

SEPTEMBER MEETING

President Roland Williams convened the meeting of the Board of Control on Thursday, September 28, 2000 at 8:30 a.m. All Board members were present except Lois Adams-Rodgers and Cynthia Elliott. Also present were Commissioner Louis Stout, Executive Assistant Commissioner Brigid DeVries, Assistant Commissioners Larry Boucher and Julian Tackett, Sports Information Director Butch Cope, Fundraising Consultant Ken Tippet and Office Manager Darlene Koszenski. Kyna Koch, representing the Department of Education, was also present.

Dale Stewart was called on for the invocation.

Eddie Saylor made a motion, seconded by Kathy Johnston, to approve the minutes of the July 21, 2000, regular meeting with the following changes under the Title IX report: "57" schools were audited, not 58; delete bullet #8: "GE 19 and T1-T41 forms are due every year from every school". The motion passed unanimously.

Kathy Johnston made a motion, seconded by Gary Dearborn, to approve the minutes of the August 30, 2000 special meeting. The motion passed unanimously.

Dale Stewart made a motion that all bills of the Association for the period July 1, 2000 through August 31, 2000 be approved. Kathy Johnston seconded the motion, which passed unanimously.

The next item on the agenda was consideration of the Hearing Officer's Recommendations (Cases in which the student was recommended to be eligible. Several errors were noted in the reports: The findings should say "Edmonson County", not Owensboro; and should say Tyler "Turner", not Edmonson. Bob Rogers made a motion, seconded by Kathy Johnston, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed 11-3: Staff will convey these concerns to Judge Karem.

No.	Bylaw	Student	School/Findings
#529	6	Tyler Clay Turner	Edmonson County (Barren County) Eligible

Ken Cox made a motion, seconded by Eddie Saylor, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed 13-1:

No.	Bylaw	Student	School/Findings
#532	6	Michael Click	Mercer County (Harrodsburg) Eligible

Ken Cox made a motion, seconded by L.V. McGinty, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed 9-4 with one (Wendell Thomas) recusal:

No.	Bylaw	Student	School/Findings
#535	6	Lauren Blalock	Presentation Academy (New Albany) Eligible

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The next item on the agenda was consideration of the Hearing Officer's Recommendations (Cases in which the student was recommended to be ineligible). Kathy Johnston made a motion, seconded by Paul Dotson, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed unanimously:

No. Bylaw Student School/Findings
#5226 John Van Meter St. Patrick
(Mason County) Ineligible

Dale Stewart made a motion, seconded by Kathy Johnston, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed 13-0 with one (Wendell Thomas) recusal:

No. Bylaw Student School/Findings
#5246 Jessica Hebert
Presentation Academy (Christian Academy)
Ineligible

Gary Dearborn made a motion, seconded by Jerry Taylor, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed 13-0 with one (Dale Stewart) recusal:

No. Bylaw Student School/Findings
#5276 Brandon Dukes Daviess County
(Apolio High School) Ineligible

Paul Dotson made a motion, seconded by Ken Cox, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed 13-0 with one (Dale Stewart) recusal:

No. Bylaw Student School/Findings
#5286 Luke Douglas Owensboro
(Daviess County) Ineligible

Eddie Saylor made a motion, seconded by Gary Dearborn, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed 13-1:

No. Bylaw Student School/Findings
#5316 William D. Smith, II
Lexington Christian Academy (Woodford County)
Ineligible

The next item on the agenda was consideration of the Hearing Officer's Recommendations (Cases in which exceptions were filed). A clarification was noted on the report: should say "Mercer" not Mercy. Bob Rogers made a motion, seconded by Paul Dotson, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed unanimously:

No. Bylaw Student School/Findings
#5216 Brett Anness Mercer County
(Harrodsburg) Ineligible

Bob Rogers made a motion, seconded by Cookie Henson, to remand case #523 (Michael Shoopman) back to the Hearing Officer with instructions that it be docketed for consideration at the conclusion of all appellate proceedings. From the reasons set forth in the "Response to Exceptions", the Hearing Officer's Recommended Order should be accepted. However, due to the Injunction entered by the Madison Circuit Court, the Board did not take final action, but, instead, remanded the appeal

back to the Hearing Officer. The motion passed unanimously:

No. Bylaw Student School/Findings
#5236 Michael Shoopman
Berea (Madison Southern) N/A

Dale Stewart made a motion, seconded by Ken Cox, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed 12-0 with two (Jim Sexton and Wendell Thomas) recusals:

No. Bylaw Student School/Findings
#5256 Matthew Norris Moore
(Cumberland County) Ineligible

Kathy Johnston made a motion, seconded by Gary Dearborn, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed 12-0 with two (Bob Rogers and Betsy Glover) recusals:

No. Bylaw Student School/Findings
#5266 Tara Triplett Webster County
(Madisonville - North Hopkins) Ineligible

Bob Rogers made a motion, seconded by Cookie Henson, to remand case #530 (Laura Collins) back to the Hearing Officer with instructions that it be docketed for consideration at the conclusion of all appellate proceedings. From the reasons set forth in the "Response to Exceptions", the Hearing Officer's Recommended Order should be accepted. However, due to the Permanent Injunction entered by the Christian Circuit Court, the Board did not take final action, but, instead, remanded the appeal back to the Hearing Officer. The motion passed unanimously:

No. Bylaw Student School/Findings
#5306 Laura Collins
Hopkinsville High School (University Heights) N/A

Ken Cox made a motion, seconded by Gary Dearborn, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed unanimously:

No. Bylaw Student School/Findings
#5336(2) Nicholas E. Posada
Carroll County High School Ineligible

Gary Dearborn made a motion, seconded by Eddie Saylor, to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed 12-0 with 2 (Jim Sexton and Wendell Thomas) recusals:

No. Bylaw Student School/Findings
#5346 Kristine Ragan DuPont Manual
(Christian Academy) Ineligible

Kathy Johnston made a motion, seconded by Betsy Glover to uphold the Hearing Officer's Recommendation on the following appeal. The motion passed unanimously:

No. Bylaw Student School/Findings
#5366 Takeia Anthony Warren Central
(Warren East) Ineligible

President Williams, Executive Committee Chairperson, made the following recommendation for the Board's approval:

1. Give Commissioner Stout authority to proceed with litigation on pending appeals, in case they go to the Kentucky Supreme Court. A motion was made by Kathy Johnston, seconded by Cookie Henson, and passed unanimously.

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President Williams, Executive Committee Chairperson, asked the record to show that:

1. The meeting with Pete Karem, our Hearing Officer, was very productive and informative.
2. A meaningful discussion was held with Marvin Dennison from University Heights Academy.
3. Host Communications gave a fundraising report.
4. KHSAA received an excellent audit report from Miller, Mayer & Sullivan.
5. The Board is to keep all litigation discussions confidential.

President Williams then asked Bob Rogers, Audit & Finance Chairperson, to make the following motions for the Board's approval:

1. Officially approve the FY2000 audit report. The motion was seconded by Eddie Saylor and passed unanimously.
2. Staff and auditors are to address the three issues listed in the management letter and come up with a plan in writing to be presented back to the board for review: 1) Segregation of duties; 2) Payroll processing; 3) Petty Cash flow. The motion was seconded by Paul Dotson and passed unanimously.
3. Give final approval to the designation of funds listed on page 7 of the audit report: \$30K-Title IX; \$50K Legal fees; \$50K building prepayment; \$15K Plant maintenance; and establish any carry forward designations necessary. The motion was seconded by Ken Cox and passed unanimously.

Gary Dearborn, Chairperson, **Team Sports Committee**, noted that there were no action items. He did refer the issue of minimum golf matches to the Individual Sports Committee for consideration.

Bob Rogers, **Chairperson, Audit/Finance Committee**, gave a report on the FY2000 audit. Motions were made under the Executive Committee.

Bob Rogers, Chairperson, **Constitution and By-laws Committee**, noted that there were no action items. The Committee gave first reading to several bylaw changes which had been proposed.

Betsy Glover, Chairperson, **Title IX Committee**, asked the record to show that:

1. 57 schools were visited by June 30, 2000, as requested by the Kentucky Board of Education.
2. The Board is to draft a letter to schools telling them to submit missing information.
3. Board members are to individually contact schools in their region.
4. An updated report was handed out, listing the status of all school's reports that were due on June 30, 2000.

Dale Stewart, Chairperson, **Museum Development Committee**, noted that there were no action items.

Eddie Saylor, Chairperson, **Ad Hoc Membership Status Committee** asked the record to show that:

1. The Committee will invite TSSAA representatives to speak at the November meeting, discussing pro's and con's of their system.
2. Dale Stewart would like to see enrollment trends on public vs. private schools; Kyna Koch has fig-

ures for the public schools.

3. Virtual High School and Home Schools are becoming a big issue.

4. Commissioner Stout and Danny Reeves will meet with Jim Watkins to discuss the Jefferson County situation.

5. Committee members will meet before the next board meeting and present a report in November.

Mr. Williams called the Board's attention to miscellaneous items listed for their information only.

1) Set date for Special Board Meeting in October to consider September appeals; 2) Review dates for the next regular Board of Control Meeting, November 14-15, 2000; 3) Miscellaneous Board and staff items.

It was decided that a Special Board Meeting to consider September appeals was necessary, and will be held Wednesday, October 25, 2000 at 5:30 p.m. at the KHSAA office. A motion was made by Dale Stewart, seconded by Eddie Saylor and passed unanimously.

The fall board meeting will be held at the KHSAA office on November 14-15, 2000.

Ms. DeVries, Mr. Boucher and Mr. Tackett updated the Board on the National Federation Section II meeting in Ocean City, Maryland. 35 states, including Kentucky have sent letters of opposition to the NCAA revising their definition of "amateur". Much of the meeting was focused on technology updates. The cumbersome sanctioning process is being reviewed. The rights of HIV positive students regarding privacy and their medical condition was discussed at length.

The Board asked staff to request the Hearing Officer's secretary to be more diligent when typing the Finding of Facts, because there have been many mistakes recently.

In other miscellaneous items, members noted that basketball ticket order forms will be mailed in a few weeks. The investigation requested in region 6 & 7 concerning a questionable transfer needs to be concluded by October 15th. Lois Adams-Rodgers will not be coming back on the board. She has accepted the position of Deputy Commissioner of Learning and Support Services. A new at-large board member will be appointed soon. Bylaw 6 needs to be changed if the Association desires to have a restrictive rule due to the current residence change ruling.

There being no further business to come before the Board, Eddie Saylor made a motion to adjourn. The motion was seconded by Dale Stewart, and passed unanimously. The meeting adjourned at 11:00 a.m.

KHSAA ANNUAL DELEGATE MEETING

Tues., Jan. 9, 2001

Hyatt Regency

Lexington

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