



Kentucky High School Athletic Association

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May 3, 2017

Principal Art Davis
Paducah Tilghman High School
2400 Washington Street
Paducah, KY 42003-3206

Dear Mr. Davis,

This correspondence is in relation to a series of reported violations of KHSAA bylaws by representatives of Paducah Tilghman High School over a multi-year period. If you recall, over this period, your school self-reported a series of violations of KHSAA rules and you worked with KHSAA staff to determine not only the violations and violators, but also administrative steps that could be taken to improve the situation.

It is important to note that nearly of these violations were initially reported in some form or fashion by your school representatives and you were the leader in your desire to reconstruct the attitude of rules compliance within your school. When I spoke to you last school year as we completed any review by this office of the situation, we agreed that you would have time to monitor the situation within your school given your new athletic administration. It was a time for you to reconstruct internal policies and practices to ensure that further violations did not occur. Following that year of observation, it is apparent that your efforts to improve the compliance standard around the high school have succeeded and we can close the review of these matters.

BYLAWS AND REGULATIONS AT ISSUE

The complete text of the relevant bylaws is located on the KHSAA website. These include:
Bylaw 1 (Responsibility for Eligibility) states that the Principal is ultimately responsible for all matters at the school that concern interscholastic athletic eligibility;
Bylaw 16 (Recruitment/Undue Influence) states that no member of a school athletic or coaching staff, or any other position within the school or system, may influence the enrollment of a student for the purpose of participation in athletics.
Bylaw 27 (Penalties) specifies the range of penalties when such are imposed for violations; and
KHSAA Fine Schedule - Each school is subject to a fine up to \$1,000 for each occurrence where "Use of an ineligible player when the facts were present to prevent such usage"
KHSAA Fine Schedule - Each school is subject to a fine up to \$1,000 for each occurrence where "Each violation of KHSAA rules when a specific fine is not explicitly addressed by this schedule"

CONCLUSIONS

Clearly, when the reports of violations began being submitted, there was a lack of institutional control within the athletic program. Basic procedures for determining and maintaining eligibility were not being monitored by the athletic staff at that time and this resulted in a series of violations where ineligible players likely participated. Several were reported by your school and verification of their ineligibility was corroborated by our staff.

Paducah Tilghman was quick to self-imposed penalties in the situations where student athletes were allowed to play while ineligible. This included the forfeiture of specific contest which has already been done by Paducah Tilghman during the 24-month period of this review.

There were assertions within this review of violations of Bylaw 16 by members of the coaching staff. However following a detailed review, while there were obvious situations where incredibly poor judgment was used in the conduct of activities both in and off-season, there were no documented violations for which penalties should be assessed based on the facts of this case.

During the course of this review, you as principal have hired new athletic administrative staff and created an air of compliance around the program that was not as strong in those immediate past years. This is noticeable through the continued observation by our staff and the continued cooperation of your athletic administration. You are to be commended for these improvements. However, they cannot negate the previous violations and the need for the Association to take final action.

Penalizing our membership is never a pleasant thing, and hopefully, lessons have been learned so that incidents like this will not occur in the future. It is everyone's responsibility, administrators, coaches, officials, fans, and participants, to ensure that a rules-compliant environment for athletic competition exists. The actions by the school representatives led to a loss of integrity for this long-standing historic program, which you have fought valiantly to restore. Thankfully, this situation was handled in a strong and firm manner and your personnel decisions within the program have restored the faith of the fellow member schools in the level of compliance within the athletic program.

PENALTIES

After reviewing this situation, the following findings and penalties are hereby levied –

1. The self-imposed sanctions on the violations of KHSAA rules reported during the course of this review, including forfeiture of specific contests are hereby accepted.
2. A maximum fine of more than \$8,000 at \$1,000 per incident could have been imposed for the use of an ineligible player when the facts were present to prevent such usage. However, it is critical that the KHSAA recognize the steps taken by you on behalf of Paducah Tilghman. In this case, you were quick and decisive in your review and willingness to administer proper sanction and allow the program to move forward. This certainly mitigates and lessens the need for extensive penalty.
In that light, the possible fine is reduced to a summery fine of \$750 fine for violations of Bylaw 1 in failing to maintain institutional control.
An invoice is included with the distributed copy of these findings for use in complying with this penalty.
3. Paducah Tilghman High School is no longer under review for any violations of KHSAA Bylaws, Policies or Procedures and upon completion of the penalties as imposed; the matter shall be considered closed.

You are reminded that KHSAA Bylaw 1 addresses the responsibility of the Principal of the school in maintaining institutional control to ensure that KHSAA rules and regulations are adhered to within the athletic program. While such may be delegated to the Designated Representative per that bylaw, the ultimate accountability remains with the Principal.

You are also reminded that further violations within the athletic program of any KHSAA Bylaw, regulation or policy of a school on probation, could result in the maximum sanction allowable under Bylaw 27, which includes the possible suspension of the entire school athletic program. I know this has been a very difficult situation for all school personnel involved. As administrators, you and your school are to be commended for diligence in researching and supplying requested

information in order to determine what happened in this unfortunate situation. From your cooperation in this investigation, it appears that school personnel have addressed any necessary corrective action and put policies in place for the future to ensure that this does not happen again.

PUBLIC NOTICE

The findings of this investigation will be made public by the Association through its normal news media contact channels and through its website (including social media feeds). Commentary from the Association (if contacted by media representatives) will focus solely on the original incident, the school response, and this final ruling, and additional inquiries will be directed to you as Principal.

NOTICE OF APPEAL RIGHTS

Paducah Tilghman High School may appeal the Commissioner's ruling in accordance with the KHSAA Due Process Procedure. Please note that, under the KHSAA Due Process Procedure, this is considered a "Board Matter", and as such, any appeal would go directly to the KHSAA Board of Control. Such appeal must be filed within thirty (30) days of the issuance of this ruling.

Sincerely,



Julian Tackett
Commissioner

xc: Kris Durfee, Athletic Director, Paducah Tilghman High School
Donald Shively, Superintendent, Paducah Independent Schools
KHSAA Board of Control
KHSAA Executive Staff