

MINUTES OF THE BOARD MEETING

DECEMBER 1, 2000

President Roland Williams convened the special meeting of the Board of Control on Friday, December 1, 2000 at 8:00 a.m. All Board members were present except Cynthia Elliott, Betsy Glover, Dale Stewart and Jerry Taylor. Also present were Commissioner Louis Stout, Executive Assistant Commissioner Brigid DeVries, Assistant Commissioner Julian Tackett, Fundraising Consultant Ken Tippet and Office Manager Darlene Koszenski. Kyna Koch, representing the Department of Education, was also present. Cary Barr and Jeff Isaacs from Paris High School were guests.

Gary Dearborn was called on for the invocation.

The Constitution & Bylaws Committee met for a final review of proposals to be submitted at the January, 2001 Delegate Assembly. Chairperson Bob Rogers asked the record to show that:

1. At the recommendation of the NFHS, KMA and KHSAA Legal Counsel, Danny Reeves, the Board will not be submitting a proposal allowing Nurse Practitioners to perform and sign off on athlete physical exams. Commissioner Stout was asked to send them a letter explaining the Board's position on this issue.
2. Kyna Koch will discuss Proposal 4, regarding Bylaw 6 at the next meeting of the KDE. If the proposal is not approved by the full board, it will be withdrawn.
3. Copies of the final proposals will be mailed to schools by December 15th.
4. Wording on proposals submitted by other parties and approved by the Board of Control will be changed as follows: "Approved by the Board of Control on recommendation of (name of submitting committee or individual)".

Bob Rogers, Chairperson, made the following motion for the Board's approval:

1. Remove Proposal 2 because it is in conflict with the Open Records Act and may be illegal.

Commissioner Stout mentioned there will be a de novo hearing in Bowling Green on December 20th and as many Board members as possible need to be present in order to have nine votes on the case.

The next item on the agenda was consideration of the Hearing Officer's Recommendations (Cases in which the student was recommended to be eligible). Kathy Johnston made a motion, seconded by Paul Dotson, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed 9-0 with one (Wendell Thomas) recusal:

No.	Bylaw	Student	School	Findings
#564	6(2)	Edward Gutierrez	Fern Creek High School	Eligible

The next item on the agenda was consideration of the Hearing Officer's Recommendations (Cases in which the student was recommended to be ineligible). Gary Dearborn made a motion, seconded by Kathy Johnston, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed 9-0 with one (Ken Cox) recusal:

No.	Bylaw	Student	School	Findings
#556	6	Mitchell Thornton	Paul Dunbar (Lexington Catholic)	Ineligible

Eddie Saylor made a motion, seconded by L.V. McGinty, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed 9-0 with one (Ken Cox) recusal:

No.	Bylaw	Student	School	Findings
#558	6	Amanda Neely	Tates Creek (Paul Dunbar)	Ineligible

Paul Dotson made a motion, seconded by Kathy Johnston, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed unanimously:

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No.	Bylaw	Student	School	Findings
#559	6	Sarah Todd	Assumption (DuPont Manual)	Ineligible

Ken Cox made a motion, seconded by Kathy Johnston, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed 9-0 with one (Wendell Thomas) abstention:

No.	Bylaw	Student	School	Findings
#560	6	Lucy Welton	St. Francis (Louisville Collegiate)	Ineligible

Gary Dearborn made a motion, seconded by Kathy Johnston, to uphold the Hearing Officer's Recommendation on the following appeal. L.V. McGinty noted she would be ineligible under the 8 semester rule, anyway. The motion passed 9-0 with one (Wendell Thomas) abstention:

No.	Bylaw	Student	School	Findings
#561	6(2)	Daria Sturupp	St. Francis	Ineligible

Kathy Johnston made a motion, seconded by Eddie Saylor, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed 9-0 with one (Wendell Thomas) abstention:

No.	Bylaw	Student	School	Findings
#562	6(2)	Norma Sandoval	St. Francis	Ineligible

Eddie Saylor made a motion, seconded by Ken Cox, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed unanimously:

No.	Bylaw	Student	School	Findings
#563	6(2)	Benjamin Jonzeck	Prestonsburg	Ineligible

The next item on the agenda was consideration of the Hearing Officer's Recommendations (Cases in which exceptions were filed). Gary Dearborn made a motion, seconded by Paul Dotson, to uphold the Hearing Officer's Recommendation on the following appeal. It was noted that the Finding of Fact should state grades 9-12, not K-12. The motion passed unanimously:

No.	Bylaw	Student	School	Findings
#544	6	Joshua Wade Begley	June Buchanan (Perry County Central)	Ineligible

Bob Rogers made a motion, seconded by L.V. McGinty, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed unanimously:

No.	Bylaw	Student	School	Findings
#545	6	Andrew Smith	June Buchanan (Letcher)	Ineligible

Ken Cox made a motion, seconded by Gary Dearborn, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed unanimously:

No.	Bylaw	Student	School	Findings
#555	6	Landon Cofer	Grant County (Williamstown)	Ineligible

Eddie Saylor made a motion, seconded by Paul Dotson, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed 6-3 with one (Kathy Johnston) recusal. However, in an eligibility matter being considered by the Board, nine affirmative votes are required to approve any motion. Therefore, this matter was automatically tabled for consideration at the regular Board of Control meeting on January 11, 2001. In the interim, Jamile remains

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eligible to participate in interscholastic athletics at Bourbon County High School. The Board has made no final determination in the matter at this time.

No.	Bylaw	Student	School	Findings
#557	6	Jamile Brown	Bourbon County (Paris High School)	Eligible

Mr. Williams then called the Board's attention to the date for the next regular Board of Control Meeting, Wednesday and Thursday, January 10-11, 2001. All Board members will be arriving on January 8th and staying at the Hilton Garden Suites in conjunction with the Annual Meeting on Tuesday, January 9th.

Wanting to have a Frankfort venue for appeals because we are under the State, is in conflict with wanting to be appointed as the only authority to handle high school sports.

The KDE will appoint an at-large board member to replace Lois Adams-Rodgers at their meeting next week. Commissioner Stout would like to have a representative from the private school sector. He is forming an ad hoc committee consisting of 16 members – 8 from private schools and 8 from public schools. They will meet before the basketball finals. Staff and Board of Control members are welcome to attend as spectators. The purpose of the committee is to look at changing the constitution regarding school membership and looking at financial aid issues.

There being no further business to come before the Board, Ken Cox made a motion to adjourn. The motion was seconded by Kathy Johnston, and passed unanimously. The meeting adjourned at 10:30 a.m.

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