

Fall 2003

BOARD OF CONTROL MINUTES - AUGUST 2003

President Paul Dotson convened the special meeting of the Board of Control on Monday, August 25, 2003 at 8:30 a.m. All Board members were present except Sally Haerberle and Robert Stewart. Also present were Commissioner Brigid DeVries, Assistant Commissioners Larry Boucher, Julian Tackett and Roland Williams, Director of Promotions and Media Relations Butch Cope, Fundraising Consultant Ken Tippett and Office Manager Darlene Koszenski. Guests included KHSAA legal counsel, Phil Scott, Greenebaum, Doll & McDonald; Michael Dailey, KDE liaison; Sheila Vaughn and Tim Campbell, iHigh.Inc.

Gary Dearborn was called on for the invocation.

President Dotson welcomed Donna Wear to the Board (representing regions 1-8) and requested that the record show sixteen out of eighteen Board members were present, and that ten votes were needed to pass any eligibility motions.

Tim Campbell, iHigh.Inc., presented a power point presentation regarding a potential title partner for the Boys Sweet 16® Basketball Tournament. Sheila Vaughn then presented the KHSAA with the year end settlement check.

Paul Dotson made a motion, seconded by Gary Dearborn, to go into Executive Session to discuss a pending Association contract. The motion passed unanimously. Jeff Perkins made a motion, seconded by Ken Hurt, to come out of Executive Session. The motion passed unanimously. No action was taken during Executive Session.

Paul Dotson made a motion, seconded by Lonnie Burgett, to move forward with the Boys' Sweet 16® Title Partnership, inclusive of the Board's points of concern. The motion passed 15-1 (Jim Sexton opposed).

Assistant Commissioner Roland Williams presented a proposal from the Soccer Assigning Secretaries for an official pay increase during regular season. Two-person officiating would increase from \$40 to \$60 per game; and three-person officiating would increase from \$35 to \$50 per game. The proposed increase would be effective starting with the 2004-05 school year. The Board asked Mr. Williams to check with schools on the current fees paid, and put the item on the agenda for the September Board meeting, when the Officials Committee will meet to discuss the proposal.

Assistant Commissioner Larry Boucher requested that Bylaw 27 be changed to ensure that all coaches have an annual attendance requirement in specified sports, rather than every other year in those sports. Lonnie Burgett made a motion, seconded by Jeff Perkins, to submit the proposal to the 2004 Annual Meeting, which would be effective the 2004-05

school year.

Mr. Boucher then informed the Board that he had a female candidate to potentially officiate at the 2004 Boys' Sweet 16® Basketball Tournament. He also provided information on other states that are using the mercy rule in basketball.

President Dotson then declared an Executive Session, to discuss pending legal matters. No action was taken during Executive session.

The Board of Control then considered the following appeals in compliance with the KHSAA Due Process Procedure:

Case #, Bylaw, H. O. Recommend, Board Motion, Board Second, Vote, Status

735, 6, INELIGIBLE, Remand (Saylor), Perkins, 16-0, Sept. Agenda

739, 6, ELIGIBLE, Accept (Dearborn), Elliott 13-3, Eligible

741, 6, ELIGIBLE, Accept (Taylor), Elliott 14-2, Eligible

745, 6, ELIGIBLE, Remand (Sexton), Saylor 13-2-1, Sept. Agenda

740, 4, INELIGIBLE, Accept (McGinty), Elliott 15-0-1, Ineligible

742, 6, INELIGIBLE, Accept (Dearborn), Burgett 15-0-1, Ineligible

743, 6, INELIGIBLE, Overturn (Dearborn), Sexton 12-4, Eligible (A)

746, 6, INELIGIBLE, Accept (Perkins), Burgett 16-0, Ineligible

744, 6, EXCEPTIONS, Overturn (Sexton), McGinty 14-2, Eligible (B)

(A) - Findings of Fact related to Case 743

1. The KHSAA Board incorporates by reference the Findings of Fact in the Hearing Officer's recommended order.

Conclusions of Law

1. Student's transfer is subject to Bylaw 6; Section 1 ("Bylaw 6") because they participated in varsity sports at sending school and transferred to receiving school.

2. Student's transfer does not meet a specific, enumerated exception to Bylaw 6.

3. Student's transfer merits a waiver of Bylaw 6 under the discretionary Due Process Procedure waiver provision because strict application of Bylaw 6 is unfair to them and the circumstances creating the ineligibility are clearly beyond the control of all the parties involved.

(B) - Findings of Fact related to Case 744

1. The KHSAA Board incorporates by reference the Findings of Fact in the Hearing Officer's recommended order. The KHSAA Board further finds that:

a. The facts were clarified by the exceptions duly filed to the recommended order.



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J. B. J.

Assistant Commissioner Julian Tackett informed the Board that basketball alignment mapping information will be available at the September Board meeting. Mr. Dotson mentioned that Ken Trivette, Kentucky Association of Basketball Coaches, would like to be involved in any decisions made.

There being no further business to come before the Board, Paul Dotson made a motion to adjourn. The motion was seconded by Eddie Saylor, and passed unanimously. The meeting adjourned at 12:15 p.m.

Paul Dotson
Brigid L. DeVine