

### **BYLAW 3. MAXIMUM NUMBER OF YEARS**

#### **Sec. 1) LIMIT OF FOUR YEARS**

- a) A student entering grade nine (9) for the first time in any high school shall have four (4) consecutive calendar years of eligibility from the date of first entry into grade (9) in any school provided the student is eligible according to this and all other Association bylaws.
- b) The eligibility shall conclude with the completion of the spring sports season following the fourth year.
- c) No additional eligibility may be granted in a case where the grant would allow a student to compete in all or part of the fifth competitive season in a single sport following the initial entry into grade nine (9).

#### **Sec. 2) ADDITIONAL ELIGIBILITY**

- a) The Ruling Officer and the Commissioner through the Due Process Procedure, may grant additional eligibility in the case where it has been documented by the attending physician, Principal and Superintendent that severe illness or injury has prevented the student from receiving basic education services and the right to an education has therefore been impacted rather than simply the loss of athletic privilege.
- b) The documentation from the attending physician, Principal and Superintendent shall be from those involved with the student at the time of the original injury or illness.
- c) The grant of eligibility may only be made in the cases in which the student-athlete would remain eligible by all other Association bylaws.
- d) This provision shall not include additional eligibility strictly for loss of participation due to sports related injuries.
- e) No additional eligibility may be granted in a case where the grant would allow a student to compete in all or part of the fifth competitive season in a single sport following the initial entry into grade nine (9).

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#### **Case BL-3-1- Why is there a requirement that limits the number of years and stipulates a maximum participation requirement?**

*Without a clearly defined limit, avenues remain open for redshirting, deception, legal maneuvering, and other athletics-driven motivations for a student to remain in school rather than proceeding on into college or into the work force thereby denying the participation of a student who is otherwise "next in line" to play. However, the mere lack of these motivations does not in and of itself constitute justification for a waiver.*

*A maximum participation requirement is in place because it:*

- (1) promotes timely progress toward graduation by discouraging students from delaying or interrupting their high school education;*
- (2) disallows students to enroll for one single semester each school year to increase athletic ability and skill;*
- (3) diminishes risks stemming from unequal competition;*
- (4) places emphasis on the year-long academic mission of the school;*
- (5) promotes harmony and fair competition among member schools by maintaining equality of eligibility affording each student the same number of semesters of athletic eligibility;*
- (6) increases the number of students who will have an opportunity to participate in interscholastic athletics;*
- (7) is conducive to the prevention of redshirting;*
- (8) helps avoid exploitation by coaches or boosters who otherwise might seek to obtain transfers or to delay a student's normal progress through school; and*
- (9) prevents displacement of younger student-athletes by older students wishing to protract unfairly their high school careers.*

#### **Case BL-3-2- Is it permissible for a school district or member school to adopt additional stipulations regarding a maximum number of years that are more stringent than KHSAA rules?**

*Yes. While a school or school district cannot establish a standard that is more lenient than the KHSAA requirements, a school or school district may set other requirements. For those requirements which are more stringent than the KHSAA rules, the KHSAA will not be involved in enforcement of those regulations.*

#### **Case BL-3-3- How is the determination made regarding eligibility under Bylaw 3 when a student comes in from a nonmember school system in Kentucky or when promotion/retention records are not available?**

*Students enrolling at KHSAA member schools after having been enrolled in non-KHSAA school districts (home school, nonmember school) are placed into the proper class according to documented procedures within the school district of the KHSAA member school. From that point, the provisions of Bylaw 3 apply and the student will have only one year of eligibility per remaining grade, and shall meet the provisions of all other KHSAA bylaws.*

#### **Case BL-3-4- When is a waiver available under Bylaw 3, Sec. 2 and are there legal provisions for gaining additional semesters/years for those students retained by the parents or due to athletic injury?**

*Unless basic education services are not available to the student-athlete due to illness or injury, each student shall be limited to four consecutive years of opportunity for participation in high school sports. Without this clearly defined limit, other athletic-driven motivations for a student to remain in school rather than proceeding on into college or into the work force exist and thereby deny the participation opportunity of a student who is otherwise "next in line" to play.*

*Additional semesters/years are available only in tightly crafted exceptions contained in the bylaw. The necessary written verification of the lack of available education services shall come from the attending physician at the time of the injury or illness that resulted in deprivation of educational services. There are no provisions in the bylaws for other types of repeating in order to allow for additional semesters/years due to sports related injuries.*

*A ruling for additional semesters/years is not ripe for review until it is clear that a student will not be able to complete the academic requirements to graduate. Until that time, any request is speculative and is not to be reviewed. This will normally be at the end of the student's third year following entry into grade nine (9), but may be into the fourth year depending upon the individual circumstances.*

*Kentucky Department of Education regulations place the responsibility for promotion or retention of a student on school personnel and not parents. Verification and documentation as to the retention/promotion decision is solely the responsibility of school personnel and will be based solely on the written record by the school in which the student was enrolled at the time of retention or promotion.*

*Documentation of the promotion/retention decision may include such things as STI/Infinite Campus records or other written documentation and shall always be available for review until the student graduates.*

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