



Kentucky High School Athletic Association KHSAA – Student-athletes of Today, Leaders of Tomorrow

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2011 Annual Meeting – Proposal by Proposal

[September 19, 2011 Athletic Department Blog Updates](#)

This is the second part of a two-part effort to talk about the 2011 KHSAA Annual Meeting.

There are twelve proposals on the agenda this year. Seems like about the right number, but very few if any are really significant in that implementation will not be extremely difficult for the membership.

Proposal 2011 – 1 – A proposal to revise Bylaw 6 and 7 to clarify the applicability of each rule between domestic and foreign students. Let’s face it, not all transferring students fit into the cookie cutter rule and forms of yesterday. We are in the middle of a military conflict that has resulted in thousands of new citizens coming to the United States for a variety of reasons. But recently, we have seen more coming as an entire family unit. When our schools are asked to process these students, it isn’t always clear whether or not the paperwork should be processed as a domestic student or a foreign student. After a year of review, this proposal draws the distinction necessary for the two rules. These cases used to appear once every couple of years. They are now a regular occurrence. This proposal, though largely cosmetic in terms of rules interpretations, will allow for continued streamlining and efficiency of transfer processing.

Proposal 2011 – 2 – A proposal to revise Bylaw 6 to codify within the rule, existing Due Process Interpretations. This is the first proposal by the Board of Education designed to make the transfer rule and restrictions modernized to fit today’s situations. Based on recent court rulings, it is not likely that the Association will be successful in defending the transfer rule when a student is declared eligible leaving a school under penalty. In fact, these cases have been overturned in many situations unless an existing published policy and subsequent penalty was implemented. Simply feeling that the student was “going to be” eventually penalized does not meet the expected standard. As such, this technical amendment is very necessary.

Proposal 2011 – 3 – A proposal to revise the Divorce exception within the allowable exceptions for waiver of the one-

year period of ineligibility under Bylaw 6 to include a properly recorded legal separation issued by a court of competent jurisdiction. This is the first of the recommended changes from the Program Review Committee of the General Assembly. The KHSAA transfer rule and restrictions, while modern when they were first developed, do not factor in the amount of time necessary for judicial review and final order in the case of marriage dissolution. In many cases, if not most cases, the entire sports season can be over before the final ruling can be handed down by a judge. This change would allow (as is the case in 32 of 36 states that have a divorce exception) the formally filed and judicially approved Legal Separation to count as meeting the divorce exception. THIS DOES NOT allow for two parents to simply “agree” to separate in order to gain eligibility. This is formal action, approved by a court. The Program Review Committee was quite surprised that the membership felt so differently about legal separation than divorce, when in fact, the legal practical effect is the same in the Commonwealth.

Proposal 2011 – 4 – A proposal to add the dropping of a sport as a reason for a transferring student to be given an exception to the one year period of ineligibility. This is the second of the three recommendations from the Legislature’s Program Review Committee. This exception is allowed in 17 states (of the 36 that responded to the questions). This exception would specify that if a student had previously competed at the varsity level after being in grade nine (and therefore Bylaw 6 applied), then the period of ineligibility could be waived in the event that a sport in which the student had played was dropped. This type of case has previously been handled through the Due Process Procedure and discretionary waiver provisions, but in fact, should be a statewide known exception. Keep in mind that while some would worry about a student somehow manipulating these provisions, the rule would require the student to compete at the varsity level, and then the school (not the student) to drop the sport in future years.

Proposal 2011 – 5 – A proposal to change the automatic eligibility after one-year provisions to specify a calendar year from last participation as opposed to a school year. This was the last of the three recommended procedures from the Program Review Committee of the Legislature. Currently, one of the published exceptions allows for a waiver of the transfer restrictions if the student hadn’t played for an entire school year (August to June). This change would use a calendar year, and prevent the rule (as it does now) from potentially holding a transfer out of competition for more than a year, due to transfer timing. For example, a student plays a fall sport, but leaves the team in early September. The student remains at the former school through the end of the year, then transfers over the next summer. If the student is ruled ineligible, that student would be ineligible for nearly two years before being able to play again, because the period of ineligibility wouldn’t start until the enrollment at the new school. This is not an isolated case, and could be solved by a minor revision in the rule. Though it may mean a clerical tracking chore to be sure the exact date of last participation, with a very minimal effort, the rule could properly hold the student out of exactly one year, and not longer.

Proposal 2011 – 6 – A proposal to remove the conduct provisions from Bylaw 9. This provision was placed in the KHSAA Handbook years ago, but has always been deferred to the local level for enforcement. Frankly, the KHSAA offices lack the resources to know what “penalty” code is in place at each school, and this control should be at the local level. The rule is clearly unenforceable as a statewide rule, and is better placed in local school based or school adopted policy.

Proposal 2011 – 7 – A proposal to move key provisions of restrictions on undue influence (recruiting) from case situation status to the actual rule. The KHSAA bylaws are adopted by state regulation as a part of 702 KAR 7:065. It is important that these rules be written correctly, and that regulatory steps are complied with throughout the promulgation process. The Case Situations that accompany the bylaws can explain a rule, but these case situations cannot make new rule, or make a rule more restrictive. For that reason, the Board did a thorough review of the Handbook, and this is one of several areas where the determination was made that the Case Situation actually was making rule, not explaining rule. For that reason, it is necessary to incorporate the expressions “illegal contact” and “improper benefit” into the rules. With that change made, it is clear that examples of illegal contacts and improper benefits can be appropriately placed in the case situations, and enforcement be done on a more aggressive and

consistent basis. There has been more than one case in the past year where if these provisions had been in place, rigid compliance and aggressive enforcement steps could have been taken.

Proposal 2011 – 8 – A proposal to implement a limitation of seasons for Bowling. With the advent of new sports, each will have to have a limitation of seasons implemented. This is the first of a series, defining a limitation of seasons for Bowling as the newest Sport Activity for the KHSAA. As these new sport activities (Bowling, Archery, Fishing and Cheer) are the first new offerings for the KHSAA since the mid-1980s, it will take a couple of years to get all of these changes implemented. Until then, the KHSAA will operate off of the Case Situations to help guide schools on when to play. NOTE: Early feedback indicates there may be a desire to amend this proposal. As such, delegates are reminded that amendments must be made in compliance with Roberts Rules, and the rules of order are on the KHSAA web site at www.khsaa.org/annualmeeting/20112012/

Proposal 2011 – 9 – A proposal to allow an earlier start of play for baseball and softball. Proposal 9 and 10 come from more than three years worth of work with the Department of Education regarding the changes necessary due to testing system revisions, and end of course assessments. In addition, Baseball and Softball, per Board of Control policy following feedback for several years from the membership, schedule the Regional Tournaments during Memorial Day week to use that holiday as a means of getting a “jump” on the hardest scheduling event of the year. If every school in the Commonwealth were on the same school schedule, the implementation of end of course testing wouldn’t be complicated. However, since our structure is set up for each school to implement its own calendar, it makes standardization very difficult. Right now, no one knows the impact of testing. In some districts, teams are going to be told they cannot hold competition during testing dates (which likely will occur at key times right before or during postseason). If extra dates are not available for play, it simply won’t be possible to get in all of the games that are allowed. Before deciding on this issue, delegates should review the corresponding date charts at <http://www.khsaa.org/handbook/correspondingdates/baseballcorrespondingdates.pdf> and <http://www.khsaa.org/handbook/correspondingdates/fastpitchcorrespondingdates.pdf>. You will notice that if this proposal fails to pass, it will be nearly impossible to play the allowed number of games during the 2014 year and beyond. That is the primary reason for the proposal, not to play baseball and softball earlier, but to realize that with all there is at stake on the new testing, it is certainly not advisable for us to setup a system that would require play nearly every single day of the week (including weekends) during the time of year when high-stakes testing is being conducted. The Board of Control, within the parameters of the Constitution declared an emergency due to the need to restore disbarred competitors (this situation would have eliminated play by some students and schools and therefore, relief was needed) for 2012 and 2013, but the schools need to make the final decision on the scheduling for future years. The proposal would allow for the start of play with the conclusion of basketball regional tournaments, minimizing the number of schools adversely effected by the possible overlap of seasons.

Proposal 2011 – 10 – A proposal to allow earlier start of play for tennis. For much the same reason as Proposal 9, this amendment is necessary. Due to the size of the state tennis tournament, and the desire of the Board to NOT consider reducing the size of the state tournament field, the state tennis tournament has been moved one week earlier. This is being done with both tennis and track/field to be sure that the large scale state events (Tennis has a minimum of 384 students competing and Track/Field issued over 3,200 competitor numbers for the 2011 state meet) can be conducted without loss of competitor opportunities. In order to allow for the full season of play, it would also therefore be necessary to start earlier. The proposal would allow for the start of play with the conclusion of basketball regional tournaments, minimizing the number of schools adversely effected by the possible overlap of seasons.

Proposal 2011 – 11 – A proposal to allow an earlier start of play for golf. This proposal is from two of our member schools, and reflects a desire to allow golf to have an extra possible weekend to fit in the allowable number of matches. This waiver was done by the Board of Control a couple of years ago to ensure facility availability during the Ryder Cup, and the resultant success with scheduling demonstrated the need to expand this possibility to each year to help with

course availability.

Proposal 2011 -12 – A proposal to make housekeeping amendments to Bylaw 27 to reflect the merging of the Sports Safety Course and the Medical Symposiums and to make the requirements for all coaches the same in all sports. The last proposal would codify recent changes with the Sports Medicine requirements for coaches. With the movement of both courses to a single, online offering, schools have saved an untold amount of travel dollars, as well as making it easier for schools to make emergency hires since these key requirements are now online. In addition, this would extend the rules clinic requirement for coaches to assistant coaches. Frankly, this would seem to be a wonderful step for athletic administrators who, without the cost of travel, can be sure each and every one of their coaches are educated on all of the playing rules and playing rule changes, and that the monitoring would be simplified as all coaches would have the same requirements.

SUMMARY

So as you can see, while there may be 12 proposals on the agenda, none of them have a tremendously inhibiting impact. As I will detail Thursday morning, there are many things changing within the needs of both our schools and the member school athletic programs. These changes help streamline things for all involved, and represent the first step in a modernization of the KHSAA and its rules to more closely align with the needs of today's student-athletes and coaches.

Best of luck and I hope to see each of you this Thursday.

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• KHSAA News & Notes

[01/15/14 – KHSAA Sweet 16® Draw Show To Air Feb. 3 On The CW Lexington](#)

[01/09/14 – Sites Finalized For 2014 Basketball Regional Tournaments](#)

[12/10/13 – Whitaker Bank Becomes Title Sponsor of KHSAA Boys' Sweet 16®](#)

[12/09/13 – Boys Sweet 16® Press Conference Tuesday; Competitive Cheer Championships Saturday; Football Championship Review](#)

[12/06/13 – 10:30 am – Changes in Schedule, State Football Finals](#)

[12/05/13 – 9:30 a.m. Current Status – KHSAA Football Finals – Weather Related Announcement](#)

[12/03/13 – KHSAA Partners With First String Media, PrepSpin.com For Enhanced Web Streaming Network](#)

[11/22/13 – On-Demand Printing For KHSAA Championship Programs](#)

[11/12/13 – Ejections Down Following Emphasis on Sportsmanship; Board Approves Realignment of 15th Region For 2014-15](#)

[11/11/13 – KHSAA Wraps Up Successful Fall Championship Weekend](#)

[11/06/13 – KHSAA Statement On Whitley County Runner](#)

[11/05/13 – High School Playoff Contests Asked to Honor Veterans](#)

[11/04/13 – Cross Country, Soccer and Volleyball Champions Crowned This Week](#)

[11/01/13 – Fairview High School Receives Sanctions From KHSAA; Football Team Removed From Postseason Play](#)

[10/28/13 – Soccer Championships Begin Tonight; VB and XC Regionals This Week](#)

[10/22/13 – Information On Ordering Tickets to State Football Finals](#)

[10/17/13 – Fall Sports Championship Media Credentials](#)

[10/14/13 – VB/SO Draw Show Results; West Jessamine, Sacred Heart Claim Golf State Titles](#)

[10/07/13 – 2013 Leachman/KHSAA Golf Championships; Frankfort High To Celebrate Soccer History](#)

[09/30/13 – Golf Regionals Underway; KHSAA To Honor Past Championship Teams](#)

[09/09/13 – Annual Meeting Of Delegates Approaching; VB/SO Draw Show Set For Oct. 14](#)

[08/12/13 – HYPE Student Leadership Conferences; Three Fall Sports Begin Next Week](#)

[07/23/13 – New Track/XC Alignment Approved; Football Draft Alignments; Tackett Receives New 4-Year Contract](#)

[07/22/13 – Reminder about Adding Shoulder Pads to Helmet as allowable gear for Football](#)

[07/1/13 – KHSAA Distributes Royalties To Member Schools; KHSAA Participation Numbers Released; KHSAA Staff Appointed To National Committees; Summer Dead Period Ends July 9](#)

[06/21/13 – Conversion Chart 2012-2013 Bylaws vs. 2013-2014 Bylaws](#)

[06/11/13 – Logan & Magoffin County Schools, Longtime Official Jerry Kimmel To Be Honored At NFHS Summer Meeting](#)

[06/2/13 – Dawahares/KHSAA Hall Of Fame Class Of 2014 Inductees Announced](#)

[6/1/13 REMINDER – 2014 Dawahares/KHSAA Hall of Fame Class to be Announced](#)

[05/20/13 – 2014 KHSAA Hall of Fame Press Conference; BA/FP District Tournaments; Spring Sport Media Credentials](#)

[05/7/13 – Track Realignment and Bowling Championship Site Selection Highlight May Board of Control Meeting](#)

[05/06/13 – Tennis, Track & Field Championships; Sweet 16® Programs For Sale Online; Spring Sport Media Credentials](#)

[04/30/13 – Statewide Winners Announced For Forcht Bank/KHSAA Sportsmanship Recognition Program](#)

[04/22/13 – KHSAA Bass Fishing Championship This Week; Top Officials Honored By KHSAA; Baseball-Softball Draw Show Tomorrow](#)

[04/15/13 – Board of Control Approves Moving KHSAA Sweet 16® Finals To Sunday](#)

[04/9/13 – 2013 KHSAA Hall of Fame Class Honored This Saturday; Regional Sportsmanship Winners Announced](#)

[03/18/13 – Inaugural KHSAA Archery Championships; KY HS Volleyball Teams Raise Money Through Dig Pink®; KHSAA To Host 2017 NASO Summit](#)

[3/11/13 – Championship Program Posted for Houchens Industries/KHSAA Girls' Sweet Sixteen®](#)

[03/11/2013 – Houchens Industries/KHSAA Girls' Sweet 16®; Inaugural KHSAA Archery Championships](#)

[03/05/13 – Game Program Posted for KHSAA Boys' Sweet Sixteen®](#)

[03/05/13 – Statement Regarding Boys' Sweet 16® Weather](#)

[02/27/13 – Sweet 16® Single-Session Tickets on Sale; Logan & Magoffin Receive Spirit of Sport Award; Kimmel Headed to National HS Hall of Fame](#)

[02/26/13 – Houchens Industries/Girls' Sweet Sixteen® Media Information](#)

[02/26/13 – KHSAA Boys' Sweet Sixteen® Media Information](#)

[02/18/13 – KHSAA Competitive Cheer & Pannell Swim Shop/KHSAA Swimming & Diving Championships This Week](#)

[02/11/13 – KHSAA State Wrestling Championships This Week At Alltech Arena](#)

[02/4/13 – Ebonite/KHSAA Bowling Championships This Week; Holy Cross \(Louisville\) Penalized For Bylaw 10 Violation; Regionals Approaching For Wrestling, Swimming & Diving](#)

[01/28/13 – Board of Control Approves Basketball Region I, Statewide Wrestling Realignment](#)

[01/25/13 – Pairings Unveiled For 2013 KHSAA Boys' and Houchens Industries/KHSAA Girls' State Basketball Tournaments](#)

[01/25/13 – State Cheer Postponed/Rescheduled Due to Weather and Safety Concerns](#)

[01/22/13 – Competitive Cheer Championships & Basketball Draw Show Coming Up This Week](#)

[01/18/13 – Pleasure Ridge Park Granted At-Large Berth to Competitive Cheer Championships](#)

[01/14/13 – Sweet 16 Draw Show, New Sweet 16 Logo, Competitive Cheer Championships](#)

[01/10/13 – Times Announced for Boys' Sweet 16® Semifinals and Championship, First Basketball Stats Released](#)

[01/7/13 – Heflin Named NFHS National Coach of the Year, First Basketball Stats, KHSAA Competitive Cheer Championships](#)

[11/04/12 – Results of 2011-2012 Football Playoff Format Survey of Member Schools](#)

[08/02/12- Reminder about Schedule for 2012 Russell Athletic/KHSAA Commonwealth Gridiron Bowl](#)

[10/31/12 – Ky. Fish and Wildlife offering gift certificates](#)

[10/25/12 – Commissioner's Statement on the Passing of Former Commissioner Billy V. Wise, updated with arrangements](#)

[10/26/12 – KHSAA Tabs Angolia As Its New Communications Director](#)

[10/22/12 – KHSAA State Volleyball This Weekend](#)

[10/04/12- Congratulations to All Principals as October is National Principal's Month](#)

[10/2/12 – State Volleyball Bracket Times Released](#)

[10/2/12 – Spencer County to Host Archery Coach Training](#)

[10/1/12 – View the program from the 2012 Leachman Buick-GMC-Cadillac/KHSAA State Golf Championships](#)

[10/1/12 – Leachman Buick-GMC-Cadillac/KHSAA State Golf Championships This Week](#)

[9/20/12 – New Free NFHS Coaching Education Course Helps with NCAA Eligibility Center](#)

[09/20/12 – NFHS Releases Opposition to Proposed 10-month Soccer Schedule for U.S. Soccer](#)

[09/16/12 – Details about Louis Stout Memorial Fund](#)

[9/18/12 – Annual Meeting Voting Results Announced](#)

[09/17/12 – Disqualifications Down in 2011-2012 School Year](#)

[09/09/12 – Commissioner's Statement, Including Funeral Arrangements and Donation Designation, on the Passing of Louis Stout](#)

[09/04/12 – Volleyball, Soccer Draw Show to Air on Friday](#)

[08/23/12 – Archery Becomes Latest Championship Sport-Activity](#)

[8/21/12 – Agenda for Optional AD Workshop Posted](#)

[08/21/12 – Reminder about Press Conference at KHSAA 8/23/12](#)

[8/16/12 – KHSAA Seeks Applicants for Communications Director \(fka Sports Information Director\)](#)

[08/15/12 – Reminder about Rosters and Stats](#)

[08/14/12 – Reebok Vector TLS 32” Decertified by NFHS](#)

[08/13/12 – Hype Student Conferences Set For Next Week. Start of Fall Sports. Press Conference Set](#)

[08/13/12 – Regional Series of Meetings Scheduled](#)

[08/08/12 State Track Meet Dates Announced](#)

[07/31/12 – Boys’ Sweet 16® Championship Game Set for Sunday](#)

[7/25/12 “Hit By Pitch” Procedure Revised in High School Softball for 2013](#)

[07/24/12 – Championship Weekend Created for Fall Sports](#)

[07/19/12 – 2012 HYPE Student Conference Details Posted](#)

[06/19/12 – Dawahares/KHSAA Hall of Fame class of 2013 introduced](#)

[07/19/12 – Frequently Asked Questions Posted – Bass Fishing Implementation](#)

[07/17/12 – NFHS Offers new free online course to minimize risk of Heat Stroke Death in High School Sports](#)

[7/17/12 – Baseball Rules Committee Addresses Alteration of Bats with 2013 Rule Changes](#)

[07/12/12 – Web Site Renovation Continues!](#)

[07/10/12 – 2012 Volleyball Officials Camp July 27-28](#)

[02/20/12 – Rip-It Bat](#)

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