

IN THE COURT OF APPEALS OF IOWA

No. 1-106 / 10-1375
Filed April 27, 2011

**BOARD OF DIRECTORS OF
THE JESUP COMMUNITY
SCHOOL DISTRICT,**
Plaintiff-Appellee,

vs.

BRUCE WALL,
Defendant-Appellant.

Appeal from the Iowa District Court for Buchanan County, Bradley J. Harris, Judge.

Football coach appeals the termination of his coaching contract.

REVERSED AND REMANDED.

Becky S. Knutson of Davis, Brown, Koehn, Shors & Roberts, P.C., Des Moines, for appellant.

Brian L. Gruhn and David Winkelmann of Gruhn Law Firm, Cedar Rapids, for appellee.

Heard by Eisenhauer, P.J., and Potterfield and Tabor, JJ.

EISENHAUER, P.J.

We must decide whether there is a preponderance of competent record evidence to support the decision of the Board of Directors of the Jesup Community School District (school board) to terminate Bruce Wall as a football coach after the 2008 season. We conclude there is not such evidence and reverse the termination decision.¹

I. Background Facts and Proceedings.

Wall started teaching at the Jesup Community School District in 1999. In 2000, Wall started coaching football and baseball. In 2008, Wall had three separate contracts: (1) teaching, (2) head varsity football coach, and (3) head varsity baseball coach. The football coaching contract is the only contract at issue.

After winning one game in 2000, Wall's initial season, the football team's record was: (2001) four wins/five losses, (2002) six wins/three losses, (2003) eight wins/two losses (first playoff game in school history), (2004) five wins/four losses, and (2005 and 2006) one win/eight losses each season.

During the 2006 football season, the Jesup athletic director initiated a meeting with the high school principal and the superintendent after the team's 54-0 loss to Hudson. Jesup had beaten Hudson in prior years and the athletic director "thought it would be a more competitive game than it was." The principal agreed the program was "starting to not be very competitive" and was also concerned about the loss to Hudson because the team was "pretty well

¹ Due to our resolution of this issue, we need not address the coach's alternative arguments.

embarrassed on the field.” After the Hudson game the principal “started documenting what our scores were, what we scored, what our opponents scored, and the difference between the two.” At this meeting successful football programs at other high schools were discussed and it was determined those programs had “mandatory weights,” an established weight-lifting program with the expectation the students would make themselves competitive by lifting.

In November 2006, at the end of the season, the principal e-mailed Wall a spreadsheet listing the scores and scoring differential of the past twenty-two games and summarizing: wins three, losses nineteen, with Jesup outscored by 645 total points. Next, the spreadsheet stated:

What have you done to try to make our program better?

Expectations:

Mandatory weightlifting program during the off-season

Encourage (highly recommend) athletes out for track otherwise
extra conditioning sessions

Start a flag football program for kids in 3rd & 4th grades²

Become more involved (visible) in the younger kids FB program

On November 12, 2006, Wall responded to the e-mail’s question by compiling a written outline of his activities, including on and off season weight room availability, and noting the “record over the past seven years is 26-38. This translates into a 40.6 winning percentage. The winning percentage prior to me was 35.8%.” Wall also explained he ran a flag football team for four years (2000-04), but then he could not get parents to volunteer to coach and the kids had soccer conflicts. Wall proposed a new points system entitled “Football Off-Season Expectations,” which listed incentives for lifting weights, speed and agility

² Wall’s contract made him responsible for the 7-12 programs and no contract expanded this obligation to the elementary years.

work, and academic grades. Wall also asked whether mandatory weightlifting is legal in the off season and asked how the administration wanted him to “deal with a kid who has family or work obligations and cannot make it to mandatory workouts?”

On November 13, 2006, the principal again e-mailed Wall and requested a meeting, stating: “Let me first make it clear up front, I am in no way after your job. My concern/questions [spreadsheet e-mail] center around what are we going to do differently (off the field) to make ‘our’ football program better?” Wall came to the principal’s office during his next day’s planning period to discuss the football program.

The principal did not initiate any discussions with Wall about the football program during the winless 2007 or 2008 seasons. Through the end of the 2008 football season, Wall had never received a formal coaching evaluation or any written coaching evaluation. The athletic director had informal discussions with Wall about the program. The principal’s next discussion with Wall about the football program occurred two years later on November 3, 2008, when the athletic director and principal met with Wall and requested his resignation as a football coach. Wall declined to resign. The athletic director’s notes from the meeting state:

Looking at options

- 1) Not being competitive – only game this year was with Don Bosco
- 2) Being outscored by 361 points this year which was up from last year where we were outscored by 300 points
- 3) Not getting kids into the weight room – tried incentives, you said you called kids and they wouldn’t come in

I told [Wall] that I know he opened the weight room at different times to accommodate work, other sports, etc.

We are not disputing the # of hours he has put into the program

- * Not disputing time and effort
- * Still not producing a competitive team
- * #'s dropping as kids get older

The principal's notes from the meeting state:

Expressed concern with lack of being competitive and [Wall's] inability to motivate the kids to be successful.

. . . .

[Wall] is willing to try the direction we want and . . . quitting is not the answer. Says we need to present a universal front.

[Wall] is very optimistic about next season because of more numbers. 11—Juniors and 13-14 Sophomores.

I asked [Wall] how many of those Juniors are lifting regularly and he replied "probably 2"

The athletic director also testified about the meeting:

Q. What was the purpose of this meeting? A. To ask [Wall] for a resignation

Q. How did Mr. Wall accept the fact that you were going to talk about his position? A. Not well. . . . I told him that I felt that with the results of the past season that we really needed to go—to look at going in a new direction. . . .

[A]s the discussion went on, we looked at . . . we're not being competitive. . . . Even though we tried the incentives to get the kids in the weight room, he had . . . I believe the second parent and athletes and coaches meeting to really try to get them to understand that without it we weren't going to win.

And the thing is, you know, [Wall] opened the weight room. He would get—I know one season he was running out—he would pick up kids and bring them in to lift in the mornings because they didn't have a ride in. He would accommodate the weight room for work, other sports. You know, it wasn't because of his lack of effort and the number of hours he put in the program that we were disputing or that he didn't care about the kids, he didn't—you know, none of that was [it]. It was about not being able to produce a team that could compete at the level they needed to compete at to be competitive.

Q. What did he say about not being able to get kids into the weight room? What was his explanation for that? A. They just—they just wouldn't come. He tried calling the kids to get in. They

wouldn't come. He tried talking to parents. I know he talked to one. The kid would show up for maybe a week, and then he wouldn't come anymore.

Q. As the [athletic director] and as the person who is supervising Mr. Wall, what is your opinion as to whose responsibility it is to get these kids to participate? A. It's ultimately the head coach's responsibility to make the program what it is.

The athletic director testified about her November 12, 2008 discussion with football players after she had asked Wall to resign:

And they asked me why I had asked Mr. Wall to resign. And I told them that it was my job as the AD to make sure we were competitive, that . . . we were not getting kids into the weight room, that there were some fairness issues—perceived fairness issues. And you know, again, that my job—the job as a coach is to get your team to perform at a high level. And I said by “high level” I mean you need to be competitive.

On February 27, 2009, the athletic director and superintendent presented Wall with the athletic director's formal written evaluation of his football coaching. Wall responded in writing and addressed the administration's mandatory weightlifting goal:

If I had not mentioned [mandatory weightlifting] to a friend of mine [who] coaches and steered me away from it, I would have been guilty for enforcing a rule that was illegal [under the Iowa High School Athletic Association rules]. Fortunately, I caught it in time. Even in the February meeting with [the superintendent], she would not back away from the fact that I told people they would not play if they didn't lift and I did not enforce it. I responded that I did not enforce this administrative initiative upon finding out it was illegal.

Wall is a licensed employee and coach. Board Policy No. 405.8 deals with licensed employee evaluations and states: “The goal of the formal evaluation of licensed employees . . . including extracurricular employees, shall be to improve the educational program, to maintain licensed employees who

meet or exceed the board's standards of performance" The principal testified:

Q. So it would be important if there were issues to have a formal evaluation, to have a discussion and set out those areas of growth if there are issues? A. Past practice here has been most of them have been informal.

Q. It's not what your policy says, though, is it? A. That would be correct.

Q. That—the only formal evaluation that Mr. Wall got came in February 2009, about three months after you and [the athletic director] told him you wanted him to resign; isn't that correct? A. I believe that's when it was given to him, yes.

Q. And would you agree with me that it's pretty difficult to develop a working relationship and set future areas of growth to somebody who you've already told you want fired? A. From that point on, yes, I would agree.

On April 24, 2009, the superintendent served Wall with a notice of termination of his football coaching contract based on the following five reasons:

- * Ineffective Program Leadership
- * Failure to Maintain Student Interest and Participation in the Program
- * Ineffective Team Discipline
- * Lack of Effective Communication with Assistant Coaches
- * Failure to Maintain an Effective Relationship with Students and Parents

Wall requested a hearing with the school board, which was held during August 2009. The principal testified Wall's new points system addressed his concerns with weightlifting. The athletic director testified if Wall did the activities identified in his 2006 response and in his new points system, he would be "on the right track to get this program to improve." However, the athletic director stated:

I believe the head coach is ultimately responsible for the success or failure of the overall program. I stated [on the written evaluation] that it was clear the program was measured in terms of wins and losses, student interest, participation, confidence in the program,

and maintaining effective relationships with players and parents. And I don't believe those things were taking place.

On September 4, 2009, the school board found the superintendent had satisfied her burden to show grounds for termination and issued a written decision terminating Wall's contract to coach football. The termination was based on the first two reasons listed in the notice—ineffective leadership and failure to maintain student interest and participation. The school board decided the next two reasons had not been “proven by a preponderance of the evidence to be a matter warranting termination” and found the last reason to be “basically a restatement of the first two reasons” which it “discussed at length.” The school board stated:

This board does not expect or demand that its coaching staff annually or even routinely produce championship level teams. The board does not seek to become, nor has it been, a powerhouse in football or any other sport. . . . The board seeks programs where its teams are reasonably competitive

The board finds that the High School football program is not meeting expectations. The program has declined considerably since the 2001-2004 years when this same coach had reasonably successful and competitive teams. The years 2005-2008 have shown an abrupt and considerable decline in the program, the most troubling factor being that this decline appears to be gaining in momentum. . . . [I]t is indisputable that [Wall's] attempts to address the causes and reverse the trend have failed. The board is not confronted with a situation where the Jesup football team has been a close second in its games, it has been getting consistently clobbered with matters worsening as time has progressed. Jesup is not even minimally competitive and is at the point where mediocrity would be a significant and welcome improvement.

. . . .

Simply identifying a problem does not solve the problem or turn the situation around. For the Board to accept blaming or putting responsibility for the decline in the football program on the students and/or parents is to leave the situation as it is, with the likely result being that there will be no significant improvement in the foreseeable future.

.....
Mr. Wall has attempted to correct the situation and we believe these attempts were his good faith best efforts to do so. But the fact remains that these efforts have not been effective. It is the job of the coach to motivate the students to participate in all aspects of the program and to build enthusiasm in the program. . . . This motivation and building of enthusiasm has simply not occurred. Just like [Wall], the board has no control over or ability to affect the composition of the student body it finds itself with each year or the parents of the students, but it does have the ability, and in the current case, the duty to change the coaching staff in an effort to produce a positive change in this program.

.....
[I]t is apparent that the football program has for some time and is still experiencing severe problems that have remained uncorrected despite the best efforts of Bruce Wall. While Bruce Wall has some admirable personal qualities and has expended considerable effort towards attempting to turn the program around, the program remains at an exceptionally unacceptable level of achievement.

Wall sought adjudicator review. See *id.* § 279.17 (2007). The adjudicator examined the evidence and in February 2010, found the record does not support “a finding that Mr. Wall exercised ineffective program leadership” nor “support the charge that he failed to maintain student interest and participation in the football program.” The adjudicator sustained Wall’s appeal and ordered him reinstated with reimbursement of any pay lost as a result of his improper termination.

The district then sought judicial review. See Iowa Code § 279.18. In July 2010, the district court reversed the adjudicator, finding just cause did exist for termination of Wall’s coaching contract for ineffective program leadership. The court did not address the ground of failure to maintain student interest and participation in the program.

On further judicial review, Wall's primary contention is the school board's decision is not supported by a preponderance of competent evidence and there is no "just cause to terminate his head football coaching contract."

II. Evidentiary Support for Board's Decision

We review the school board's termination of Wall's coaching contract for correction of errors at law. *Bd. of Dirs. v. Cullinan*, 745 N.W.2d 487, 493 (Iowa 2008). "[W]e review the board's findings, not those of the adjudicator." *Id.* We give weight to the school board's fact findings, but are not bound by them. Iowa Code § 279.18(2). "A reviewing court must determine whether a school board's decision is supported by a preponderance of competent evidence in the record." *Cullinan*, 745 N.W.2d at 493 (upholding termination of basketball coaching contract). This standard requires us to find a higher quantum of evidence supporting the decision than we would have to find under the substantial evidence standard. *Walhart v. Bd. of Dirs.*, 694 N.W.2d 740, 744 (Iowa 2005) (stating the board's termination "must be supported by more than just *substantial evidence*; a *preponderance*—or greater weight—of the competent proof is required").

A school board must find "just cause" for termination of a coaching contract. Iowa Code § 279.15(2). "Just cause" is cause which

"directly or indirectly significantly and adversely affects what must be the ultimate goal of every school system: high quality education for the district's students. It relates to job performance including leadership and role model effectiveness. It must include the concept that a school district is not married to mediocrity but may dismiss personnel who are neither performing high quality work nor improving in performance. On the other hand, 'just cause' cannot

include reasons which are arbitrary, unfair, or generated out of some petty vendetta.”

Cullinan, 745 N.W.2d at 493 (quoting *Briggs v. Bd. of Dirs.*, 282 N.W.2d 740, 743 (Iowa 1979)).

We conclude the record evidence does not support the charge Wall “failed to maintain student interest and participation in the football program.” Rather, player participation increased or was constant in recent seasons: 2000 (34), 2001 (46), 2002 (39), 2003 (37—first ever playoff game), 2004 (41), 2005 (41), 2006 (46), 2007 (46), 2008 (43). The athletic director testified “almost half” of the boys in the high school were out for football. Additionally, players testified at hearing in support of Wall and a petition supporting Wall was generated by football players and signed by both players and other students.

Given the absence of a preponderance of evidence showing a failure to maintain student interest and participation in the football program, the case for termination turns entirely on whether a preponderance of competent record evidence supports the charge of ineffective program leadership. The district argues Wall was not discharged as football coach due to the win-lost record, but rather due to the “deterioration” of the program. The district stresses: (1) juniors and seniors had low participation rates in football; and (2) Wall did not establish a successful weight program.

However, the testimony and the board decision quoted above reveals Wall’s termination was indeed based primarily upon Wall’s recent win-loss record. This action contradicts the “Philosophy of Jesup Community School Activities Program,” which establishes the overall goal of “development of a well-

rounded individual” and which requires the athletic program be “open to participation by all students.” This four-page document lists program responsibilities for all coaches (twelve “DUTIES and RESPONSIBILITIES”) and for a head coach (twenty-six “Program Responsibilities”) and makes no reference to win-loss records. No criteria for “a competitive program” or continued employment based on a win-loss record are established. Additionally, we note that no informal “evaluations” occurred until 2006, when Wall’s win-loss record started to contain more losses than wins.

Further, the record shows Jesup is a small school with approximately eighty to one hundred boys. The wrestling team had few seniors and the basketball team had three seniors in the 2008-2009 school year. Accordingly, declining participation in the upper grades is a common occurrence in the Jesup activities programs. No football players testified they dropped out as upper classmen due to Wall’s coaching and leadership. As discussed above, overall participation numbers had not declined during Wall’s tenure. Also, the football team had four seniors/twelve juniors in 2003’s season (eight wins/two losses—first playoff game in school history) and six seniors/eleven juniors in 2008’s season (zero wins/nine losses). The record does not support this contention as a basis for the ineffective leadership charge.

While two assistant coaches testified Wall was ineffective, the record also shows Wall had the support of two recent assistant coaches, one of whom was not impressed with the importance of weightlifting and referenced Wapsie Valley’s record as a multiple-championship school in football while operating

without a weight room. We also note a football coach in a small school has a variety of athletic talent over the years. The assistant varsity coach for the 2006-2008 football seasons, Carson Stubbs, testified:

Q. Have you seen any improvement in the kids or in the teams during those three years? A. I really have. I know my first year . . . obviously the '06 season was probably our most talented team. And that was the year that we did win a game, that season. And that was probably our team with the most talent. However, I felt like that was our least unified team. We . . . had a couple of really good athletes, and they got better as the season went on, and we ended up winning a game.

But I feel like every year since then we've had less and less talent, but our kids have played much, much better together. And so for the talent pool we've had, I feel like our kids have really learned to come together. And I really think [the fall 2009] season coming up . . . will be a successful season for them.

Accordingly, we find no preponderance of evidence supporting the district's position.

However, even if we assume weightlifting is important to football success, the athletic director admitted: "Q. Were there any coaches who told their players not to lift weights during that particular season? A. During the football season? No. Q. No. During their season? A. Yes." Further, the record shows Wall made concerted efforts to increase the team's off-season weightlifting efforts while operating a program in compliance with the state athletic association's rules. Wall stressed the importance of off-season weightlifting in parent/student meetings. Wall made arrangements to transport players to the weight room and arranged for it to be open multiple times per week. Wall himself picked up students who needed transportation to the weight room. Wall established clubs to recognize a player's weightlifting accomplishments and used his own funds to

purchase tee shirts rewarding weightlifting accomplishments. Wall and his assistants started lifting with some players. The Iowa High School Athletic Association prohibits mandatory participation in off-season weightlifting as a condition of participation in football. The school board cannot criticize Wall for complying with this rule. We note participation in high school athletics is voluntary and if the students do not wish to participate in off-season weightlifting, Wall's lack of effort to promote it is not the cause. As explained by Iowa City Coach Gordon Rundquist: "But you can't force them into a weight program. So it's still self-motivation as far as weightlifting."

The district attempts to impugn Wall's credibility by suggesting he did not respond to suggestions for improvement with enthusiasm. After reviewing Wall's 2006 written response to the principal's e-mailed suggestions, his creation and implementation of a new points system, his written response to his only formal evaluation, and the athletic director's testimony quoted above, we disagree.

For these reasons, we conclude the board's decision is unsupported by a preponderance of the competent evidence in the record when the record is viewed as a whole and just cause has not been established for termination of Wall's football coaching contract. We vacate the decision of the district court and remand for a district court order affirming the decision of the arbitrator.

REVERSED AND REMANDED.

Tabor, J., dissents.

TABOR, J. (dissents)

I respectfully dissent. I do so because I believe the majority decision intrudes on a reasonable decision by a local school board to fire an ineffective coach. In my view, a preponderance of the competent evidence in the record supports termination of Bruce Wall's football coaching contract. *See Bd. of Educ. V. Youel*, 282 N.W.2d 677, 683 (Iowa 1979) (upholding termination of football coach where program deteriorated under his tenure).

Wall argues that he was blindsided by the board's decision to relieve him of his football coaching duties, despite his team being winless during the 2007 and 2008 seasons, and posting a one-and-eight record in both the 2005 and 2006 seasons.³ He contends he did not "know what he had to do to retain his position." I question the accuracy of this contention, as did the school board.

In November 2006—after a particularly disappointing 54-0 loss to rival Hudson—Principal Chamberlin sent an email to Coach Wall highlighting the football team's nineteen-to-three win-loss record and its deficit of 645 total points to opponents over the previous twenty-two games. The principal asked Wall in writing: "What have you done to try to make our program better?" The principal also set out four expectations for Wall to implement, including off-season weightlifting and conditioning and involving younger students in the district's overall football program. In a follow-up email sent November 13, 2006, the principal wrote: "[Y]ou obviously know that I am concerned about our football program."

³ In the thirty-six games played during this four-year stint, Jesup's opponents outscored Wall's teams by a total of 1521 to 200 points.

According to Athletic Director Loecher 's testimony before the board, in the two years between the principal's November 2006 email and his request for the coach's resignation, she had informal conversations with Wall about what needed to be done, including starting a flag football program in the lower grades and motivating more high school players to show up at the weight room. The administrators perceived the coach's response to their suggestions as defensive, unenthusiastic, and ultimately ineffectual.

The board found that

there were numerous informal meetings between administrators and this coach over the past years seeking to make district expectations clear and offering suggestions as to areas where improvements needed to be made. This coach has had both ample notice that problems existed and ample opportunity to improve the program.

The board's factual finding was supported by credible evidence in the record. After Wall received notice of the principal's concern about the football program in the November 2006 email, the varsity squad did not win any of its next eighteen games, giving up a total of 736 points while scoring only 74 points. Wall presided over a steadily deteriorating football program and should not have been surprised that his job was on the line.

At oral argument, Wall's counsel argued that the results on the scoreboard were not a good measure of the success of a high school football coach. But his counsel also conceded that the school district could have used the coach's win-loss record as criteria for termination if it had been spelled out specifically in his job requirements. In this case, a document entitled "Philosophy of Jesup Community School Activities Program" served as Wall's job description. The

majority finds that basing Wall's termination on his recent win-loss record contradicts the goals of that document. I disagree. The document featured a statement of purpose that included the following goals: "To strive for excellence in all activities" and to promote "the spirit of competition and the ideals of good sportsmanship that make for winning and losing graciously" and "that will generate a feeling of pride and unity." The document also listed among the head coach's responsibilities: "Motivates young people and builds enthusiasm in the program." This document expressed the school district's expectation that its coaches will field competitive athletic teams.

The school board echoed these modest expectations in its ruling, saying that it needed to provide extracurricular programs where students could experience "both the joy of winning and the agony of defeat." The ruling went on:

This board does not expect or demand that its coaching staff annually or even routinely produce championship level teams. The board does not seek to become, nor has it been, a powerhouse in football or any other sport. The board seeks programs where its teams are reasonably competitive and programs that instill in the students those virtues normally associated with good athletic programs that will serve the students well over their adult lives.

Virtually every termination case involving a teacher or coach under Iowa Code chapter 279 boils down to whether the record supports the board's conclusion that "just cause" exists for the termination. *Sheldon Cmty. Sch. Dist. v. Lundblad*, 528 N.W.2d 593, 596 (Iowa 1995). Because the legislature did not define "just cause" in chapter 279, our supreme court has stepped in with general guidance on what it is and what it is not. Because "just cause" relates to job performance, "[i]t must include the concept that a school district is not married to

mediocrity but may dismiss personnel who are neither performing high quality work nor improving in performance.” *Cullinan*, 745 N.W.2d at 493.

In this case, the school board’s ruling suggested that its football program would be marrying up if it could reach a mediocre level of performance: “Jesup is not even minimally competitive and is at the point where mediocrity would be a significant and welcome improvement.” The “deterioration” of the football program between 2005 and 2008—evidenced by the team’s consistent lack of competitiveness—was just cause for termination of the head coach. See *Lamar Sch. Dist. No. 39 v. Kinder*, 642 S.W.2d 885, 887 (Ark. 1982) (upholding coach’s termination based on inability to field a competitive team and “losing games by very lopsided scores”).

I also would emphasize our supreme court has said that “just cause cannot include reasons which are arbitrary, unfair, or generated out of some petty vendetta.” *Cullinan*, 745 N.W.2d at 493. There is no hint in this record that Wall’s firing was arbitrary, unfair, or stemmed from a petty vendetta. In fact, the athletic director told the board that because she and Wall had been friends and colleagues for nine years, she probably gave him more chances than she would have extended another coach.

Further, I would find the testimony of Wall’s two assistant coaches support just cause for terminating his coaching contract. For instance, Brent Meyers testified that Wall was not able to provide the leadership to sufficiently increase

the player participation and parental support to make the program competitive.⁴ The majority elevates the viewpoints of two of Wall's former assistants who testified on his behalf, but "the possibility of drawing two inconsistent conclusions from the evidence" does not prevent a school board's finding from being supported by substantial evidence. See *Briggs v. Bd. of Dirs. of Hinton Cmty. Sch. Dist.*, 282 N.W.2d 740, 743 (Iowa 1979).

School boards should not be prohibited from using the number of team victories—or total lack thereof—as one means to gauge the effectiveness of a coach's leadership. See *Chang v. Univ. of Rhode Island*, 606 F. Supp. 1161, 1256 (D.R.I. 1985) (noting "there is an objective evaluation scheme in the coaching domain: the won-lost record"). Legendary football coach Vince Lombardi is most famously ascribed the following quote: "Winning isn't everything, it's the only thing." But another quote is also attributed to Lombardi: "Some of us will do our jobs well and some will not, but we will be judged by only one thing—the result." Even a high school football coach must expect that his job performance will be judged in part by the team's results on the scoreboard. Two years before the decision to terminate Wall's contract, the principal communicated to the coach that he was tracking the success of the program by virtue of the team's performance on the field. When that performance grew worse rather than better and the coach's efforts to save the floundering program

⁴ At oral argument, counsel for Wall shifted blame for the team's poor performance to untalented student athletes and the lack of hands-on supervision from school district administrators.

were not paying off, just cause existed for ending the coach's contract. I would affirm the district court and the school board's termination decision.