

KENTUCKY DEPARTMENT OF EDUCATION (KDE) STAFF NOTE

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

Date: February 2026

Action Requested: Review Action/Consent Action/Discussion

Held In: Full Board State Schools United We Learn

SYNOPSIS OF WHAT YOU WILL BE SHARING:

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

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 current and previous 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 18, 2025, 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 2025 annual meeting of the member high schools, 227 high schools were present; therefore, the proposal required 152 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 produced 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
2025-01	Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)	Amend Bylaw 6 to create an additional exception (lettered "l" with old "l" becoming "m") to the period of ineligibility under Bylaw 6 in the event that a student has participated in that sport in less than twenty percent of the varsity contests defined in Bylaw 23 during the prior school year. This would create a minimum prior year participation standard within the rule in order for the student to be subject to ineligibility the following year.	168 Yes, 52 No, 0 Abstain, 7 Present	Adopted by the Board of Control
2025-03	Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)	Amend Bylaw 7. Transfer Rule – Foreign Exchange and Other Foreign Students, to clarify eligibility for F-1 VISA students staying multiple years, effective with those placed initially during the 2026-27 school year	204 Yes, 13 No, 10 Abstain, 6 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.

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:

- In a small number of instances (i.e. the penalty section under 3 (g)), previously undetected spelling errors were discovered and adjusted;
- In the section related to Alignments, fixed regulatory time frames were reconciled to eliminate contradictions and give the Board and Association flexibility to maintain more current data when considering competitive equity;
- The provisions on ejected adults were reviewed and any potential interpretative consideration contradictions were aligned to clarify;
- Minimal clarifications were made to the 2024-25 provisions on untethered drones at high school contests to ensure clarity;
- In the Officials Division sections, revisions were made to reflect new URL's being used in officials licensing and information; and
- The Media sections were revised to replace "taping" to "video recording" to modernized the terms and ensure the next evolution of the processes can be up to date.

Finally, the KHSAA is also designated to manage interscholastic athletics at the middle school level. The Middle School Advisory Committee is scheduled to again this spring. 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 a Brief Summary of Responses:

KHSAA Board of Control; KHSAA Annual Meeting Delegate Assembly. Local Superintendents Advisory Council. This item will be presented for review by the Local Superintendents Advisory Council on January 2026.

CONTACT PERSON(S):

Todd Allen, Deputy Commissioner & General Counsel
Office of Legal Services
Email: todd.allen@education.ky.gov
(502) 564-4474

Julian Tackett, KHSAA Commissioner
Kentucky High School Athletic Association
Email: jtackett@khsaa.org



Commissioner of Education

GOALS/PRIORITIES: Indicate all applicable options.

<input type="checkbox"/> Foster Educational Innovation Through Vibrant Learning Experiences
<input type="checkbox"/> Advance Educational Excellence Through Continuous Professional Improvement
<input checked="" type="checkbox"/> Cultivate Collaborative Partnerships
<input checked="" type="checkbox"/> Legislation
<input type="checkbox"/> Commissioner's Management