

## MINUTES OF THE ANNUAL MEETING

JANUARY 9, 2001

The 84<sup>th</sup> Annual Meeting of the Kentucky High School Athletic Association was held on Tuesday, January 9, 2001 at the Hyatt Regency in Lexington. KHSAA Board of Control President Roland Williams called the meeting to order at 1:00 p.m. Mr. Larry Boucher, Assistant Commissioner introduced the KHSAA Staff, Board members, and Kentucky Department of Education liaison, Kyna Koch, and welcomed delegates and guests. Mr. Williams went over the procedure for the presentation of the proposals. Mr. Ken Tippet was designated as the Parliamentarian.

Commissioner Louis Stout welcomed everyone, and turned the meeting over to President Roland Williams. A motion to approve the Commissioner's Annual Report to the Delegate Assembly was made by Ed Lowdenback, Oneida Baptist and seconded by Jim Sexton, Eastern High School and passed unanimously.

Ms. Brigid DeVries, Executive Assistant Commissioner, announced that 243 delegates had registered. This was the largest number of delegates present at any Annual Meeting. She then called the roll for any delegates who had not registered. There were none present. Mr. Williams announced that in order for a proposal to pass, 162 affirmative votes were needed.

The next order of business was the presentation of proposals.

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Fred Carter, Bowling Green High School made a motion to adopt Proposal 1. Ed Bentley, Bullitt East High School, seconded the motion.

### PROPOSAL 1

Passed – 216 Yes / 3 No

*Proposed by the KHSAA Board of Control - An amendment to the KHSAA Constitution to clarify the eligibility provisions of the Board of Control.*

**RATIONALE** – Many times today, veteran educators who likely would be Board of Control candidates or may even be present members, are highly transient within a geographic area. In addition, certain situations and needed clarifications are now surfacing as the full effect of the ability for Board members to succeed themselves is manifested. And with the advent and implementation of part-year (i.e. 100-day) contracts, the Commissioner's office is put in a position of interpreting eligibility to serve on the Board of Control, which in fact is the Commissioner's Supervisor, thereby placing the Commissioner in an unenviable position. The provisions related to the Board of Control should be clearly spelled out with little room for interpretation or dispute. This amendment would clarify the eligibility of Board members by requiring them to remain in the section from which they were elected throughout the tenure in office without penalizing the member for accepting another position within the same area of schools whose votes placed them in office. In addition, this change would make the ability of the SECTIONAL board members to change jobs and assignments the same as that of the DESIGNATED board members who are already able to move within regions.

2. SECTIONAL members are not eligible to serve on the Board of Control if the region has been represented for two (2) consecutive four-year terms. If a SECTIONAL representative moves to a different region following his/her election, the region in which the member was employed at the time of election shall be used to determine the status of section for the next election.

#### 3. ELIGIBILITY

To be eligible for membership as a SECTIONAL or DESIGNATED representative on the Board of Control, one must be an employee holding a valid Kentucky Teaching Certificate issued by the Kentucky Department of Education and be an employee of an accredited KHSAA member school or system which is in good standing with the KHSAA. He/she must be employed in the region-section he/she is to represent, and must remain employed in that region-section during his/her tenure of office. Serving in a part-time capacity (less than three hours of instruction or other administrative duties other than a bonafide 100-day contract assignment as approved by rules of the Kentucky Teachers Retirement System) or on leave of absence (exclusive of employee earned sick leave) will terminate the eligibility of the member. He/she shall not be eligible after serving two (2) consecutive

four-year terms. If a vacancy occurs with less than one year remaining on the term in office, the Board of Control shall fill the vacancy for the remainder of the term. If a vacancy occurs with one year or more remaining or if a newly elected member of the Board of Control is unable to take office at the start of his/her term, the Commissioner shall ensure the vacancy is filled within sixty (60) days in the same manner as that prescribed for the regular selection of Board members.

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Tom Wofton, Pendleton County High School made a motion to adopt Proposal 2. Walter Heath, Franklin-Simpson High School seconded the motion.

**PROPOSAL 2**  
**Passed – 212 Yes / 12 No**

*Proposed by the Board of Control* - An amendment to the KHSAA Bylaw 6 to clarify the bonafide change of address provisions in Sec. 1 and to clarify the issue of Foreign Exchange Students in light of the breakdown in agreement between NASSP and CSIET and to allow for the Board to consider the circumstances of students living with families in the United States while being stationed abroad due to work related situations.

**RATIONALE** – This change which is primarily editorial in nature, would clarify the provisions of the transfer rule pertaining to the bonafide change of address by removing the published “hoops” through which a student/family must jump, and restore to the Commissioner’s office, the Board of Control and the Hearing Officer the discretion to determine the appropriateness of a family move for an athlete who has already participated at the varsity level. This would eliminate the conflict apparent with the publishing of the bonafide change definitions and the provisions that discuss movement for athletic reasons. This change does not appear to impact the many legitimate transfer cases which are processed daily by the Commissioner’s office while giving discretion to those involved in the eligibility process to utilize provisions of the rule should unscrupulous moves be made. In addition, the change in Sec. 2 would allow the schools through the Board of Control to maintain control over the use of Foreign Exchange Students in Kentucky high school athletics in light of the breakup of the partnership between NASSP and CSIET.

**Bylaw 6. Transfer Rule**

**Sec. 1. Domestic Students**

A student who has been enrolled in grades nine (9) through twelve (12) and has participated in any varsity game in any sport at any school following enrollment in grade nine (9) has established initial athletic eligibility at the first school for which he/she participates at the varsity level. If that student then transfers schools, he/she shall be ineligible for interscholastic athletics for one year from the date of enrollment at the new school.

The Commissioner has discretion (but is not required) to waive the period of ineligibility set forth above if one of the following exceptions has been met:

- (a) **BONA FIDE CHANGE OF ADDRESS** - If there has been a bona fide change in residence by the parents and student that precedes a student’s change of schools. For purposes of this bylaw, a bonafide change of residence means the moving of the student and his/her parents from one school district defined school attendance area into another school district or defined school attendance area prior to a change in enrollment of the student. ~~To constitute a bonafide change of residence, the new residence shall be verifiable as the primary residence of the student and his/her parents as validated by such records as voter registration, automobile registration, utility and employment records. In addition, to be considered a bonafide change in residence, the change shall remain completed until the normal period of ineligibility (one year from first date of enrollment) has elapsed.~~

A change of residence may not be considered bona fide –

1. If the change in schools is to nullify or circumvent the actions of representatives or rules of the previous school or if the student left the sending school under penalty which would have resulted in their ineligibility at the sending school;
2. If the change in residence occurs after the enrollment at the new school;
3. If the change is motivated in whole or part by a desire to participate in athletics at the new school;
4. If the change in residence is used or manipulated for the purpose of gaining athletic eligibility;
5. If the change in residence by the student and the parent(s) does not reasonably precipitate a transfer to the new school.

A student who becomes emancipated does not have a bona fide change of residence by virtue of his/her emancipation and change of residence for purposes of this bylaw.

- (b) DIVORCE - The KHSAA will not recognize a legal separation as grounds for waiver of the provisions of this bylaw. The Commissioner may waive the provisions of this bylaw in the event of a dissolution of marriage (i.e. a final and legally binding divorce decree from a court of competent jurisdiction) of the parents and a change in the residence of the student pursuant to a court order granting custody of the child to one of the parents with whom the student shall reside. In the event joint custody is awarded to both parents, for purposes of this bylaw, the student shall be deemed to reside at his or her previous residence if one parent retains this residence. If neither parent retains the former residence, the parents shall designate one of their new residences (mother or father) for the purpose of this bylaw, such designation to be reviewed and approved by the Commissioner.
- (c) GUARDIANSHIP/CHANGE OF LEGAL CUSTODY - The KHSAA shall not recognize guardianship or similar arrangements made, for purposes of this bylaw. The Commissioner shall have authority to waive the provisions of this bylaw where it is shown that Legal Custody of the student has been taken from one or both parents and given to a third person by a court of competent jurisdiction and under circumstances indicating: (1) the parent(s) is/are unfit or (2) the court finds that the health and welfare of the student would be better served by the change in Legal Custody.
- (d) DEATH - In the event the death of one or both of the student's custodial parents creates such circumstances that the transfer to another secondary school is deemed appropriate.
- (e) BOARDING SCHOOLS - The Commissioner may waive the period of ineligibility on a one-time basis for students entering a boarding school on a full time basis as a boarding school student.
- (f) ACADEMIC CONCERNS - Any student who transfers to another school because his/her former school is determined to be "in crisis" or in the lowest category as determined by the Kentucky Board of Education under KRS 158.6455 or other applicable adopted regulations may seek a waiver of this bylaw. Unless such determination is made, the KHSAA shall not recognize as grounds for a waiver of the period of ineligibility an argument that the educational needs of the transferring students would be better served through a transfer.
- (g) REASSIGNMENT BY BOARD OF EDUCATION - Through a properly documented reassignment of the Board of Education to another school in the district. To meet this exception for a reassignment, reasons for the assignment may include, but are not limited to, the closing or opening of a school due to consolidation, merger, opening of a new school, or another type or opening or closing or assignment through KRS 158.6455 or other applicable adopted regulation. Such assignment may be to the public school district should a private, parochial or independent school close.
- (h) TRANSFER FROM NON-MEMBER SCHOOL - Any student transferring from a non-member school whose athletic participation has been limited primarily to other non-member schools may have the period of ineligibility waived.

The Commissioner may, as he/she deems necessary, appoint or hire a committee or investigator to conduct any inquiry or investigation concerning any issues arising under this bylaw or any other bylaw. If any member school files a written objection to the factual validity of the certification before the conclusion of the period of time to which the period of ineligibility would normally apply, along with the specific, detailed basis for such, then a complete investigation shall be conducted by the KHSAA and a ruling shall be issued through the Commissioner's office.

No student enrolled in grades 4-12 who has participated in a first team game shall be eligible to represent a second member school during that school year unless that student would qualify for a waiver of the period of ineligibility in accordance with provisions (a) through (h) above.

## Sec. 2. Non-Domestic Students

(a) Foreign exchange students attending school in Kentucky shall be considered ineligible for the first calendar year following enrollment. Under the auspices of approved student exchange programs or in other circumstances approved by the Board of Control within Board policy, these students may be declared eligible and not be subject to the initial one-year period of ineligibility. To be considered for approval by the Board of Control, a foreign exchange program must assign students to schools by a method that ensures that no student, school, or other interested party may influence the assignment for athletic or other purposes. The Board of Control shall establish additional criteria by which it shall approve foreign exchange student programs or placement of other foreign students. The student, Principal or Designated Representative of the member school and a representative of the placement agency shall sign and attest to certification that the athlete complies with the eligibility rules of the

KHSAA and shall not be eligible under any circumstances for more than one year of athletic participation if the first year period of ineligibility is waived.

~~(a)(b)Any student having made election to do such and having been granted a one year waiver of the normal one year period of ineligibility under subsection (a) above shall not be eligible, under any circumstances, for more than one (1) school year while enrolled in grades 9-12 in Kentucky.~~

~~(b)Any foreign student (non-US resident) shall be ineligible for interscholastic athletics for one school year from the date of enrollment in a Kentucky school. The Commissioner may waive the period of ineligibility if the following conditions are met:~~

~~☐The assignment is through a foreign exchange program approved by the “Advisory List of International Educational Travel and Exchange Programs” through the Council on Standards for International Educational Travel (CSIET);~~

~~☐The State Assigning Agency for the approved foreign exchange program is registered and approved with the KHSAA and the Kentucky Board of Education;~~

~~☐The State Assigning Agency for the approved foreign exchange program assigning students in compliance with KHSAA and Kentucky Board of Education Regulations, and certifies compliance with such;~~

~~☐Application for waiver is submitted in sufficient time for the Commissioner to review and rule on such on or before the first day of practice in each sport as provided for in Bylaw 25, Limitation of Seasons;~~

~~☐The student, Principal or Designated Representative of the member school and a representative of the placement agency shall sign and attest to certification that the athlete complies with the eligibility rules of the KHSAA and shall not be eligible under any circumstances for more than one year of athletic participation.~~

~~(c)Any student having made election to do such and having been granted a one year waiver under subsection (a) above shall not be eligible, under any circumstances, for more than one (1) school year while enrolled in grades 9-12 in Kentucky.~~

~~(d)(c)Any student desiring to participate in athletics who does not meet the criteria listed in Sec. 2 above must seek a waiver of the one-year ineligibility period through the KHSAA Due Process Procedure.~~

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Bill Cowan, Calloway County High School made a motion to adopt Proposal 3. Clark Davis, Paducah Tilghman seconded the motion, with an amendment to delete section 3D. The amended motion failed 31 to 105. Doc Sanders, Marshall County High School, seconded the original motion.

### PROPOSAL 3

Failed – 19 Yes / 196 No

*Proposed by Bill Cowan, Athletic Director and Board Appointed Representative, Calloway County High School - An amendment to consider changes and clarifications to Bylaw 6 to specify that in order for a change in residence to be bonafide, it shall be correspondent to a change in jobs by the custodial parent (s) and also to specify that the transfer rule shall apply only to varsity athletes and athletics.*

**RATIONALE** – This restriction would discourage / clarify that a bonafide change of address (or at least the portion waiving the one year period of ineligibility) would not apply unless a legitimate job change situation was documented. In addition, this change would specify that the period of ineligibility applies only to the varsity level, and not to non-varsity levels of play.

- Proposal 3-a – The transfer rule period of ineligibility shall apply only to the varsity level of play, and the student would not be restricted from playing at other levels.
  - Proposal 3-b – The transfer rule period of ineligibility would apply only in the sport(s) that the student participated in at the varsity level at the former school.
  - Proposal 3-c – The transfer rule period of ineligibility would be for one year from the date of last participation at the varsity level at the sending school.
  - Proposal 3-d – The transfer rule provisions for a bonafide change of residence would apply only when coupled with a parental job change. The statement would add to Sec. 1(a), a part 6, which would state that the change in residence would not be bonafide if the family relocation were not precipitated by a parental job change.
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Joe Rogers, Eastern High School made a motion to adopt Proposal 4. Whitney Hankins, St. Francis High School, seconded the motion.

**PROPOSAL 4**  
**Failed – 19 Yes / 199 No**

*Proposed by James Sexton, Principal, Eastern High School - An amendment to Bylaw 6 to allow for a one-time transfer after establishing eligibility.*

**RATIONALE** – Litigation surrounding the transfer rule as well as the cumbersome process of administrative hearings and consideration of the reports occupy far too much staff, board and school representative time. This change would clarify that a student may transfer one-time to or from a school without penalty. To illustrate the disproportionate amount of time spent on these transfer cases, and the need for consideration of a rules revision, examine the data presented at the last Kentucky Board of Education meeting, which is compiled from KHSAA records and from reports submitted by the local public school districts for the 1999-2000 school year. It is important to note that the transfer data (other than KHSAA) is only the data reported by public schools, thereby one would expect a proportional increase in each of these totals if private school data was included.

Type of Transfer	Number
W02 Transfers – A pupil transferring to another public school in the same public school district	14,613
W03 Transfers – A pupil transferring to a non public school in the same public school district	2,370
W04 Transfers – A pupil transferring, without a change in residence, to a school outside the public school district	3,066
W05 Transfers – A pupil who has moved out of this public school district and for whom a request for student records has been received or enrolment has been substantiated.	11,502
Total KHSAA Member School Enrollment	195,807
Total KHSAA Competitors	48,000
Total KHSAA Transfer Forms Processed	804
Total Students Declared Ineligible on KHSAA Transfer Form	184
Total KHSAA Administrative Appeals (of the 184 students)	81
Total Students Declared Ineligible Upon Appeal to Hearing Officer	60
Total Students Declared Ineligible Upon Review of Hearing Officer's Report (includes 6 cases where hearing officer recommend eligible and ruling was reversed)	66
Total Court Cases	Approximately 6

**Bylaw 6. Transfer Rule**

**Sec. 1. Domestic Students**

A student who has been enrolled in grades nine (9) through twelve (12) and has participated in any varsity game in any sport at any school following enrollment in grade nine (9) has established initial athletic eligibility at that school.

A student may transfer one time to another KHSAA member school within the four-year period of eligibility without penalty and shall be immediately eligible. Additional transfers within the same four-year period would result in a one-year period of ineligibility from the date of last participation regardless of circumstances.

Q/A – Under what circumstances would a transferring student be declared eligible? On the first transfer after representing a school in grade nine or above, a student could transfer for whatever the reason. Those reasons might include moving, family, health, district placement for assignment or magnet school purposes, financial hardships or changes to/from private, public or parochial systems. Upon the second move however, the student would be ineligible for one school year without exception.

If that student then transfers schools, he/she shall be ineligible for interscholastic athletics for one year from the date of enrollment at the new school.

The Commissioner has discretion (but is not required) to waive the period of ineligibility set forth above if one of the following exceptions has been met:

- ~~(a) BONA FIDE CHANGE OF ADDRESS — If there has been a bona fide change in residence by the parents and student that precedes a student's change of schools. For purposes of this bylaw, a bonafide change of residence means the moving of the student and his/her parents from one school district defined school attendance area into another school district or defined school attendance area prior to a change in enrollment of the student. To constitute a bonafide change of residence, the new residence shall be verifiable as the primary residence of the student and his/her parents as validated by such records as voter registration, automobile registration, utility and employment records. In addition, to be considered a bonafide change in residence, the change shall remain completed until the normal period of ineligibility (one year from first date of enrollment) has elapsed. A change of residence shall not be considered bona fide if the change in schools is to nullify or circumvent the actions of representatives of the previous school or if the change in residence occurs after the enrollment at the new school. A change of residence shall not be considered bona fide if the change is motivated in whole or part by a desire to participate in athletics at the new school, or if the change in residence is used or manipulated for the purpose of gaining athletic eligibility. A student whose change in residence by the student and the parent(s) does not reasonably precipitate a transfer to the new school shall not be deemed to have a bona fide change in residence for the purposes of this bylaw. A student who becomes emancipated does not have a bona fide change of residence by virtue of his/her emancipation and change of residence for purposes of this bylaw.~~
- ~~(b) DIVORCE — The KHSAA will not recognize a legal separation as grounds for waiver of the provisions of this bylaw. The Commissioner may waive the provisions of this bylaw in the event of a dissolution of marriage (i.e. a final and legally binding divorce decree from a court of competent jurisdiction) of the parents and a change in the residence of the student pursuant to a court order granting custody of the child to one of the parents with whom the student shall reside. In the event joint custody is awarded to both parents, for purposes of this bylaw, the student shall be deemed to reside at his or her previous residence if one parent retains this residence. If neither parent retains the former residence, the parents shall designate one of their new residences (mother or father) for the purpose of this bylaw, such designation to be reviewed and approved by the Commissioner.~~
- ~~(c) GUARDIANSHIP/CHANGE OF LEGAL CUSTODY — The KHSAA shall not recognize guardianship or similar arrangements made, for purposes of this bylaw. The Commissioner shall have authority to waive the provisions of this bylaw where it is shown that Legal Custody of the student has been taken from one or both parents and given to a third person by a court of competent jurisdiction and under circumstances indicating: (1) the parent(s) is/are unfit or (2) the court finds that the health and welfare of the student would be better served by the change in Legal Custody.~~
- ~~(d) DEATH — In the event the death of one or both of the student's custodial parents creates such circumstances that the transfer to another secondary school is deemed appropriate.~~
- ~~(e) BOARDING SCHOOLS — The Commissioner may waive the period of ineligibility on a one-time basis for students entering a boarding school on a full-time basis as a boarding school student.~~
- ~~(f) ACADEMIC CONCERNS — Any student who transfers to another school because his/her former school is determined to be "in crisis" or in the lowest category as determined by the Kentucky Board of Education under KRS 158.6455 or other applicable adopted regulations may seek a waiver of this bylaw. Unless such determination is made, the KHSAA shall not recognize as grounds for a waiver of the period of ineligibility an argument that the educational needs of the transferring students would be better served through a transfer.~~
- ~~(g) REASSIGNMENT BY BOARD OF EDUCATION — Through a properly documented reassignment of the Board of Education to another school in the district. To meet this exception for a reassignment, reasons for the assignment may include, but are not limited to, the closing or opening of a school due to consolidation, merger, opening of a new school, or another type or opening or closing or assignment through KRS 158.6455 or other applicable adopted regulation. Such assignment may be to the public school district should a private, parochial or independent school close.~~
- ~~(h)(a) TRANSFER FROM NON-MEMBER SCHOOL — Any student transferring from a non-member school whose athletic participation has been limited primarily to other non-member schools may have the period of ineligibility waived.~~

The Commissioner may, as he/she deems necessary, appoint or hire a committee or investigator to conduct any inquiry or investigation concerning any issues arising under this bylaw or any other bylaw. If any member school files a written objection to the factual validity of the certification before the conclusion of the period of time to which the period of ineligibility would normally apply, along with the specific,

~~detailed basis for such, then a complete investigation shall be conducted by the KHSAA and a ruling shall be issued through the Commissioner's office.~~

~~No student enrolled in grades 4-12 who has participated in a first team game shall be eligible to represent a second member school during that school year unless that student would qualify for a waiver of the period of ineligibility in accordance with provisions (a) through (h) above.~~

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Dave Carr, Murray High School made a motion to adopt Proposal 5. Ronny Bell, Fort Campbell High School, seconded the motion.

**PROPOSAL 5**  
**Failed – 97 Yes / 118 No**

*Proposed by Bill Cowan, Athletic Director and Board Appointed Representative, Calloway County High School - An amendment to Bylaw 8 and Bylaw 25 to clarify the start of the fall season and to give fall sports the same opportunities as winter and spring sports.*

**RATIONALE** – Each sanctioned sport has a designated season start date and season time span. Once a sport season ends, schools can no longer conduct practice until the end of school, and may not conduct practice at the during the school year prior to that start date. Current rules allow winter and spring sports to be conducted in the period between the fall start date (July 15) and the start of school. This gives winter and spring sports a “gray” period that is not afforded to others. Due to the fluctuation in starting school dates, this “gray” period can be quite harmful to some schools and their fall programs. This proposal would make Bylaw 25 complete and clear with starting and ending dates for all sports. It is important to note that this does not restrict the activity of the athletes during this time as Bylaw 25 specifically addresses school and coach involvement with the students.

**Bylaw 8. Contestant On Other Teams, Post Season and All-Star Games**

Any student who after enrolling in grade nine (9) has been a contestant in football or basketball at any level (grades 9-12) and has eligibility remaining in that sport may not participate on any non-school sponsored team or in any all-star game in that sport or any variation of that sport from the first day of ~~school practice for fall sports~~ through the last scheduled contest played in that sport (including KHSAA sanctioned post-season) by that school unless it has been sanctioned by the Board of Control. Following the team's last scheduled game (including post season), there are no restrictions on play in that specific sport for the student-athletes.

**Bylaw 25. Limitation of Seasons**

Sec. 1. General Provisions Concerning All Sports

(3) Specific Definitions for Beginning and Ending of School

For all interpretations and regulations concerning the beginning of the school year, including restrictions on coaching involvement, the beginning of the school year shall be defined as July 15.

For all interpretations and regulations concerning the ending of the school year, including restrictions on coaching involvement, the end of the school year shall be defined as the earlier of the last day of school or May 31.

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Tom Swartz, Anderson County High School, made a motion to adopt Proposal 6. Jim Webb, West Carter High School, seconded the motion.

**PROPOSAL 6**  
**Failed – 74 Yes / 143 No**

*Proposed by the KHSAA Board of Control - An amendment to revise the counting of games in tournaments in the basketball.*

**RATIONALE** – This amendment is designed to eliminate the clumsy and cumbersome method of counting games in tournaments and ensure that schools are able to adequately schedule contests and not violate the KHSAA Limitation of Seasons and eliminate the pressure exerted on schools to cancel games when the limit is exceeded. By counting each tournament as two games, and allowing a maximum of three tournaments, you maintain a 30-game maximum (against a posted limit of 24) in basketball. In addition, this change would allow schools hosting and participating in small, regular season tournaments

to have a consolation game in the tournament without it affecting the manner in which the games are counted.

Bylaw 25. Limitation of Seasons

Sec. 3. Sports Specific Limitations - **Basketball - Boys and Girls** (proposal will maintain limit of 24 games)

~~A school / team may schedule a maximum of two (2) three (3) tournaments to be included in the count for the limit of games may be included in any manner other than counting each game played against the limit of twenty-four (24) games. A tournament shall be defined as an event where a school or team's succeeding round opponent is determined by play in a prior round. Single elimination tournaments in which every team in the tournament is finished playing upon their first loss are eligible to be counted as one game against the limit of twenty-four (24) games. All other formats of tournaments are eligible to~~ Each tournament played shall be counted as two games against the limit of twenty-four (24) games. Any team playing more than four games in any one tournament shall have each additional game played over four counted against the limit of twenty-four (24) games.

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Mike Pittman, Boyle County High School made a motion to adopt Proposal 7. Sam Harp, Danville High School, seconded the motion.

#### **PROPOSAL 7**

**Passed – 183 Yes / 25 No**

*Proposed by Paul Smiley, Athletic Director and Board Appointed Representative, Kentucky School f/t Deaf - An amendment to restore the October 1 practice date to swimming.*

**RATIONALE** – This amendment is designed to restore the October 1 beginning date for swimming practice in the interest of the safety and preparation of the competitors.

Sec. 10. Sports Specific Limitations - **Swimming - Boys and Girls**

(1) Following the opening day of school, there shall be no organized practice prior to October ~~15~~1.

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Joe Ruddell, Tates Creek High School made a motion to change the order of voting and vote on Proposal 9 before voting on Proposal 8. The motion was seconded by John Nochta, Bryan Station High School. Proposal 9 was voted on first. Then, Tasso Harris, Valley High School, made a motion to adopt Proposal 8. The motion was seconded by Philip Haywood, Belfry High School.

#### **PROPOSAL 8**

**Failed – 62 Yes / 126 No**

*Proposed by the Board of Control on the recommendation of the Football Advisory Committee- An amendment to revise the starting practice date for football.*

**RATIONALE** – With calendar fluctuations and the summer heat, it is felt that we are simply practicing and playing too early. This amendment, to go into effect with the 2003 season, would change the starting practice date for contact to August 1.

Sec. 5. Sports Specific Limitations - **Football - Boys**

(1) Organized non-contact practice shall not begin prior to July 15. During this non-contact period, a helmet, shoulder pads and shoes are the only football equipment that may be worn. Organized contact practice in pads shall not begin prior to the fourth Friday prior to the first legal playing date for that school. Beginning in 2003, the first date for contact practice shall not be prior to August 1.

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Lyle Eads, Millersburg Military Academy, made a motion to adopt Proposal 9. The motion was seconded by Rob Williams, North Bullitt High School.

#### **PROPOSAL 9**



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**Failed – 23 Yes / 162 No**

*Proposed by the Board of Control on the recommendation of the Football Advisory Committee- An amendment to revise the starting play date for football.*

**RATIONALE** – With calendar fluctuations and the summer heat, it is felt that we are simply practicing and playing too early. This amendment, to go into effect with the 2003 season, would change the starting play date to the last Friday in August. The general consensus of the membership (but not unanimous) is in favor of the four team per district playoff system, and the additional week mandated by the tournament format has resulted in a longer season. It is the sentiment of the committee that rather than change the playoff system, the regular season needs to be shortened.

Sec. 5. Sports Specific Limitations - **Football - Boys**

- (4) The first game shall not take place prior to eleven (11) weekends prior to the weekend of the first round of the state playoffs. Beginning in 2003, the first game date shall be ten (10) weekends prior to the weekend of the first round of the state playoffs.
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Walter Heath, Franklin-Simpson High School, made a motion to adopt Proposal 10. Tim Anshoff, Central High School seconded the motion.

**PROPOSAL 10**

**Passed - 212 Yes / 2 No**

*Proposed by the Board of Control - An amendment to remove the minimum contests necessary for postseason eligibility and place in the "Contestants" section under each relevant sport's tournament rules.*

**RATIONALE** – For clarity and succinct ability to revise and keep current the minimums necessary for postseason eligibility, these should be moved to the tournament rules. This is not a substantive change, but rather a change to ensure proper placement in the Handbook. In many cases, they are duplicated and this amendment would allow for better consideration and understanding. This is no change to the current rules of play and would be consistent with the newly adopted minimum number of contests for eligibility in golf and the already existent policy on softball. Minimums are already published in the tournament rules, bylaws and/or Board policy for Basketball (12), Cross Country (4), Golf (4, added for 2001 season), Soccer (6), Softball (10), Swimming (2), Tennis (4), Track (4) and Wrestling (4, added for 2001 season).

Sec. 4. Sports Specific Limitations - **Cross Country - Boys and Girls**

- (4) The season shall consist of a ~~minimum of four (4) meets and a~~ maximum of thirteen (13) meets including invitational meets.

Sec. 7. Sports Specific Limitations - **Soccer - Boys and Girls**

- (4) A season will consist of a ~~minimum of six (6) games and a~~ maximum of seventeen (17) games.

Sec. 10. Sports Specific Limitations - **Swimming - Boys and Girls**

- (4) The season shall consist of a ~~minimum of two high school meets and a~~ maximum of fifteen (15) meets.

Sec. 11. Sports Specific Limitations - **Tennis - Boys and Girls**

- (4) The season shall consist of a ~~minimum of four (4) and a~~ maximum of twenty (20) matches. Any two (2) invitational tournaments shall count as one (1) match each. All dual matches shall count as one (1) match each.

Sec. 11. Sports Specific Limitations - **Track - Boys and Girls**

- (5) ~~The outdoor season shall consist of a minimum of four (4) meets.~~
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Alan Donhoff, St. Xavier High School, made a motion to adopt Proposal 11. Ed Bentley, Bullitt East High School, seconded the motion.

**PROPOSAL 11**

**Passed - 163 Yes / 47 No**

*Proposed by James Sexton, Principal and Board Appointed Representative, Eastern High School - An amendment to revise the requirements for non-teacher coaches to be utilized at the high school level.*

**RATIONALE** – This amendment is designed to assist principals who are having an immense amount of trouble in many parts of the state finding coaches. This amendment would clarify that our requirements are ever evolving just like those of other individuals such as substitute teachers, aides and comparable

individuals who have become vital to the continuance of our successful school programs. This would also eliminate the “gray area” that now exists regarding the distinction between Level II and Level III individuals without removing any of the autonomy a school and/or school system has to make the selection of the individuals who are best capable of accepting the assignment of representing the school and supervising the young people.

**EDITORS NOTE:** Any amendment to Bylaw 27 requires more than simple approval by the Annual Meeting. This bylaw was formerly a Kentucky Administrative Regulation and was placed in the Handbook at the direction of the Kentucky Board of Education. Approval by the delegates and the Board of Control does not mean that this change will be implemented as Kentucky Department of Education (through the certification division), and Kentucky Board of Education approval would be required. In the past, schools have been cautioned against amendments to this regulation without prior approval and endorsement of the Department of Education.

## **Bylaw 27. Requirement for Coaches and Others Working With High School Teams**

### **Sec. 1. Definitions**

#### **(b) Level 2 Coaches**

An individual seeking a coaching position shall be categorized as Level 2 if such individual meets the following criteria prior to assignment to coaching duties by the local school district superintendent and does not meet the qualifications of Level 1:

- (1) Shall be 21 years of age.
- (2) Shall not be a violent offender or convicted of a sex crime as defined by KRS 17.165 that is classified as a felony.
- (3) Shall submit to a criminal record check under KRS 160.380.
- ~~(4) Shall hold a provisional or standard teaching certificate or having completed sixty-four semester hours of college credit from an accredited college or university as documented by an official transcript.~~
- (4) Shall have graduated from an accredited high school and be in compliance with the local district standards for serving as an approved substitute teacher as approved by the Kentucky Department of Education, Kentucky Board of Education, Education Professional Standards Board or other applicable statutory authority.
- (5) Prior to assuming duties, Level 2 coaches shall successfully complete training provided by the local school district. The training shall include, but not be limited to, information on the physical and emotional development of students of the age with whom the Level II coach will be working, the district's and school's discipline policies, procedures for dealing with discipline problems, and safety and first aid training. Follow up training shall be provided annually.

#### **(c) Level 3 Non-Faculty Assistants**

~~An individual seeking to assist with an athletic team or program shall be classified as Level 3 Non-Faculty Assistant if such individual meets the following criteria prior to assignment to duties as an assistant by the local school district superintendent and does not meet the qualifications of Level 1 or Level 2.~~

- ~~(1) Shall be 21 years of age.~~
- ~~(2) Shall not be a violent offender or convicted of a sex crime as defined by KRS 17.165 that is classified as a felony.~~
- ~~(3) Shall submit to a criminal record check under KRS 160.380.~~
- ~~(4) A person who does not hold a provisional or standard teaching certificate and has not completed sixty-four semester hours of college credit from an accredited college or university as documented by an official transcript.~~
- ~~(5) Those persons qualified as Level 3 Non-Faculty Assistants shall act within the scope and authority set forth in KRS 161.010 and 161.044. This shall not preclude any person qualifying as a Level 1 or Level 2 coach to perform these tasks.~~
- ~~(6) Prior to assuming duties, Level 3 non-faculty assistants shall successfully complete training provided by the local school district. The training shall include, but not be limited to, information on the physical and emotional development of students of the age with whom the Level 3 non-faculty assistant will be working, the district's and school's discipline policies, procedures for dealing with discipline problems, and safety and first aid training. Follow up training shall be provided annually.~~

### **Sec. 2. Hiring and Employment Requirements**

#### **(c) Level 3 Non-Faculty Assistants**

~~(1) In the event it is deemed necessary by the local school district superintendent to assign additional persons to assist with the sports program, a non-certified paraprofessional with fewer than sixty-four (64) semester hours of college credit may be assigned to duties in the position of non-faculty assistant with duties limited to those in Sec. 3) of this bylaw. The Superintendent shall provide a list of qualified applicants to the Principal, who will consult the School Based Council prior to making selection, and the Superintendent completes the final assignment process.~~

Sec. 3) Duties and Responsibilities

(a) Jurisdiction

~~(1) All Level 1 and 2 individuals assigned duties as coaches (head and assistant) at all levels (grades 9-12) and all Level 3 individuals serving as non-faculty assistants are under the jurisdiction of the member school principal, and shall act in accordance with his/her directives. The member school principal shall correctly implement site Based Decision Making policies relative to this area.~~

~~(c) Limitations of Level 3 Non-Faculty Assistants~~

~~Persons assigned to duties as Non-Faculty Assistants shall be limited to the following responsibilities upon approval of such assignment by the local board. This shall not preclude any person qualifying as a Level 1 or Level 2 coach to perform these tasks:~~

- ~~(1) Assist the Level I and II person(s) assigned duties as a coach in daily and long range athletic activities;~~
- ~~(2) Assists the Level I and II person(s) assigned duties as a coach in planning the program;~~
- ~~(3) Conduct learning experiences, under the direct supervision of a Level I or II person(s) assigned duties as a coach, with small groups of athletes;~~
- ~~(4) Assists the Level I and II person(s) assigned duties as a coach in guiding participants towards a harmonious team spirit;~~
- ~~(5) Alerts the Level I and II person(s) assigned duties as a coach to the special needs of individual athletes;~~
- ~~(6) Provides escort assistance, and assists with supervision of athletes during periods of team travel;~~
- ~~(7) Recommends to the Level I and II person(s) assigned duties as a coach the purchase of equipment, supplies, and uniforms as appropriate for the health, safety, and welfare of student athletes;~~
- ~~(8) Perform other non-coaching duties assigned by the principal, athletic director, or Level I or II person(s) assigned duties as a coach.~~
- ~~(9) No person employed as a Level 3 non-faculty assistant shall be employed or allowed to participate in any supervisory capacity with interscholastic athletic teams or cheerleading squads, nor shall any otherwise qualified person exceed his respective duties as set forth in this Bylaw.~~

Sec. 4) Post Hire Requirements and Requirements for Continuing Coaching Duties

(a) C.P.R.

~~(1) All coaches (head and assistant) at any level in all sanctioned sports and sport activities (including cheerleading) and all Level 3 Non-Faculty Assistants shall provide documentation of successful completion of a C.P.R. course, as approved by a college or University, the American Red Cross, American Heart Association or other bona fide accrediting agency, and such shall be timely and appropriately updated as required by the approving agency.~~

(b) Kentucky Coaches Education Program

~~(4) Level 3 individuals assigned to duties as a non-faculty shall take and complete all requirements for the Kentucky Coaches Education Program as detailed in Section b(1) above within one year of the initial assignment to coaching duties or prior to the legal start of practice for the next competitive season in any particular sport to which the individual is assigned, whichever occurs first.~~

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William Fralick, Caldwell County High School, made a motion to adopt Proposal 12. Mark Swift, Paul Blazer High School, seconded the motion.

**PROPOSAL 12**

**Failed – 120 Yes / 94 No**

*Proposed by Larry Farmer, Athletic Director and Board Appointed Representative, Trinity High School (Whitesville) - An amendment to remove the Coaching Education Requirement from Bylaw 27.*

**RATIONALE** – This amendment is designed to eliminate the Kentucky Coaches Education Program Requirement. The rationale for this change is that the requirement serves no useful purpose and is expensive to member schools.

**EDITORS NOTE:** Any amendment to Bylaw 27 requires more than simple approval by the Annual Meeting. This bylaw was formerly a Kentucky Administrative Regulation and was placed in the Handbook at the direction of the Kentucky Board of Education. Approval by the delegates and the Board of Control does not mean that this change will be implemented as Kentucky Department of Education (through the certification division), and Kentucky Board of Education approval would be required. In the past, schools have been cautioned against amendments to this regulation without prior approval and endorsement of the Department of Education.

**Bylaw 27. Requirement for Coaches and Others Working With High School Teams**

Sec. 4) Post Hire Requirements and Requirements for Continuing Coaching Duties

~~(b) Kentucky Coaches Education Program~~

- ~~(1) The Kentucky Coaches Education Program has been approved as the coaching education program in Kentucky. Such program shall include an eight hour course of study to include the National Federation of High Schools Coaching Education Program (NFHSCEP), KHSAA rules information and local district policies. All course requirements for certification in the coaching education program, including completion of the exam to be graded and registered with the American Coaching Effectiveness Program, shall be completed prior to the start of the competitive season. All member schools of the KHSAA shall pay the necessary expenses for any coach to attend the education program upon passage of the tests required for the program and hiring to begin coaching duties.~~
- ~~(2) Level 1 individuals assigned to duties as a coach (head and/or assistant), who are hired as a member of the school system faculty for the first time following the 1995-96 school year shall take and complete all requirements for the Kentucky Coaches Education Program as detailed in Section b(1) above within one year of the initial assignment to coaching duties or prior to the legal start of practice for the next competitive season in any particular sport to which the individual is assigned, whichever occurs first.~~
- ~~(3) Level 2 individuals assigned to duties as a coach (head and/or assistant) shall take and complete all requirements for the Kentucky Coaches Education Program as detailed in Section b(1) above within one year of the initial assignment to coaching duties or prior to the legal start of practice for the next competitive season in any particular sport to which the individual is assigned, whichever occurs first.~~
- ~~(4) Level 3 individuals assigned to duties as a non-faculty shall take and complete all requirements for the Kentucky Coaches Education Program as detailed in Section b(1) above within one year of the initial assignment to coaching duties or prior to the legal start of practice for the next competitive season in any particular sport to which the individual is assigned, whichever occurs first.~~

The last item on the agenda was new business. Mike Pittman, Boyle County High School, asked when these amended Proposal would go into effect. Mr. Tackett, KHSAA, stated it would be the 2002-2003 school year, because they must first be approved by the Department of Education.

There being no further business to come before the delegate assembly, the meeting was adjourned at 2:10 p.m.