

## MINUTES OF THE BOARD MEETING

NOVEMBER 15-16, 2006

President Gary Dearborn convened the regular meeting of the Board of Control on Thursday, November 16, 2006 at 9:00 a.m. All Board members were present except Jeff Schlosser and Bob Schneider. 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. KHSAA legal counsel, Ted Martin, was also present.

Jeff Perkins provided a moment of reflection, followed by the Pledge of Allegiance, led by Roland Williams.

President Dearborn requested the record show that sixteen out of eighteen Board members were present, and that ten votes were needed to pass any eligibility motions.

Donna Wear made a motion to approve the minutes of the September 15, 2006 regular meeting. The motion was seconded by Lonnie Burgett, and passed unanimously.

Donna Wear made a motion to approve the minutes of the October 19, 2006 special meeting. The motion was seconded by Jerry Keepers, and passed unanimously.

Ozz Jackson made a motion to approve the minutes of the October 20, 2006 Annual Meeting. The motion was seconded by Steve Parker, and passed unanimously.

Donna Wear made a motion, seconded by Lonnie Burgett, to go into Executive Session to discuss pending legal cases. The motion passed unanimously. L.V. McGinty made a motion, seconded by Chuck Broughton, to come out of Executive Session. The motion passed unanimously. 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
#1091	6	Eligible	Uphold (McGinty)	Moore	16-0	Eligible
#1094	6	Eligible	Uphold (Jackson)	Keepers	12-3-1 (Wear)	Eligible
#1095	6	Eligible	Uphold (Weedman)	Parker	12-3-1 (Jackson)	Eligible
#1097	6	Eligible	Overturn (Burgett)	Perkins	10-5-1 (Barren)	Ineligible-A
#1088	6	Ineligible	Uphold (Perkins)	Broughton	15-1	Ineligible
#1089	6	Ineligible	Uphold (Burgett)	Keepers	16-0	Ineligible
#1090	6	Ineligible	Uphold (Donhoff)	Parker	15-1	Ineligible
#1092	6	Ineligible	Uphold (Moore)	McGinty	15-0-1 (Jackson)	Ineligible
#1093	6	Ineligible (Exceptions)	Uphold (McGinty)	Burgett	14-0-2 (Donhoff) (Moore)	Ineligible
#1096	6	Ineligible (Exceptions)	Uphold (Weedman)	Keepers	15-0-1 (Moore)	Ineligible

#1098	6	Ineligible (Exceptions)	Uphold (Burgett)	Wear	15-0-1 (Moore)	Ineligible
#1099	6	Ineligible (Exceptions)	Uphold (Weedman)	Broughton	16-0	Ineligible
#1100	6	Ineligible (Exceptions)	Uphold (Burgett)	Broughton	14-2	Ineligible
#1080	6	Reconsider by BOC	Remand for Supplemental Hearing (Barren)	Moore	14-0-2 (Dearborn) (Weedman)	Ineligible

**A-Findings of Fact-Case #1097**

1. The KHSAA Board incorporates by reference the Findings of Fact as contained in the Hearing Officer's Recommended Order. The KHSAA Board reaches different Conclusions of Law, however, from those same Findings of Fact.

**Conclusions of Law**

Based on the whole record, the Board concludes that the application of the period of ineligibility contained in Bylaw 6(2) should not be waived for the following reasons:

1. The student's transfer is subject to Bylaw 6(2) because he participated in varsity sports at Peters Township High School ("Peters Township"), McMurray PA. after participating in an approved foreign exchange program and then transferred to the receiving school.
2. Contrary to the Hearing Officer's conclusions of law, the student's transfer does not satisfy enumerated exceptions to Bylaw 6(2).
3. Bylaw 6(2) clearly states that: *Any student having made election to apply for the waiver of the first year of ineligibility and having been granted a waiver of the normal period of ineligibility under subsection (a) shall not be eligible, under any circumstances, for more than one (1) school year while enrolled in grades 9 -12 in Kentucky.*

L.V. McGinty made a motion, seconded by Bob Stewart, to approve Association bills from September 1, 2006 through October 31, 2006. The motion passed unanimously.

Michael Barren, acting Chairperson for Paula Goodin, **Title IX Committee**, asked the record to show that the following items were discussed with no action taken:

1. Schedule of 2006-2007 school re-visits
2. Prime time dates for girls' basketball
3. Leadership credit for attending Title IX workshops

Lonnie Burgett, Chairperson, **Audit & Finance Committee**, made the following motions for the Board to consider:

1. Accept the detailed audit report, including the transfer of selected designated funds, given by Todd Spencer and Matt Doty, with the firm of Miller, Mayer Sullivan & Stevens. The motion was seconded by Donna Wear, and passed unanimously.
2. Transfer the building reserve funds to pay off the Fifth Third Note by January, 2007. The motion was seconded by Ozz Jackson, and passed unanimously.

Jeff Perkins, Chairperson, **Member Schools and Services Committee**, asked the Board to approve the following motion:

1. Discontinue the lifetime benefit provision of the catastrophic insurance plan, effective with the 2007-2008 school year, and allow staff to solicit other options and to make the postseason deductible the same as regular season. The motion was seconded by Donna Wear, and passed unanimously.

Donna Wear, Chairperson, **Constitution and Bylaws Committee**, asked the record to show that the following items were discussed with no action taken:

1. An update on the promulgation of KHSAA proposals will be included in the *Commissioner's Notes*.
2. Proposal 21 will be a January agenda item.
3. A proposal to fix counting of soccer games was given a first reading.
4. Consideration of fixed counting of volleyball and basketball games was discussed, but no change was proposed.

President Dearborn, **Executive Committee** Chairperson, asked the record to show that:

1. Athletic Director Mark Allen, Butler County High School discussed team sport classification for volleyball, baseball, softball and soccer.
2. Scott Chalk presented a KABC report.
3. Assistant Commissioner Larry Boucher presented draft criteria for assigning secretaries job duties and hire/fire provisions.
4. Strategic Plan Drafts will be on the January agenda.

President Dearborn then called the Board's attention to miscellaneous items listed for their information only:

1. Baseball Advisory Committee has recommended revisions to the state finals schedule.
2. Silver Grove High School was reminded by letter of their obligation to participate in girls' basketball by regulation.
3. A draft survey in response to Kevin Noland's letter regarding an Athletic Trainer Survey will be shared at the December meeting; the final version will be sent to schools in January.

It was decided to move the December meeting from Thursday, December 8, 2006 to Thursday, December 14, 2006 so as many appeals as possible could be considered in a timely manner.

The January meeting will be held on Wednesday & Thursday, January 10-11, 2007.

Mike Barren made a motion, seconded by Steve Parker to allow the Kentucky School for the Blind to participate in the National Blind School Wrestling Finals. The motion passed unanimously.

Mr. Tackett mentioned that the 2007 State Track finals site needs to be finalized in January. Berea and Evangel Christian have withdrawn from district play in football.

Ozz Jackson asked for the Team Sports Committee to meet in January to discuss the ten team soccer district (32).

Estill County High School has requested to be in the 14<sup>th</sup> region for volleyball, according to Mr. Jackson.

Wolf County High School requested that the boys' and girls' golf be in the same region, according to Mr. Jackson.

The Soccer Advisory Committee has recommended rotation in sections, beginning next year. They want to lengthen the soccer season, and eliminate the district runner up from post-season. All of the items will be discussed by the Team Sports Committee.

There being no further business to come before the Board, the Chair declared the meeting adjourned at 12:40 p.m., November 16, 2006.

President Gary Dearborn Gary Dearborn Date Jan. 10, 2007

Commissioner Brigid L. DeVries Brigid L. DeVries Date Jan. 10, 2007