

BYLAW 22. CONTESTS, SANCTIONS, CONTRACTS, RULES, FORFEITURES, FACULTY TO ACCOMPANY

Sec. 1) CONTESTS AGAINST IN-STATE OPPONENTS

- a) KHSAA member schools may only compete in contests in KHSAA-sanctioned sports against schools located in Kentucky that are current members of the KHSAA.
- b) Any KHSAA member school that engages in an athletic contest in a KHSAA-sanctioned sport with a school located in Kentucky that is not a member of the Association shall be subject to all penalties contained in Bylaw 27.
- c) Any student not eligible to represent a KHSAA member school at the varsity level shall not participate in any varsity event managed by a KHSAA member school.
- d) All contests within Kentucky played by KHSAA member schools in a KHSAA-sanctioned sport shall be governed by the rules and regulations established by the Board of Control. Approval for any exemptions shall come through the Commissioner.

Sec. 2) CONTESTS WITH SCHOOLS FROM OTHER STATES, CANADA AND MEXICO

- a) Any student not eligible to represent a KHSAA member school at the varsity level shall not participate in any varsity event managed by a school in another 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 (including Canada and Mexico) 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.
- d) The KHSAA member school is responsible for ensuring the legality of the opponents and that the procedures of the NFHS sanctioning policy are followed.

Sec. 3) FOREIGN TEAMS

- a) KHSAA member schools may compete in contests against schools from foreign countries other than Canada and Mexico provided such contest are properly sanctioned through the National Federation of State High School Associations' sanctioning policy.
- b) KHSAA member schools may not compete in contests against non-school teams from foreign countries or those listed as a club team on any international registry.
- c) The KHSAA member school is responsible for ensuring the legality of the opponents and that the procedures of the NFHS sanctioning policy are followed.

Sec. 4) CONTRACTS

- a) Official written contracts supplied by the office of the Commissioner (or approved electronic substitutes) shall be used for all contests between members of the Association, and the contract shall include statements to the effect that contracting parties are members of the Association.
- b) The Association shall not undertake to enforce oral contracts or oral agreements to changes in written contracts, or contracts that do not use the official written contract form.
- c) The recipient of a contract for an athletic contest between two member schools of the KHSAA shall return the contract, either signed or unsigned, to the sender within thirty (30) days after having received it. The contract shall become void if not returned within this time period.
- d) All contracts between member schools shall contain a specific date for each contest covered in the contract. A contract in which the words "corresponding date" appears, rather than a specific date, shall not be enforced.
- e) The superintendent, principal or Designated Representative shall countersign all contracts to engage in interscholastic contests. Contracts signed by any other individual will not be enforced by the KHSAA.
- f) Provisions may be made for a forfeit fee to be paid by the school that fails to follow the terms of a contract. The Commissioner shall suspend from the Association a school that fails to pay during the same season a stipulated forfeit fee, and the

suspension shall remain in effect until the Board of Control removes it.

- g) Schools in districts that vote to seed regular season play shall by that action, be entering into a contract, even if a written contract is not executed. Schools agreeing to participate in football postseason playoffs shall, by that action, be entering into a contract, even if a written contract is not executed. The Board of Control shall determine the a default forfeit fee for any school failing to play a seeded district game (for any reason) or failing to play a district football game for a team that has previously opted to participate in postseason playoffs.
- h) If a written contract using the official contract form is canceled by reason of suspension of the school, the Board of Control shall determine the financial liability involving the suspended school.

Sec. 5) RULES GOVERNING CONTESTS

- a) National Federation of State High School Association rules shall govern all contests involving member schools if an official set of rules is issued for that sport.
- b) Unless modified through the competition rules adopted by the Board of Control, contests in tennis shall be governed by the rules of the United States Tennis Association (USTA) and contests in golf shall be governed by the rules of the United States Golf Association.
- c) The Board of Control shall adopt competition rules for all sport-activities in which the KHSAA conducts a championship.

Sec. 6) WAIVING OF RULES

School officials of member schools shall not by mutual agreement waive or modify any of the rules of the Association (including playing rules) for any contest sanctioned by the Association.

Sec. 7) FAILURE TO PLAY A SCHEDULED CONTEST

- a) If a school fails to carry out its contract to play a regularly scheduled contest, the contest shall be forfeited to the offended school.
- b) If a school uses a participant in any contest and that student is ineligible, the contest shall be forfeited.

Sec. 8) REQUIREMENT TO ACCOMPANY TEAM TO CONTESTS

The principal, coach or another individual approved by the local Board of Education shall accompany the team to all contests. His or her expenses, when he or she accompanies the contestants, shall be paid in the same manner as those of the contestants. Individuals fulfilling this requirement shall adhere to the requirements of KRS 161.185.

Case BL-22-1- What is a contest as referenced in Bylaw 22?

A contest is one of the allowable regular season games/meets/ tournaments/matches detailed in KHSAA Bylaw 23.

Case BL-22-2- What is a school as defined in the KHSAA Constitution?

A school is an entity which is recognized by the Kentucky Department of Education (or corresponding Department of Education in another state or country) as an institution whose primary purpose is the education of high school aged students.

Case BL-22-3- What is a KHSAA sanctioned sport as used in Bylaw 22?

The sanctioned sports of the KHSAA are those sports approved by the Board of Control as a sports championship. At press time, those include: Baseball, Basketball, Cross Country, Field Hockey, Football, Golf, Soccer, Softball, Swimming, Tennis, Track and Field, Volleyball and Wrestling. Sport-activities are not the same as sports when applying this Bylaw. The sport-activities currently sanctioned by the Board of Control for championship play are Archery, Bass Fishing, Bowling, Competitive Cheer and Dance.

Case BL-22-4- May a KHSAA member school play in a scrimmage in a sport against a nonmember school in Kentucky, an out-of-state or foreign-school team that does not join that state association, or an outside team such as an alumni group?

Yes. Only contests that count against the limitations of Bylaw 23 are restricted to member schools.

Case BL-22-5- May a KHSAA member school play in a contest in a sport against a nonmember school in Kentucky, an out-of-state school that does not join that state association, or an outside team such as an alumni group?

No.

Case BL-22-6- Why is there an NFHS policy requiring sanctioning of interstate events?

- (1) Interscholastic programs should serve educational goals. To this end, schools have an obligation to conduct certain threshold inquiries about events in which their students may participate.
- (2) On occasion, additional inquiries and oversight may be appropriate at the conference, district, state or national levels. In order to perform their "inquiry and oversight" functions fairly and efficiently, decision-makers at various levels have developed sanctioning procedures.
- (3) The specific purposes served by event-sanctioning procedures include the following:
 - a. Sanctioning enhances the likelihood that events will adhere to sound and detailed criteria which meet the specific requirements of a school or a group of schools based upon experience and tradition.
 - b. Sanctioning serves to promote sound regulation of the conditions under which students and teams may compete.
 - c. Sanctioning is a means of encouraging well-managed competition.
 - d. Sanctioning adds an element of "due diligence" that encourages compliance with state association rules and regulations.
 - e. Sanctioning protects the welfare of student-athletes.
 - f. Sanctioning protects the existing programs sponsored by member schools and thereby promotes the opportunity for larger numbers of student-athletes to gain the benefits of interscholastic competition.
 - g. Sanctioning helps reduce the abuses of excessive competition.
 - h. Sanctioning promotes uniformity in obtaining approval for events.
 - i. Sanctioning helps protect students from exploitation. Interstate event sanctioning at the National Federation of State High School Associations (NFHS) level promotes financial transparency and equivalency of treatment of participating high schools. NFHS sanctioning forms are available on the NFHS website (www.nfhs.org).

Case BL-22-7- What are the restrictions and conditions for National Federation of State High School Associations sanction of contests?

- (1) The KHSAA adheres to the National Federation of State High School Associations (NFHS) sanctioning policy. NFHS sanction is required in all sports if KHSAA schools participate in any of the following types of contests:
 - a. any interstate event involving two (2) or more schools which is co-sponsored by an organization outside the high school community;
 - b. nonbordering events if five (5) or more states are involved;
 - c. nonbordering events if more than eight (8) schools are involved; or
 - d. any event involving two (2) or more schools that involves a team from a foreign country (exceptions are Canada and Mexico which are considered "bordering states").
- (2) For contests in Kentucky where NFHS sanction is required, the following steps must be taken:
 - a. If the contest(s) is (are) to be played in Kentucky and the event requires NFHS sanction, the host school should go to the KHSAA website which will link to the NFHS website for completion of the forms and payment of fees (The KHSAA receives no portion of this NFHS fee); and
 - b. This shall be completed and sent to the NFHS along with the requisite fee in the NFHS published timeline to ensure the minimization of costs to the host school and to allow for an orderly flow of communication among all effected parties.
- (3) For contests in Kentucky where NFHS sanction is not required, the following steps must be taken:

- a. If the contest(s) is (are) to be played in Kentucky, involves out-of-state schools and does not require NFHS sanction but involves only those schools in states contiguous with Kentucky, the host school shall ensure that the rules of the opponent's state association with regard to sanctioning are followed; and
 - b. Some state high school associations (i.e., Missouri, Tennessee, West Virginia) have additional requirements for schools participating against their member schools, and the KHSAA staff can assist in facilitating those requests.
- (4) For contests played outside of Kentucky where NFHS sanction is required, the following step(s) must be taken:

If the contest(s) is (are) played outside of Kentucky and NFHS sanctioning is required, the KHSAA member school shall ensure that the host school contacts the NFHS to initiate the sanction process.
 - (5) For contests played outside of Kentucky where NFHS sanction is NOT required, the following steps must be taken:
 - a. If the contest(s) is (are) played outside of Kentucky and NFHS sanctioning is not required and involves only schools in states contiguous with Kentucky, no additional sanctioning is needed on the part of the KHSAA;
 - b. Some state high school associations (i.e., Missouri, Tennessee, West Virginia) have additional requirements for schools participating against their member schools, and the KHSAA staff can assist in facilitating those requests.

Case BL-22-8- Are KHSAA schools required to use form GE14 for scheduling contests or to make written amendments to contracts in the case of contract postponement/cancellation?

No, the form is not required. However, the Association will not arbitrate or attempt to intercede in any dispute regarding a cancelled contest or other logistic dispute if the contest does not involve a properly completed and executed GE14 or its electronic equivalent using an alternative scheduling system. Included in the proper requirements are the proper signatures of the Principal or Designated Representative of the member schools.

In addition, the Association will not arbitrate or attempt to intercede in any dispute regarding a cancelled contest or other logistic dispute if scheduling amendments are agreed by the parties, but not executed in writing between the schools. Contract amendments verified by electronic mail exchange that modify prior properly executed contract forms will be reviewed and assistance offered by the Association as necessary.

Case BL-22-9- Is a written contract on form GE14 required for seeded district games and is there a defined default forfeit fee for seeded district contests?

No, the form is not required. However per the Competition Rules, once a proper agreement has been reached to seed, a contract between all schools is implicit.

The forfeit fee for a forfeited seeded district contest in baseball, soccer, softball and volleyball shall be \$500 if no form GE14 is signed between the teams.

The forfeit fee for a forfeited seeded district contest in basketball shall be \$1000 if no form GE14 is signed between the teams.

The forfeit fee for a forfeited district contest in football shall be \$1500 if no form GE14 is signed between the teams.

Case BL-22-10- What does the expression "corresponding date" mean as it relates to scheduling contests and how does it relate to contract enforcement?

Corresponding date charts are published for all KHSAA sports in an effort to aid athletic administrators in planning future schedules. It should be noted that contracts cannot be enforced by the Association that call for "corresponding dates" rather than specific playing dates.

Case BL-22-11- Does a forfeit win/loss or game cancelled by mutual agreement count against the maximum number of games that can be played?

(1) If the forfeit is declared and the contracted forfeit provisions applied after the first legal playing date, the game shall be counted against the win/loss record, and against the limit of games.

- (2) Games canceled by school administrations and forfeit fees paid before the first playing date do not count against records or limits.
- (3) Games canceled by school administrations by mutual consent without forfeit provisions do not count against records or limits.
- (4) In districts that have voted to seed in those sports that permit seeding for postseason placement, the majority decision to seed shall be interpreted and enforced as an inherent and immediately implied contract to play all contests upon implementation of the seeding plan and within the specifics of the plan.
- (5) Seeded district games that are forfeited shall be counted against the limit of games and shall count on the win/loss record irrespective of the teams when the contract is cancelled, no matter what terms under which the contract is cancelled and whether or not a formal contract is entered into between the competing teams.

Case BL-22-12 Is the restriction on the accompanying of a student by the principal, coach or faculty representative listed in Sec. 8 a KHSAA regulation or state law?

This provision is patterned to ensure conformity with KRS 161.185 which states "Boards of education shall require a certified or classified staff member who is at least twenty-one years of age to accompany students on all school-sponsored or school-endorsed trips."

This stipulation governs accompaniment, and does not supersede or replace any regulation regarding driver qualification.

This permission should be in writing and should be documented by minutes of the local Board of Education.
