

JANUARY BOARD OF CONTROL MEETING MINUTES

The Board of Control of the Kentucky High School Athletic Association met at the KHSAA Office, Lexington, Kentucky, on Friday, January 15, 1999. President Stan Steidel called the meeting to order at 8:30 a.m. All Board members were present with the exception of Lois Adams-Rodgers, Frank Cardwell and Ken Cox. Others in attendance were Commissioner Louis Stout, Executive Assistant Brigid DeVries, Assistant Commissioners Larry Boucher and Julian Tackett, S.I.D. Butch Cope, Ken Tippett, Anne W. Mays and Kevin Mason, representing the State Dept. of Education. The invocation was given by Roland Williams.

Mr. Eddie Saylor made a motion to approve the minutes of the November 18, 1998, meeting. Gary Kidwell seconded the motion which passed unanimously.

Mr. Tom Bryant made a motion to approve the minutes of the special meeting held December 4, 1998. Wendell Thomas seconded the motion which passed unanimously.

Bill Beasley made a motion to approved the bills of the Association for the period November 1 through December 31, 1998. Eddie Saylor seconded the motion. Following questions and clarifications relative to an accounts payable, the motion passed unanimously.

Bob Rogers made a motion, seconded by Cookie Henson, that the Hearing Officer's Recommendation be set aside in Appeal #399, heard November 16. The motion passed 12-1. In support of its decision, the Board issued the following findings: The circumstances in this case do not warrant a waiver of KHSAA Due Process Procedure 3, Foreign Students Not Coming Through NASSP Approved Programs nor Bylaw 6, Sec. 2, Non-Domestic Students. As a Conclusion of Law, the Board of Control found that to allow this student to participate in interscholastic athletics would establish an undesirable precedent and would depreciate the value of Bylaw 6, Sec. 2. The order was made final and therefore Marciej Srebzynski is hereby declared ineligible to participate at Louisville Collegiate School for a period of one year from September 4, 1998.

Betsy Glover made a motion, seconded by Wendell Thomas, that the Hearing Officer's Recommendation be accepted on Appeal #400 heard November 16. The motion passed unanimously.

No.	BylawStudent	School	Findings
#400 6	Timothy W. Wheatley	Jeffersontown	Eligible

Bob Rogers made a motion, seconded by Wendell Thomas, to accept the Hearing Officer's Recommendation on Appeal #403 heard on November 16. The motion passed 10-1 with 2 abstentions.

No.	BylawStudent	School	Findings
#402 6	Christopher H. Robinson	Univ. Heights	Eligible

Bob Rogers made a motion, seconded by Gary Kidwell, to accept the Hearing Officer's Recommendation on Appeal #403 heard on November 16. The motion passed 10-2 with 1 abstention.

No.	BylawStudent	School	Findings
#403 6	Matthew Allen Kem	Univ. Heights	Eligible

Bob Rogers made a motion, seconded by Bill Beasley, to remand Appeal #405 in the matter of Robert Lee Leffew, Boyle County High School, back to the Commissioner for further investigation. The motion passed 11-1 with Tom Bryant abstaining. Therefore, Robert remains eligible to participate in interscholastic athletics at Boyle County High School until the Board of Control considers the case at its May meeting.

Bob Rogers made a motion, seconded by Bill Beasley, to remand Appeal #406 in the matter of Clint Meade, Whitesburg High School, back to the Commissioner for further investigation. The motion passed 12-1. Therefore, Clint remains eligible to participate in interscholastic athletics at Whitesburg High School until the Board of Control considers the case at its May meeting.

Betsy Glover made a motion, seconded by Cookie Henson, that the Hearing Officer's Recommendation be set aside in Appeal #407, heard November 17. The motion passed unanimously. In support of its decision, the Board found that based on Bylaw 6, Sec. 1, a student who becomes emancipated does not have a bona fide change of residence unless there is proof that the change of residence was

compelled by circumstances beyond his/her control. The Board further found that it would not be unfair to Stewart to strictly enforce the provisions of the rule. As a Conclusion of Law, the Board of Control finds that to allow this student to participate in interscholastic athletics would establish an undesirable precedent and would be a detriment to the Association's Bylaw 6, Transfer Rule. The Board further orders that the Hearing Officer's decision be set aside, and that Stewart Cooley be declared ineligible to participate at Pulaški Southwestern High School.

Bob Rogers made a motion, seconded by Tom Bryant, that the Hearing Officer's Recommendation be set aside in Appeal #408, heard December 7, 1998. The motion passed unanimously. In support of its decision, the Board issued the following findings of fact: The circumstances in this case do not warrant a waiver of KHSAA Due Process Procedure 3, Foreign Students Not Coming Through NASSP Approved Programs nor Bylaw 6, Sec. 2, Non-Domestic Students. As a Conclusion of Law, the Board of Control found that to allow this student to participate in interscholastic athletics would establish an undesirable precedent and would depreciate the value of Bylaw 6, Sec. 2. The order was made final and therefore Philipp Bauemer is hereby declared ineligible to participate at Villa Madonna Academy for a period of one year from September 16, 1998.

Roland Williams made a motion, seconded by Tom Bryant, that the Hearing Officer's Recommendation be set aside in Appeal #409, heard December 7, 1998. The motion passed unanimously. In support of its decision, the Board issued the following findings of fact: The circumstances in this case do not warrant a waiver of KHSAA Due Process Procedure 3, Foreign Students Not Coming Through NASSP Approved Programs nor Bylaw 6, Sec. 2, Non-Domestic Students. As a Conclusion of Law, the Board of Control found that to allow this student to participate in interscholastic athletics would establish an undesirable precedent and would depreciate the value of Bylaw 6, Sec. 2. The order was made final and therefore Nicole Keil is hereby declared ineligible to participate at Villa Madonna Academy for a period of one year from September 18, 1998.

Gary Kidwell made a motion, seconded by Tom Bryant, to accept the Hearing Officer's Recommendations on the following appeals heard November 16 and December 7, 1998.

No.	BylawStudent	School	Findings
#397 4&5	Tanya Preston Smith	Garrard Co.	Ineligible
#398 4&5	Kristina Louanne Estep	George R. Clark	Ineligible
#412 6	Matthew Lynch	Mayfield	Ineligible

Tom Bryant made a motion, seconded by Bill Beasley, to accept the Hearing Officer's Recommendation on Appeal #396 heard on November 16. The motion passed unanimously.

No.	BylawStudent	School	Findings
#396 7	Antoine Beatty	Tates Creek	Ineligible

Bill Beasley made a motion, seconded by Bob Rogers, to remand Appeal #411 in the matter of Ben Shultz, Montgomery County High School, back to the Commissioner for further investigation. The motion passed 9-4. Therefore, Ben remains ineligible to participate in interscholastic athletics at Montgomery County High School until the Board of Control considers the case at its May meeting.

Bob Rogers made a motion, seconded by Roland Williams, to uphold the Hearing Officer's Recommendation on Appeal #380 heard on October 21. The motion passed 7-5.

No.	BylawStudent	School	Findings
#380 6	Ashley Nicole Hild	Sacred Heart Academy	Eligible

Bill Beasley made a motion, seconded by Eddie Saylor, that the Hearing Officer's Recommendation be set aside in Appeal #386, heard October 22, 1998. The motion passed 10-2. In support of its decision, the Board felt it would not be unfair to Stephen to strictly enforce the provisions of Bylaw 4, Sec. 1(c), which provides for a maximum of eight (8) consecutive semesters after enrolling in grade nine (9). As a Conclusion of Law, the Board of Control finds that to allow this

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student to participate in interscholastic athletics would establish an undesirable precedent and would be a detriment to the Association's Bylaw 4, Enrollment. The order was made final and Stephen Bates Laird is hereby declared ineligible at Trinity High School.

Bob Rogers made a motion, seconded by Bill Beasley, to uphold the Hearing Officer's Recommendations on Appeal #401 heard November 16. The motion passed unanimously.

No.	BylawStudent	School	Findings
#401 6	Melissa E. Solomon	Reidland	Ineligible

Betsy Glover made a motion, seconded by Wendell Thomas, that the Hearing Officer's Recommendation be accepted on Appeal #404 heard November 17. The motion passed 12-1.

No.	BylawStudent	School	Findings
#404 6	Stephen Nicholas Matheis	DeSales	Ineligible

Betsy Glover made a motion, seconded by Wendell Thomas, that the Hearing Officer's Recommendation be accepted on Appeal #413 heard December 7. The motion passed 12-0 with one abstention.

No.	BylawStudent	School	Findings
#413 6	Rudi W. Grentz	South Laurel	Ineligible

Mr. Stout advised the Board that an error was made on the KHSAA Transfer Form for Kelly McCabe, Villa Madonna Academy. The receiving school then filed an Appeal (#410) and was heard by the Hearing Officer on December 7. The Hearing Officer, in receipt of a letter from Notre Dame Academy stating that they had indeed made an error on the Transfer Form, ruled Kelly eligible immediately to participate in interscholastic athletics at Villa Madonna Academy due to the fact that no transfer form should have been sent to the Commissioner for a ruling as this student had not participated in varsity sports. The Board took no action.

Commissioner Stout advised the Board that January 19, 1999, was the last appeals hearing day for Judge George Barker as he has resigned. He noted that at the present time he has no new Hearing Officer to recommend to the Board but will be forwarding information to them in the near future.

The next items on the Agenda were the Committee Reports:

Museum Committee - Bill Beasley, Chairperson, called on Sam Dunn, USA Properties, who presented a proposal for fund raising alternatives for the KHSAA Museum. Following his presentation, questions and comments were addressed to Mr. Dunn. Mr. Beasley thanked him for coming and asked him to meet again with the Committee at its May meeting. Mr. Beasley had no recommendations to make at the present time.

Executive Committee - Stan Steidel, Chairperson, presented the following items: 1) Current Contracts - The Board had received a list of existing contracts and reaffirmed that they will approve all contracts in accordance with model procurement code and adopted KHSAA procedures. 2) Summer Meeting Site - Following a discussion of sites for the July Board meeting, Betsy Glover made a motion to hold the Summer Meeting at Green Turtle Bay Resort in Western Kentucky. Wendell Thomas seconded the motion which passed unanimously. 3) USA Properties - No action was taken on their proposal and status report. 4) NFIOA membership for Assigning Secretaries - Roland Williams made a motion, seconded by Betsy Glover, that all KHSAA Assigning Secretaries become registered with the NFIOA, and that their fees be paid from the officials' trust fund. The motion passed unanimously. 5) Interim Eligibility Review - It was recommended that the Board consider the Hearing Officer's Recommendations for January and February during the Boys' Basketball Tournament in March. Mr. Steidel announced that he would like for the Audit & Finance Committee to meet at that time also to consider a staff salary schedule proposal.

Audit & Finance Committee - Stan Steidel, Chairperson, recommended that the Board approve the KHSAA Financial Report from July 1 - December 31, 1998. Bill Beasley made a motion, seconded by Cookie Henson, to accept Mr. Steidel's recommendation. Mr. Steidel then recommended that the Board empower the Commissioner and Board President to review the refinancing documents and be allowed

to sign them, but that the cost not exceed \$6,000.00. Bill Beasley made a motion, seconded by Wendell Thomas, to accept the recommendation. The motion passed unanimously.

Title IX Ad Hoc Committee - Stan Steidel, in the absence of Ken Cox, Chairperson, recommended that the committee be changed from an Ad Hoc Committee to a full time committee. Roland Williams made a motion, seconded by Kathy Johnston, to accept Mr. Steidel's recommendation. The motion passed unanimously. It was suggested that the Board share their Title IX future plans with the Kentucky Department of Education as presented.

Constitution & Bylaws Committee - 1) Bob Rogers, Chairperson, made a recommendation that Proposals 1, 2, 3, 4 and 6 which were passed at the recent Delegate Assembly and approved by the Board be sent to the Department of Education for adoption. Bill Beasley seconded the motion. The motion passed 10-2. Following a discussion of Proposal 7, passed at the Delegate Assembly, Mr. Rogers recommended that this proposal be sent to the Department of Education without the Board's recommendation for approval. The motion passed 9-4. 2) Chairman Rogers then recommended that the Commissioner and Staff draft a "dead period" bylaw and send to the schools as a referendum. Kathy Johnston seconded the motion which passed unanimously. 3) Mr. Stout then advised the Board that the Task Force had submitted a draft of Bylaws 6 and 30 which they recommended be sent to the schools as a referendum. Eddie Saylor made a motion to accept the recommendation of the Commissioner. Tom Bryant seconded the motion which passed 8-4.

Basketball Committee - 1) Eddie Saylor, Chairperson, recommended denial of Clinton County's request to move from Region 4 to Region 12. Gary Kidwell seconded the motion which passed unanimously. 2) Mr. Saylor then announced the postseason officials' assignment recommendations for basketball districts and regions:

Region #	Dist Off	Reg Off
1	In	Out
2	In	Out
3	In	Out
4	In	Out
5	In	Out
6	In	In
7	In	In
8	In	Out
9	In	In
10	In	In
11	In	In
12	In	Out
13	In	Out
14	In	Out
15	In	Out
16	In	Out

3) Mr. Saylor announced that the three-person official crew for regular season is under study and the committee had no recommendation at the present time. The Committee reaffirmed its commitment to three person officiating for post season play beginning with the 1999-2000 season.

Fall & Winter Sports Committee - Kathy Johnston, Chairperson, recommended that draft proposal #4 of the Volleyball district alignment for 1999-2000 be approved as submitted by the Volleyball Committee. Betsy Glover seconded the motion which passed.

Spring Sports Committee - Roland Williams recommended that staff prepare a separate draft alignment for track and cross country and submit to their committee for consideration. James Sexton seconded the motion which passed.

Ad Hoc Hall of Fame Committee - Bill Beasley, Chairperson, recommended the Board's approval of the Hall of Fame Nomination and Selection draft with changes as presented. Betsy Glover seconded the motion which passed unanimously.

Items distributed for the Board's information only were Transfer

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Rulings from November 1 to December 31; Board of Control's goals and objectives for 1999-2002; Commissioner's 1998-99 Report to Delegate Assembly.

Items of discussion included 1) Mr. Cope's announcement of the S160 Draw to be held on Channel 27 at 12:30 p.m. on January 29; 2) Mr. Cope's explanation of the broadcasting fees for the boys' and girls' basketball tournaments; 3) Concerns about the location of the baseball/softball clinics in Western Kentucky. Mr. Tackett explained that clinics are conducted in alternating regions in baseball. 4) Mr. Stout announced the possibility of Judge Pete Karem's appointment as the new KHSAA Hearing Officer. 5) Mr. Frank Cardwell has taken a position out of state and has therefore resigned from the Board of Control. 6) The Hall of Fame Museum development.

There being no further business to come before the Board the meeting was adjourned at 12:15 p.m.

NEXT BOARD OF CONTROL MEETING
Committee Meetings
March 11-12 • Lexington
Board of Control Meeting
March 18-19 • Bowling Green



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