 59 If it is found that children's rights were sacrificed in exchange for promotional materials, were child labor laws violated?
- 60 Did the NFL and school districts err in using children as couriers of legal documents?
- 61 If the NFL is illegally engaged in the collection of promotional materials, then is the NFL misclassifying the award as a charitable contribution rather than as a business expense when filing their taxes with the Internal Revenue Service?