

Commissioner's Notes

October 2007



Participation Sportsmanship Integrity



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FROM THE COMMISSIONER'S DESK



October means its time for the fall championship sports season to begin. The Leachman Buick & GMC/KHSAA Boys' and Girls' State Golf Championships are scheduled for October 1-6, 2007 at Bowling Green Country Club. The boys' championship is first this year and is scheduled from October 1st -3rd, followed

by the girls' championship October 4th -6th. As always this year's championship events are an example of the rich golf heritage we enjoy in Kentucky with many of our outstanding players going on to college to play golf followed by entry into the professional ranks.

The KHSAA Annual Meeting of Delegates is set for the Bluegrass Ballroom in Lexington Center on October 18, 2007. Annual Meeting registration will begin at 7:15 a.m. (ET) followed by the workshops at 8:15 a.m. The business meeting will start at 1:30 p.m. followed by the voting session. We are in the process of compiling the list of voting delegates, and you are reminded to check your information online and designate your delegate prior to the Annual Meeting. The complete Annual Meeting time schedule for workshops and other activities will be available on the KHSAA Website on October 10, 2007. Once posted, this information will also be mailed to the voting delegates.

The Board of Control will review the action taken by the member school delegates at their October 19, 2007 meeting. The Board will submit their recommendations to the Kentucky Board of Education for their review at the December 6-7, 2007 meeting. As we have experienced this year, and in compliance with 702 KAR 7:065, this is the first step in the administrative regulatory review process for KHSAA rules promulgation for the 2008-09 school year.

The KHSAA Handbook is at the printer and is scheduled to be mailed in about two weeks. For your convenience the current KHSAA Bylaws and other regulations are available on the KHSAA Website. Feel free to contact KHSAA staff if you have questions or need clarification.

Thanks and I hope to see you in Bowling Green at our Golf Championships or at the Annual Meeting on October 18th!

FALL SPORTS PHOTOS/ROSTERS DUE

Please note team photos in the sports of volleyball, football, boys' soccer and girls' soccer, as well as rosters were due September 28. To avoid a fine, please make sure your information has been sent.

For photos, please go to the "Members Only" page on the KHSAA website and use the "Upload Photo" feature. You may also e-mail the photo provided it has been scanned at a minimum DPI of 300 and is not bitmapped. The file should be sent as an attachment and saved with a file extension of .jpg, .gif. or .tif. Faxed copies, copies of photos, newspaper copies, or laser printer printouts ARE NOT ACCEPTABLE. Also include the "photo ID", who's who left to right. Rosters in these sports should also be entered on the "Members Only" page using the "Enter Team Rosters" link.

For assistance with the entry of either item contact Marilyn Mitchell at the Association or mmitchell@khsaa.org.

MEDICAL INSURANCE REMINDER

Several times this fall, the KHSAA has received billing from various medical entities for incidental injuries occurring in fall sports. The KHSAA carries a CATASTROPHIC insurance policy on all student athletes and that policy has a \$25,000 deductible and is secondary to all other coverage. The KHSAA does not carry primary insurance on any student athlete. Administrators should remind coaches to carry copies of GE4 with the team as they travel so that emergency treatment can be administered and the proper insurance carrier be billed.

Bylaw 2 requires a condition precedent to practice or play, that each athlete have primary insurance coverage, with a medical maximum payout of \$25, 000.

REPORTING OF SCORES TO NEW SCOREBOARD NUMBER

Remember to call in scores to the KHSAA/Riherd's Scoreboard at the completion of contests. The number is **1-800-453-6882**. Scoreboards are maintained in the fall sports of Volleyball, Boys' and Girls' Soccer and Football. If you have results from any fall sport, superlative performance or other note of news, you may submit that via e-mail to bcope@khsaa.org for inclusion in the KHSAA weekly news release.

KHSAA CONTEST OPPONENTS, IN AND OUT OF STATE

As winter sports and spring sports are being scheduled, please note the criteria for out of state teams and tournaments:

KHSAA MEMBERS VS. IN STATE TEAMS

All regular season games against in-state opponents must be against schools that also belong to the KHSAA. Students from non-member schools in Kentucky may not, under any circumstances, compete against KHSAA member school students in the contests defined within Bylaw 25.

KHSAA MEMBERS VS. OUT OF STATE TEAMS FROM CONTIGUOUS STATES

All regular season games played against out of state opponents must be played against schools that are members of that state's association. The KHSAA office can assist in determining the status of those teams.

A sanction form is not required if all participating schools are from Indiana, Illinois or Ohio, unless a NFHS sanction applies. Please note, however, that Missouri, Tennessee, Virginia and West Virginia require a sanction form for every out-of-state event.

KHSAA MEMBERS VS. NON CONTIGUOUS OR OTHERS THAT REQUIRE NFHS SANCTION

KHSAA member schools hosting an event are to complete the NFHS sanction form and include a processing fee in the amount of \$100.00 if the contests includes any of the following criteria:

The event involves two or more schools and is co-sponsored by or titled in the name of an organization outside the school community (e.g., a university, theme park, athletic shoe/apparel company);

Non-bordering state events if five or more states are involved;

Non-bordering state events if more that eight schools are involved; or

Any event involving two or more schools that involves a team from a foreign country. (The exceptions to this rule are Canada and Mexico).

The sanction fee should be made payable to the National Federation and sent to the KHSAA with the appropriate form. The KHSAA is responsible for forwarding the form and fee to the National Federation Office.

When Kentucky member schools are participating in out-of-state contests, the host school from out-of-state is responsible for completing the sanction form through the applicable state association and the KHSAA member is responsible for ensuring this process is complete.

The NFHS has been receiving an unusual amount of sanction applications directly from the event coordinators. When applications are submitted to the NFHS instead of through their respective state association it causes a back log of delay. **PLEASE remember to send all sanctions to the KHSAA for processing.**

If you have any questions, please contact Marilyn Mitchell at the KHSAA office (859)299-5472 or email mmitchell@khsaa.org.

SCHOOLS REMINDED OF DISQUALIFICATION PROCEDURE

Member schools are reminded of the procedure in the event that an athlete is removed from a contest for unsportsmanlike conduct.

1) The contest official is to report the disqualification online via the KHSAA web site within 24 hours of the contest. Upon reporting, an email will be automatically generated to the member school Principal and Athletic Director. Contained in that email is a link to the disqualification, and the report.

2) When that link is clicked, it will show an opportunity for the member school to request reinstatement. In general, this is a simple statement such as "This school requests reinstatement of John Doe following the mandatory minimum suspension". If the ejection is for an act so egregious as to require investigation and further suspension, this is an opportunity for the school to further respond that about its actions.

3) Once the school request has been received, KHSAA staff will reinstate the athlete and/or coach. The KHSAA WILL NOT reinstate the athlete and/or coach until the member school has requested such reinstatement via the web site.

4) Per KHSAA Bylaw 16, there is no appeal of an officials' judgement call. KHSAA staff will intercede and work with the member school and officials when an erroneous number has been reported, or data is incomplete, but Bylaw 16 binds the Association staff in terms of reinstatement prior to the minimum suspension.

If you have any questions about this procedure, please contact Marsha Day who handles the day to day mechanics of the procedure, or any of the Assistant Commissioners if you have policy or Bylaw questions.

BASKETBALL SCHEDULE ENTRY

Member school personnel must review your basketball schedules to make sure any game updates have been added. Schedules are to be entered on the KHSAA website through the "Member School Only" link. Revisions should be made no later than Oct. 15.

ATHLETIC DIRECTORS CORNER

The KHSADA will offer Leadership Training Program courses 502 (Philosophy, Strategies & Methods) and 504 (Legal Issues I - Risk Management) on October 17, 2007 beginning at 4:30 P.M. (location TBA). The cost for a course is \$80 and you may get registration information from faye.thornton@pendleton.kyschools.us. To learn more about the Leadership Training Program go to www.niaaa.org and click on the Leadership Training Program link at the left of the screen.

If you are interested in attending the National Federation of High School's Annual Convention for Athletic Directors in Nashville, you may register online at www.nfhs.org.

The fall Board of Directors meeting for the KHSADA will be Monday, November 5. If you have items you would like for the board to address, please contact jeff.edwards@jefferson.kyschools.us.

ANNUAL MEETING PROPOSALS

Proposals for the Annual Meeting of the Delegates, are enclosed in this mailing of the C-Notes. The Annual Meeting will take place October 18, 2007 at the Lexington Center.

2007-2008 CHAMPIONSHIP DATES

Oct. 1-3	Leachman Buick/GMC-KHSAA Boys' Golf	Bowling Green Country Club
Oct. 4-6	Leachman Buick/GMC-KHSAA Girls' Golf	Bowling Green Country Club
Oct. 26-27	Girls' Volleyball	NKU Regents Hall, Highland Heights
Oct. 31, Nov. 1,3	Boys' & Girls' Soccer	Toyota Stadium, Georgetown
Nov. 10	Boys' & Girls' Cross Country	Kentucky Horse Park, Lexington
Dec. 7-8	Football	Papa John's Cardinal Stadium, Louisville
Feb. 8-9	Swimming	U of L Ralph Wright Natatorium
Feb. 14-16	Wrestling	Frankfort Convention Center, Frankfort
March 12-15	Houchens/KHSAA Girls' Basketball	WKU Diddle Arena, Bowling Green
March 19-22	National City/KHSAA Boys' Basketball	Rupp Arena, Lexington
May 22-24	Boys' & Girls' Tennis	UK Boone/Downing Complex, Lexington
May 30-31	Boys' & Girls' Track	U of L Owsley Frazier Park, Louisville
June 6-7	Fast Pitch Softball	Jack Fisher Park, Owensboro
June 11-14	Baseball	Applebee's Park, Lexington

BASKETBALL SCHEDULING

Bylaw 25 addresses the method of counting basketball games against the limit. In summary, here is the rule.

Each team may count a maximum of two tournaments in a "shortcut fashion" (where each and every game doesn't have to be counted against the limit of games) provided that a school plays no more than four games in any one tournament;

Each team may count a maximum of two tournaments as one-game each against the limit of games, regardless of tournament format, provided that a school plays no more than four games in either of the tournaments;

Each game in any tournament beyond the limit of four games shall be counted against the limit of games;

The total game limit (including two tournament shortcuts) is 23 games. This could be 21 single games and two "shortcut" tournaments (where neither tournament has a team playing more than four games), 22 single games and one shortcut tournament (where a team doesn't play more than four in that tournament) or it could be 23 single games;

There is no limit to the number of tournaments that can be entered by a team, but only two may be counted in a "shortcut" fashion, all other contests must be counted game for game.

Please feel free to contact the office if you have other questions.

SCHOOL PASSWORD AND NEED TO UPDATE EMAIL ADDRESSES

The KHSAA continually requests that the email addresses be updated for all member schools. This is vital as the password and security system has been implemented, which uses the email address as the login for the member schools.

Principals, Athletic Directors and Superintendents have one level of security, coaches have a different level, and the other "data entry" individuals can also be issued passwords for such things as roster and stat entry.

The use of this type of security allows the Association to be more comfortable in posting sensitive data and allows for the different levels of users to have different levels of access. If you have questions about your password or the procedure, please contact Marilyn Mitchell at the KHSAA offices.

TITLE IX WORKSHOP DATES

The KHSAA has set Thursday November 29, 2007 as the date of the first Title IX Workshop for the 2007-2008 school year. The workshop will take place at the Executive Inn in Louisville.

A second workshop is planned in early December in Richmond exact date and times TBA.

2007-2008 RULES CLINICS

It is an Association requirement that each licensed official and head coach attend a rules interpretation clinic conducted by the KHSAA (ByLaw 26, Sec. 2). Officials who have not met the requirement will not be permitted to officiate any postseason contest. Coaches who have not met the requirement will not be permitted to coach any postseason contest.

ALL TIMES ARE LOCAL.

BASKETBALL

(All Times are 7 p.m. local, unless noted otherwise)

10/8, Somerset, Pulaski County HS

10/9, Shepherdsville, Bullitt Central HS

10/10, Hazard, Perry Co. Central HS

10/11, Independence, Simon Kenton HS

10/15, Princeton, Caldwell County HS

10/16, Bowling Green, Greenwood HS

10/17, Paris, Bourbon County HS

10/18, Grayson, East Carter HS

11/14, Lexington, KHSAA Office, Make-Up Clinic (\$75 Fine)

SWIMMING & DIVING

11/13, Lexington, KHSAA Office, Make-Up Clinic
(\$75 Fine), 1:30 p.m.

WRESTLING

(All Times are 7 p.m. local, unless noted otherwise)

9/30, Princeton, Caldwell County HS, 3 p.m.

10/1, Union, Ryle HS

10/2, Louisville, Christian Academy-Louisville HS

10/4, Lexington, KHSAA Office

10/11, Lexington, KHSAA Office, Make-Up Clinic
(\$75 Fine), 1:30 p.m.

REMAINING REQUIRED SCHOOL ADMINISTRATORS MEETINGS

In 2005-2006, the Board of Control, on recommendation from a panel of public and non-public school Superintendents, voted to require the Principal of each member school to attend an annual meeting. At this meeting, the current rules and regulations as well as Association policies, procedures and undertakings are to be discussed. This is in compliance with Bylaw 1, which states that the Principal is ultimately responsible for all Association rules being complied with within the athletic program.

Many times, the building Principal has schedule conflicts in attending, so there was also an allowance made that the attendance requirement could be fulfilled by someone else in the building attending who held current principal certification.

The schedule for 2007-2008 is –

10/10 - Whitesburg, Letcher Co. Central HS, 1:30 p.m.

11/7 - Lexington, (in conjunction with KASSP Fall Conference, 2:00 p.m.)

11/28 - Lexington, KHSAA Office, Make-Up Meeting (\$75 Fine), 1:30 p.m.

Each of these meetings count equally toward satisfying the requirement.

The November 28 meeting is a "make up", and is held well into the school year and is considered a late meeting as it certainly puts school administrators behind in being made up to date about rules. This is why it is treated like a late attended rules clinic, with the requisite fine.

A sign-up sheet has been sent by electronic mail (GE47) so that you can register and help staff prepare certificates, materials, etc.

FALL 2007 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

PROPOSAL 2007 - 1

Proposed by the KHSAA Board of Control - A technical amendment to Bylaw 4 to re-state its intent on limitations. This amendment effects only the marked sections and does not effect any other proposed change to Bylaw 4.

Rationale – With two minor changes, the Board of Control desires to make clear the intent of the membership with respect to the four year limitation on eligibility. This statement of principle, while not negating the Due Process rights of any student within the Due Process Procedure, reiterates a desire that no student be allowed to play more than four seasons at the high school level in a single sport once the four-year count has started. This also clarifies and contradiction between subsections (c) and (d) that has needed resolution. This change would phase in and allow any student who, while below grade 4 had competed in high school level competition, to continue competing until eligibility was exhausted, provided the student was eligible by all other rules.

Bylaw 4. Enrollment

Sec. 1) Maximum Number of Semesters

- a) Students promoted from grade eight (8) to grade nine (9) shall have four (4) consecutive calendar years of eligibility from the date of first such promotion by the school provided the student is eligible according to this and all other Association bylaws. Such eligibility shall conclude with the completion of the spring sports season following the fourth year. No additional eligibility may be granted in a case where the grant would allow a student to compete in all or part of the fifth competitive season in a single sport following the initial promotion by the school from grade eight (8).
- b) The Commissioner or Board of Control through the Due Process Procedure, may grant additional eligibility in the case where is has been documented by the attending physician, Principal and Superintendent that severe illness or injury has prevented the student from receiving necessary education services and the right to an education has therefore been impacted rather than simply the loss of athletic privilege. Such grant of eligibility may only be made in the cases in which the student-athlete would remain eligible by all other Association bylaws. Nothing about this provision shall include additional eligibility strictly for loss of participation due to sports related injuries. No additional eligibility may be granted in a case where the grant would allow a student to compete in all or part of the fifth competitive season in a single sport following the initial promotion by the school from grade eight (8).
- c) No student having been enrolled in the fourth (4th) grade or in any grade through twelfth (12th) shall be eligible for interscholastic athletics at the high school level (grades 9 through 12) for more than a total of one (1) year in each grade and applicable eligibility shall begin in the first year enrolled in that grade. Students repeating a grade for any reason are ineligible to participate in interscholastic athletics at the high school level (grades 9 through 12) during the second year in that grade. The penalty for violation of this rule shall be the loss of one of the four years of eligibility after being promoted from grade nine (9). Policies regarding the participation of repeating students at the levels of play below high school interscholastic athletics shall be determined by the school council pursuant to KRS 160.345 (2) (i).
- d) Pupils in grades 4-8 ~~4-8~~ may play on the high school team if such participation is not in conflict with Section (c) above, and the time so played shall not be counted on the eight (8) semester limit. EXCEPTION: Students below grade nine (9) may not participate on the varsity team in contests in the sports of football or soccer, and students enrolled below grade seven (7) may not participate on the varsity level in wrestling. The provisions of this restriction shall not apply to non-varsity teams participating in these sports.

PROPOSAL 2007 - 2

Proposed by the KHSAA Board of Control - An amendment to Bylaw 6 to codify an exception related to military transfers and clarify the section related to divorce of the parents of a student-athlete.

Rationale – Upon review of the current transfer rule and restrictions, the Board of Control feels that the custody situation needs to be clarified to better illustrate the provisions of the rule and its restrictions. The change in sub-section (b) makes no substantive change, but may eliminate a perceived loophole in the rule. The new section (i) proposed, is reflective of

current events that have been handled through the Due Process Procedure, but are more appropriately handled by creating an enumerated exception within the body of 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) 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. Any student entering grade (7) in 2008-2009 or later who has participated in a contest at any level in any sport representing a member school while being enrolled in grades seven (7) or eight (8) and who then enrolls at a different member school (grade nine or above) shall be ineligible for interscholastic athletics at any level in any sport for the first year of enrollment.

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. 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.

b) DIVORCE - The KHSAA will not recognize a legal separation as grounds for waiver of the provisions of this bylaw. The Commissioner may waive the provisions of this bylaw in the event of a dissolution of marriage (i.e. a final and legally binding divorce decree from a court of competent jurisdiction) of the parents and a change in the residence of the student pursuant to a court order granting custody of the child to one of the parents with whom the student shall reside. In the event joint custody is awarded to both parents, for purposes of this bylaw, the student shall initially be eligible where either parent resides. After establishing eligibility with one parent, all subsequent transfers will require a period of ineligibility of one year ~~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. If a student subsequently decides to return and reside with the other parent in a different school district, the student shall be ineligible for one year.

i) MILITARY ASSIGNMENT - Any student transferring in a situation where documentation is presented to verify that the change in education and living arrangements is directly related to an order from any branch of the United States military service, including the reserve components may have the period of ineligibility waived.

PROPOSAL 2007 - 3

Proposed by the KHSAA Board of Control - A technical amendment to Bylaw 14 which removes specified penalties and instead, refers the situation to Bylaw 33 as per other rules.

Rationale – This technical change would take the specified penalties from Bylaw 14 and place them more appropriately within the scope of Bylaw 33.

Bylaw 14. Certification of Eligibility

Sec. 8) Certification of Ineligible Player

If any school plays an ineligible player when the facts were available and could have been known upon such investigation as a principal or Designated Representative is expected to make in the case of each of his players, that school shall be penalized in accordance with the provisions of Bylaw 33 ~~suspended from the Association or otherwise penalized.~~

If a player enters a contest under an assumed name or when not properly certified, he/she shall be permanently ineligible, and his/her school shall be penalized in accordance with the provisions of Bylaw 33 ~~forfeit the contest and shall be suspended from the Association.~~

PROPOSAL 2007 - 4

Proposed by Rob Mullen, Trinity (Louisville); Doug Strothman, DeSales; Sr. Chris Beckett, Presentation; Nelson Nunn, St. Xavier; Sr. Maryann Tarquinio, Holy Cross (Louisville); Alexandra Thurstone, St. Francis; Bob Noll, Newport Central Catholic; Harold Staples, Owensboro Catholic; Jodell Seay, Portland Christian; Linda Van Houten, Walden; Beverly McAuliffe, Sacred Heart; Paul Schum, Bethlehem; Sally Stevens, Lexington Catholic; Elaine Salvo, Assumption; Bill Hagan, Trinity (Whitesville) - A proposal to codify and emphasize a compliance system for investigating violations of KHSAA rules.

Rationale - While current KHSAA procedures provide for a sophisticated due process hearing process, there is no corresponding compliance/investigative procedure, to permit the Association to respond in a timely, effective and consistent manner to allegations of violations or reports of rules infractions, and to make determinations that will have the confidence of their member institutions, other stakeholders and the general public. Specifically, current procedures provide that investigations are to be triggered by a request for a ruling, or by routine, periodic reports and/or audits conducted by the Association. No current procedure clearly empowers KHSAA to proceed with random compliance checks, or to conduct investigations of specific alleged violations based on information received, nor are Commissioners specifically authorized to initiate complaints/investigations on their own (based on information brought to their attention).

Perhaps most importantly, the Association currently does not have specific investigative procedures or staff specifically tasked to conduct meaningful investigations, preserve the Association's discretion and flexibility to police its membership, and require that member institutions, regulated student athletes and their parents, and other stakeholders, respond to investigations in a timely and cooperative manner (or, in the alternative, face appropriate sanctions.)

As a result of all of the above, there is a real question as to whether complaints and concerns are being investigated in a prompt and effective manner. Rumor, misinformation and suspicion have filled the void caused by the absence of an effective compliance process, and conclusions are being drawn from anecdotal information that is exaggerated or inaccurate, to the detriment of relationships within the organization and the organization's credibility with its membership and the general public.

Finally, it is believed that prompt investigation and resolution will result in fewer legal challenges to Association action, such that this program will result in better enforcement without an increase in enforcement-related costs.

Bylaw 16. Protests, Reporting of Violations

Any person wishing to report a violation of the KHSAA Constitution, Bylaws or Tournament rules must do so as provided by the Due Process Procedure, as amended, and as incorporated by reference herein-as provided by the Due Process Procedure, as amended, and as incorporated by reference herein in writing. If such evidence is presented to warrant an investigation, the Commissioner shall ensure that such investigation is performed. The Commissioner's office shall notify the principal or superintendent of the protested school, telling him/her the exact nature of the charges made. If a Compliance Officer is assigned an investigator is appointed in connection with the inquiry or complaint protest, he/she shall provide a copy of the report of the investigation to the Commissioner, and a copy of any investigative report shall be made a part of the official school records with the Association and shall be made available to the principal or superintendent of the schools involved upon request consistent with the Due Process Procedure. If the investigation results in a probable cause determination, and the inquiry or complaint is not resolved by conciliation, the matter may proceed to a hearing under the Due Process Procedure.

Protests against the decision of contest officials made during the course of game or meet will not be considered.

COMPILER'S NOTE: The following are amendments that are recommended if this amendment passes the Annual Meeting. The wording of the Due Process Procedure is the jurisdiction of the Legislative Research Commission through the Kentucky Board of Education and the KHSAA Board of Control.

Changes to KHSAA Due Process Procedure

This Proposal would amend the current Due Process Procedure, by adopting the following additional provisions:

The KHSAA hereby adopts the following compliance procedures, to be supplemented by further provisions in the areas as herein identified:

1. Staffing—An Assistant Commissioner shall be tasked as the Association's contact person for compliance activities, and is hereby given the additional title: "Director of Compliance". There is further hereby created a KHSAA "Compliance Division", to be made up of the following staff positions:

a. Director of Compliance-- (an Assistant Commissioner)

b. Compliance Officer-- (2 positions)

c. Compliance Assistant-- (a staff position combining the responsibilities of i) records maintenance/retention and ii) intake and initial complaint-processing.

2. Responsibilities-

a. The Compliance Division shall maintain existing responsibilities and lines of communication, including processing of eligibility inquiries, "requests for ruling", and similar requests under current procedures.

b. The KHSAA shall implement and maintain a state-wide, toll-free (800) number, to field questions, provide technical assistance to members and stakeholders, and to receive inquiries/complaints of non-compliance or rules violations.

c. The Compliance Division shall implement and maintain approved investigatory procedures, to include at least the following components:

1. Intake Officer (Compliance Officer or Compliance Assistant) interviews the caller or complaining individual(s), and attempts to obtain all information known by/available to the contact. (Note: Inquiries/complaints may be anonymously submitted, but the caller may be told that this method of reporting is likely to be an impediment to a full investigation).

2. Compliance staff shall preliminarily determine whether the inquiry/complaint warrants an investigation, based on nature of the allegations and existence of supporting evidence, consistent with criteria to be developed by KHSAA. (Staff will provide information and a recommendation to the Compliance Director, who will then make a final decision as to whether to proceed with a full investigation).

3. Inquiry or complaint information shall be written up on an "Inquiry Form" or equivalent document, be docketed with an identification number, and be assigned to a Compliance Officer for investigation. At the time the inquiry is assigned, the Inquiry Form shall be served on the individual or entity being investigated, by Certified Mail or personal service (depending on the nature of the proceeding, with specific procedures to be developed by KHSAA). The Compliance Officer shall then have 90 days to conduct an investigation (unless the matter is designated for an "expedited" investigation/review by order of the Commissioner, under procedures to be developed by KHSAA). The investigation shall consist of personal interviews and/or review of relevant documents, and the KHSAA shall also have the discretion to conduct an "on-site" investigation, under procedures and time-lines to be developed by the Association.

4. Upon completion of the investigation, the Compliance Officer shall make a recommendation to the Compliance Director, who shall then report a finding of either: a) "no probable cause" to believe that an infraction or violation of KHSAA rules/procedures has occurred, or a finding of b) "probable cause" to believe that an infraction or rules violation has occurred.

a. If a "no probable cause" finding is made, the matter shall be dismissed, and all interested parties will be informed of the determination. (Note: Final procedures may call for the Board to sign off on the "no probable cause" determinations, depending on procedures to be developed by the Association.)

b. If a "probable cause" determination is made, the KHSAA shall attempt to resolve the matter through "conference, conciliation and persuasion" ("conciliation"). If the matter is resolved through conciliation, the agreement of the parties shall be reduced to writing, and will thereafter be adopted as a final Order of the KHSAA.

5. If a "probable cause" determination is made, and the matter is not resolved within 30 days through the process of conciliation, the matter shall be scheduled for a hearing, consistent with existing procedures.

6. The KHSAA will develop and maintain procedures to insure that investigations are conducted in a confidential manner, consistent with administrative procedure and Kentucky Open Records requirements.

d. Provision shall also be made (whether by amendment of the By-Laws or otherwise) for a Commissioner-initiated charge, which could be an appropriate vehicle for commencing an investigation of reported or suspected rules violations that come to the attention of KHSAA by means other than inquiries from stakeholders or the public. The procedure for investigation of Commissioner-initiated charges should mirror, insofar as

practical, the investigative procedures set out above.

e. The Compliance Division will submit to the Board of Control an annual report summarizing inquiries and complaints in order to assist the Board of Control in determining if current KHSAA rules are sufficient, and to recommend adjustments to the bylaws as needed and appropriate.

3. Funding-

The three (3) "new" staff positions of the Compliance Division of the KHSAA (2 Compliance Officers and a Compliance Assistant) shall be hired with the financial support of the Association's member institutions. Any member contributions to the staff funding obligation shall be assessed on an appropriate proportionate basis between public and non-public member institutions.

PROPOSAL 2007 - 5

Proposed by the KHSAA Board of Control - A proposal to change the method of counting games in soccer.

Rationale – This change will revise the method for counting games in soccer to simplify the process and eliminate perceived issues and the possibility of schools exceeding the limit of games by miscounting tournaments.

Bylaw 25. Limitation of Seasons

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

- 1) The first organized practice for the fall varsity (grades 9-12) season shall not take place prior to July 15.
- 2) There shall be no more than two (2) scrimmages or practice games prior to the first regular season contest of that year.
- 3) The first match shall not take place prior to the Monday of Corresponding Week 7.
- 4) A season will consist of a maximum of twenty-one (21) games ~~seventeen (17) games. A maximum of two (2) tournaments may be included in any manner other than counting each game played against the limit of seventeen (17) games. Single elimination tournaments in which every team in the tournament is finished playing upon their first loss are eligible to be counted as one game against the limit of seventeen (17) games. All other formats of tournaments are eligible to be counted as two games against the limit of seventeen (17) games. Any team playing more than four games in any one tournament shall have each additional game played over four counted against the limit of seventeen. Any game played over the limit of four in any one tournament shall be counted against the limit of seventeen (17) games.~~
- 5) 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.

PROPOSAL 2007 - 6

Proposed by Tracy Spickard, Franklin County High School; Jim McKee, Scott County High School; Greg Scholl, Southwestern High School; Ron Madrick, Holmes High School - A proposal worked out in conjunction with members of the Kentucky Basketball and Football Coaches Association to attempt to minimize the conflict over student-athlete participation in those sports.

Rationale – Through a series of proposals, coaches and athletic administrators have worked together to attempt to make better use of the student-athletes in the state, minimize kids have to make choices between sports and be better able to play both, and not effect the ability of programs to be competitive. With this change, to go into effect with the 2009-2010 school year, the basketball season returns to its traditional time block. KHSAA member schools are simply, by and large, too small on average to compete for athletes. This proposal acknowledges that the allowances for football and expansion of participation opportunities may have create adverse situations for kids participating in other sports and returns the basic football season to ten regular season weeks to play ten regular season games. Schools would have the option of substituting an early game for a scrimmage in Week "0" to fill their schedule as a final resort to solving scheduling problems. With a scheduling grid adopted, even if revised for the 2009 season, when this proposal takes effect in 2009, there should be no more scheduling problems in adapting to this change than with any other schedule change that occurs in the first year of a contract cycle. Also with this change, the basketball season returns to its traditional time block. In addition, this keeps in mind that basketball and football seasons should be separate. In addition, this keeps in mind that the fall and winter sports seasons should be separate. In many cases, good athletes are forced to make the choice between basketball and

football due to the KHSAA rules, which potentially harms both programs and the student-athletes. Years ago, the member schools specified that the spring sports season should not start until the winter season is over. That allows the most opportunity for students to compete in more than one sport should they desire to do so. The same should be done for the fall and winter sports, particularly basketball. Moving the start of basketball season to after football (semifinals or finals) allows a majority of the students to be able to play both sports should they desire to participate in both. Since the Board of Control sets the football finals at least two years in advance, it would be within a regular contract cycle for basketball games to simply adjust the subsequent corresponding date charts due to the football finals scheduling. This change also locks in the length of the basketball season to allow for scheduling adjustments and planning.

The spring practice changes listed in this proposal make no effective change to the regulation, but rather place existing interpretations and restrictions into the body of the rule.

Bylaw 25. Limitation of Seasons

Sec. 3) Sports Specific Limitations - **Basketball - Boys and Girls**

- 3) The first basketball game shall not take place prior to the Monday following the state football semifinals ~~Thanksgiving~~.
- 5) 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) which shall be no earlier than the conclusion of the twelfth (12th) regular season playing week and not later than the conclusion of the thirteenth (13th) regular season playing week, depending upon the KHSAA Corresponding Dates Calendar and the scheduling of the state basketball tournaments, 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.

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

- 1) Organized non-contact practice shall not begin prior to July 15. During this non-contact period, a helmet, shoulder pads and shoes are the only football equipment that may be worn. The first date of practice in full pads shall be 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 fourth Friday before the first regular season playing date. 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.
- 2) 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.
- 3) The first game shall not take place prior to the Friday of NFHS corresponding week 8 (Week 1) eleven (11) weekends prior to the weekend of the first round of the state playoffs.
- 4) A maximum of ten (10) regular season games may be played and the opportunity to play regular season games shall conclude at the end 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 who 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.
- 8) 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 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,
a) No student below grade nine may participate nor may seniors

participate;

- b) Dates must be reported to the KHSAA on supplied forms;
 - c) Only students currently eligible by all KHSAA rules including Bylaws 2 through 12 may participate;
 - d) Intrasquad games may be held but must be counted as one of the ten practice sessions; and
 - e) There can be no school or coach imposed penalty for any player who chooses not to participate.
 - f) There may 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.
- 9) 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 2007 - 7

Proposed by Greg Scholl, Southwestern High School; Jim McKee, Scott County High School; Ron Madrick, Holmes High School - A proposal to revise the starting date for football practice to balance the scheduling issues of alternative calendars and the need to keep contract practice starting as late as possible.

Rationale: Through a series of proposals, coaches and athletic administrators have worked together to attempt to make better use of the student-athletes in the state, minimize kids have to make choices between sports and be better able to play both, and not effect the ability of programs to be competitive. This change, which should go into effect with the 2009-2010 season, locks the start date of fall practice to a defined window so that the rolling of the calendar doesn't force practice into a time period far too early in the summer. Though some early starting schools may be potentially affected with the loss of one or two multiple practice session days, the choice of school start times is left to the local level and shouldn't be allowed to potentially impact the health, welfare and safety of the student-athletes.

Bylaw 25. Limitation of Seasons

Sec. 5) Sports Specific Limitations - Football - Boys

- 1) ~~Organized non-contact practice in pads shall not begin prior to July 15. During this non-contact period, a helmet, shoulder pads and shoes are the only football equipment that may be worn. The first date of practice in full pads shall be 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 fourth Friday before the first regular season playing date.~~ 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.

PROPOSAL 2007 - 8

Proposed by Tracy Spickard, Franklin County High School; Jim McKee, Scott County High School; Greg Scholl, Southwestern High School; Ron Madrick, Holmes High School; Fred Hester, Mason County High School. - A proposal worked out in conjunction with members of the Kentucky Basketball and Football Coaches Association to attempt to minimize the conflict over student-athlete participation in those sports.

Rationale: When the dead period was first instituted, the school administrators and coaches overwhelmingly favored a four-week dead period, but when it was first implemented, the desire of the membership was to start with a 15-day period and then evaluate. The current period has a couple of flaws that this proposal addresses. The football and basketball coaches have worked together to create better opportunities for the student-athletes to be able to play both sports, without effecting the ability of either program to be competitive. This proposal clearly states that organized school vs. school competition (i.e. 7 on 7 passing leagues) in football needs to be in a defined period free from basketball conflicts (i.e. July 10 through July 31) and basketball play (summer tournaments, etc.) needs to be in a defined period free from football conflicts (i.e. June

1 through June 24). With these cooperative restrictions in place, the dead period can better address the sports it was originally intended to regulate, and not collaterally damage others. In addition, with impending changes to the scheduling grid being discussed for revision beginning in 2009, the season preparation issues will be resolved.

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 cheerleading 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. Students may not participate in any school vs. school (in any format) competition in football between the earlier of the last day of school and June 1 through June 24. During this period, students may participate in activities such as weight training, skill development, individual camps and accepted and open field activities where no inter-school competition is involved. Students may not participate in any school vs. school (in any format) competition in boys' basketball between the end of the dead period and July 31. During this period, students may participate in activities such as weight training, skill development, individual camps and accepted and open field activities where no inter-school competition is involved. These restrictions shall not apply to postseason wrap-up activities, celebrations and recognition events relating to a spring sports team at a school which participated in KHSAA state championship play in that particular sport during that particular year.

PROPOSAL 2007 - 9

Proposed by the KHSAA Board of Control - A proposal to amend Bylaw 32 (Selection of Officials) and remove the Federal Court Decree provisions related to the Selection of Officials from the Bylaws while leaving the information printed in other portions of the Handbook.

Rationale - On advice of counsel, the Board of Control feels that this segment of the Federal Court decree is inappropriately placed as it is already published in the Constitution, Officials Licensing Guidebook, and the Policies and Procedures section of the Handbook. This does not remove any of the Federal Court decree jurisdiction or provisions but rather, eliminates a redundancy within the Handbook.

Bylaw 32. Selection of Officials (Federal Court Decree)

~~Where the use of licensed officials is required, the Commission (Commissioner and three Assistant Commissioners) shall select such officials for each contest in football, basketball, and baseball. The names of the officials so selected shall be given to the schools involved at a reasonable time before the contest. Any head coach who objects to the selection of a certain official or officials to serve in games in which his team will participate shall have a right to file a written protest with the Commission, if filed a reasonable time before the contest. What is a reasonable time is to be determined by the Commission. The Commission shall have the right to make such changes as it deems appropriate and in the best interest of the sport. It is recognized that to make out such a schedule is a very involved and tedious task and the Commission shall have authority to employ such assistance as it feels proper, subject of course, to its supervision.~~

~~In accordance with this decree, the Commission must approve all actions of local policy board(s) formed by virtue of, and in compliance with this decree, including the hiring of the Assigning Secretary and assistants.~~

PROPOSAL 2007 - 10

Proposed by Gary Bartlett, Daviess County High School and Will Hodges, Green County High School - A proposal to rescind restrictions on individual sports playing in out of state events due to the near impossible nature of monitoring opponents.

Rationale - The restriction on playing non-member schools from out of state is a restriction that ensures that team competition is played by high school teams. However, this rule is difficult if not impossible to monitor in the individual sports of cross country, golf, swimming, tennis, track and wrestling. In these sports, when travel is made out of state (or even out of state teams brought in), entries may be at the last minute or even not finalized until arrival at the venue and KHSAA members are then left with the near impossible dilemma of deciding between competing illegally or risking the financial and competitive issues that come from immediate withdrawal. The KHSAA rules in these sports should be concerned with what Kentucky schools can control. A school can control who it brings in to its meets / contests, and what Kentuckians participate, but it is just not practical in the "individual" sports to have this restriction.

ARTICLE VIII

CONTESTS

Section 1. With Non-Member Kentucky Schools

KHSAA member schools may only compete in contests against schools located in Kentucky that are current members of the KHSAA Any KHSAA member school, that engages in an athletic contest with a nonmember Kentucky school that is eligible for membership in the Association, may be subject to all penalties contained in Bylaw 33 .

Section 2. With Schools from in Other States

All opponents of KHSAA schools in all contests in baseball, basketball, football, soccer, softball and volleyball shall be current members of the state association in the home state of the opponent. All contests played by KHSAA member schools shall be governed by the rules and regulations established by the Board of Control including but not limited to Article VIII of the KHSAA Constitution. Approval for any exemptions must come through the Commissioner. Any KHSAA member school engaging in a contest with a school from another state shall play under the rules of the KHSAA.

PROPOSAL 2007 - 11

Proposed by Jeff Edwards, Jeffersontown High School - A proposal to amend the Constitution to establish a meeting attendance threshold for elected Board of Control members.

Rationale – An elected member representing the member schools school be available to be able to attend meetings representing his/her constituency.

It is important to the member schools being represented that someone is at the meetings to voice the constituent beliefs and concerns on a regular basis..

ARTICLE IV

ADMINISTRATION AND LEGISLATION

Section 1. Officers

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

3) ELIGIBILITY

- a) 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 bonafide 100-day contract assignment as approved by rules of the Kentucky Teachers Retirement System) or on leave of absence (exclusive of employee earned sick leave) will terminate the eligibility of the member. He/she shall not be eligible after serving two (2) consecutive four-year terms.
- b) 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.

5) ATTENDANCE

- a) 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.
- b) REPLACEMENT - Any elected member of the Board of Control, unless excused 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 named in accordance with Section 3 (b) above.