

CHSAA ordered to pay \$2.5 million to former Sand Creek basketball coach in race discrimination suit

Colorado's U.S. District Court disagreed with CHSAA's explanation for the firing of Trey Harris

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April 29, 2021 at 1:15 p.m.

The Colorado High School Activities Association has been ordered to pay a former Sand Creek basketball coach \$2.5 million for its violation of federal race discrimination laws, a jury ruled last Friday.

The Colorado U.S. District Court case stemmed from CHSAA's explanation for Falcon School District 49's firing of Trey Harris, the plaintiff, following Sand Creek's use of an ineligible transfer player in 2017.

Harris was fired in January of that year for his role in the transfer. The player was initially ruled eligible to play by CHSAA, which later reversed its decision after the player had competed. But Harris, who had trained the player as a middle schooler a few years prior, said as an assistant coach he had no role in the transfer and that he was blamed during the controversy because he's Black.

The jury agreed. It awarded Harris \$200,000 for economic damages, \$1.3 million for non-economic damages and \$1 million for punitive

damages, all due to race discrimination, according to online court records.

As a result of the 2017 transfer violation, CHSAA placed Sand Creek on a restriction, which would have prevented the team from competing in the playoffs. That restriction was later lifted. Court documents show Harris was told by Falcon 49 school district officials that his firing was a CHSAA condition for the program's restriction being lifted.

Harris told The Denver Post he was "surprised" by his firing.

"I thought (the meeting) was a chance to talk about the issue that was going on, but it was the complete opposite," Harris said. "I had no voice at all throughout the process... I had no clue I was going to get fired."

Harris' firing had immediate ripple effects within the program, as all but one of the varsity players were suspended for Sand Creek's Feb. 4., 2017, game [because of a protest over Harris' firing](#).

And for Harris, who runs his own private basketball business — Pluto Basketball out of Colorado Springs — the firing was devastating professionally and emotionally.

"It caused me to lose clients, because I was looked at as a cheater and I was looked at as unethical," Harris said. "Those were the main things, and I started developing a negative reputation behind my business because of the situation."

Harris said he would like to consider coaching again at the high school level sometime in the future, although he is still on restriction with CHSAA and thus is not currently eligible to return to the bench.

"It was a lot of discouragement and disappointment and a lot of disconnect between me and my community when all this happened," Harris said. "I'm just glad it's coming to a resolution."

The initial 2017 lawsuit also listed Falcon School District 49 and four others as defendants. However, in September of 2019, those claims were "dismissed with prejudice" while litigation against CHSAA continued. Jennifer Harpole, legal counsel for the school district, told The Denver Post: "D49 was not a party to the trial, and the jury did not make any findings regarding D49."

CHSAA issued the following statement to its member schools after the jury's decision. It is likely that the association appeals the ruling.

"CHSAA exists to level the playing field and challenge individuals to meet their highest potential in all arenas of life. CHSAA condemns discrimination in all its forms. In our one hundred years of existence we have always strived to create a positive and equitable environment, and we look forward to carrying that tradition into the future. Though we do not believe the evidence supports the Jury's decision, we wish Mr. Harris and his family the best. We are currently considering the options available to respond to the decision."

Court ruling

Original lawsuit