

**Full Board of Control**  
September 13, 2022 at 10:30 AM  
KHSAA Office, Lexington, KY

**Attendance Taken at 10:30 AM:**

Present Board Members:

Debbie Beichler, Darrell Billings, Larry Coldiron, Brian Courtney, Jim Demler, Joe Henderson, Claudette Herald, Greg Howard, Damon Kelley, Randy McCallon, Marty Mills, Lucy Moore, Angela Passafiume, Michael Phillips, Russell Thompson, Gavin Washington, Matt Wilhoite, and David Zuberer.

Present Others:

David Couch and Jason Frankes (Louisville Courier Journal).

KHSAA Staff: Julian Tackett, Joe Angolia, Darren Bilberry, Sarah Bridenbaugh, Rob Catron, Chad Collins, Butch Cope, Jenny Elder, Connor Link, and Kara Howard.

Attachments can be found at the following link:

<https://portal.ksba.org/public/Agency.aspx?PublicAgencyID=4374&AgencyTypeID=1&BeginDate=07-01-2022&EndDate=06-30-2023>

**Adjourn Full Board into Work Session**

**Convene Full Board of Control Meeting**

**Pledge of Allegiance- David Zuberer**

**Reflection- Angela Passafiume**

- Mrs. Passafiume reflected on the importance of using your voice and how change is made by collaborating and speaking up.

**Consent Agenda**

- The consent agenda was presented for approval.
  - Approve minutes of the July 2022 Regular Meeting.

**Motion Passed (18-0):** Passed with a motion by Greg Howard and a second by Debbie Beichler.

Debbie Beichler Yes, Darrell Billings Yes, Larry Coldiron Yes, Brian Courtney Yes, Jim Demler Yes, Joe Henderson Yes, Claudette Herald Yes, Greg Howard Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Lucy Moore Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Yes.

## **Items Referred from Work Session**

### **Items for Information of the Board**

A series of reports to inform the Board of Control were conducted and, in the end, a summary motion to accept the reports into the record. The constitution, bylaws, due process, and board policy and procedures are attached for reference.

**Motion Passed (18-0):** Accept the reports as presented passed with a motion by Greg Howard and a second by Debbie Beichler. Debbie Beichler Yes, Darrell Billings Yes, Larry Coldiron Yes, Brian Courtney Yes, Jim Demler Yes, Joe Henderson Yes, Claudette Herald Yes, Greg Howard Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Lucy Moore Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Yes.

### **Legislative Report**

The Commissioner reported that staff is aware that there is a move in home school-based teams and participation. He shared that we have seen an increase in home school students and we are monitoring for any potential legislative action for movement. In addition, the staff is working towards further amendments and clarification to 2021 HB563.

### **Sports Reports from Staff**

Written reports were submitted by the Commissioner's office specific to recently completed or upcoming championships.

### **Officials Licensing Comparison**

The Commissioner and Associate Commissioner Cope reviewed the current totals of licensed officials. We have broken even on the number of officials licensed compared to last year in fall sports but are still way down compared to the 2018-2019 year. Mr. Cope reported that the movement of games to get game coverage is becoming more frequent as well as the loss of non-varsity contests to get officials for varsity games.

### **ArbiterSports Update**

The Commissioner and Associate Commissioner reviewed upcoming changes around officials licensing procedures. All officials licensing will be moved to Arbiter Sports so that everything will be in one place including, game assignments, payment, and registration. This process is hoped to be completed during winter sports.

### **Disqualification Report and Comparison**

Associate Commissioner Cope reported on the volume of disqualifications that we have been seeing and that they can be avoided. Mr. Cope stated that a large portion of disqualifications is caused by foul language which can be prevented by adult role models.

### **Status of Regulations**

The Commissioner reported that further regulation updates will come after the Annual Meeting.

### **Update on Bowling Green High School**

As part of its June 23, 2022, agreed order in a past matter, there is to be a status report at each Board meeting. The deadline for the school to get organized was August 1 and staff has been assigned to serve as the liaisons with the school so this work can begin regarding monitoring. Assistant Commissioner Angolia reported that there have been

conversations with Bowling Green regarding coaches' meetings that are required per the agreed order. They have submitted reports and payment for the first installment of the fine that was assessed. The Board of Control has requested that the Superintendent of the district attend the November Meeting.

#### **Member School Issues - New Members**

Assistant Commissioner Bridenbaugh reported that she has met with the new member schools that are now eligible for the postseason making sure that they understand the bylaws and has clarified any questions that they might have.

#### **Report on NFHSLearn.Com**

Commissioner Tackett reported on the number of courses that are available through NFHS Learn. There are many coaches training courses that are free of charge to help better train coaches.

#### **Status of Bylaw 11 Financial Aid Reports**

Assistant Commissioner Bridenbaugh reported that she has met with schools relative to potential issues with regard to financial aid. She is monitoring other schools and making sure they are compliant and eligible. The Commissioner also reported that schools must report their SB128 kids as it is a requirement. He also clarified that F1 schools do have to charge tuition to these students.

#### **Status of Prime Date Requirement and Update Information**

Assistant Commissioner Bridenbaugh reported that 38 schools did not meet the prime date requirement for 2021-2022. This is monitored at the beginning, middle, and end of the season. Violators are to be penalized at no point to comply with the prime date requirement. These schools were contacted multiple times throughout the year that they were not meeting this requirement. Mrs. Bridenbaugh also went over a new online tool that is available to our schools that she demonstrated at all regional meetings. They can access this tool through the school login on our home page. This tool helps track and show whether or not a school is in compliance.

#### **Status of Submitted 2022 Title IX Reports**

Assistant Commissioner Bilberry reported that only one school did not submit its Title IX by the deadline report and it has now been received. Mr. Bilberry reminded everyone that the Title IX report is due on April 30<sup>th</sup> each year and that there is a penalty for those that fail to submit it.

#### **Marketing Sales Status Report from TPG**

Representatives from TPG presented the progress made since partnering with the association and the success that has come with the partnerships Sara Hacker has been able to sign deals. TPG also reported on the technological advancements that they have made to make the selling and fulfillment of those sales easier for all parties involved.

#### **Ticketing Report**

The Commissioner reported we continue to be contracted for digital ticketing with GoFan and they have been great partners. He also reported if member schools need assistance in setting up their postseason games on GoFan to reach out to the office and we will set up and manage the digital ticketing for them as needed.

### **NFHS Network Report/Pixelot**

Commissioner reported that we have a 15-year agreement with the NFHS Network. He also reported that the Pixelot camera program is still going on and the NFHS will send someone out to install the cameras free of charge for any school desiring to participate. Jenny Elder is the day-to-day contract for school camera installation.

### **Financial Status and General Ledger Report**

The Commissioner reported that we are still operating off the current year's budget.

### **Staff Responsibilities and Discuss Staffing**

The board was presented with a descriptive list of the roles and responsibilities of each person in the office.

### **Around the State and Nation**

Commissioner provided articles for information concerning various topics and issues taking place around the country.

### **Transfer and Eligibility**

A list of transfers and eligibility appeals was provided for review and discussion.

### **Items for Review for Action at Later Meeting**

Following a review of these items, a single motion will be requested to accept these reports, including any Board member feedback. This will be used when the item(s) come up for action at a later meeting.

**Motion Passed (18-0):** Accept the report and information and direct appropriate action by the Commissioner's office passed with a motion by Lucy Moore and a second by Angela Passafiume. Debbie Beichler Yes, Darrell Billings Yes, Larry Coldiron Yes, Brian Courtney Yes, Jim Demler Yes, Joe Henderson Yes, Claudette Herald Yes, Greg Howard Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Lucy Moore Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Yes.

### **Status and Timetable, Swimming Including Format Revision Discussion Due to Facilities**

Commissioner reported that there are many issues with facilities and capacity. He reported that there is not a facility big enough to accommodate the number of participants and spectators. This is due in large part to the number of qualifiers (40 per event). The Commissioner and staff are looking at the format and will bring proposals to the board regarding the state round at a future meeting.

### **Status of Alignments and Timetable, Basketball Request (and others), Jenkins**

Staff received following the last regular board meeting, a request from Jenkins High School to change regions from the 15<sup>th</sup> to the 14<sup>th</sup>. Jenkins was located in the 14<sup>th</sup> region before the 2007 statewide realignment. Commissioner and staff reviewed issues around both the original move and the request. In addition, the Commissioner plans to meet with regional administrators in both regions to gather input before presenting the item to the Board in January for the 2023-24 school year. January is the normal meeting month for the adoption of any changes to the basketball alignment. Those changes then cascade down to other similarly aligned sports.

### **Discuss Concepts for Review in Future, Football Specific RPI**

Commissioner reported RPI is accurate in sports who play a lot of games. The variable that is different for football is that they are broken up into classes. There can be a benefit to playing out of class depending on the win or the loss. In November, the comparisons in the different classes will.

### **Review of Board Approved Calendar for 2022-23**

The corresponding dates calendar was provided for review.

### **Discussion of Possible Regional Tournament Format in Team Sports, Smaller Regions**

Commissioner reported that if the board were to approve smaller than 16 regions schools there could be a different arrangement for volleyball and soccer as desired.

Currently the basketball competition rules -

In regions where the drawing of district boundaries results in two or three districts, the Board of Control may approve an alternate format to allow for a full eight-team bracket in the region tournament.

The Commissioner's office will review and get feedback before proceeding.

### **Due Process Revisions Discussion Including Regional Committees**

While no specific action is requested, particular attention should be paid to the regional investigative committees. There was discussion about regional investigative committees with pros and cons being discussed but with no further action at this time.

### **Discussion of Region Meetings and Non-Attendance**

Thirty-Eight schools failed to attend one of the nine required recent regional meetings despite multiple notices. Only two schools, CornerStone Prep and Owen County advised the association in advance of critical staff shortages and the likely inability to attend.

The Commissioner firmly believes that if the meetings are the only requirement for membership, failure to attend cannot be ignored. As such, the intention is to issue an administrative fine. Within the fine schedule, there is no current specific fine for lack of attendance (first offense), and therefore it could be that this falls into the maximum \$1,000 category for those offenses that are not enumerated. However, the most appropriate course of action, if a fine were levied, would be to compare it to a rules clinic, which is a \$300 maximum.

It is worth noting that 250 of the member schools met the requirement. If the Board feels a penalty is appropriate, then perhaps it should be stair-stepped to where it is a fine for this year, but then if there is failure to attend next year, the penalty becomes additional.

### **Discuss HOF Screening Committee Scheduling**

The Commissioner discussed a calendar review by board members to determine the most appropriate time for a Hall of Fame screening committee meeting, likely November 16.

## **Items for Discussion and Possible Action**

### **Expansion of Officials Licensing**

Associate Commissioner Cope reported on the pilot program for 14-17 year-olds to be licensed as KHSAA officials, eligible to work non-high school level contests. The Association would help defray the cost of training for these officials and work with local associations on appropriate mentoring

opportunities. In addition, background checks would be required on these officials at the time of their 18th birthday if they continue licensing. The move in licensing mechanics opens the door to reciprocal licensing across state lines, and staff desires to be able to explore that option as well.

**Motion Passed (18-0):** Accepted the report and approved necessary amendments to the licensing policies to start through the regulation promulgation process passed with a motion by Russell Thompson and a second by Gavin Washington. Debbie Beichler Yes, Darrell Billings Yes, Larry Coldiron Yes, Brian Courtney Yes, Jim Demler Yes, Joe Henderson Yes, Claudette Herald Yes, Greg Howard Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Lucy Moore Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Yes.

### **Triennial Survey Update and Board Sanctioning Policy**

As requested by Board members a discussion on the threshold to add sports/activities was held. There has been variation in the policy regarding the threshold for a new sport. Requirements in the past have been 20% and 15% to start a new Championship and the current policy is a fixed number of 50. Based on 280 members (since a large portion of the newer schools were not eligible for postseason in the last triennial survey), a percentage would be a requirement of 42 schools (.15), 56 schools (.20), or a fixed 50.

The Commissioner and staff believe the 15% threshold served the association well to allow for the development of opportunities (with the three region criteria remaining in place) as well as the ten percent threshold to maintain a championship (with the exception of the female-only sports and address historical shortcomings in the schools).

**Motion Passed (18-0):** Amend the sponsorship policy to be 15% for a new sport, and 10% for a continuing sport, with currently published exceptions for consideration, with those percentages based on membership at the time of survey administration passed with a motion by Darrell Billings and a second by Debbie Beichler. Debbie Beichler Yes, Darrell Billings Yes, Larry Coldiron Yes, Brian Courtney Yes, Jim Demler Yes, Joe Henderson Yes, Claudette Herald Yes, Greg Howard Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Lucy Moore Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Yes.

### **Review PPP Terms and Options**

The Commissioner addressed formal approval of forgiveness of the KHSAA PPP funding as well as gathered input for the next steps.

**Motion Passed (18-0):** Accepted the report and authorized necessary action in consultation with the audit firm. passed with a motion by Greg Howard and a second by Larry Coldiron. Debbie Beichler Yes, Darrell Billings Yes, Larry Coldiron Yes, Brian Courtney Yes, Jim Demler Yes, Joe Henderson Yes, Claudette Herald Yes, Greg Howard Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Lucy Moore Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Yes.

### **Review Working Budget**

The Commissioner updated the board and sought final approval to continue to operate on the working budget. Included in this authorization would be the replacement of the 2015 Chevrolet

Suburban which has nearly 200,000 miles and is near the end of useful life and encountering many maintenance issues.

**Motion Passed (18-0):** Approved the working budget report, including the updated general ledger and income statement, with authorization as requested to replace the 2015 Suburban, passed with a motion by Angela Passafiume and a second by Jim Demler. Debbie Beichler Yes, Darrell Billings Yes, Larry Coldiron Yes, Brian Courtney Yes, Jim Demler Yes, Joe Henderson Yes, Claudette Herald Yes, Greg Howard Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Lucy Moore Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Yes.

**For the Good of the Order**

To adjourn meeting.

**Motion Passed (18-0):** Passed with a motion by Darrell Billings and a second by Larry Coldiron. Debbie Beichler Yes, Darrell Billings Yes, Larry Coldiron Yes, Brian Courtney Yes, Jim Demler Yes, Joe Henderson Yes, Claudette Herald Yes, Greg Howard Yes, Damon Kelley Yes, Randy McCallon Yes, Marty Mills Yes, Lucy Moore Yes, Angela Passafiume Yes, Michael Phillips Yes, Russell Thompson Yes, Gavin Washington Yes, Matt Wilhoite Yes, David Zuberer Yes.

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Matt Wilhoite, President

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Date

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Julian Tackett, Commissioner

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Date