

KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

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

Date: March 2025

Action Requested: Review Action/Consent Action/Discussion

Held In: Full Board State Schools United We Learn

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 administrative regulation, including amendments to documents incorporated by reference.

APPLICABLE STATUTE OR REGULATION:

KRS 156.070; 702 KAR 7:065

BACKGROUND:

Existing Policy:

702 KAR 7:065 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 2023-2024 and 2024-2025 school years by the KHSAA Board of Control for the high school rules, and by any 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 17, 2024, 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 further reviewed by the Board of Control before the development of the final agenda. At the 2024 annual meeting of the member high schools, 192 high schools were present; therefore, the proposal required 189 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.

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 will likely continue to shape the future of this more than a century old organization.

There was special focus on potential future amendments to the transfer restrictions contained in Bylaw 6. At the 2023 Annual Meeting, a proposal to tighten the rules further (submitted by a member school) did not pass and the discussion around that meeting led to focused discussions at the 2024 meeting around more allowances for movement. It was the sentiment of many delegates that with “open borders” and school choice initiatives through the General Assembly, further study needs to be done in that area. That effort has continued this school year and in legislative discussions to try and find the balance that allowed student movement without extreme athletic advantage occurring. The Association will be producing a transfer report for the General Assembly during 2025 and that data will be used to drive the next level of discussions.

In accordance with these procedures, the amendments to the KHSAA Bylaws for its high school members that are 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 upcoming school year unless otherwise noted, and received the requisite vote of the Board of Control.

Proposal	Author	Purpose	Vote	BOC
2024-01	Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)	Amend Bylaw 5 allows schools to have additional locally developed options to academically reinstate students failing to meet the Bylaw 5, Section 1 first day credit check, allowing for an appropriate amount of local control around athletic eligibility.	189 Yes, 0 No, 3 Abstain	Adopted by the Board of Control
2024-02	Proposed by the David Zuberer, Athletic Director, DuPont Manual High School and the KHSAA	Amend Bylaw 23 To Align the Beginning Of The Limitation Of Seasons For The Sport-Activities With The Other Championships Coincident To The Time Of The State Championship While Leaving Local Options For Activities Outside Of Those Periods.	190 Yes, 1 No, 1 abstain	Adopted by the Board of Control

Proposal	Author	Purpose	Vote	BOC
	Board of Control as part of its required annual review of the Bylaws.			

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.

Substantive changes to the KHSAA Bylaws were made to incorporate recent action taken by Kentucky General Assembly during the 2024 Regular Session.

SB185 (Acts Chapter 194) of the 2024 Regular Session of the Kentucky General Assembly further defined Name, Image, Likeness restrictions for collegiate athletes and the association reflected any necessary changes in its Bylaw 10.

HB169 (Acts Chapter 208) of the 2024 Regular Session of the Kentucky General Assembly expanded previous requirements for Venue Specific Emergency Actions plans to require cardiac specific plans and further detailed the necessary rehearsal of those plans.

Several changes in the KHSAA Board of Control and Officials Division Policies were also considered by the Board and Staff and have been updated accordingly. These changes include:

- Updating officials licensing parameters to reflect online registration system
- Updating sports medicine guidelines per the sports medicine committee following the Team Up for Sports Safety (TUFSS) evaluation performed during session with Corey Stringer Institute as well as complete phase in of Wet Bulb Glove Temperature monitoring
- Updating provisions related to NIL to conform to statutory and NCAA changes around reporting in alignment with Bylaw 10
- Updating media guidelines to reflect further shift from traditional media
- Updating and reviewing Title IX reporting procedure to align completely with OCR communication
- Reflect changes in penalties around disqualified players to reflect new playing rules changes
- Updating Officials Division Guidelines to reflect addition of new sports; and
- Further technical revisions to reformat or correct drafting errors.

Finally, the KHSAA is also designated to manage interscholastic athletics at the middle school level. 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 Kentucky Board of Education at a future date.

Budget Impact:

None.

GROUPS CONSULTED AND BRIEF SUMMARY OF RESPONSES:

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

All consulted groups have concurred and approved the revisions.

CONTACT PERSON(S):

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Category: <input type="checkbox"/> Educator Workforce Diversity <input type="checkbox"/> Portrait of a Graduate Partnerships <input type="checkbox"/> Racial Equity Commitment <input type="checkbox"/> Student-Centered Accountability System <input type="checkbox"/> Early Childhood <input checked="" type="checkbox"/> District Support
