

KENTUCKY DEPARTMENT OF EDUCATION
STAFF NOTE

Action/Discussion Item:

702 KAR 7:065, Designation of Agent to Manage Middle and High School Interscholastic Athletics and Revisions in Kentucky High School Athletic Association Bylaws (Second Reading)

Applicable Statute or Regulation:

KRS 156.070
702 KAR 7:065
KHSAA Bylaws

History/Background:

Existing Policy. 702 KAR 7:065 (included as attachment “A”) designates the KHSAA as the entity to manage middle and high school interscholastic athletics.

This regulation also requires that the Association conduct a biennial review of its Constitution and Bylaws at both the high school and middle school levels, and such was done during the 2013-14 school years by the KHSAA Board of Control.

The proposed changes to the high school regulation that received the requisite 2/3 vote (included as attachment “B”) reflect items that were presented to the membership of the Association at its September 29, 2014 Annual Meeting of high schools. Items considered at this Annual Meeting are submitted both by the Board of Control as part of its annual Constitution and Bylaws review, and by the member high schools, and are reviewed by the Board of Control prior to the development of the final agenda. At the 2015 annual meeting of the member high schools, 215 schools were present; therefore, all proposals required 144 affirmative votes for passage. In accordance with the KHSAA Constitution and Policies and Procedures as well as the requirements of 702 KAR 7:065, any amendment receiving the requisite vote of the membership is to be considered by the Board of Control and a recommendation made to the Kentucky Board of Education for further action.

In accordance with these procedures, the following amendments to the KHSAA Bylaws for its high school members were approved by the listed votes. These amendments were considered by the Local Superintendents Advisory Council (LSAC) at its meeting in January 2015, and have been considered by the Board of Control (BOC) of the KHSAA for implementation during the 2015-16 school year unless otherwise noted and received the requisite vote of the Board of Control. LSAC will review the amendments again prior to the June KBE meeting.

Proposal	Author	Purpose	Vote	BOC
2014-1	KHSAA Board of Control	Amend Bylaw 7 to make technical corrections and ensure that the F-1 provisions for eligibility are equitable among all member schools. <i>Rationale: With the rise in the number of F-1 VISA students (issued through homeland security), equity between the member schools is a current concern. As the rule is currently written without amendments, nonpublic schools are potentially placed at a distinctive athletic advantage when enrolling F-1 students due to current</i>	194 Yes, 5 No, 0 Abstain, 16 Present	Adopted by the Board of Control

Proposal	Author	Purpose	Vote	BOC
		<p><i>Federal regulations allowing those Visas to extend more than one year. As such, the eligibility must be limited to one year, regardless of the type of school, if the waiver is granted. Other changes to the rule are technical in nature to ensure accurate application and reading by the membership.</i></p> <p><i>Impact: Technical and Clarification</i></p>		
2014-2	<p>Andy Sirginnis, Designated Representative, Paul Laurence Dunbar High School on behalf of the Kentucky Association of Basketball Coaches</p>	<p>Amend Bylaw 9 to allow for attendance at specific events by student-athletes held on collegiate campuses.</p> <p><i>Rationale: The current wording of Bylaw 9 ensures that the high school program maintains the highest priority for basketball participants of both genders. However, an unintended consequence of Bylaw 9 is that it has not been modernized to reflect changes in NCAA recruiting rules for male student-athletes. Early fall exposure events held on collegiate campuses are now the only times that Division I men's coaches can observe and evaluate prospective student-athletes off campus, other than the observation of practice and competition on a high school campus. This return of recruiting to the high school campus is welcome, but the Bylaw must be modernized to allow for attendance.</i></p> <p><i>As it stands now, Kentucky students may attend these one-day showcases/seminars, but technically have to stop participation prior to any scrimmaging or competitive play. This places the Kentucky students in a distinct disadvantage when being measured against their counterparts from other states.</i></p> <p><i>This modernization also would memorialize the exception contained in Board of Control policy that allows for females to attend and be evaluated at certified events on a specific weekend in the fall. The remainder of the fall would remain restricted for outside competition.</i></p> <p><i>Impact: Regulatory</i></p>	<p>186 Yes, 11 No, 2 Abstain, 16 Present</p>	<p>Adopted by the Board of Control</p>
2014-3	<p>KHSAA Board of Control</p>	<p>Amend Bylaw 14 to place the decision of practice by ineligible students, with the exception of those awaiting a ruling from the KHSAA, in the hands of the local school.</p> <p><i>Rationale: The decisions regarding practice</i></p>	<p>161 Yes, 37 No, 0 Abstain, 17 Present</p>	<p>Adopted by the Board of Control</p>

Proposal	Author	Purpose	Vote	BOC
		<p><i>by ineligible students (failure to meet grade requirements, etc.) should be in the hands of the local school district. This change would return the rule to its former state, and stipulate that KHSAA regulations would address only transferring students who are awaiting an eligibility ruling and leave all other practice by ineligibles to the discretion of the member school.</i></p> <p><i>Impact: Regulatory</i></p>		
2013-4	Designated Representative Hugh McReynolds, Logan County High School, on behalf of the Kentucky High School Athletic Directors Association	<p>Create a new bylaw to address requirements for Athletic Directors, renumber remaining bylaws.</p> <p><i>Rationale: This proposal addressed the need for required on-going continuing education and/or certification for Athletic Directors in the Commonwealth. This proposal has been drafted with the assistance of the Executive Committee of the Kentucky High School Athletic Directors Association. The athletic administrator is an educational leader who oversees one of the most visible and scrutinized aspects of the school community. Athletic administrators must understand that athletics are an extension of a dynamic educational program. As a result, the need exists to develop an on-going program (continuing education) that serves as a guide to support the day-to-day decision making of an athletic administrator. Such a program would assist in clarifying the mission, values and principles of educational athletics and how they translate into everyday decisions and actions.</i></p> <p><i>The overall responsibilities of the athletic administrator are wide-ranging; however, there is little or no formal education required of the position; thus, preparation for the job is minimal. With societal changes, increased mandates and wide ranging requirements in regard to participation, health and safety, event management and security, Title IX, etc., the need exists for on-going continuing education for the Athletic Administrator in Kentucky.</i></p> <p><i>The role of the Athletic Administrator is ever-changing and the demands on his/her time are ever-increasing. Turnover in</i></p>	153 Yes, 46 No, 0 Abstain, 16 Present	Adopted by the Board of Control

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		<p><i>athletic administrators occurs at an alarming rate, due in large part to the vast majority of new athletic administrators being ill-prepared to handle the demands of the job. With increasing demands on building principals in regard to time needed to address educational initiatives and evaluations, ever-more pressure will be put on the athletic administrator to have an increased role in the administration of a high school athletic program.</i></p> <p><i>For those Athletic Administrators deemed as administrators by their district, the requirements for annual informational updates are viewed as fairly minimal as existing requirements for twenty-one hours of updates and development exceed any requirement currently contemplated by this regulation.</i></p> <p><i>Impact: Regulatory</i></p>		

After the time of the first reading of the regulation in February, the KHSAA Board of Control continued and ultimately completed its work in response to the NFHS (National Federation of High Schools) Task Force Report on Football and Concussions (<http://www.nfhs.org/media/1014079/2014-nfhs-recommendations-and-guidelines-for-minimizing-head-impact-final-october-2014.pdf>). At its regular meeting on April 21, the KHSAA Board of Control adopted policy changes including emergency changes to the bylaws and policies of the KHSAA related to football practice. The draft of changes was released to the membership in March for comment with final adoption to be considered at the April meeting after reviewing member schools' final remarks. A compliance form is being finalized and once approved by the Board of Control in May, will be distributed to the membership to assist in the education of coaches, ensuring compliance by all schools. After consideration and following considerable feedback from the membership, the Board of Control approved the staff recommendation to make one change from the draft, and then allow the wearing of helmets for on-campus, non-competitive, non-contact work in June.

The NFHS recommendations on football practice were released to the KHSAA in November and discussed throughout the membership and within the Board and staff for several months. Following the receipt of the report, the information was distributed to the KHSAA Board of Control members and placed on the agenda for its November 2014 meeting for a brief discussion and background. At that meeting, staff was asked to review the information with various football constituent groups, including the Commissioner's Advisory Committee on Football, and to try and determine best practices going forward, given the restrictions and recommendations within the Task Force report.

Clearly, the recommendations were a call for action in many areas and required immediate changes in the way schools conduct football practice, including the timetables and timelines for the use of school-owned equipment. The recommendations include fairly sweeping philosophical changes in terms of more clearly defining the rules limitations on what can be done when wearing certain gear. Key to this discussion was the conceptual introduction of the USA Football terms used to describe the content and intensity of drill work and levels of contact. Those new definitions are:

Level 0 – “Air” – Players run a drill unopposed without contact.

Level 1 – “Bags” – Drill is run against a bag or another soft-contact surface.

Level 2 – “Control” – Drill is run at assigned speed until the moment of contact; one player is pre-determined the ‘winner’ by the coach. Contact remains above the waist and players stay on their feet.

Level 3 – “Thud” – Drill is run at assigned speed through the moment of contact; no pre-determined “winner.” Contact remains above the waist, players stay on their feet and a quick whistle ends the drill.
Level 4 – “Live Action” – Drill is run in game-like conditions and is the only time that players are taken to the ground.

A copy of the final determinations and resultant changes are listed in Attachment “C”.

The KHSAA also is designated to manage interscholastic athletics at the Middle School Level. The Middle School Advisory Committee held its first meeting of the year in September and its second meeting in late January. As discussions have continued, the Committee sought and suggested clarification as to the specific applicability of provisions in the regulation. In some cases, schools/school systems appeared to have erroneously failed to comply due to the feeling that the activities were not school-based. The Middle School Advisory Committee has recommended that this issue be clarified going forward, and staff has presented draft language for adoption.

The staff of the KHSAA certifies that the Board of Control has taken action on these items related to high school athletics as documented by the minutes of Board of Control meetings.

Groups Consulted and Brief Summary of Responses:

KHSAA Board of Control
KHSAA Annual Meeting Delegate Assembly
Local Superintendents Advisory Council

The first two groups have concurred and approved the revisions. LSAC will provide the board with a letter relative to its input prior to the June meeting.

Impact on Getting to Proficiency:

Athletics contribute to the overall physical health of students and therefore affect their ability to perform academically.

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Recommending Contact Person



Commissioner of Education

Date:

June 2015