

**FALL 2016 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 14, 2016 FOR
ADOPTION EFFECTIVE WITH THE 2017-2018 SCHOOL YEAR (UNLESS OTHERWISE NOTED)
(219 DELEGATES PRESENT, 146 REQUIRED FOR PASSAGE)
ITEMS WHICH ARE UNDERLINED REPRESENT ADDITIONS TO CURRENT BYLAW PROVISIONS, ITEMS ~~STRUCK THROUGH~~
REPRESENT DELETIONS**

PROPOSAL 2016-1 - CONSTITUTION ART. IV, SEC. 2(G) (NEW)

(PASSED, FINAL VOTE: 214 YES, 2 NO, 0 ABSTAIN, 3 PRESENT)

Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)

Amend the Constitution to allow the assembled Board of Control to remove a member for cause but only under specific circumstances where the action of the Board member was contrary to KHSAA rules, regulations or adopted Board of Control policies.

Rationale: In the event a member acts contrary to the obligations of the membership (participates in rules violations, engaging in contact detrimental to the Association, etc.) the seated Board could vote to remove (2/3 vote required with appeal process).

Impact: Regulatory

CONSTITUTION ART. IV, SEC. 2(g) (NEW)

g) The Board of Control may remove any Director under the following conditions:

(1) The removal of a Director shall be for cause, which may include, but is not limited to, the following examples:

a. Director failing to perform basic responsibilities, or doing so improperly;

b. Director failing to act in accordance with the Board's governing standards;

c. Director failing to comply with the Director's fiduciary obligations;

d. Director's inappropriate and intentional disclosure of confidential information;

e. Director's intentional violation of any KHSAA bylaw, rule, regulation, standard or policy;

f. Director causing another to intentionally violate any KHSAA bylaw, rule, regulation, standards or policy.

g. Director intentionally engaging in conduct that is deemed by the Board to be detrimental to the KHSAA; and

h. Director engaging in or having engaged in action which could be considered to constitute criminal misconduct.

Before a Director is removed for cause, the Board must be satisfied that the acts of the Director proposed for removal are more than mere mistakes, more than negligence.

(2) Removal shall be by a two-thirds (2/3) vote of all Directors then in office, excluding the Director proposed for removal.

(3) Removal may occur at any regular or special meeting of the Board, provided that a Statement of the reason(s) shall have been mailed by Certified Mail or other trackable shipping service to the Board of Directors, including the Director proposed for removal, at least thirty (30) days before any final action is taken by the Board of Directors.

(4) The Statement of Reason(s) shall be accompanied by a notice of the time when and the place where the Board of Directors is to take action on the removal.

(5) The Director proposed for removal shall first be given an opportunity to be heard at the time and place mentioned in the Notice, after which the Board of Control, excluding the Director proposed for removal, shall consider the matter and take a vote.

PROPOSAL 2016-2 - CONSTITUTION ART. IV, SEC. 2(E) (REVISION)

(PASSED, FINAL VOTE: 214 YES, 2 NO, 0 ABSTAIN, 3 PRESENT)

Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)

Amend the Constitution to clarify that in the event a Board member is expected to have multiple absences that would place him/her out of compliance with the attendance requirement, any absences would be required to be submitted, and approved in advance.

Rationale: In the event a Board member is expected to be unable to meet the required threshold of meeting attendance, excused absences must be done in advance of violating the threshold. This would also ensure compliance with all applicable state and federal regulations.

Impact: Regulatory

CONSTITUTION ART. IV, Sec. 2(e) (REVISION)

e) Attendance

(1) REQUIREMENT - Any elected member of the Board of Control shall attend 70% of the meetings (regular and special) of the Board during the July 1 to June 30 Board year.

(2) REPLACEMENT - Any member of the Board of Control, unless excused in advance for documented cause such as illness or injury by a majority of the members of the Board, who fails to attend at 70% of the meetings (regular and special) of the Board of Control between July 1 and June 30 during any year shall automatically upon such occurrence be deemed to have resigned from office, and a replacement shall be elected/named.

PROPOSAL 2016-3 - CONSTITUTION ART. IV, SEC. 2(C) (REVISION)

(PASSED, FINAL VOTE: 199 YES 17 NO 0 ABSTAIN 3 PRESENT)

Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)

Amend the Constitution to clarify that beginning with those members elected to a first term for the 2018-2019 school year, that the seated members of the Board of Control are full-time employees of the member school or school district.

Rationale: Ensure that the elected Board members are actively involved in day to day affairs of the member schools.

Impact: Regulatory

CONSTITUTION ART. IV, Sec. 2(c) (REVISION)

c) Eligibility

- (1) To be eligible for membership as a SECTIONAL or DESIGNATED representative on the Board of Control, one shall 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 or she shall be employed in the section he or she is to represent, and shall remain employed in that section during his or 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) shall terminate the eligibility of the member. He or she shall not be eligible after serving two (2) consecutive four-year terms.
- (2) 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 or 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.

PROPOSAL 2016-4 – BYLAWS 4 AND 6

(PASSED, FINAL VOTE: 150 YES 66 NO, 0 ABSTAIN, 3 PRESENT)

Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)

Amend Bylaw 4 and Bylaw 6 to require that students enrolling in a member school be current with any and all obligations (including financial) to the former school to be eligible in the first year.

Rationale: Students should not be able to leave a specific school owing tuition, books, fees, or having other obligations and be automatically eligible to participate in a voluntary privilege activity upon enrollment. Would be subject to due process provisions and subject to one-year period of ineligibility.

Impact: Regulatory

BYLAW 4 – ENROLLMENT (Sec. 1 (c) NEW and Sec. 2 (b) NEW, renumber existing 2b, c and d to 2c, d and e))

b) A student is ineligible for the first year following enrollment at a member school if that student leaves the former school with documented obligations (including financial) obligations. The student shall remain ineligible until the conclusion of one year from the date of enrollment or documentation that the obligations have been satisfied.

BYLAW 6 –TRANSFER RULE- CITIZENS OF THE U.S. OR U.S. TERRITORIES (Sec 3 (e) NEW)

e) If the change is to nullify of circumvent documented obligations (including financial) obligations to the sending school. This finding shall remain as verified and the student shall remain ineligible until the conclusion of one year from last varsity participation or documentation that the obligations have been satisfied.

PROPOSAL 2016-5 – BYLAWS 4, 6, 7 AND 8

(FAILED, FINAL VOTE: 123 YES, 93 NO, 0 ABSTAIN, 3 PRESENT)

Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)

Amend Bylaws 4, 6, 7 and 8 to define "previous influence" and specify that as a condition of eligibility, a student shall not have been previously influenced by anyone at the newly enrolled school. This change would also delineate that the period of ineligibility for transfer and other penalties shall speak specifically only to the varsity level. Decisions with regards to non-varsity competition would be at the discretion of the member school.

Rationale: This is a series of changes designed to address the alleged recruiting and undue influence of specific students, whether below grade nine or not. This change does not eliminate Bylaw 16, but would impact specific students during transfer issues. Parts of this proposal would Define and restrict previous influence and make alterations to Bylaws 4 and 6. These combination of changes would attempt to address the issues related to student being influenced to enroll or transfer to schools. Whether the student has participated or not, if a student has influence prior to enrollment, they should be subject to the one-year period of ineligibility. With the perception of more students being impacted by multiple restrictions, this proposal would also stipulate that the period of ineligibility would apply only to the varsity level. This change would allow for enrollment and at the school discretion, non-varsity competition, but would not allow for varsity competition. It is felt that this addresses school administrators' desires to keep kids involved but also address the advantage students get by transferring to participate in championship play. Reviewers should remember that the students being penalized at the varsity level are losing one-fourth of their high school eligibility, a serious penalty with or without the loss of any other privilege. The student qualifying for ineligibility has played at the varsity level and therefore the penalty would be at the varsity level.

Impact: Regulatory

BYLAW 4 – ENROLLMENT (Sec. 1 (c) NEW and Sec. 2 (b) NEW, renumber existing 2b, c and d to 2c, d and e), All Sec. numbers would be increased to insert definition)

Sec. 1) PREVIOUS INFLUENCE

- a) A student shall be deemed to have been previously influenced if, while not enrolled in that member school or a school in the local Board of Education defined feeder pattern without the written permission of the Principal or Designated representative of the enrolled school or a school in the local Board of Education defined feeder pattern:
1. The student attended an open gym at the receiving school;
 2. The student played on a summer or non-school sports (e.g. AAU) team which had a coach, manager or trainer or any other support staff member including statistician or other person acting in any role as though member of the team staff who was a) a coach, manager or trainer or any other support staff member including statistician or other person acting in any role as though member of the team staff at the Receiving School at the time the transfer student enrolled at the Receiving School; b) had been a coach, manager or trainer or any other support staff member including statistician or other person acting in any role as though member of the team staff at the Receiving School anytime during the Twelve (12) month period prior to the student's enrollment at the Receiving School; or c) became a coach, manager or trainer or any other support staff member including statistician or other person acting in any role as though member of the team staff at the Receiving School anytime during the Ninety (90) day period after the student's enrollment at the Receiving School.
 3. The student received instruction from a coach, manager or trainer or any other support staff member including statistician or other

person acting in any role as though member of the team staff who a) was a coach, manager or trainer or any other support staff member including statistician or other person acting in any role as though member of the team staff at the Receiving School at the time the transfer student enrolled at the Receiving School; b) had been a coach, manager or trainer at the Receiving School anytime during the Twelve (12) month period prior to the student's enrollment at the Receiving School, or c) became a coach, manager or trainer or any other support staff member including statistician or other person acting in any role as though member of the team staff at the Receiving School anytime during the Ninety (90) day period after the student's enrollment at the Receiving School.

BYLAW 4 – ENROLLMENT (Sec. 1 (c) NEW and Sec. 2 (b) NEW, renumber existing 2b, c and d to 2c, d and e)

b) A student is ineligible for the first year following enrollment at a member school if there exists documentation of previous influence from anyone associated with the member school or members school athletic program.

BYLAW 6 –TRANSFER RULE- CITIZENS OF THE U.S. OR U.S. TERRITORIES (Sec 1 (d) NEW)

a) PREVIOUS INFLUENCE- A student shall be deemed to have been previously influenced if, while not enrolled in that member school or a school in the local Board of Education defined feeder pattern without the written permission of the Principal or Designated representative of the enrolled school or a school in the local Board of Education defined feeder pattern:

1. The student attended an open gym at the receiving school;
2. The student played on a summer or non-school sports (e.g. AAU) team which had a coach, manager or trainer or any other support staff member including statistician or other person acting in any role as though member of the team staff who was a) a coach, manager or trainer or any other support staff member including statistician or other person acting in any role as though member of the team staff at the Receiving School at the time the transfer student enrolled at the Receiving School; b) had been a coach, manager or trainer or any other support staff member including statistician or other person acting in any role as though member of the team staff at the Receiving School anytime during the Twelve (12) month period prior to the student's enrollment at the Receiving School; or c) became a coach, manager or trainer or any other support staff member including statistician or other person acting in any role as though member of the team staff at the Receiving School anytime during the Ninety (90) day period after the student's enrollment at the Receiving School.
3. The student received instruction from a coach, manager or trainer or any other support staff member including statistician or other person acting in any role as though member of the team staff who a) was a coach, manager or trainer or any other support staff member including statistician or other person acting in any role as though member of the team staff at the Receiving School at the time the transfer student enrolled at the Receiving School; b) had been a coach, manager or trainer at the Receiving School anytime during the Twelve (12) month period prior to the student's enrollment at the Receiving School, or c) became a coach, manager or trainer or any other support staff member including statistician or other person acting in any role as though member of the team staff at the Receiving School anytime during the Ninety (90) day period after the student's enrollment at the receiving school.

BYLAW 6 – BYLAW 6. TRANSFER RULE- CITIZENS OF THE U.S. OR U.S. TERRITORIES (Sec 3 (d) (4) NEW)

4) If there exists documentation of previous influence from anyone associated with the member school or members school athletic program.

BYLAW 6 – BYLAW 6. TRANSFER RULE- CITIZENS OF THE U.S. OR U.S. TERRITORIES (Sec 1 (a) (REVISED)

Sec. 1) DOMESTIC STUDENT TRANSFER

a) 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 while maintaining permanent residence in the United States or a United States territory following enrollment in grade nine (9) and who then transfers schools shall be ineligible for interscholastic athletics at the varsity (first team) any level in any sport for one year from the date of last participation in varsity interscholastic athletics.

BYLAW 7 – TRANSFER RULE- FOREIGN EXCHANGE STUDENTS (SEC 1(A) REVISED)

Sec. 1) FOREIGN EXCHANGE STUDENTS (NONDOMESTIC)

a) Foreign exchange students desiring to participate in high school athletics (grades 9-12) at any level in Kentucky shall be considered ineligible at the varsity level for the first calendar year following enrollment.

BYLAW 8 – TRANSFER RULE- NON-EXCHANGE FOREIGN STUDENTS (SEC 1 (A) REVISED)

Sec. 1) FOREIGN STUDENTS (NONDOMESTIC) NOT COMING THROUGH EXCHANGE PROGRAMS

a) Foreign students (nondomestic) desiring to participate in high school athletics (grades 9-12) at any level in Kentucky shall be considered ineligible at the varsity level for the first calendar year following enrollment.

PROPOSAL 2016-6 – BYLAWS 6, 7 AND 8

(PASSED, FINAL VOTE: 170 YES, 46 NO, 0 ABSTAIN, 3 PRESENT)

Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)

Amend Bylaws 6, 7 and 8 to delineate that the period of ineligibility for transfer and other penalties shall speak specifically only to the varsity level. Decisions with regards to non-varsity competition would be at the discretion of the member school.

Rationale: With the continued perception by both the legislature and the judiciary of more students being impacted by multiple restrictions and a desire for tighter enforcement, this proposal would stipulate that the period of ineligibility for transfer students would apply only to the varsity level. This change would allow for enrollment and at the school discretion, non-varsity competition, but would not allow for varsity competition. It is felt that this addresses school administrators' desires to keep kids involved but also address the advantage students get by transferring to participate in championship play. Reviewers should remember that the students being penalized at the varsity level are losing one-fourth of their high school eligibility, a serious penalty with or without the loss of any other privilege. The student qualifying for ineligibility has played at the varsity level and therefore the penalty would be at the varsity level.

Impact: Regulatory

BYLAW 6 – BYLAW 6. TRANSFER RULE- CITIZENS OF THE U.S. OR U.S. TERRITORIES (Sec 1 (a) (REVISED)

Sec. 1) DOMESTIC STUDENT TRANSFER

a) 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 while maintaining permanent residence in the United States or a United States territory following enrollment in grade nine (9) and who then transfers schools shall be ineligible for interscholastic athletics at the varsity (first team) any level in any sport for one year from the date of last participation in varsity interscholastic athletics.

BYLAW 7 – TRANSFER RULE- FOREIGN EXCHANGE STUDENTS (SEC 1(A) REVISED)

Sec. 1) FOREIGN EXCHANGE STUDENTS (NONDOMESTIC)

- a) Foreign exchange students desiring to participate in high school athletics (grades 9-12) at any level in Kentucky shall be considered ineligible at the varsity level for the first calendar year following enrollment.

BYLAW 8 – TRANSFER RULE- NON-EXCHANGE FOREIGN STUDENTS (SEC 1 (A) REVISED)

Sec. 1) FOREIGN STUDENTS (NONDOMESTIC) NOT COMING THROUGH EXCHANGE PROGRAMS

- a) Foreign students (nondomestic) desiring to participate in high school athletics (grades 9-12) at any level in Kentucky shall be considered ineligible at the varsity level for the first calendar year following enrollment.

PROPOSAL 2016-7 – BYLAWS 6, 7 AND 8

(FAILED, FINAL VOTE: 136 YES, 78 NO, 2 ABSTAIN, 3 PRESENT)

Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)

Amend Bylaws 6, 7 and 8 to delineate that the domestic student transfer rule would apply to any student who chose to play at the varsity level in grades 7 through 12.

Rationale: Over the years, the membership has expressed a great many concerns, through the staff and through the Board members, about activities that are occurring at the 7 and 8 grade levels that unduly influence student athletic team choice. It is felt that this proposal DIRECTLY aims at the problem. The issues generally occur when students below 9 grade play varsity for a member school and then subsequently and without meeting a normal Bylaw 6 exception, enroll at a different school in grade 9. This is NOT the same proposal as was proposed many years ago where basic enrollment was impacted by school type, this is directly aimed at those that chose to play varsity. The problem of ineligibility at grade 9 is avoided by the parents and student simply not playing varsity.

Impact: Regulatory

BYLAW 6 – BYLAW 6. TRANSFER RULE- CITIZENS OF THE U.S. OR U.S. TERRITORIES (Sec 1 (a) (REVISED)

Sec. 1) DOMESTIC STUDENT TRANSFER

- a) 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 while maintaining permanent residence in the United States or a United States territory following enrollment in grade nine (9) and who then transfers schools shall be ineligible for interscholastic athletics at the any level in any sport for one year from the date of last participation in varsity interscholastic athletics. Effective July 1, 2018, any student who has been enrolled in grade seven (7) or eight (8) and has participated in any varsity contest in any sport at any school while maintaining permanent residence in the United States or a United States territory following enrollment in grade seven (7) and who then transfers schools shall be ineligible for interscholastic athletics at the any level in any sport for one year from the date of last participation in varsity interscholastic athletics.

BYLAW 7 – TRANSFER RULE- FOREIGN EXCHANGE STUDENTS (SEC 1(A) REVISED)

Sec. 1) FOREIGN EXCHANGE STUDENTS (NONDOMESTIC)

- a) Foreign exchange students desiring to participate in high school athletics (grades 9-12) at any level in Kentucky shall be considered ineligible at any level for the first calendar year following enrollment. Effective July 1, 2018, foreign exchange students enrolled in grades seven (7) through twelve (12) desiring to participate in high school athletics at any level in Kentucky shall be considered ineligible at any level for the first calendar year following enrollment.

BYLAW 8 – TRANSFER RULE- NON-EXCHANGE FOREIGN STUDENTS (SEC 1 (A) REVISED)

Sec. 1) FOREIGN STUDENTS (NONDOMESTIC) NOT COMING THROUGH EXCHANGE PROGRAMS

- a) Foreign students (nondomestic) desiring to participate in high school athletics (grades 9-12) at any level in Kentucky shall be considered ineligible at any level for the first calendar year following enrollment. Effective July 1, 2018, foreign students enrolled in grades seven (7) through twelve (12) desiring to participate in high school athletics at any level in Kentucky shall be considered ineligible at any level for the first calendar year following enrollment.

PROPOSAL 2016-8 – BYLAW 9

(PASSED, FINAL VOTE: 206 YES, 10 NO, 0 ABSTAIN, 3 PRESENT)

Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)

Amend Bylaw 9 to allow student-athletes with a prior participation history in basketball to participate in single day exposure events.

Rationale: Based upon multiple parental requests, there are many individuals that desire to attend these opportunities to be exposed. While the value of the events is debatable, this change would allow for the parents and athlete to make this choice while still prohibiting regular, continuous league or event play.

Impact: Regulatory

BYLAW 9 – BASKETBALL/FOOTBALL CONTESTANT ON OTHER TEAMS, POSTSEASON AND ALL-STAR GAMES (SEC. (2) AND (3) REVISED)

- (2) Permissible competition by males during this period shall include ~~only~~ those camps that are held on the campus of an NCAA or NAIA member institution or conducted by a single NCAA or NAIA member institution within a 100-mile radius of the NCAA or NAIA member institution's campus, when the only available coaches in attendance for the purpose of evaluation are the employed coaches of that institution. A male student may also attend a one-day exposure event starting with the first date of the men's recruiting period and through October 14 and only for events solely funded by the student and his/her family and could not extend over multiple days.
- (3) Permissible competition by females during this period shall include ~~only~~ permitted evaluations held at nonscholastic women's basketball events during the weekend designated for evaluation by NCAA coaches. A female student may also attend a one-day exposure event starting with the first date of the men's recruiting period and through October 14 and only for events solely funded by the student and his/her family and could not extend over multiple days.

PROPOSAL 2016-9 – BYLAW 11

(PASSED, FINAL VOTE: 175 YES, 36 NO, 5 ABSTAIN, 3 PRESENT)

Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)

Amend Bylaw 11 to remove outmoded language with merit test limitations and establish a window of time in which a tuition paying student must remain current to be able to participate in interscholastic athletics.

Rationale: The financial aid restriction rule, which has been litigated and supported in Federal Court, is in need of minor modernization steps. First, the provision limiting merit aid to the lower of five students or five percent of the student body is no longer needed as the merit aid test listing and its rigidity has replaced any ratios verification. In addition, the original proposal overlooked the need to ensure that institutions were requiring students to be current in their obligations in order to be eligible, and this addition remedies that oversight.

Impact: Regulatory

BYLAW 11 – FINANCIAL AID (SEC. 2(E) DELETE, RENUMBER REMAINING, AND SEC. 2(L) NEW WHICH WOULD BECOME K)

Sec. 2) IMPERMISSIBLE FINANCIAL AID

A student shall be ineligible to participate in interscholastic athletics if the student:

- e) ~~Receives merit aid from a member school that has already given merit aid to the greater of five (5) percent of its student body or five students;~~
- l) Is more than sixty (60) days deficient in the payment of tuition, necessary fees, costs and other charges for attending a member school without corresponding documentation and revised needs analysis form.

PROPOSAL 2016-10 – BYLAW 22

(PASSED, FINAL VOTE: 186 YES, 30 NO, 0 ABSTAIN, 3 PRESENT)

Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)

Amend Bylaw 22 to remove the restrictions on playing only member schools when competing against out of state teams in baseball, basketball, field hockey, football, soccer, softball and volleyball, both when played in state and when played out of state. .

Rationale: These restrictions were originally put in place as a means of ensuring quality of opponents, etc. However in recent years, issues with out of state tournaments and events, along with the individual choices of the membership, seem to make this requirement terribly outdated. This would make decisions as far as regular season opponent choice left up to the local school. By returning the choice to the local school but removing the statewide restrictions, insurance provisions remain in place regardless of school choice.

Impact: Regulatory

BYLAW 22 – CONTESTS (SEC. 2(A) DELETE, RENUMBER REMAINING)

Sec. 2) WITH SCHOOLS IN OTHER STATES

- a) ~~All opponents of KHSAA schools in all contests in baseball, basketball, field hockey, football, soccer, softball and volleyball shall be current members of the NFHS voting state association of that state or shall be opponents who are not eligible to be members of that home state association that is a voting member of the NFHS but are permitted to play the member schools in that state.~~
- b) Member schools of the KHSAA shall adhere to all restrictions contained in the National Federation of State High School Associations' sanctioning policy when playing any contest or scrimmage against an out-of-state opponent in a KHSAA-sanctioned sport.
- c) All contests within Kentucky in a KHSAA-sanctioned sport against schools from out of state that are played by KHSAA member schools shall be governed by the rules and regulations established by the Board of Control. Approval for any exemptions shall come through the Commissioner.

PROPOSAL 2016-11 – BYLAW 23

(FAILED, FINAL VOTE: 65 YES, 146 NO, 5 ABSTAIN, 3 PRESENT)

Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)

Amend Bylaw 23 to codify a definition of Open Gym/Open Field.

Rationale: This proposal allows the "open gym rules" to come full circle. Previously in the bylaws, they were removed to the case situations, then removed totally. This restriction established parameters for "open gym/open field".

Impact: Regulatory

BYLAW 23 – LIMITATION OF SEASONS (SEC (F) (2) (DELETE PROVISION B, AND REPLACE WITH OPEN GYM REGULATION)

- f) Organized Play and Involvement of Members of the Coaching Staff or Team Members Out of Season During the School Year
 - (1) Outside the defined limitations for each sport or sport-activity, the following activity is expressly prohibited:
 - a. Coaches (paid or unpaid) coaching members of that school's team on the campus of a member school during the school year if the competition involves at least fifty (50) percent of the normal playing squad being from any member school (e.g., 6 or more in football or soccer, 3 or more in basketball, 5 or more in baseball or softball); ~~and~~
 - b. Member school facilities being utilized during the school year for organized competition that involves other member schools;
 - c. Member school facilities being utilized during the school year for organized play in the presence of that school's coaches, involving students who are not currently enrolled in the school and are not currently enrolled in a school within the defined feeder pattern under the same local board of education;
 - d. Any activity outside of the defined season that is required or for which a penalty (including team selection) exists for non-participation;
 - e. Member school coaches instructing members or prospective members of a school team during the school year where at least fifty (50) percent of the normal playing squad being from any member school is involved (e.g., 6 or more in football or soccer, 3 or more in basketball, 5 or more in baseball or softball). For individual sports (cross country, golf, swimming and diving, tennis, track and field and wrestling, this limitation if 5 members or prospective team members.
 - (2) Outside the defined limitations for each sport or sport-activity the following activity is expressly permitted:
 - a. Sport-specific observation and evaluation of any player from a team at that school during the school year, provided that player is enrolled in that school or a defined feeder pattern school under the same local board of education as the coach is employed and

- provided that play is not in conflict with other KHSAA bylaws;
- b. With the permission of school administration, coaching of students from the school team at facilities not located on the campus of a member school.
 - c. Non-organized or semi-organized play by team members from within the school or the defined feeder pattern of the school provided there is no coaching instruction;

PROPOSAL 2016-12 – BYLAW 27

(PASSED, FINAL VOTE: 182 YES, 31 NO, 3 ABSTAIN, 3 PRESENT)

Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)

Amend Bylaw 27 to define School Exclusion as a Ruling Officer/Commissioner option for penalty.

Rationale: Through the Due Process Procedure, a student without previous participation history (not subject to Bylaw 6) may be deemed to be ineligible at a specific member school due to previous influence, violations of Bylaw 16, or a determination of Athletic Advantage within the transfer rule. The student would be ineligible upon enrollment at a school where no documentation of such advantage exists.

Impact: Regulatory

BYLAW 27 – PENALTIES (SEC. 4 (L) NEW)

SCHOOL EXCLUSION

If a school has been found to have unduly influenced a student to enroll, or there is a documented finding of Bylaw 6, Sec. 3, Bylaw 7, Sec. 5, or Bylaw 8, Sec. 8 of Athletic Advantage, a student may be restricted from enrolling at a specific school due to the influence. In this matter, a student would have the option to enroll at another school provided influence could not be document.