2004 KENTUCKY HIGH SCHOOL ATHLETIC ASSOCIATION ANNUAL MEETING

PROPOSALS SUBMITTED FOR CONSIDERATION BY THE BOARD OF CONTROL AS REQUIRED BY 702 KAR 7:065 AND THE ANNUAL REVIEW OF ASSOCIATION RULES BY THE BOARD OF CONTROL

PROPOSAL 1

Proposed by the Ron Madrick, Athletic Director, Holmes High School

Rationale – Passage of this proposal would allow the membership to consider a move in the date of the Annual Meeting, and if it is the desire of the membership, allow for implementation of items voted on in the meeting prior to the following school year.

ARTICLE IV

ADMINISTRATION AND LEGISLATION

Section 2. Representation and Governance

ANNUAL MEETING

Each member school of the Association through its PRINCIPAL OR DESIGNATED REPRESENTATIVE shall designate a representative for the ANNUAL MEETING to serve as a DELEGATE and shall submit the name to the Commissioner on or before November 15. The ANNUAL MEETING shall focus on current issues facing the Association and ways to promote athletics such as sports medicine, intramural and interscholastic programming and eligibility rules as well as debate and consideration of proposed changes to the organizations’ Constitution and Bylaws. DELEGATES shall serve for a term of one year, beginning January 1 immediately following their designation by the school. If the duly designated DELEGATE does not attend the ANNUAL MEETING, the school shall remain not represented.

ARTICLE IX

AMENDMENTS

Section 1. Deadline for Filing

On or before December 15, of each year, a DELEGATE or REPRESENTATIVE may file with the Commissioner any proposed change in the Association Constitution and/or Bylaws. The Commissioner shall submit the proposed changes approved by the Board of Control to the member schools by December 15 electronic or printed means within seven (7) calendar days of the Annual Meeting of each year. Any proposal to be offered by the Board of Control shall be submitted to the member schools by December 15 of each year electronic or printed means within seven (7) calendar days of the Annual Meeting. Except by two-thirds vote of the DELEGATES answering the roll, no proposals other than these may be considered at the ANNUAL MEETING.

Section 2. Effective Date

Unless an emergency situation is declared by the Board of Control and approved by the Kentucky Board of Education, all amendments to the Bylaws of the Kentucky High School Athletic Association shall be effective in July of the even numbered year following the second July 1 following the school year in which the amendment is passed by the Annual Meeting or by referendum and not later than the third July 1 following the school year in which the amendment is passed by the Annual Meeting of by referendum. Amendments receiving the requisite vote shall be effective when approved by the Legislative Research Commission in accordance with applicable State Legislatures.

PROPOSAL 2

Proposed by Jim Sexton, Principal, Eastern High School

Rationale – The Constitution should not prohibit a member from seeking multiple terms. The constituency and the election process will determine if any member needs to be replaced.

ARTICLE IV

ADMINISTRATION AND LEGISLATION

Section 1. Officers

The officers of the Association shall be a Commissioner and a Board of Control composed of sixteen (16) members, at least three (3) of whom shall be African-American, and at least three (3) of whom shall be female. Beginning in 2003-2004, the officers of the Association shall be a Commissioner and a Board of Control composed of eighteen (18) members, at least three (3) of whom shall be African-American, and at least three (3) of whom shall be female.

Section 2. Representation and Governance

DESIGNATED REPRESENTATIVE

Each member school Principal may, in accordance with Bylaw 1, appoint one (1) DESIGNATED REPRESENTATIVE for each member school to represent that school in the Association.

BOARD OF CONTROL

2. TERM IN OFFICE

Members of the Board of Control shall serve a four-year term in office unless filling an unexpired term created by death or resignation of a member, in which case the balance of the remaining term is the term in office. The term year for the Board of Control is July 1 through June 30.

No member is eligible to serve more than two (2) consecutive complete four-year terms with no further limits as to lifetime eligibility. SECTIONAL members may not 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 Education Professional Standards Board 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 section he/she is to represent, and must remain employed in that 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 bona fide 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 prescribed for the regular selection of Board members.

PROPOSAL 3

Proposed by Ron Madrick, Athletic Director, Holmes High School

Rationale – There is a need for representation of all regions every year. While the current Board has made all efforts to be truly representative, the current system leaves long amounts of time between an officer representing being able to be elected from every region. With the passage of this proposal, every region would be represented, and in addition, the number of designated representatives (females and African Americans) would be doubled, thereby complying with the Court Decree of 1971. While there are added expenses, there are other ways to address the cost issues including the timing and frequency of meetings, and other containment measures.

ARTICLE IV

ADMINISTRATION AND LEGISLATION

Section 1. Officers

The officers of the Association shall be a Commissioner and a Board of Control composed of sixteen (16) members, at least three (3) of whom shall be African-American, and at least three (3) of whom shall be female. Beginning in 2003-2004, the officers of the Association shall be a Commissioner and a Board of Control composed of eighteen (18) members, at least three (3) of whom shall be female. Beginning in 2003-2004, the officers of the Association shall be a Commissioner and a Board of Control composed of eighteen (18) members, at least three (3) of whom shall be female.
Section 2. Representation and Governance

**DESIGNATED REPRESENTATIVE**

Each member school Principal may, in accordance with Bylaw 1, appoint one (1) DESIGNATED REPRESENTATIVE for each member school to represent that school in the Association.

1. **REPRESENTATION**

Eight (8) Sectional Board of Control members shall be elected by a vote of the PRINCIPALS or DESIGNATED REPRESENTATIVES of member schools in each section region to serve as SECTIONAL Board of Control members. A SECTIONAL Region is defined as the combination of two (2) contiguous regions as defined by the KHSAA alignment in basketball. (Basketball Regions 1 and 2 (S. 1), 3 and 4 (S. 2), 5 and 6 (S. 3), 7 and 8 (S. 4), 9 and 10 (S. 5), 11 and 12 (S. 6), 13 and 14 (S. 7), 15 and 16 (S. 8)).

Terms of the SECTIONAL Board of Control members shall be staggered so that two (2) of these SECTIONAL Board of Control members shall be elected each year.

One African-American shall be elected by the PRINCIPALS or DESIGNATED REPRESENTATIVES from regions one (1) through four (4), one female shall be elected by the PRINCIPALS or DESIGNATED REPRESENTATIVES from regions five (5) through eight (8), one African-American shall be elected by the PRINCIPALS or DESIGNATED REPRESENTATIVES from regions nine (9) through twelve (12), and one female shall be elected by the PRINCIPALS or DESIGNATED REPRESENTATIVES from regions thirteen (13) through sixteen (16). Terms of the DESIGNATED members of the Board of Control shall be staggered so that one is elected each year.

One female shall be elected by the PRINCIPALS or DESIGNATED REPRESENTATIVES from regions one (1) through four (4), one African-American shall be elected by the PRINCIPALS or DESIGNATED REPRESENTATIVES from regions five (5) through eight (8), one African-American shall be elected by the PRINCIPALS or DESIGNATED REPRESENTATIVES from regions nine (9) through twelve (12), and one female shall be elected by the PRINCIPALS or DESIGNATED REPRESENTATIVES from regions thirteen (13) through sixteen (16) to serve as DESIGNATED members of the Board of Control.

One female shall be elected by the PRINCIPALS or DESIGNATED REPRESENTATIVES from regions one (1) through four (4), one African-American shall be elected by the PRINCIPALS or DESIGNATED REPRESENTATIVES from regions five (5) through eight (8), one female shall be elected by the PRINCIPALS or DESIGNATED REPRESENTATIVES from regions nine (9) through twelve (12), and one African-American shall be elected by the PRINCIPALS or DESIGNATED REPRESENTATIVES from regions thirteen (13) through sixteen (16) to serve as DESIGNATED members of the Board of Control.

Terms of the DESIGNATED members shall be staggered so that one African-American and one female are elected each year.

Beginning in 2003-2004, one person shall be elected by the PRINCIPALS or DESIGNATED REPRESENTATIVES from regions one (1) through eight (8) who shall come from the non-public (not classification A1 or D1 schools) member schools of the Association, and one person shall be elected by the PRINCIPALS or DESIGNATED REPRESENTATIVES from regions nine (9) through sixteen (16) and shall come from the non-public (not classification A1 or D1 schools) member schools of the Association.

Initially, one non-public school representative shall serve a two-year term, and one shall serve a four-year term. The terms of the DESIGNATED representatives required to be from the non-public member schools shall be staggered so that one is elected each even numbered year. Balloting for these non-public school representatives shall only be conducted among the non-public school representatives of the Association.

Four (4) at-large members of the Board of Control are to be appointed by the Kentucky Board of Education. These members are to be at-large appointments recommended by the Commissioner of the Kentucky Department of Education. These appointees shall not be an employee of any member school or its central administration, or the administration of the Kentucky Department of Education. At least one of these appointees shall be an African-American and one shall be a female. Terms of the at-large members shall be staggered so that one is appointed each year.

2. **TERM IN OFFICE**

Members of the Board of Control shall serve a four-year term in office unless filling an unexpired term created by death or resignation of a member, in which case the balance of the remaining term is the term in office. The term year for the Board of Control is July 1 through June 30.

No member is eligible to serve more than two (2) consecutive complete four-year terms with no further limits as to lifetime eligibility.

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 REGIONAL or DESIGNATED representative on the Board of Control, one must be an employee holding a valid Kentucky Teaching Certificate issued by the Education Professional Standards Board 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 by the member school or system which he/she is to represent, and must remain employed in that section region 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 bona fide 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.

4. **BALLOTING**

**NOTIFICATION** - Notification to the PRINCIPALS or DESIGNATED REPRESENTATIVES of each school in each section region in which a SECTIONAL REGIONAL or DESIGNATED member is to be elected, must be made by the Commissioner not later than January 1 preceding the July in which a term is to begin.

**NOMINATIONS** - Nominations for membership on the Board of Control, signed by five PRINCIPALS OR DESIGNATED REPRESENTATIVES of the section region, shall be in the hands of the Commissioner, for SECTIONAL REGIONAL or DESIGNATED positions that elect during the year not later than midnight, January 31 preceding the July in which a term is to begin.

**BALLOTS** - The Commissioner shall distribute Ballots for election before February 15 preceding the July of the year in which a term is to begin, to be returned on or before March 1 preceding the July in which a term is to begin.

**TABULATION** - Results of the election shall be tabulated by the Commissioner in the presence of a minimum of four witnesses with all ballots opened at the same meeting and time, and published in the “Athlete” Magazine.

PROPOSAL 4

Proposed by Ron Madrick, Athletic Director, Holmes High School and Mark Swift, Athletic Director, Ashland Blazer High School

Rationale – Opportunities for resident Kentucky school children to participate in KHSAA athletic competitions are reduced by non-resident student-athlete participation. This amendment may eliminate allegations of recruitment of out of state students by KHSAA member schools. In selected areas, the perception is that some schools allow non-residents to participate simply due to athletic prowess. This would also ensure that these are truly Kentucky state championships, teams composed of only Kentucky residents. This also solves problems with disparity.
among KHSAA member school systems as it relates to out of
state students.

Bylaw 4. Enrollment
Sec. 1 – Residence Requirement
Pupils in grades nine (9) through twelve (12) may play on the high
school team if such pupils have a bona fide residence in the
Commonwealth of Kentucky and such participation is not in
conflict with restrictions contained elsewhere in this or other
bylaws. A bona fide residence is defined as the student and
his/her custodial parents residing in a Kentucky school district a
definite time previous to participation in interscholastic
athletics at any level (grades 9-12). If the student or
his/her parents maintain a permanent residence outside the
Commonwealth of Kentucky and do not attend a member school
of the KHSAA while adhering to a valid tuition
exchange/reciprocal agreement with the Kentucky public school
district to ensure compliance with state regulations. This
provision shall not apply to students enrolling in a
Commonwealth of Kentucky and do not attend a member school
bylaws. A bonafide residence is defined as the student and
his/her custodial parents residing in a Kentucky school district.

Bylaw 5. Minimum Academic Requirement
Sec. 1) Proper Grade Level Requirement for Students in All
School Districts
On the first day of each school year, a student must be at
his/her proper grade level and academically eligible at the
enrolled school. To be considered to be at the proper grade
evel, a student must have been enrolled during the previous
grading period, and must be on schedule to graduate
according to this rule on the first day of school. For the
verification of this provision, all course work, including summer
and correspondence work, must be complete by the first day
of the school year for the student body.

COMPILERS NOTE:
The following proposals [5 through 12] relate to KHSAA Bylaw 6. Below is a complete, unaltered copy of the current rule, for use in
comparison to revisions that are being proposed.

Bylaw 6. Transfer Rule
Sec. 1) Domestic Students
Any 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) who transfers schools shall be eligible for interscholastic athletics for one year
from the date of enrollment in 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. Determinations of whether a student shall be granted a waiver pursuant to this rule shall be based on
the circumstances existing as of the date of enrollment at the new school.

a) BONA FIDE CHANGE IN RESIDENCE - 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 bona fide change of residence means the moving of the student and his/her parents from one
school district or defined school attendance area into another school district or defined school attendance area prior to a
change in enrollment of the student. 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.

i) 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.

b) DIVORCE - The KHSAA will not recognize 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 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
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 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 15B.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 assignment through KRS 15B.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 a student transfers a written request for the verification of the 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 (f) 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.

i) If placed in a KHSAA member school 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.

ii) In order to be considered for a waiver, the student shall be in compliance with all U.S. Immigration and Naturalization Service regulations; shall be in the first and only year as an exchange student; shall not be a graduate of a the 12th or terminating grade or its’ equivalent in either the U.S. or his/her home country; shall be in possession of a complete transcript of records that has been translated into English prior to the request for eligibility; and shall be in possession of a J-1 student education visa issued by the U.S. Immigration and Naturalization Service.

iii) In addition, the student’s host family shall not include members of the coaching staff at the KHSAA member school at which participation is desired.

iv) To be considered for approval by the Board of Control, a foreign exchange program shall assign students to schools by a method that ensures that no student, school or interested party may influence the assignment for athletic or other purposes.

v) The student, the principal or designated representative of the member school, and a representative of the placement agency shall sign and attest to certification that the student complies with the eligibility rules of the KHSAA and shall not be eligible under any circumstances for more than one calendar year of athletic participation if the first year of eligibility is waived.

b) 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) above shall not be eligible, under any circumstances, for more than one (1) school year while enrolled in grades 9-12 in Kentucky.

c) Any student desiring to participate in athletics who does not meet the criteria listed in Bylaw 6, Sec. 2 may seek a waiver of the one-year ineligibility period through the KHSAA Due Process Procedure.

Sec. 3) Permanent Ineligibility

A student is ineligible for athletics in this state if he/she transfers from another state if he/she was or would have become ineligible in the state from which he/she transfers.

PROPOSAL 6

Proposed by Jim Sexton, Principal, Eastern High School

Rationale – This clarification would specify that a student would be under legal penalty for a waiver to be denied. Many of the appeal cases heard today involved athletes who have been enrolled in school systems where “demerits” accumulate, some even throughout the year, and eventually the students are asked not to re-enroll. This is not a case where the authors of these provisions intended students ineligible, the original proposal’s intentions was to not let students escape punishment by transferring (such as suspension, etc.) This would also ensure that schools throughout the state could be treated on a level playing field. This change would also put similar verbiage into Bylaw 7.

Bylaw 6. Transfer Rule

Sec. 1) Domestic Students

Any 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] who transfers schools shall be ineligible for interscholastic athletics for one year from the date of enrollment in 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. Determinations of whether a student shall be granted a waiver pursuant to this rule shall be based on the circumstances existing as of the date of enrollment at the new school.

a) BONA FIDE CHANGE IN RESIDENCE – 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 bona fide change of residence means the moving of the student and his/her parents from one school district or defined school attendance area into another school district or defined school attendance area prior to a change in enrollment of the student. 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.

i) 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 of rules of the previous school or if the student left the sending school under legal penalty within the definitions contained in Kentucky Revised Statutes and/or Kentucky Administrative Regulations 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.

Bylaw 7. Conduct - Student or Other Representative Under Penalty

Any student, contest official or other official school representative who is under penalty or discipline legal penalty within the definitions contained in Kentucky Revised Statutes and/or Kentucky Administrative Regulations, or whose conduct is such as to reflect discredit upon the school or the KHSAA is not eligible.

PROPOSAL 7

Proposed by the KHSAA Board of Control

Rationale – This technical clarification allows the provisions which nullify a bonafide change of residence determination to be applied to other exceptions within the rule as applicable. In this manner, it is clear that athletic advantage transfers will not be allowed an exception within the rule.

Bylaw 6. Transfer Rule

Sec. 1) Domestic Students

Any 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] who
transfers schools shall be ineligible for interscholastic athletics for one year from the date of enrollment in 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. Determinations of whether a student shall be granted a waiver pursuant to this rule shall be based on the circumstances existing as of the date of enrollment at the new school.

a) BONA FIDE CHANGE IN RESIDENCE - 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 bona fide change of residence means the moving of the student and his/her parents from one school district or defined school attendance area into another school district or defined school attendance area prior to a change in enrollment of the student. 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.

i) 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.

b) DIVORCE – [no change]
c) GUARDIANSHIP/CHANGE OF CUSTODY [no change]
d) DEATH – [no change]
e) BOARDING SCHOOLS [no change] -
f) ACADEMIC CONCERNS - [no change] -
g) REASSIGNMENT BY BOARD OF EDUCATION - [no change]
h) TRANSFER FROM NON-MEMBER SCHOOL - [no change]
i) Satisfying of one of the exceptions (a-h) will not be considered valid unless a waiver of the period of ineligibility shall be granted. 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 or other satisfying of one of the exceptions occurs after the enrollment at the new school;
3) If the change in schools 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.

BILAW 6: Transfer Rule
Sec. 1) Domestic Students
Any 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] who transfers schools shall be ineligible for interscholastic athletics for one year from the date of enrollment at the KHSAA final championship game in the sport for which the student last had documented participation in varsity athletics at the sending 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. Determinations of whether a student shall be granted a waiver pursuant to this rule shall be based on the circumstances existing as of the date of enrollment at the new school.

PROPOSAL 9
Proposed by the Board of Control
Rationale – This technical clarification stipulates that out of state students do not have a “free pass” to play sports in Kentucky and must meet the same transfer restrictions. This change would codify an existing interpretation stating that the exemption (h) was intended for those students who transferred from small non-member schools in Kentucky who were not members of the KHSAA.

BILAW 6: Transfer Rule
Sec. 1) Domestic Students
Any 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] who transfers schools shall be ineligible for interscholastic athletics for one year from the date of enrollment in 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. Determinations of whether a student shall be granted a waiver pursuant to this rule shall be based on the circumstances existing as of the date of enrollment at the new school.

h) TRANSFER FROM NON-MEMBER SCHOOL – Any student transferring from a non-member school located in Kentucky whose athletic participation has been limited primarily to other non-member schools may have the period of ineligibility waived.

PROPOSAL 10
Proposed by the KHSAA Board of Control
Rationale – This technical clarification is necessary due to the re-titling of various levels of assistance within the Kentucky Revised Statutes and Kentucky Administrative Regulations.

BILAW 6: Transfer Rule
Sec. 1) Domestic Students
Any 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] who transfers schools shall be ineligible for interscholastic athletics for one year from the date of enrollment in 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. Determinations of whether a student shall be granted a waiver pursuant to this rule shall be based on the circumstances existing as of the date of enrollment at the new school.
f) ACADEMIC CONCERNS - Any student who transfers to another school because his/her former school is determined to be “in crisis” or cannot meet the conditions to be the lowest category as determined by the Kentucky Board of Education under KRS 158.6455 and for the time specified in Section 6 of 703 KAR 5:120 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.
PROPOSAL 11
Proposed by Jim Sexton, Principal, Eastern High School
Rationale – This change would likely lead to a dramatic reduction in litigation for the Association. Many of today’s appeal cases involve younger athletes who made school choices [or such choices were made by parents], and the enrollment simply didn’t work out. Allowing these student-athletes to play non-varsity would ensure that the participation opportunity is not lost for those students, but that such participation would not affect the one level of play that is recognized and managed by the Association, the varsity level. In addition, this is consistent with School Based Council’s traditional authority to determine eligibility at the non-varsity level in extracurricular activities.

Bylaw 6. Transfer Rule
Sec. 1) Domestic Students
Any student who has been enrolled in grades nine (9) through twelve (12) and has participated in any varsity game in any sport at a school following enrollment in grade nine (9) who transfers schools shall be ineligible for interscholastic athletics at the varsity [first team level] for one year from the date of enrollment in 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. Determinations of whether a student shall be granted a waiver pursuant to this rule shall be based on the circumstances existing as of the date of enrollment at the new school.

PROPOSAL 12
Proposed by Jim Sexton, Principal, Eastern High School
Rationale – The sentiment of the membership appears to be that they are not objectionable to foreign exchange students being in the schools, but are quite opposed to these students creating an athletic advantage for one school over another. This change would simply state that those students who are not U.S. residents or come through an exchange program could participate at the non-varsity level, but not participate at the varsity level.

Bylaw 6. Transfer Rule
Sec. 2) Non-Domestic Students
a) Foreign exchange students attending school in Kentucky shall be considered ineligible at all levels of play for the first calendar year following enrollment.

i) If placed in a KHSAA member school 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 for non-varsity play [non-first team limited eligibility] and not be subject to the initial one-year period of ineligibility but shall not be eligible to compete in varsity [first team] play.

ii) In order to be considered for a waiver, the student shall be in compliance with all U.S. Immigration and Naturalization Service regulations; shall be in the first and only year as an exchange student; shall not be a graduate of the 12th or terminating grade or its equivalent in either the U.S. or his/her home country; shall be in possession of a complete transcript of records that has been translated into English prior to the request for eligibility; and shall be in possession of a J-1 student education visa issued by the U.S. Immigration and Naturalization Service.

iii) In addition, the student’s host family shall not include members of the coaching staff at the KHSAA member school at which non-varsity participation is desired during the first year.

iv) To be considered for approval by the Board of Control, a foreign exchange program shall assign students to schools by a method that ensures that no student, school or interested party may influence the assignment for athletic or other purposes.

v) The student, the 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 varsity athletic participation if the first year period of ineligibility is waived in any sport during the first year.

b) 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 eligibility under subsection (a) above and allowed to play non-varsity shall not be eligible, under any circumstances, for more than one (1) school year while enrolled in grades 9-12 in Kentucky.

c) Any student desiring to participate in athletics who does not meet the criteria listed in Bylaw 6, Sec. 2 and has not been placed through an approved agency may seek a waiver of the one-year ineligibility period through the KHSAA Due Process Procedure.

PROPOSAL 13
Proposed by Jerry Mezur, Athletic Director, Henderson County High School; Frank Watson, Athletic Director, Paul Dunbar High School; Joe Ruddell, Athletic Director, Tates Creek High School and Mark Swift, Athletic Director, Ashland Blazer High School
Rationale – The KHSAA was founded by a group of schools who did not offer financial aid, and who were interested in codifying the playing rules to allow for a “level playing field”. In that spirit, this proposal would disallow any school from entering KHSAA state championship competition [any and all rounds] if they award financial aid, and would clarify that any tuition payments must be made by the family of the student-athlete.

The awarding of financial aid by a member school to a student-athlete further reduces the competitive balance within the Association. If a student’s enrollment in a tuition situation forces them to seek funds to help with the tuition, that should be the sole responsibility of the student and the family. Even if a parent secures a loan for payment of tuition [loan must be secured from an accredited company whose business includes loan programs], it must remain an obligation of the parents, guardians or other family members to repay the principal and interest in full with no exceptions.

It is understood that any loan program, grant program, educational foundation, tuition waiver, or similar program [to include booster or parent group sponsored loan programs] that is established and/or administered in whole or in part, by a school, school representative, or other school related entity shall be considered financial aid.

Schools should also remove any student from athletic eligibility whose tuition account with the school is sixty [60] or more days overdue.

Bylaw 7. Conduct – Student or Other Representative Under Penalty/Student Financial Assistance (Financial Aid)
Sec. 1 – Student, Conductor, Other Representatives Under Penalty
Any student, contest official or other official school representative who is under penalty or discipline or whose conduct is such as to reflect discredit upon the school or the KHSAA is not eligible.

Sec. 2 – Tuition and Financial Aid for Student-Athletes
A student is ineligible for interscholastic competition in the case that full applicable tuition is not paid by the student’s immediate family or if such payment cannot be properly documented. This shall apply to both in-state students [Kentucky residents] and out of state students.

Records pertaining to tuition and financial aid as directly related to student-athletes on the eligibility list of the member school shall be open to the KHSAA upon request of the Association. Each school is responsible for securing the necessary authorization to allow KHSAA to review or audit such records.

Bylaw 22. Specific Sport Regulations
Sec. 1) Girls Basketball
The Board of Control shall sanction and sponsor a girls’ basketball playoff to determine a state champion.

Sec. 2) Comparable NCAA Opportunities
a) If a member school sponsors or intends to sponsor an athletic activity that is similar to a sport for which NCAA members offer an athletic scholarship, the school shall sponsor the athletic activity or sport for which the scholarships are offered. The athletic activities that are similar to sports for which NCAA members offer
Bylaw 26. Summer Sports and Sports/Activities
Sec. 2) Summer Dead Period

Students may not receive coaching or training from school personnel [either salaried or non salaried] and school facilities, uniforms, nicknames, transportation or equipment shall not be used each year in any KHSAA sanctioned sport or championship squad during the period beginning with June 25, and going through July 9. School funds may not be expended in support of interscholastic athletics in any KHSAA sanctioned sport during this period. These restrictions shall not apply to postseason activities and recognition events relating to a spring sports team at a school which participated in a KHSAA state championship play in that particular sport during that particular year.

PROPOSAL 17
Proposed by the KHSAA Board of Control
Rationale – This is a technical clarification and specifies that if clinics are conducted by the Association or its designees, attendance is required for coaches. This makes the wording for officials and coaches similar. This clarifies the attendance requirement in Cross Country and Golf and makes those sports treated as the other offerings of the KHSAA.

Bylaw 27. Requirement for Coaches and Others Working With High School Teams
Sec. 4) Post-Hire Requirements and Requirements for Continuing Coaching Duties
i) KHSAA Rules Clinic
a) All head varsity coaches shall annually attend at least one rules interpretation clinic conducted by representatives of the KHSAA in the sport in which they coach and the school desires to enter a team in KHSAA sanctioned postseason play, provided such clinics are conducted under the authorization of the Commissioner in baseball, basketball, cross country, football, soccer, softball, track, volleyball and wrestling shall attend annually KHSAA-sanctioned clinics in which they are involved. All head varsity coaches in golf shall attend a KHSAA sponsored clinic biannually.

ii) The penalty for noncompliance with this section may be: 1) Suspension from coaching duties in all contests for a period not to exceed one year; 2) Suspension from coaching duties in KHSAA sanctioned postseason play for a period not to exceed one year; or 3) any penalty otherwise included in Bylaw 33.

PROPOSAL 18
Proposed by Phil Rison, Athletic Director, Montgomery County High School
Rationale – This two part change would leave intact the current requirement for a baseline coaching education course to be taken by Kentucky coaches. This change would make two important clarifications: 1) removal of the mandated use of any particular course to allow for flexibility in determining the proper provider as well as allowing for the controlling of costs; and 2) place the burden for this continuing education requirement on the coach, rather than the school. Nothing about this change would prohibit a school for reimbursing (in whole or in part) its coaches for the completion of the course, but it would remove the compulsory reimbursement. The Kentucky Coaches Education Program is a continuing education program, which enhances the ability of teacher, and non-teacher coaches to understand the complex nature of developing proper coaching techniques in working with students and parents.

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
i) 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 a KHSAA approved Coaches Education Program (NFHSCEP) and a 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 Kentucky Coaches...
Education Program, shall be completed prior to the start of the competitive season. The cost of attending the KHSAA Kentucky Coaches Education Program will be the responsibility of the individual coach(es). Local school districts or local schools may, upon successful completion of all coaching education requirements including all examinations, reimburse the coaches for the expense of attending the course. 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.

ii) 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.

iii) 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.