


**DISCLOSURE BY NON-ELECTED STATE EMPLOYEE OF FINANCIAL INTEREST
AND DETERMINATION BY APPOINTING AUTHORITY**


AS REQUIRED BY G. L. c. 268A, § 6

**RECEIVED
STATE ETHICS COMMISSION**

	STATE EMPLOYEE INFORMATION
Name:	Mark Whipple
Title or Position:	Head Football Coach
State Agency:	University of Massachusetts Amherst
Agency Address:	Football Performance Center 290 Stadium Drive Amherst, MA 01003-9397
Office Phone:	413-545-2026
Office E-mail:	mwhipple@umass.edu
	My duties require me to participate in a particular matter, and I may not participate because of a financial interest that I am disclosing here. I request a determination from my appointing authority about how I should proceed.
	PARTICULAR MATTER
Particular matter E.g., a judicial or other proceeding, application, submission, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, decision, determination, or finding.	Please describe the particular matter. Service of my son, Spencer Whipple, as an Assistant Football Coach on my coaching staff.
Your required participation in the particular matter: E.g., approval, disapproval, decision, recommendation, rendering advice, investigation, other.	Please describe the task you are required to perform with respect to the particular matter. Supervising and directing his activities as an Assistant Coach; making recommendations regarding his employment, including salary issues, evaluation, and continuation of his employment in this capacity.
	FINANCIAL INTEREST IN THE PARTICULAR MATTER
Write an X by all that apply.	<input type="checkbox"/> I have a financial interest in the matter. <input checked="" type="checkbox"/> My immediate family member has a financial interest in the matter. <input type="checkbox"/> My business partner has a financial interest in the matter. <input type="checkbox"/> I am an officer, director, trustee, partner or employee of a business organization, and the business organization has a financial interest in the matter. <input type="checkbox"/> I am negotiating or have made an arrangement concerning future employment with a person or organization, and the person or organization has a financial interest in the matter.

Financial interest in the matter	Please explain the financial interest and include a dollar amount if you know it. Salary as an Assistant Football Coach is \$82,338.10/yr.
Employee signature:	
Date:	9/15/2016

DETERMINATION BY APPOINTING OFFICIAL

	APPOINTING AUTHORITY INFORMATION
Name of Appointing Authority:	Kumble R. Subbaswamy
Title or Position:	Chancellor
Agency/Department:	University of Massachusetts Amherst
Agency Address:	374 Whitmore Administration Building 181 President's Drive Amherst, MA 01003-9313
Office Phone:	413-545-2211
Office E-mail:	
	DETERMINATION
Determination by appointing authority: Write an X by your selection.	As appointing official, as required by G.L. c. 268A, § 6, I have reviewed the particular matter and the financial interest identified above by a state employee. <input type="checkbox"/> I am assigning the particular matter to another employee, or <input type="checkbox"/> I am assuming responsibility for the particular matter, or <input checked="" type="checkbox"/> I have determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the Commonwealth may expect from the employee.
Appointing Authority signature:	
Date:	10/17/16
Comment:	The above determination notwithstanding, I have assigned supervision and other employment related decisions regarding Spencer to another member of the coaching staff.

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Attach additional pages if necessary.

File copy with:

State Ethics Commission, One Ashburton Place, Room 619, Boston, MA 02108



MARK J. WHIPPLE

Head Coach

290 Stadium Drive

Amherst, MA 01003

413.545.2026 • Fax 413.545.4430

June 16, 2016

Dear Chancellor Subbaswamy,

Pursuant to State Ethics laws and your letter of March 4, 2014, I am requesting to continue the employment of my son, Spencer Whipple, as an Assistant Football Coach. Since his hiring two years ago, Spencer Whipple has proven himself to be an outstanding College Football Coach, mentor and recruiter of student athletes.

In 2015 he coached Wide Receiver Tajae Sharpe to All-American honors after a season where he led the NCAA in receptions. Tajae was named a semifinalist for the Biletnikoff which honors the nation's top wide receiver. This past May, Tajae was selected in the fifth round of the NFL draft by the Tennessee Titans. Playing alongside Tajae was senior Marken Michel who was a dynamic receiver as well. Michel's big play capability earned him a free agent contract with the NFL's Minnesota Vikings this past spring.

While having the title of co-passing game coordinator in 2015, Spencer also oversaw quarterback Blake Frohnapfel as he finished the season as one of the top quarterbacks in the conference. Frohnapfel finished the season with 2,900 yards passing and 16 touchdowns. He was also one of eleven finalists from across the country, for the Campbell Award, which is College Football's academic Heisman.

As recruiting coordinator, Spencer oversaw UMass' highest ranked recruiting class to date. According to 247 Sports, UMass finished at number 80 nationally and number 2 in the MAC Conference. This year Spencer added Arizona and California to his recruiting responsibilities and has forged important links with coaches there at both the high school and junior college levels, as well as bringing top recruits to Amherst.

Because of his outstanding contribution to the football program here at UMass, I respectfully request that Spencer continue in his employment as an Assistant Football Coach at the University of Massachusetts.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Whipple', written over the printed name 'Mark J. Whipple'.

Mark J. Whipple



**UNIVERSITY OF MASSACHUSETTS
AMHERST**

374 Whitmore Administration Building
181 Presidents Drive
Amherst, MA 01003-9313

OFFICE OF THE CHANCELLOR

voice: 413.545.2211
fax: 413.545.2328
www.umass.edu

October 17, 2016

Mark Whipple
Head Football Coach
UMASS Football Program
Football Performance Center
University of Massachusetts Amherst
290 Stadium Drive
Amherst, MA 01003-9397

Dear Coach Whipple:

I acknowledge receipt of your June 16, 2016 Memorandum and September 15, 2016 Disclosure of Financial Interest. You request permission to continue to employ your son, Spencer Whipple, as an Assistant Football Coach for the UMASS Football Team.

You state that your son has proven himself an outstanding assistant football coach, mentor, and recruiter of student athletes. Now in his third year on the coaching staff following years of playing under the same offensive system, you indicate that Spencer has unique knowledge of the offensive system that UMASS utilizes. Last year, as co-passing game coordinator, he coached Blake Frohnapfel, one of the top quarterbacks in the conference and Campbell Award (college football's academic Heisman) nominee, and Tajae Sharpe, All American Honors Wide Receiver and Biletnikoff (honors the nation's top receiver) semifinalist. The Tennessee Titans selected Tajae Sharpe in the fifth round of the NFL draft. Through Spencer's efforts last year, UMASS had the highest ranked recruiting class to date. According to 247 Sports, UMASS finished 80th nationally and second in the MAC Conference. This year, Spencer forged important relationships with both high school and junior college level coaches in Arizona and California, as well as bringing top recruits to Amherst.

Football Sports Administrator Thomas McElroy will directly supervise Spencer. To minimize the potential for a conflict of interest, neither you nor Thomas McElroy will have the authority to approve any non-unit personnel benefits for which Spencer may be eligible. Athletic Director Ryan Bamford will provide all such approvals, and will ensure that Spencer's compensation will be consistent with that of other assistant coaches, clearly outlining all compensatory aspects related to him.

Massachusetts General Laws, Chapter 268A, Section 6, in part, prohibits a state employee from employing immediate family members and from compensating them for services rendered except when I “make a written determination that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the Commonwealth may expect from [. . . you], in which case it shall not be a violation for [. . . you] to participate in the particular matter.” (M.G.L., Chapter 268A, Section 6.)

I determine that any personal interest you may have in this appointment is not so substantial as to be deemed likely to affect the integrity of your services to the Commonwealth and the Athletic Department. This determination, which will allow you to utilize the services of your son for one (1) year, must be reviewed and re-evaluated prior to any further appointment. A request should be submitted to the Chancellor of the Amherst campus no later than October 1, 2017 to make such a review.

As directed by statute, I am sending a copy of this written “determination” letter, along with your memorandum and disclosure form, to the State Ethics Commission for filing. The statute requires you to advise the Ethics Commission of the nature and circumstances of the particular matter and make full disclosure of the financial interest. I am fulfilling that requirement by enclosing your memorandum and disclosure form along with a copy of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Subbaswamy', is written over a horizontal line.

Kumble R. Subbaswamy
Chancellor

Enclosures

cc: Allison B. Lepper, Assistant Counsel