

KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

Topic: Amendment to 702 KAR 7:065, Designation of Agent to Manage Middle and High School Interscholastic Athletics (Second Reading)

Date: August 2020

Action Requested: ☐ Review ☐ Action/Consent ☒ Action/Discussion

Held In: ☒ Full Board ☐ Curriculum, Instruction and Assessment ☐ Operations

SUMMARY OF ISSUE BEFORE THE BOARD:

To amend 702 KAR 7:065, Designation of Agent to Manage Middle and High School Interscholastic Athletics, to incorporate revisions recommended by the Kentucky High School Athletic Association (KHSAA) Board of Control, including amendments to the KHSAA Bylaws.

COMMISSIONER'S RECOMMENDATION:

The Commissioner recommends approval of the amendments to 702 KAR 7:065 as set forth in the attached regulation, including amendments to documents incorporated by reference.

APPLICABLE STATUTE OR REGULATION:

KRS 156.070, 702 KAR 7:065 and KHSAA Bylaws

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 KHSAA conduct a biennial review of its Constitution and Bylaws at both the high school and middle school level. This requirement was fulfilled during the 2019-2020 school year by the KHSAA Board of Control for the high school rules, and by the required meetings of the KHSAA Middle School Advisory Committee for the rules at that level.

Summary of Issue:

The proposed change to the high school regulations that received the requisite 2/3 vote reflect items that were presented to the membership of the KHSAA at its September 18, 2019, Annual Meeting of high schools. Items considered at this Annual Meeting were submitted by the Board of Control as part of its annual Constitution and Bylaws review. They were reviewed further by the Board of Control before the development of the final agenda. At the 2019 annual meeting of the member high schools, 229 high schools were present; therefore, the proposal required 153 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 (KBE) for further action.

During the annual meeting, significant discussion was held by the membership as to the future of interscholastic athletics. National trends were reviewed, and the school representatives participated in spirited discussions about the balance between adapting to the students of today and meeting their needs and preserving the sound traditions of competition. This meeting likely will continue to shape the future of this 103-year old organization.

In accordance with these procedures, the amendments to the KHSAA Bylaws for its high school members listed below were approved by the listed vote. These amendments will be considered by the Local Superintendents Advisory Council at its upcoming meetings, and have been considered by the Board of Control (BOC) of the KHSAA for implementation during the 2020-2021 school year unless otherwise noted, and received the requisite vote of the Board of Control.

Proposal	Author	Purpose	Vote	BOC
2019-01	Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)	Amend Bylaws 6, 7 and 8 to create a more objective standard for the evaluation of evidence and information and the application of the provisions related to the grant of eligibility in the event of a transferring student when evidence shows that the transfer was for athletic advantage.	193 Yes, 20 No, 0 Abstain, 16 Present	Adopted by the Board of Control

The staff of the KHSAA certifies that the Board of Control has acted on the recommended items as documented by the minutes of Board of Control meetings.

The KHSAA also is designated to manage interscholastic athletics at the middle school level. The Middle School Advisory Committee continues to meet throughout the year. The focus of these meetings continues to be the health and safety for middle school athletes, and further items and requests for amendments will be brought forward to the KBE at a future date. The currently proposed amendment was reviewed multiple times by the Advisory Committee and deemed to be a matter primarily of local jurisdiction, has a remote possibility of enforcement and not a matter related to health and safety.

Budget Impact:

There is no fiscal impact to the Kentucky Department of Education's budget.

GROUPS CONSULTED AND BRIEF SUMMARY OF RESPONSES:

KHSAA Board of Control
KHSAA Annual Meeting Delegate Assembly

All consulted groups have concurred and approved the revisions. In addition, the regulation will go before the LSAC at its July 28 meeting. A letter from this group, expressing its recommendation, should be received prior to the August board meeting.

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Category: <input type="checkbox"/> District Innovation	<input type="checkbox"/> Strengthening Educators	<input checked="" type="checkbox"/> Family/Community Involvement	
<input checked="" type="checkbox"/> Student/Family Supports	<input type="checkbox"/> Student Interventions	<input type="checkbox"/> Coursework Completion	<input type="checkbox"/> Accountability Reporting