

Full Board of Control

June 23, 2022, at 10:00 AM

KHSAA Special Board of Control Meeting

KHSAA Office, Lexington, KY

Attendance Taken at 10:00 AM

Present Board Members: Debbie Beichler, Darrell Billings, Larry Coldiron, James Demler, Pete Galloway, Joe Henderson, Greg Howard, Damon Kelley, Marty Mills, Marllon Miller, Lucy Moore, Angela Passafiume, Taylora Schlosser, Russell Thompson, Gavin Washington, and Matt Wilhoite.

Absent Board Members:

Kirby Smith and Jerry Wyman

Guest: Jason Frakes (Courier-Journal), Regina Jackson (English Lucas Priest and Owsley), Hamp Moore (Bowling Green Independent School District), Gary Fields (Bowling Green Independent School District), Mike Bishop (Bowling Green Independent School District), and Jason Ams (Bingham Greenebaum and Doll Attorneys).

KHSAA Staff: Julian Tackett, Chad Collins, and Kara Howard.

Convene Special Meeting of Board of Control

Marlon Miller welcomed the guest to the meeting and brought the meeting to order. Mr. Miller turned the meeting over to Chad Collins who reminded everyone of the need to consider recusal if warranted. In doing so, everyone was given the opportunity to recuse at that time. No one recused themselves.

Consider Proposed Agreed order Re Appeal of January 12, 2022, ruling regarding Bowling Green High School

Mr. Miller proceeded to review the agenda with the Board and guests.

A question was asked of Mr. Collins about the process to enter in to closed session. Mr. Collins reminded the Board that to enter closed session they must specifically cite the provision of KRS 61.810 that authorizes the board to enter into closed session.

At this time Mr. Miller turned it over to Mr. Ams who explained the Agreed Order to the Board and basis for entering into such order given the current posture of the matter. Mr. Ams further explained that the Agreed Order that has been created is appropriate given new information that was set forth in the Order. Finally, Mr. Ams emphasized the fact that the Agreed Order was reached in collaboration with the Commissioner's office and Bowling Green High School (and the Bowling Green Independent School District).

Regina Jackson who represented Bowling Green High School (Bowling Green Independent School District) thanked the Board for their time to hear this matter. Mrs. Jackson explained that after the initial ruling Bowling Green did request an opportunity to discuss the matter further with the Commissioner. In doing so, they agree the Agreed Order represents the results of that discussion.

Mr. Miller then asked for the Agreed Order to be passed out for review. The Board then took several minutes to review the Agreed Order.

After the review, a Motion was made by Angela Passafiume and seconded by Debbie Beichler to accept the Agreed Order as presented.

Mrs. Beichler then moved to enter into closed session in accordance with KRS 61.810(1)(j) deliberate as a judicial or quasi-judicial body regarding an individual adjudication. The motion was seconded by Greg Howard.

Motion Passed (16-0): Debbie Beichler Yes, Darrell, Billings Yes, Larry Coldiron Yes, James Demler Yes, Pete Galloway Yes, Joe Henderson Yes, Greg Howard Yes, Damon Kelley Yes, Marty Mills Yes, Marllon Miller Yes, Lucy Moore Yes, Kirby Smith Absent, Angela Passafiume Yes, Taylora Schlosser Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, and Jerry Wyman Absent.

Closed Session

Mrs. Beichler moved to come out of closed session. The motion was seconded by Mr. Wilhoite.

Motion Passed (16-0): Debbie Beichler Yes, Darrell, Billings Yes, Larry Coldiron Yes, James Demler Yes, Pete Galloway Yes, Joe Henderson Yes, Greg Howard Yes, Damon Kelley Yes, Marty Mills Yes, Marllon Miller Yes, Lucy Moore Yes, Kirby Smith Absent, Angela Passafiume Yes, Taylora Schlosser Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, and Jerry Wyman Absent.

No action was taken during the closed session. After coming out of closed session, Mr. Miller welcomed everyone back. Mr. Miller then asked Mr. Collins to address the body. Mr. Collins inquired of Bowling Green High School if there was any objection to ensuring the Agreed Order reflected a deadline of August 1st to form the required committee contemplated in the Order. He further inquired if there was any objection to having an update on this matter included as an agenda item at every meeting of the Board over the next 3 years. Bowling Green High School in return agreed to these terms.

With no more discussion, Mr. Miller called for a vote on the Motion for the acceptance of the Agreed Order.

Motion Passed (14-0-2): Debbie Beichler Yes, Darrell, Billings Substatined, Larry Coldiron Yes, James Demler Yes, Pete Galloway Yes, Joe Henderson Yes, Greg Howard Sustained, Damon Kelley Yes, Marty Mills Yes, Marllon Miller Yes, Lucy Moore Yes, Kirby Smith Absent, Angela Passafiume Yes, Taylora Schlosser Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, and Jerry Wyman Absent.

Adjourn

Motion Passed (16-0): Adjourn passed with a motion by Greg Howard and a second by Larry Coldiron. Debbie Beichler Yes, Pete Galloway Yes, Marlon Miller Yes, Jerry Wyman Absent, Darrell Billings Yes, Lucy Moore Yes, Kirby Smith Absent, Greg Howard Yes, Taylora Schlosser Yes, Russell Thompson Yes, Matt Wilhoite Yes, Jim Demler Yes, Damon Kelley Yes, Marty Mills Yes, Gavin Washington Yes, Joe Henderson Yes, Larry Coldiron Yes, and Angela Passafiume Yes.