

Minutes of Board Meeting

March 28, 1980

The Board of Control of the Kentucky High School Athletic Association met at the Executive Inn-East, Louisville, on Friday, March 28, 1980. The meeting was called to order at 9:00 A.M., by President Thweatt. All Board members, Commissioner Tom Mills, and Assistant Commissioners Louis Stout, Brigid L. DeVries, and Billy V. Wise were present. Conley Manning was present representing the State Department of Education and Darrell Wells represented the State School Boards Association. The invocation was given by Barney Thweatt.

Joseph McPherson moved, seconded by Norman Passmore, that the minutes of the January meeting be approved. The motion passed unanimously.

As there were a number of guests sitting in on the meeting, President Thweatt asked them to introduce themselves to the Board of Control members.

Mr. Mills reported that the East Eligibility Committee met at the Holiday Inn, Richmond, Kentucky on March 20, 1980 to hear an appeal in the eligibility case of Andy Langley, a student at Elizabethtown High School. Committee members present were Jack Burkich, Fairce O. Woods, Zeb Blankenship, J. D. Minnehan, and Norman Passmore. Attorney G. William Bailey, Mr. and Mrs. Burton Langley and Andy Langley were present to present the appeal.

Following the presentation of the appeal and several questions by members of the Eligibility Committee, Zeb Blankenship moved, seconded by Norman Passmore, that the East Eligibility Committee recommend to the Board of Control that By-Law 6, Section 1, Transfer Rule, not be waived in this case. The motion passed unanimously.

Commissioner Mills gave the results of the recent balloting for Board membership for Sections 1-4, Sections 5-8, Section 7, and Section 8. The balloting was as follows: Sections 1-4, George Carson 3; Whayland Coleman 81; Charles Henry 25; John R. Whiting 30. Sections 5-8, E. R. Gray 43; Alvis Johnson 62. Section 7, Charles Black 24; Harold E. Combs 10. Section 8, John Brock 29; Paul Reliford 6.

Recommendations of the Football Committee was reported to the Board by Mr. Mills. Copies of the recommendation, listing the schools in their proper classification was sent to all football playing schools. The classification changes were made according to membership enrollment figures provided by the State Board for Elementary and Secondary Education at the end of the first month of the 1979-80 school year, which resulted in a number of Jefferson

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County schools moving to Class AAA. Therefore, the present alignment is subject to change since the 1981-82 assignments will be based upon the membership enrollment figures received at the end of the first month of the 1980-81 school year.

There was a discussion on new proposals to be submitted to the forthcoming Delegate Assembly. Prin. David D. Points, Montgomery County High School, proposes that By-Law 4, Age, be changed to read as follows: "A contestant becomes ineligible on his/her nineteenth birthday with the following exceptions: If the age of nineteen is attained after the sport season has started, he/she remains eligible for the remainder of the season in that sport. For the application of this rule, the fall sports season shall begin on August 1, the winter sports season on November 1, and the spring sports season on March 1."

The State Board for Elementary and Secondary Education, through an ad hoc committee composed of Superintendents, Principals, and Coaches, proposes that By-Law 29, Requirement for Coaches, be amended to read as follows: "Coaches of athletic teams of members of this Association shall be certified teachers and members of their regular school systems. They shall be regularly employed by their Board of Education, and their entire salaries shall be paid by such boards; they shall teach a minimum of three regular periods of classes, gymnasium, study halls, or other activity assignments within the school's schedule. Whenever a local school district is unable to staff an athletic program under the above rule, the local district superintendent may request the Commissioner to approve, for one school year, an alternative staffing arrangement provided appropriate justification is given in writing on forms provided by the Commissioner. As long as a paraprofessional is acting within the scope of authority as set forth in 704 KAR 15:080 and KRS 161:010; 161:044, he/she may assist coaches. All schools shall comply with the provisions of this rule in order to qualify for and to maintain membership in the Association.

A head coach in football, basketball, baseball, and wrestling shall attend one clinic in the sport involved."

Copies of these proposals have been sent to all member school representatives and Delegates.

Mr. Mills gave a brief report on the Girls' State High School Basketball Tournament. He stated that he will have a more detailed report at the April meeting. He also took this time to thank the people in Louisville for their help with the promotion of the Boys' State Tournament. A financial audit of both tournaments will appear in the August ATHLETE.

Commissioner Mills reported that on February 20, 1980, he met with the State Department for Elementary and Secondary Education to discuss the classification in basketball. Even though the K.H.S.A.A. has sent two surveys in the past to the member schools on basketball classification, the State Department recommended that another survey or ballot be sent to the Board Appointed Representatives and that they be sent by certified mail with a return deadline. After a lengthy discussion, Norman Passmore moved, seconded by Fairce O. Woods, that the recommendation of the State Department for Elementary and Secondary Education be accepted. The motion passed unanimously. President Barney Thweatt requested that the Basketball Committee prepare the survey form to be presented to the Board Appointed Representatives and present it to the full Board for approval during the April Meeting.

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Mr. Mills presented the following report on the litigation involving Michael Bandy, Greenville High School. Michael was declared ineligible under the Kentucky High School Athletic Association By-Law 6, Section 1, Transfer Rule, to participate in interscholastic athletics. The player, through his grandfather, appealed the decision of the K.H.S.A.A. Board to the Kentucky State Board for Secondary and Elementary Education and said Board upheld the ruling of the High School Athletic Association. Thereafter, Michael Bandy filed suit in the Muhlenberg Circuit Court and was granted a temporary injunction by the Circuit Court Judge. This temporary injunction allowed Bandy to participate in interscholastic athletics. The K.H.S.A.A. immediately appealed the case to the Kentucky Court of Appeals and that Court, without opinion, refused to grant interlocutory relief from the injunction issued by the Muhlenberg Circuit. Immediately after the Court of Appeals ruling, an appeal was filed to the Supreme Court of Kentucky. The Supreme Court granted the interlocutory relief and dissolved the injunction.

Doug Ruedlinger, with whom the K.H.S.A.A. has catastrophe insurance coverage, has informed Mr. Mills that they will raise the catastrophe insurance plan from \$75,000.00 to \$100,000.00 at the same premium cost (\$17,500.00). Mr. Ruedlinger also asked permission to send brochures to all member schools informing them of the insurance plan they have to offer for the first \$1,000.00 coverage. He asked for an updated letter from Commissioner Mills to go along with the brochures. Zeb Blankenship moved, seconded by Fairce O. Woods, that the Commissioner be authorized to send a cover letter to the insurance company. The motion passed unanimously.

Mr. Mills read a letter of resignation as a member of the K.H.S.A.A. Board of Control from Mr. D. J. Ramsey stating that he had found it necessary to retire. Mr. Ramsey thanked the Board for the privilege of serving with them and how impressed he had been with the leadership of the Board members who serve with open minds and strive for consistency. Jack Burkich moved, seconded by Zeb Blankenship, that D. J. Ramsey's resignation be accepted. The motion carried unanimously.

Robie Harper moved, seconded by Joseph McPherson, that the Board direct the Commissioner to fulfill the vacancy on the Board within sixty days. The motion passed unanimously.

Mr. Mills informed the Board that a complaint had been filed with the Department of Health, Education, and Welfare by individuals representing several Kentucky organizations which alleges discrimination against students based on sex in violation of Section 86.14 of the DHEW federal regulations implementing Title IX of the Education Amendments Act of 1972. The complaint was filed against the Kentucky State Board for Elementary and Secondary Education charging that the K.H.S.A.A., the agent of the state controlling interscholastic athletics, discriminates on the basis of sex by denying equal athletic programming in such areas as track, cross country, fencing, and gymnastics. Failure to offer state tournament competition in such sports as volleyball, softball, and field hockey were listed as alleged examples of discrimination. They further charged that equal athletic benefits are denied in the site selection of the girls' state basketball tournament. Mr. Mills explained that individual Board members would be supplied a copy of these complaints along with his response prior to the April Board meeting.

Fairce O. Woods moved, seconded by Norman Passmore, that all bills of the

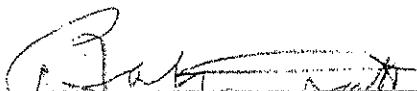
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Association for the period beginning January 1, 1980, and ending February 29, 1980, be allowed. The motion carried unanimously.

The next meeting of the Board of Control was scheduled for April 17, 1980, 3:00 P.M., at the K.H.S.A.A. Building, Lexington.

There being no further business Fairce O. Woods moved, seconded by Zeb Blankenship, that the meeting be adjourned. The motion carried unanimously.

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President

Tom Mills  
Secretary