

KENTUCKY DEPARTMENT OF EDUCATION
STAFF NOTE

Review Item:

702 KAR 7:065, Designation of Agent to Manage Middle and High School Interscholastic Athletics and Revisions in Kentucky High School Athletic Association (KHSAA) Bylaws (First Reading) (*Amendment to existing regulation*)

Commissioner's Recommendations:

At the April meeting, the Commissioner will ask for approval of 702 KAR 7:065 and the changes to the bylaws. No action is required at this meeting.

Rationale:

The amendments have been approved by the KHSAA Board of Control and the Delegate Assembly.

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 level, and such was done during the 2014-2015 school years by the KHSAA Board of Control.

Summary: The proposed changes to the high school regulations 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 10, 2015, 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, 202 schools were present; therefore, all proposals required 135 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 will be considered by the Local Superintendents Advisory Council at its meeting in January 2016, and have been considered by the Board of Control (BOC) of the KHSAA for implementation during the 2016-17 school year unless otherwise noted. The proposals received the requisite vote of the Board of Control.

Proposal	Author	Purpose	Vote	BOC
2015-1	Proposed by the KHSAA Board of Control as part of the required annual	A proposal to amend Bylaw 6 to make an exception to the one-year period of ineligibility potentially invalid if the student is living with any athletic coach or member of the school staff or team	172 Yes, 235 No, 0 Abstain, 7 Present	Adopted by the Board of Control

Proposal	Author	Purpose	Vote	BOC
	review of all KHSAA Bylaws (702 KAR 7:065)	members. <i>Rationale: Clearly, living with a coach, staff member or team member is an athletic advantage and should be grounds for the denial of the waiver of the period of ineligibility.</i> <i>Impact: Regulatory</i>		
2015-2	Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)	A proposal to amend Bylaw 6 to eliminate the provisions of the transfer rule that applied to students in grades 4-12 being further restricted on the transfer rule within the same year. <i>Rationale: This provision, enacted a couple of decades ago to deal with mid-year transfers, is likely not legally permissible to enforce due to the requirements of the KHSAA to have a Due Process Procedure for all students as it restricts discretionary waivers..</i> <i>Impact: Regulatory</i>	181 Yes, 14 No, 0 Abstain, 7 Present	Adopted by the Board of Control

The KHSAA is also designated to manage interscholastic athletics at the middle school level. The Middle School Advisory Committee held its first meeting of the year in November and its second meeting will be held February 16. Further items and requests for amendments will be brought forward to the Kentucky Board of Education at a later date.

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

Budget Impact: No impact occurs on state funds.

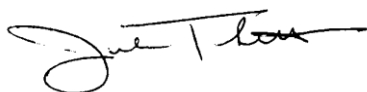
Groups Consulted and Brief Summary of Responses:

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

The first two affected groups have concurred and approved the revisions. LSAC will provide feedback at its next meeting that will be reported to the board at the February meeting.

Contact Person:

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Recommending Contact Person



Commissioner of Education

Date:

February 2016