

CALLED BOARD OF CONTROL MEETING

APRIL 18, 1995

The KHSAA Board of Control met in Special Session in Lexington at the KHSAA Office Building on Tuesday, April 18, 1995, to address the following issues: HB490, Communication, Proposals and Hearing Officer. Mr. Frank Cardwell called the meeting to order at 9:08 a.m. All members were present. Others present were Commissioner Louis Stout, Exec. Asst. Comm. Brigid DeVries, Asst. Comm. Larry Boucher, Directors Julian Tackett and Brooks Downing, Consultant Ken Tippett, Adm. Sec. Anne Wesley Mays, Board Attorney Danny Reeves, Randy Kimbrough and Collette Anderson of the State Department of Education.

Wendell Thomas moved for Executive Session to discuss litigation and personnel. Ken Cox seconded the motion which passed unanimously.

Following a lengthy Closed Session, Tasso Harris made a motion to return to Open Session. Cookie Henson seconded the motion which passed unanimously. No action was taken in Closed Session.

President Cardwell called a lunch recess at 12:25 until 1:50 p.m.

Teresa Isaac, Ozz Jackson and Wendell Thomas left the meeting.

HB490

Stan Steidel made a motion that the amended language to Bylaw 40/HB490 passed at the Delegate Assembly in January be rejected as illegal according to state law and that language proposed by me as the Board Appointed Representative of Dayton High School be implemented immediately by the KHSAA with the approval of the Kentucky State Board. Grant Talbott seconded the motion. The motion passed 12-0. Cookie Henson was absent for the vote.

Relative to the Board's response to Communication with the State Board of Education and the submission of Proposals (changes to the KHSAA Constitution and Bylaws), Claudia Hicks made a motion that the Board adopt the following action:

COMMUNICATION

- I. Board accepts renewed efforts on part of SBESSE to jointly meet with KHSAA Board of Control, recognizing the philosophical change from past State Boards.

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- II. Board endorses the appointment of a special committee to study communication linkage between SBESE, Board of Control, KDE, and KHSAA staff. Committee to consist of Board of Control President or his designee, KDE liaison Randy Kimbrough, Commissioner Louis Stout, Greenebaum associate Danny Reeves, and at-large Board of Control member Teresa Isaac. In addition, Board of Control requests involvement by SBESE members or appointees.
- A. Committee should focus on --
    - 1. Efforts to be made to emphasize positive changes partnered by SBESE and Board of Control
      - a. Emphasis on changes through Management Review, Blue Ribbon Commissioner
      - b. Emphasis on hopes of continued strong communication among all four components of equation (SBESE, Board of Control, KDE, KHSAA)
    - 2. Institute a perpetual effort to educate the public, member schools, and other governmental entities about association efforts.
  - B. Additional implementations necessitated by full adoption of strategic planning initiative.
- III. Board fully acknowledges and respects supervisory role of SBESE as it relates to the total educational interests of the students in Kentucky. The Board requests guidance at all times from SBESE to ensuring the proper efforts are being made by all parties.

#### PROPOSALS

The Board directs staff to finalize language which would clarify the procedure for passage of an amendment to KHSAA Constitution and Bylaws. In the interim, the Board shall request State Board approval of all items previously submitted, and shall submit each change properly administered according to the Constitution with a recommendation for State Board action.

Bill Beasley seconded the motion which passed unanimously.

#### HEARING OFFICER

Bill Beasley then moved for adoption of the following action regarding a KHSAA Hearing Officer:

The Board adopts the amendments to the KHSAA Policy Manual which stipulates provisions for the selection of a Hearing

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Officer. Staff shall seek revision in existing Engagement Letter clarifying the billing for the Hearing Officer, and the relationship between retained counsel and the Hearing Officer. These revisions shall be submitted at the May, 1995 meeting.

The Board reaffirms the selection of Judge George Barker as the Hearing Officer for KHSAA appeals cases.

The Board also directs staff to initiate correspondence with Chairman Joe Kelly recapping the process for selection used in the hiring of Judge Barker including references to attempts to hire Attorney General Hearing Officers and other individuals considered.

Ken Cox seconded the motion which passed unanimously.

There being no further business to come before the Board, Stan Steidel made a motion to adjourn. Cookie Henson seconded. The meeting was adjourned at 2:30 p.m.

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