

**FALL 2008 KENTUCKY HIGH SCHOOL ATHLETIC ASSOCIATION ANNUAL MEETING
PROPOSALS SUBMITTED TO THE DELEGATES BY THE BOARD OF CONTROL FOR CONSIDERATION AS REQUIRED
BY 702 KAR 7:065 AND THE ANNUAL REVIEW OF ASSOCIATION RULES . ALL PROPOSALS TO BE CONSIDERED
SEPTEMBER 23, 2008 FOR ADOPTION EFFECTIVE WITH THE 2010-2011 SCHOOL YEAR**

PROPOSAL 2008-1

Proposed by the KHSAA Board of Control

A proposal to allow for mid-year restoration of athletic eligibility based on credits earned during the first semester.

RATIONALE: *This change would modernize the provisions of Bylaw 5 to allow those students who miss the first day credit check to restore eligibility after the first semester. This allowance, through legitimate programs such as Credit Recovery and other innovative programs, could be used to give easily verifiable reasons to restore a student to eligible status.*

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. To be considered to be at the proper grade level, a student must have been enrolled as a full-time student during the previous grading period, and must be on schedule to graduate with his/her class 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.

a) Eligibility During First Year Following Initial Enrollment in Grade Nine (9)

For a student in the ninth grade to be considered to be on schedule to graduate, that student must have been promoted from grade eight (8) to grade nine (9), and be in compliance with all other bylaws.

b) Eligibility During Second Year Following Initial Enrollment in Grade Nine (9)

For a student in the second year following initial enrollment in grade nine (9) (normally grade 10) to be on schedule to graduate, that student must have received twenty (20) percent of the requirements of the school/district for graduation prior to the first day of the second year following initial enrollment in grade nine (9), and be in compliance with all other bylaws.

c) Eligibility During Third Year Following Initial Enrollment in Grade Nine (9)

For a student in the third year following initial enrollment in grade nine (9) (normally grade 11) to be on schedule to graduate, that student must have received forty-five (45) percent of the requirements of the school/district for graduation prior to the first day of the third year following initial enrollment in grade nine (9), and be in compliance with all other bylaws.

d) Eligibility During Fourth Year Following Initial Enrollment in Grade Nine (9)

For a student in the fourth year following initial enrollment in grade nine (9) (normally grade 12) to be on schedule to graduate, that student must have received seventy (70) percent of the requirements of the school/district for graduation prior to the first day of the fourth year following initial enrollment in grade nine (9), and be in compliance with all other bylaws.

Sec. 2) Reinstatement of Eligibility for those Failing to Meet Sec. 1 above

a) One-time Reinstatement of Students Failing to Meet Normal Progress Requirements and being ineligible for one year.

The eligibility of a student failing to meet the provisions of subsections (a) through (d) above may be reinstated a maximum of one time. This reinstatement is possible by the student passing twenty-five (25) percent of the requirements of the district for graduation during the year he/she is ineligible. He/she, upon reinstatement, shall remain eligible as long as he/she passes twenty-five (25) percent of the requirements of the district for graduation during each subsequent year or becomes compliant with Sec. 1 above.

b) One-time Reinstatement of Students Failing to Meet Normal Progress Requirements and being ineligible for one semester.

The eligibility of a student failing to meet the provisions of subsections (a) through (d) of Sec. 1 may be reinstated a maximum of one time in schools operating on a two-semester

credit recording system. This reinstatement is possible by the student passing fifteen (15) percent of the requirements of the district for graduation during the semester in which he/she is ineligible due to the provisions of Sec. 1. He/she, upon reinstatement, shall remain eligible as long as he/she passes fifteen (15) percent of the requirements of the district for graduation during each subsequent semester or becomes compliant with Sec. 1 above. Eligibility to practice and compete in contests will be effective with the first day of the semester following the recording of the requirements to the student's permanent record.

c) One-time Reinstatement of Students Failing to Meet Normal Progress Requirements and being ineligible for one trimester.

The eligibility of a student failing to meet the provisions of subsections (a) through (d) in Sec. 1 may be reinstated a maximum of one time in schools operating on a three-trimester credit recording system. This reinstatement is possible by the student passing ten (10) percent of the requirements of the district for graduation during the trimester in which he/she is ineligible due to the provisions of Sec. 1. He/she, upon reinstatement, shall remain eligible as long as he/she passes ten (10) percent of the requirements of the district for graduation during each subsequent trimester or becomes compliant with Sec. 1. Eligibility to practice and compete in contests will be effective with the first day of the trimester following the recording of the requirements to the student's permanent record.

Sec. 3) Continual Progress During the School Year

On a weekly basis, a student shall also be passing (cumulatively for the credit period) in at least four hours of instruction as defined by Kentucky Board of Education regulations (of the six hours of instruction required) or the equivalent of four hours of instruction acceptable to graduation in order to be eligible to participate in athletics during the subsequent week (Monday through Sunday period) and through the next opportunity to examine grades in this manner. On its membership form, each member school shall designate the day of the week, approved and documented through local policies, that the grades shall be examined for the student-athletes within that school in order to make this determination. Absent any other determination, this weekly check of grades shall be conducted on each Friday of each grading period or on the last day of classes preceding that particular Friday if no classes are conducted on that particular Friday. No special tests or recitations are to be given for the purpose of making the student eligible.

Sec. 4) Pre-Secondary School Students

Pre-secondary school students (grades 4-8) participating in athletics representing a KHSAA member school shall be passing in at least two-thirds of the subjects in which they are currently enrolled and be in compliance with all other bylaws in order to be eligible.

PROPOSAL 2008-2

Proposed by the KHSAA Board of Control

A proposal to make a technical amendment to Bylaw 6 and allow the Board of a closing school to designate the school of eligibility for its students in the same manner as is done now for consolidating schools.

RATIONALE: *The change in (g) would clarify that in the case that a single-school system should close, the closing Board could designate another school.*

Bylaw 6. Transfer Rule - Domestic Students

Sec. 1) Domestic Student Transfer

Any student who has been enrolled in grades nine (9) through twelve (12) and has participated in any varsity contest in any sport at any school following enrollment in grade nine (9) and who then transfers schools shall be ineligible for interscholastic athletics at any level in any sport 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 or more of the

following exceptions in Section 2 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.

Sec. 2) Discretionary Exceptions for Waiver

g) REASSIGNMENT BY BOARD OF EDUCATION - The period of ineligibility may be waived if the student has changed schools 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.

PROPOSAL 2008-3

Proposed by the KHSAA Board of Control

A proposal to make a technical amendment to Bylaw 6 and allow the Board of a closing school to designate the school of eligibility for its students in the same manner as is done now for consolidating schools.

RATIONALE: *This change would close a loophole in the transfer rule that allows someone to move from one district to another district and then move to a third school. The change in (g) would clarify that in the case that a single-school system should close, the closing Board could designate another schools.*

Bylaw 6. Transfer Rule - Domestic Students

Sec. 1) Domestic Student Transfer

Any student who has been enrolled in grades nine (9) through twelve (12) and has participated in any varsity contest in any sport at any school following enrollment in grade nine (9) and who then transfers schools shall be ineligible for interscholastic athletics at any level in any sport 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 or more of the following exceptions in Section 2 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.

Sec. 2) Discretionary Exceptions for Waiver

a) BONA FIDE CHANGE IN RESIDENCE - The period of ineligibility may be waived 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 permanent residence of the entire family of the student and his/her parents from outside of the school district boundaries of the new school into the school district boundaries of the new school ~~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. For the purposes of this bylaw, the district boundary of the new school for those schools without a defined district boundary shall be the county in which the school is located. 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.

PROPOSAL 2008-4

Proposed by the KHSAA Board of Control

A proposal to modernize the custody and divorce provisions of the Transfer rule and allow a transfer back to the other parent in certain joint custody situations.

RATIONALE: *This change would allow for a change in residence by the student to the other custodial parent following a custody award, and recognizes that situations arise where such a change is necessary.*

Bylaw 6. Transfer Rule - Domestic Students

Sec. 2) Discretionary Exceptions for Waiver

b) DIVORCE - The KHSAA will not recognize a legal separation as

grounds for waiver of the provisions of this bylaw. The period of ineligibility may be waived 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 initially be eligible where either parent resides. 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. ~~After initially establishing eligibility with one parent, all subsequent transfers will require a period of ineligibility of one year. If a student subsequently decides to return and reside with the other parent in a different school district following this initial designation, the student shall be ineligible for one year. The eligibility of a student may be restored one-time if, after establishing eligibility and complying with the initial court order granting joint custody, a student relocates to permanently reside with the other custodial parent. Such grant of eligibility will only apply to the member school in which the residence of the custodial parent is located. After this one time move by the student to the other custodial parent, initially establishing eligibility with one parent, all subsequent moves between parents transfers will require a period of ineligibility of one year.~~

PROPOSAL 2008-5

Proposed by Scott Greenwald, Designated Representative, Seneca High School

A proposal to amend the KHSAA Bylaw 10 to specify certain activities by current year coaches (paid or unpaid) as a violation of the restrictions on recruiting.

Rationale – *The recruiting or targeting of students not yet in the 9th grade is known problem within Kentucky. This proposal directly stipulates that coaches at KHSAA schools may not coach in outside competition, those students who are not yet enrolled in the school or school system.*

Bylaw 10. Recruitment

Sec. 1) Foreword

Pupils (both domestic and foreign) at any grade level shall not be recruited to a member school of the KHSAA for the purpose of participating in athletics, including recruitment under the guise of academics.

Sec. 2) Definition

Recruiting is defined as an act, on behalf of or for the benefit of, a school, which attempts to influence a student to transfer to a member school for the purpose of participating in athletics. A school official utilizing an intermediary, such as, but not limited to a peer, another school employee, a student, a parent or a citizen, for the purpose of recruiting a student athlete shall be in noncompliance.

a) An athletic coach or any other member of the school staff shall not influence a student even if the student, his/her parents or any intermediary from another school makes the initial contact. In this situation, a coach or staff member (paid or unpaid) should immediately refer the person(s) to the school principal.

b) Influencing a student shall include, but shall not be limited to the promise or instilling the expectation of an athletic advantage, playing time, employment of the student or his/her parents or relatives, housing for the student or his/her parents, scholarships or financial aid for which other members of the student body are not generally eligible, or any other material or athletic reward for which other members of the student body are not generally eligible.

c) No coach (paid or unpaid) who is employed by a member school may be involved in coaching any other team independent of the school and school system, that has as its participants, students in the 7th or 8th grades, in any season that do not attend the member school in the sports of baseball, basketball, football, soccer, softball and volleyball. This shall include competitive seasons and leagues both during the school year and the summer months. These restrictions shall continue for coaches

who cease employment at the member school for any reason through the start of the next school year following last coaching assignment for the school.

Sec. 3) Penalty

Any representative of a member school knowingly allowing the recruitment of a student for the purpose of participating in athletics or who should have known of such recruitment shall be guilty of willful neglect of duty, misconduct, and/or breach of contract. Such shall apply not only to coaches, but also to personnel supervising coaches, such as, but not limited to an athletic director, an assistant principal, a principal, an assistant superintendent, a superintendent or a school board member. This regulation shall also apply to students or their parents.

PROPOSAL 2008-6

Proposed by David Jeff Stamper, Designated Representative, Knott County Central High School

A proposal to amend the KHSAA Bylaw 25 to move the spring practice window.

Rationale – *It is getting very difficult for most schools to have any kind of spring practice, particularly with basketball season shortening by a week next year. With this proposal, the coaches of all sports within a given school could, during the school year, work out and resolve conflicts and be on the same page for activities. In addition, this would put all of the football coaches and programs in the state on the same dates for this type of practice, creating competitive equity. This change would not line up spring practice with NCAA recruiting dates, and such is not the purpose. But it does create an equal system for all schools.*

Compiler's Note – *If both spring practice proposals receive passage, schools would be required to select the window during the compilation of the school year calendar prior to the start of school.*

Bylaw 25. Limitation of Seasons

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

a) Organized practice in pads shall not begin prior to the earlier of August 1 or seven (7) week days (not counting Saturdays and Sundays) prior to the opening day of school (which shall be defined as the day prior to the classes starting for the student body), but under no circumstances can be prior to the last Monday in July. After contact practice (practice in pads) has begun and prior to the first day of classes for the students, no school may conduct multiple on-field practice sessions in pads (e.g., two-a-days or three-a-days) on consecutive days (e.g., two-one two-one format). After the opening day of the school year, no school may conduct multiple on-field practice sessions in pads (e.g., two-a-days or three-a-days) on a day in which school is in session. All schools shall submit all required documentation to verify the proper execution of the practice regulations, including scrimmage, contact, and heat/safety regulations and recommendations.

b) There shall be no more than two (2) scrimmages or practice games per member school (grades 9-12) prior to the opening varsity game of the season with players other than members of the squad.

c) The first game shall not take place prior to the Friday of NFHS corresponding week 8 (Week 1).

d) A maximum of ten (10) regular season games may be played and the opportunity to play regular season games shall conclude at the end of NFHS corresponding week 17. Any school may play one of the allowable regular season games during Week 0 (NFHS corresponding week 7) provided that the total schedule does not exceed ten (10) regular season games and that the allowable number of scrimmages in subsection 2 is reduced to one. Any KHSAA school that chooses to compete for a district title and is placed in a classification where only four (4) weeks are needed to complete the playoffs may play an additional regular season contest (total of 11 contests), the last of which can be played during the first round of the playoffs for the other classifications:

e) The opportunity to participate in regular season contests ends at all levels of play (grades 9-12) on the Saturday preceding the first KHSAA Tournament (District, Region or State), with the exception that the varsity team may practice and play through its

elimination from KHSAA sanctioned tournament play. Following elimination, there shall be no further practice or play during the remainder of the academic school year.

f) Each player, in order to be eligible to participate against another school, shall have taken part in a minimum of ten (10) practice periods extending over a period of ten (10) days during the preceding three weeks.

g) Every player must have five (5) days of practice without pads to become acclimated to heat conditions immediately prior to the first day of practice in pads.

h) Each football school may conduct ten (10) practice periods of not more than two (2) hours in length and not more than one practice per day over the twenty weekdays (Monday through Friday) following the conclusion of the last state basketball tournament over ten (10) days during the three calendar school weeks following the school's elimination from post-season play in basketball. All equipment authorized by the football playing rules may be used during this period. There can be no inter-school competition during this period, and all participants must be eligible according to all KHSAA eligibility rules.

In order to conduct the spring practice sessions:

1) No student below grade nine may participate nor may seniors participate;

2) Dates must be reported to the KHSAA on supplied forms;

3) Only students currently eligible by all KHSAA rules including Bylaws 2 through 12 may participate;

4) Intrasquad games may be held but shall be counted as one of the ten practice sessions; and

5) There shall be no school or coach imposed penalty for any player who chooses not to participate.

6) There shall be no mandatory participation by any person on a spring sports eligibility list (or entering any spring sport scrimmage or contest) and no mandatory participation by any other person not appearing on a spring sports eligibility list.

i) The Board of Control may waive provision(s) (2) and/or (4) of this Bylaw to allow member schools to participate in Hall of Fame and Museum contests. Rules on participation in the Classic shall be made by the Board of Control and published in the Athlete Magazine as a part of the official record of the Association.

PROPOSAL 2008-7

Proposed by the KHSAA Board of Control

A proposal to make a technical amendment to Bylaw 33 to ensure that it clearly indicates that the Commissioner and Board of Control are bound by state law to adhere to KRS Chapter 13B.

RATIONALE: *The changes in the first part of Bylaw 33 are intended to clarify the role of each of the parties in the process of imposing penalties. A small change in subsection (f) ensures that penalty provisions related to suspension can be applied to officials.*

Bylaw 33. Imposition of Penalties

Sec. 1) Authority to Penalize

When Association rules and regulations have been violated, penalties may be imposed on the offending schools or individual within the defined parameters of this bylaw, the KHSAA Due Process Procedure, and KRS Chapter 13B. Such imposition may be by the Commissioner's office, the KHSAA Hearing Officer and/or the Board of Control dependent upon the specifics of the bylaw, KHSAA Due Process Procedure, or KRS Chapter 13B. Each member school of the KHSAA through its Principal shall ensure that its athletic program remains compliant with KHSAA rules.

For violation of any rule or regulation by any member school or school designated staff, student-athlete, official, or other representative, such penalty as may be called for under the specific rule or regulation, or, in case no specific penalty is called for, such disciplinary action, including warning, reprimand, probation, suspension, and/or payment of a fine may be imposed ~~by the Commissioner's office or Board of Control.~~

f) **SUSPENSION**

An individual participant, coach, official, specific sport or school may be suspended from competition or from scrimmage participation. This penalty may range from the elimination of individual and/or team(s) participation in games, tournaments,

meets or state championship competition, to suspension of the school from the Association. Individuals and/or teams suspended may not engage in contests with member schools of the Association, or with any other school that is a member of another state associated with the National Federation of State High School Associations.

PROPOSAL 2008-8

Proposed by the KHSAA Board of Control

A proposal to make revisions in Bylaw 33 to allow for a student, through the Due Process Procedure, to have eligibility transferred to another member school in the case that the member school is found guilty of violating KHSAA rules.

RATIONALE: Subsection (g) (NEW) would allow the eligibility of a student to be transferred from one school to another following investigation, review and findings.

Bylaw 33. Imposition of Penalties

g) TRANSFER OR RESTRICTION OF ELIGIBILITY

The eligibility of a student may be designated to a specific member school, and/or a student may be barred from eligibility at a specific member school in the case that a violation of KHSAA constitution, bylaw or other rules by the participant or the member school has been proven.

PROPOSAL 2008-9

Proposed by the KHSAA Board of Control

A proposal to make revisions to Bylaw 33 to clearly specify the risks of a member school playing an athlete who has sought injunctive relief.

RATIONALE: Section 2 is proposed to allow the schools to clearly acknowledge and accept a rule regarding restitutionary penalties for rules violations.

Bylaw 33. Imposition of Penalties

Sec. 2) Participation by Virtue of Court Action

If a student who is ineligible under the terms of the constitution, bylaws or other rules of the KHSAA is permitted to participate in interscholastic competition contrary to such terms of the KHSAA constitution, bylaws or other rules but in accordance with the terms of a court restraining order or injunction operative against the member school attended by such student and/or the KHSAA, and said restraining order or injunction is voluntarily vacated, stayed or reversed or it is finally determined by the courts that injunctive relief is not or was not justified, any or all of the penalties listed in Bylaw 33 may be taken against such member school in the interest of restitution and fairness to competing institutions.

PROPOSAL 2008-10

Proposed by Kathy Johnston, Designated Representative, Bourbon County High School

A proposal to amend KHSAA Bylaw 33 to clearly offer the penalty option of removing a team from competition for a period of time as deemed commensurate with the offense committed by school personnel.

Rationale – This would give an alternative to program suspension in those cases where violations are viewed as more severe than the simple placing of a team on probation and allow for more strict enforcement of KHSAA rules.

Bylaw 33. Imposition of Penalties

Sec. 1) Authority to Penalize

e) PROBATION

Probation is a more severe penalty and may be described in the following manner. Normally, an individual or a school on probation is on conditional Association membership, but may be permitted to engage in their/its regular schedule, sanctioned events, and/or district, regional and state championships. This is provided that the individual and/or school has taken steps to ensure the problem which placed the individual, sport or school on probation has been alleviated and will not re-occur ~~has taken steps to alleviate the problem which caused the probation.~~ Additionally, a school on probation may be restricted to limits on scrimmages, regular season contests and/or post season competition ~~contests/scrimmages~~ as may be deemed appropriate.