

PARAMETERS FOR FORMATION OF REGIONAL INVESTIGATIVE COMMITTEES

Sec. 1) REGIONAL INVESTIGATIVE COMMITTEES

- (1) An investigative option of this Association may be the use of Regional Investigative Committees (RIC), seated within each basketball region.

Sec. 2) REFERRAL OF MATTERS

- (1) When a matter is under review by the Association, the Commissioner's office may request the convening of the RIC.
- (2) The RIC to be convened shall be the RIC of the region into which the student is now enrolled (i.e. receiving school). Members of, or the entirety of, the RIC of the region from which the student was formerly enrolled (i.e. sending school) may also be consulted if necessary to research the matter at hand.
- (3) The Commissioner's office shall develop, and have approved by the Board of Control, a schedule and deadlines for submission of materials to the RIC.
- (4) Requests received after the deadline date will not be considered at that RIC meeting, but will be placed on the agenda for the next regularly scheduled meeting. No exceptions will be made.

Sec. 3) COMPOSITION OF REGIONAL INVESTIGATIVE COMMITTEES

- (1) Each RIC shall be composed of five (5) persons unless meeting the criteria in (c) below. The members shall be composed of:
 - a) One member school representative elected by the member school representatives within each basketball district; and
 - b) One school system (central office) employee shall be elected by the member school designated representatives of all districts within the region.
 - c) In the case that the region has one or more non-public schools (R1, J1 or M1 classification), an additional representative shall be elected from those schools to serve on the RIC.
- (2) A member of the Board of Control may not serve on a RIC.
- (3) In the event that any matter considered by an RIC becomes a review issue for the Board of Control, the Board of Control member shall recuse himself/herself while the matter is being considered.
- (4) If approved by the Board of Control through a recommendation of the Commissioner, an individual may serve as the RIC in those areas where such has been an accepted practice and is agreed by the represented member schools. In such cases, the provisions of these policies relative to the establishment of quorum, selection of a chair, term, and election shall not be relevant.

Sec. 4) QUORUM

- (1) A quorum of the RIC shall consist of three (3) members in the event of a five (5) person RIC, and four (4) members in the event of a six (6) person RIC.
- (2) In the absence of a quorum, the Commissioner may appoint a replacement to serve for that meeting only. The replacement shall be a person who is qualified to serve in that position.
- (3) When a vote is taken on any matter pending before the Regional investigative committee, a quorum being present, a majority of the votes of the members of the RIC voting on the matter shall determine the outcome and recommendation thereof.

Sec. 5) CHAIR

- (1) Each RIC shall elect from among its members a chairperson and vice chairperson. The chairperson shall preside over all meetings of the committee. The vice chairperson shall serve in the capacity of chairperson in the absence of the chairperson.
- (2) If a vacancy occurs in the Office of Chairperson or Vice Chairperson of a Regional investigative committee, the respective Committee shall elect a successor from among its members to serve the remainder of the unexpired term.

Sec. 6) CONFLICT

- (1) In the event that a school of which a member of a RIC is associated makes an appeal or becomes a party to a situation under consideration, that member shall be disqualified.
- (2) The same procedure shall be followed if, for any reason, one or more members of the committee cannot serve.

Sec. 7) DUTIES

- (1) The duties of the RIC shall be to consider requests by the Commissioner's office for additional investigation and research regarding a matter under consideration within the Bylaws and regulations of this Association.
- (2) The RIC shall have no authority to waive any provision of Kentucky Revised Statutes or Administrative regulations, or to issue final rulings regarding the Bylaws and regulations of the KHSAA.

Sec. 8) TRAINING

- (1) The Commissioner's office shall, on a not less than annual basis, facilitate training for members of the RICs.
- (2) Such training shall be mandatory for each member to continue to serve in the capacity.

Sec. 9) MEETINGS

- (1) Each RIC shall meet as needed to carry out its duties and shall, unless professional investigative assistance is required, complete its work on a matter within ten (10) working days of receipt by the chair.

Sec. 10) TERM

- (1) Members of a RIC shall serve terms of three years and are eligible to succeed themselves only once.
- (2) A member of the RIC may serve a maximum of six consecutive years.

Sec. 11) ELECTION

- (1) Initially, the election process shall follow the procedure listed below, except that the deadline dates will be adjusted in order to seat the initial members. From that point, the election of member school representatives to the RIC shall be according to the following procedure:
- (2) No later than February 1 each year, the Commissioner shall notify electronically the representative of each member school in each region in which a member of the RIC is to be elected of the positions for which elections are to be held and shall provide online a form requesting candidates for the position(s) available.
- (3) A member school representative who wishes to declare his/her candidacy for one or more of the available positions shall make such declaration for candidacy electronically using the online form by February 10.
- (4) The Commissioner shall provide online on or before April 1 to the representative of each member school in each region an official ballot, which shall contain for each position available the names of all announced candidates. The representative of each member school shall vote electronically for one candidate in each position on the official online ballot by April 10. The candidate receiving a majority of the votes cast shall be declared by the Commissioner to have been elected.
- (5) If no candidate receives a majority of the votes cast on the first official ballot, a second official ballot shall be provided online, bearing the names of the two candidates who received the highest number of votes on the first official ballot and a second vote shall be taken on them only. Ten days shall be allowed for member school representatives to vote electronically on the second official online ballot. The candidate receiving the majority of the votes cast on the second ballot shall be declared by the Commissioner to have been elected. However, in the event of a tie vote on the second ballot, the Board of Control, by majority vote, shall determine the winner.

Sec. 12) INELIGIBILITY TO SERVE

- (1) The representative of a member school that is in the two-year probationary period and has not been elected to full membership is not eligible for election or to vote in elections.

Sec. 13) VACANCIES

- (1) In the event a vacancy occurs in any seat on the RIC, the Board of Control shall appoint a qualified individual from the representative group to fill the vacant seat for the duration of the unexpired term.

Sec. 14) APPEARANCE BY STUDENTS

- (1) An appearance by the student and a school representative before the RIC is optional in the case of an appeal or request for undue hardship waiver involving KHSAA Bylaws and/or regulations.
- (2) A student and/or school representatives shall verify in writing the desire to appear, or not to appear.
- (3) A student who is required, or chooses, to appear before the RIC must be accompanied by a school representative and may be accompanied by his/her parent(s) or other individual with whom he/she lives.
- (4) The school representative who is required to accompany the student must be a full-time employee of the school and must be identified on the form at the time of filing.
- (5) A student who is required, or who chooses, to appear before the committee will be assigned a time for the appearance.

Sec. 15) THRESHOLD FOR RECOMMENDATION

- (1) For the purpose of determining whether to recommend or not to recommend eligibility, the RIC shall be guided by the following criteria, other criteria contained in the KHSAA Bylaws and KHSAA Policies, and their respective experience related to high school athletics.
- (2) The fact that a student is retained in a lower grade because he/she fails to pass the required number of courses, is voluntarily withdrawn from school or repeats a lower grade shall not be sufficient grounds for recommending a waiver.
- (3) Likewise, the fact that a student, who is otherwise eligible for promotion to the next grade, repeats a grade because he/she is among the smaller students in the class and/or to gain social and/ or emotional maturity shall not be sufficient grounds for recommending a waiver.
- (4) The fact that a student misses school for a prolonged period of time because of events that are/were beyond the control of the student and/or his/her parent or guardian, which events cause him/her to repeat a grade may be grounds for recommending a waiver provided the requisite documentation is present.
- (5) A waiver request based on time missed from school because of a serious injury or prolonged illness shall not be granted unless supported by a physician's record which establishes that the absence from school was directly and solely related to such injury or illness.

Sec. 16) REPORT

- (1) Following consideration and review of documentation, the RIC Chair shall report to the Commissioner's office, the findings of the RIC, including the vote of the members of the RIC if one is taken.
- (2) This report shall be considered a recommendation, but is not binding within the Due Process Procedure of the KHSAA.

Sec. 17) COMPLIANCE WITH DECISIONS

- (1) The administrative decisions of the RIC shall be accepted in good faith by all member schools.
- (2) This provision shall not be construed as preventing the principal of a member school from exercising his/her school's right, or a defined aggrieved party from exercising the same right, to due process by appealing decisions through the Due Process Procedure.