

## **Full Board of Control**

July 18, 2023 at 3:00 PM  
Aloft Newport on the Levee  
201 3rd St, Newport, KY 41071

### **Attendance Taken at 10:10 AM:**

#### Present Board Members:

Darrell Billings, Brandy Carver, Larry Coldiron, Jim Demler, Joe Henderson, Claudette Herald, Greg Howard, Mandi Hudson, Damon Kelley, Randy McCallon, Marty Mills, Angela Passafiume, Michael Phillips, Russell Thompson, Gavin Washington, Matt Wilhoite, David Zuberer.

#### Absent Board Members:

Brian Courtney

#### Present Others:

Marty Park represented KDE / KBE. Kyle McGraw (Bowling Green High School).

KHSAA Staff: Julian Tackett, Joe Angolia, Darren Bilberry, Sarah Bridenbaugh, Rob Catron, Chad Collins, Butch Cope, Jenny Elder, Connor Link, and Kara Howard.

Attachments can be found at the following link:

<https://portal.ksba.org/public/Agency.aspx?PublicAgencyID=4374&AgencyTypeID=1&BeginDate=07-01-2023&EndDate=06-30-2024>

### **Convene Full Board of Control Meeting (President Billings)**

#### **Pledge of Allegiance- Matt Wilhoite**

**Reflection-**Marty Mills reflected on the impact that athletics has on kids and the opportunities that it opens for those that might not otherwise have them. Mr. Mills also discussed about the space that athletics gives kids to learn life lessons that they will be able to take with them in the next phase of their life.

#### **Consent Agenda**

#### **Items Referred from Work Session**

##### **Legal Session for Update on Specific Items**

During the work session Commissioner Tackett and General Counsel, requested the Board to go into Closed Session per KRS 61.810 (c) to review legal matters, pending, ongoing and threatened.

Let the record show that the Board held a closed session per KRS 61.810 (c) with no action taken during that session.

#### **Items for Information of the Board**

##### **Operations Reports**

##### **Sports Reports from Staff**

Staff presented specific reports regarding championships conducted since the last Board meeting, and ongoing non-routine issues around other championships.

#### **Non-Championship Reports from Staff**

Staff presented specific reports regarding non-championship appearances and operations since the last Board meeting.

#### **Review of NFHS Summer Meeting by Attendees**

Board of Control and staff members who attended the NFHS Summer Meeting issued reports on sessions attended and key takeaways that help the Association, the Board members and the member schools.

#### **Officials Licensing Comparison, Arbiter Sports Update and NFHS All Access Rules Books**

Staff gave an update from the Officials Division including licensing numbers and the ongoing transition within the licensing system.

#### **Disqualification Report and Comparison**

Staff reviewed disqualifications from 2022-23 compared with 2021-22. Disqualifications are notably higher for 2022-23, and staff and board members expressed concern about the trend and want to monitor more in the future.

#### **Transfer and Appeals Eligibility**

The periodic report of appeals hearing status was presented to the Board of Control members for review.

#### **Status of Regulations, Including Required SB6, HB563 and SB83 Adaptations, SB128 Phase-Out**

Staff reviewed documents shared related to the 2021, 2022 and 2023 legislation impacting KHSAA and implementation with the regulatory process.

#### **Title IX Schools for revisit**

The schools who will receive Title IX revisits are detailed on the KHSAA website at <https://khsaa.org/0711-23-title-ix-schools-being-revisited-for-2023-2024/> as part of the Title IX Education process required in 702 KAR 7:065.

#### **Prime Dates and Penalties/Reports**

Staff presented the list of schools who, despite multiple notices during 2022-23, failed to meet the threshold of 40% of contests on prime dates. The recently adopted Prime Date change allowing for Monday to Thursday doubleheaders to count as prime dates was factored into this report. As a final step prior to issuance of any sanctions per the Board policy and Bylaw 27, the list has been audited an additional time to review any schools impacted by situations totally out of the control and discretion of any party, such as severe weather.

#### **Status of Bylaw 11 Financial Aid Reports**

Bylaw 11 reports was reviewed with details of ongoing issues on specific member schools.

#### **Upcoming Meetings for Planning**

For information to the Board, a schedule of upcoming Association meetings was reviewed.

- Regional meeting reports (August 16 to August 31)
- Aug 16, 2023, Mayfield High School, Mayfield
- Aug 17, 2023, Hopkins County Central High School, Madisonville
- Aug 21, 2023, Scott High School, Taylor Mill
- Aug 22, 2023, North Laurel High School, London
- Aug 23, 2023, Boyd County High School, Ashland
- Aug 24, 2023, Valley High School, Valley Station
- Aug 28, 2023, Mountain Arts Center, Prestonsburg
- Aug 30, 2023, Hilton Downtown, Lexington
- Aug 31, 2023, Hart County High School, Munfordville
- Advanced Administrators Workshop meeting (August 29)
- Annual Meeting of the Membership (September 14)
- HYPE Student Leadership Conference (September 7 and 8)
- Two - Three Title IX Workshops for Member Schools (TBA)
- Hall of Fame Screening Committee, (TBA)

### **Finance and Business**

A series of reports related to finance and business of the office was reviewed.

### **TPG Sponsorship Status Review**

A routine report from TPG was presented.

### **NFHS Network and GoFan Ticketing Report**

Staff shared status report on receipts and ongoing operations of the NFHS Network and GoFan ticketing.

### **Board Format Report of General Ledger, Working Trial Balance and Checks for Approval**

The financial status of the Association was presented as required by Board policy.

### **Championship and Competition Rules Information**

Items related to the competition rules of the championships were reviewed.

### **Opportunities for First Round State Enhancement**

A report was presented regarding implementation of the Board's requested emphasis on the state first round events in Golf, Field Hockey, Soccer, Volleyball and Swimming where satellite sites will be used for early rounds.

### **Status of Alignments and Timetable, Swimming Including Format Revision Discussion Due to Facilities**

The Board was reminded of the September timeline for navigating the change in the swimming format.

### **Status of Alignments and Timetable, Football, Track/Cross Country**

Staff reviewed the timeline for the upcoming realignment and parameters.

### **Update on Bowling Green Independent Schools**

The Commissioner and staff provided an update on the enhanced monitoring. Mr. Kyle McGraw appeared before the board and answered any questions for the Bowling Green Independent Schools District as part of the June, 2022 agreed order.

The Coach Handbook is online at <https://sites.google.com/bggreen.kyschools.us/bghs-athletics/coaches-handbook>

In addition, staff has created an online presentation regarding residing requirements to guide the school as it moves forward and manages the handling of new coaches. This is located online at <https://khsaa.org/clinics/bowlinggreen/index.html>

## **General Reports**

### **Around the State and Nation**

Information from other related organizations was shared with Board members.

### **Consider Approval of Reports as Submitted**

Following consideration, consider approval of all reports submitted.

**Motion Passed (17-0):** Accept all reports and direct necessary action as a result of these reports passed with a motion by Angela Passafiume and a second by Greg Howard. Darrell Billings Yes, Brandy Carver Yes, Larry Coldiron Yes, Brian Courtney Absent, Jim Demler Yes, Joe Henderson Yes, Claudette Herald Yes, Greg Howard Yes, Mandi Hudson Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Yes.

## **Items for Discussion and Possible Action**

### **Approve Minutes from May 10, 2023 Meeting**

**Motion Passed (17-0):** Approved the minutes from May 10, 2023 passed with a motion by Damon Kelley and a second by Matt Wilhoite. Darrell Billings Yes, Brandy Carver Yes, Larry Coldiron Yes, Brian Courtney Absent, Jim Demler Yes, Joe Henderson Yes, Claudette Herald Yes, Greg Howard Yes, Mandi Hudson Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Yes.

### **Discuss Recommended Spring Calendar and Championship Dates for 2023-2024**

The Commissioner and staff shared a recommendation for calendar revisions for spring championships. Nothing about this discussion (unless precluded by site availability) would shorten any season.

The expressed purpose is to return the spring calendar to its pre-COVID format where the regional baseball and softball tournaments are played the week of Memorial Day, and that drives the rest of the championships. This has been a rather constant note among athletic administrators due to issues surrounding regional scheduling.

This move will also help alleviate the overlap of state baseball, softball, track and tennis which is untenable for the future.

A printed copy of the layout used by staff was provided.

The Board may choose to act or may choose to defer action to a future meeting.

At present,

BA starts season 9 weeks before district and plays 36 games

TN starts season 10 weeks before region and plays 22 matches

TR starts in Week 28 and has 19 meets

FP starts season 9 weeks before district and plays 36 games

**Motion Passed (17-0):** Adopted the proposed championship calendar revisions for 2023-24 and beyond and direct revision of all necessary documents. Passed with a motion by Jim Demler and a second by Greg Howard. Darrell Billings Yes, Brandy Carver Yes, Larry Coldiron Yes, Brian Courtney Absent, Jim Demler Yes, Joe Henderson Yes, Claudette Herald Yes, Greg Howard Yes, Mandi Hudson Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Yes.

**Approval of membership Applications Including Notations About Specific Members**

Annually per policy, the Board is to consider the membership applications for the coming year in July. Such were presented for approval. The currently submitted applications are on the website at <https://khsaa.org/2023-2024-annual-membership-applications-received/>.

**Motion Passed (17-0):** Approved all membership applications for 2023-24, with notations regarding members beginning the year on probation and any supplemental requirements. passed with a motion by Marty Mills and a second by Angela Passafiume. Darrell Billings Yes, Brandy Carver Yes, Larry Coldiron Yes, Brian Courtney Absent, Jim Demler Yes, Joe Henderson Yes, Claudette Herald Yes, Greg Howard Yes, Mandi Hudson Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Yes.

**Final Adoption of Playing Up Changes, Football and Track and Field/Cross Country**

During football realignment this past school year, much discussion was held about playing up. It was viewed by some that a few of the schools were using the process of playing up (and subsequently down to balance classes) for competitive purposes and not due to legitimate concerns about travel. It was noted that this actually defeats the purpose of classes which were designed to create enrollment-based divisions. With football realignment looming again for 2023-24, parameters should be known well in advance to be sure communication is clear with the schools.

**Motion Passed (17-0):** The Board gave final approval to a change in the competition rules to eliminate wholesale playing up in class (and resultant down options), and only permit requests to be submitted after the draft is presented to the membership and any appeals shall be geographically based and only due to geographic isolation from other teams in the class. Passed with a motion by Joe Henderson and a second by Greg Howard. Darrell Billings Yes, Brandy Carver Yes, Larry Coldiron Yes, Brian Courtney Absent, Jim Demler Yes, Joe Henderson Yes, Claudette Herald Yes, Greg Howard Yes, Mandi Hudson Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Yes.

### **Consider Any Feedback From Track and Cross-Country Alignment**

Based on enrollments provided by the Kentucky Department of Education for the 2019-20 and 2022-23 school years, a draft alignment of track and cross-country teams has been developed. Those results are shown herein.

The original discussion of dividing the schools more evenly (same number of teams in each class) would have resulted in a great many moves and unsettled relocations within classes. By simply using the parameters of the last two alignments (75-77 schools in top two classes, balance in Class 1A), the amount of school movement is greatly diminished. It is also worth noting that many schools in that last smaller school group (1A), do not regularly field a full team.

The Board's decision point is whether or not to distribute the alignment as final for the next two or four years, or to distribute the alignment in draft form. It is worth noting that for football, since the numbers were delayed due to COVID, the alignment was simply distributed in final form with only minimal appeals and feedback considered. While the sport situations might be different, this matter of practice should be finalized.

Mapping of Current Alignment Draft -

<https://www.google.com/maps/d/u/0/edit?mid=1szlXST91NaEdgrHP2kFCuoAo3EgDeUg&ll=38.33672779999138%2C-86.46376832538876&z=8>

The alignment was distributed, with two responses received.

### **Consideration of Harlan County Information**

Harlan County issued correspondence from the Athletic Director, received a response, and submitted a brief follow-up.

**Motion Passed (16-0-1):** Approved the request and passed with a motion by Russell Thompson and a second by Greg Howard. Darrell Billings Yes, Brandy Carver Yes, Larry Coldiron Yes, Brian Courtney Absent, Jim Demler Yes, Joe Henderson Yes, Claudette Herald Yes, Greg Howard Yes, Mandi Hudson Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Abstain.

### **Consider Feedback From Logan County High School**

Logan County presented a request that is geographically supported. This school is truly a "swing" school in the alignment, and could go either West or East. In the draft, they were moved East along with other 4th region schools, however they clearly could go either direction. Nothing in their request is about competition or success.

**Motion Passed (17-0):** Approved the request and passed with a motion by Joe Henderson and a second by Greg Howard. Darrell Billings Yes, Brandy Carver Yes, Larry Coldiron Yes, Brian Courtney Absent, Jim Demler Yes, Joe Henderson Yes, Claudette Herald Yes, Greg Howard Yes, Mandi Hudson Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Yes.

### **Adopt Alignment as Final**

With consideration of the proposed changes, the issue would be read for final adoption.

**Motion Passed (17-0):** Approved the proposed alignment for the 2023-24 and 2024-25 cross country and track and field seasons, with revised alignment for the subsequent four years to be considered during 2023-24. Passed with a motion by Randy McCallon and a second by Greg Howard. Darrell Billings Yes, Brandy Carver Yes, Larry Coldiron Yes, Brian Courtney Absent, Jim Demler Yes, Joe Henderson Yes, Claudette Herald Yes, Greg Howard Yes, Mandi Hudson Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Yes.

### **Items Referred from Audit Finance Committee**

#### **Review of Post-Evaluation Discussion by Board Officers**

Per State Regulation, the Board is compelled to complete the evaluation of the Commissioner. Such was done in the spring with approval given by the Board in May to have the requisite discussions with the Commissioner to review the results.

**Motion Passed (17-0):** Accepted the recommendation of the review committee as authorized in May, and direct appropriate revisions to the Commissioner's contract to be extended through the 2026-2027 year. Passed with a motion by Larry Coldiron and a second by Greg Howard. Darrell Billings Yes, Brandy Carver Yes, Larry Coldiron Yes, Brian Courtney Absent, Jim Demler Yes, Joe -Henderson Yes, Claudette Herald Yes, Greg Howard Yes, Mandi Hudson Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Yes.

#### **Approve Financial Report for July 1 to June 30 and Budget Review**

**Motion Passed (17-0):** Approved the report of disbursements and the balance sheet and income statement periodic report (draft for end of FY23) passed with a motion by Randy McCallon and a second by Russell Thompson. Darrell Billings Yes, Brandy Carver Yes, Larry Coldiron Yes, Brian Courtney Absent, Jim Demler Yes, Joe Henderson Yes, Claudette Herald Yes, Greg Howard Yes, Mandi Hudson Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Yes.

#### **Review Staffing Revisions (Internal promotion, Openings to be Published)**

The Commissioner detailed for both the leadership team and the Audit/Executive Committee the implementation of the approved staffing changes for 2023-24. As part of this review, the Commissioner has approved the promotion of Kara Howard from Administrative Assistant to Event Management Specialist, with duties to assist in the planning of all championships under the supervision of the event lead contacts.

This promotion would leave a vacancy for Office Manager, for which a replacement will be sought, with stated preference for an individual with a college degree. In addition, the part-time staff position of Supervisor of Officials Licensing will be posted to further expand work on behalf of the recruiting, licensing and assigning of officials.

**Motion Passed (17-0):** Accepted the report and staffing changes by the Commissioner and approved needed action. Passed with a motion by Matt Wilhoite and a second by Gavin Washington. Darrell Billings Yes, Brandy Carver Yes, Larry Coldiron Yes, Brian Courtney Absent, Jim Demler Yes, Joe Henderson Yes, Claudette Herald Yes, Greg

Howard Yes, Mandi Hudson Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Yes.

### **Finance Next Steps, Including Revisions from May**

The Board received a report from the Commissioner and staff on specific items related to the financial operations of the Association including:

The recent communication that long-time partner Dutch's Chevrolet and Dutch's Ford in Mt. Sterling desired to sunset their contract with the Association;

The replacement of automobiles owned and assigned to the KHSAA by Dutch's Chevrolet and Dutch's Ford be negotiated into an expanded agreement with Tanner Chrysler/Jeep in Stanton;

The KHSAA and Top Seed Tennis has reached agreement to sunset their hosting arrangement for state singles and doubles tennis;

Requested General Fund transfers from the General Fund to the Foundation accounts.

**Motion Passed (17-0):** Approved the following recommendations: approved replacement of Dutch's Chevy with additional deal with Tanner Chrysler; approved General Fund to KHSAA Foundation Transfers to Balance Scholarship Awards; approved General Fund to KHSAA Foundation Transfers for direct donations not related to Sweet 16 Club at 2022 and 2023 Boys' and Girls' Sweet 16 Tournaments; direct final documents will be filed for tax exempt status for the KHSAA Foundation; authorized the Commissioner to enter into correspondence mutually dissolving the contract with Top Seed Tennis Club and location of alternative sites; approved the purchase of vehicle per state contract options from Tanner Chrysler. Passed with a motion by Randy McCallon and a second by Greg Howard. Darrell Billings abstain, Brandy Carver Yes, Larry Coldiron Yes, Brian Courtney Absent, Jim Demler Yes, Joe Henderson Yes, Claudette Herald Yes, Greg Howard Yes, Mandi Hudson Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Yes.

Approved by Mr. Billings asking for an on the record abstention on the purchase of the new vehicle to replace on the Dutch provided vehicles.

### **For the Good of the Order**

#### **To Adjourn to Meeting**

**Motion Passed (17-0):** Passed with a motion by Greg Howard and a second by Mandi Hudson. Darrell Billings Yes, Brandy Carver Yes, Larry Coldiron Yes, Brian Courtney Absent, Jim Demler Yes, Joe Henderson Yes, Claudette Herald Yes, Greg Howard Yes, Mandi Hudson Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Yes.

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Darrell Billings, President

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Date

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Julian Tackett, Commissioner

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Date