



COMMISSIONER'S NOTES

OCTOBER 25, 2002

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FROM THE COMMISSIONER'S DESK



It is Regional Volleyball and Soccer week and it's great to watch our student athletes prepare and participate to do their best as they look toward advancing into the State Championships. Bates Creek High School, one of the host sites for the boys and girls District Soccer Tournament inaugurated their new football/soccer stadium field

this past weekend with a football game on Friday and the boys and girls District Soccer Tournament on Saturday and Sunday. The field itself held up beautifully in the inclement weather during the weekend. It was great to see the enthusiasm, pride and positive feelings generated by the Bates Creek school community as they begin new traditions at their new facility.

If you can't attend our post season events in person remember to check the KHSAA website (www.khsaa.org) for results to keep up with your favorite teams and players.

BROWN BK ALIGNMENT

In January 2002 the KHSAA Board of Control approved a request for a minor re-alignment in boys' basketball regions 6 and 7. The request was submitted by the Jefferson Co. athletic directors.

The minutes of that meeting reflected Brown being placed in two different districts, the boys' team in one district and the girls' in another.

The KHSAA has received clarification for the parties involved and Brown should be placed and will compete in district 21.

Please make sure your records are changed to reflect this clarification.

SCHOOL MEDIA CREDENTIALS

This reminder that schools advancing to state tournament play are asked to request school media credentials PRIOR to the event. A letter from the school principal (on school letterhead) is required including the name(s) of the individual(s). Each school is limited to three (3) credentials. This includes yearbook, newspaper, journalism class personnel or video yearbook personnel. Students or other representatives simply showing up at the gate will not be issued media credentials.

NEXT BOARD OF CONTROL MEETING

The next regular meeting of the KHSAA Board of Control will be Nov. 19-20, at the Association Office in Lexington. For an agenda contact the KHSAA.

BYLAW 5. MINIMUM ACADEMIC REQUIREMENT

On a weekly basis, a student shall also be passing (cumulatively for the credit period) in at least four hours of instruction as defined by Kentucky Board of Education regulations (of the six hours of instruction required) or the equivalent of four hours of instruction acceptable to graduation in order to be eligible to participate in athletics during the subsequent week (Monday through Sunday period) and through the next opportunity to examine grades in this manner. On its membership form, each member school shall designate the day of the week, approved and documented through local policies, that the grades shall be examined for the student-athletes within that school in order to make this determination. Absent any other determination, this weekly check of grades shall be conducted on each Friday of each grading period or on the last day of classes preceding that particular Friday if no classes are conducted on that particular Friday. No special tests or recitations are to be given for the purpose of making the student eligible.

Case BL-5-8- Are subjects or credit hours involved in the Scholarship Rule (Minimum Academic Requirement)?

Credit Hours. To be eligible, a student must be passing currently in the required number of full-credit subject hours applicable to graduation and must be at his/her proper grade level according to Bylaw 5. However, their equivalent in units of credit accepted for graduation may be substituted.

Case BL-5-10 – How is weekly eligibility determined for students who were not passing at the last grade check prior to breaks during the school year?

Until school has resumed and a school has checked grades on the first weekly opportunity, any student who was not passing four hours of instruction as of the last valid grade check is not academically eligible. That student however, may be eligible if during the interim prior to the next weekly grade check, grades recorded to the permanent record are officially posted to indicate that the student did in fact pass in four (4) hours of instruction as required. Schools are cautioned to remember that KHSAA Bylaw 9 states that any student not eligible to play in the team's next contest is not eligible to practice with the squad.

Case BL-5-11 – When do schools perform the weekly grade check to determine the continual progress provisions of Bylaw 5?

Each year, when a school applies for membership, school representatives are to designate which day of the week that grades will be checked, and eligibility will then be determined.

SCHOOL REPRESENTATION AT STUDENT APPEAL HEARINGS

The Board of Control is urging all schools that have a student involved in the appeals process to send a representative from that school to be present at the hearing. Many times issues are brought up which cannot be disputed or resolved if both sides are not presented. Several instances have occurred where, after the Findings of Fact were sent, school personnel called or wrote us to say the findings were incorrect and wanted to present additional information after the fact. The situation could have been easily resolved during the hearing if a representative from their school was in attendance. You are reminded not to underestimate the importance of your presence at an appeal hearing involving one of your students.

According to the Due Process Procedure, if an aggrieved or interested party fails to attend or participate in a hearing, the hearing officer or the Board of Control, at its discretion, may deny that party the right to seek additional review or present additional evidence at a later date.

REMAINING 2002-2003 KHSAA STATE CHAMPIONSHIP EVENT DATES & SITES

Nov. 1-2	Girls' Volleyball	Ryle HS/Gray MS, Union
Oct. 30-31, Nov. 2	Boys and Girls Soccer	Georgetown College
Nov. 9	Boys' & Girls' Cross Country	Ky. Horse Park, Lexington
Nov. 15	Eight-Player Football	Ky. State Univ., Frankfort
Dec. 6-7	Football	Ky. Fair & Expo Ctr, Louisville
Feb. 20-22	Wrestling	Capital Plaza Ctr, Frankfort
Feb. 21-22	Swimming	UK Lancaster Aquatic Center
March 19-22	Boys' Basketball	Rupp Arena, Lexington
March 26-29	Girls' Basketball	WKU Diddle Arena, Bowling Green
May 9-10	Slow Pitch Softball	TBA
May 29-31	Boys' & Girls' Tennis	UK Boone/Downing Lexington
May 30-31	Boys' & Girls' Track	UK Shively Track, Lexington
June 13-14	Fast Pitch Softball	Tie-Breaker Park, Hopkinsville
June 18-20	Baseball	Applebee's Park, Lexington

SCHOOL UPDATES

A reminder to keep your school information current on the KHSAA website. This would include any coaching changes made. To make changes to your school directory via the KHSAA web site (www.khsaa.org) use the "Member Schools Only" link and your passcode. You can update your school's information at any time.

If you have any questions contact Marilyn Mitchell at the KHSAA office (859)299-5472.

BASKETBALL TICKET ORDER FORMS

Ticket order forms for member schools and the general public to purchase tickets to the 2003 KHSAA Girls' and Boys' Sweet 16® State Basketball Tournaments were mailed October 21. Ticket information and online ordering through the KHSAA website (www.khsaa.org) will begin in early November.

REMAINING RULES CLINIC SCHEDULES

Following is a listing of remaining in-season rules clinics. To view a full listing of clinics in all sports, go to the KHSAA website at www.khsaa.org.

BASKETBALL

(All start at 7 p.m. unless otherwise noted)
12/11 Make-Up (\$50 Fine) Lexington, KHSAA Office, 1:30 p.m.

WRESTLING

(All start at 7 p.m. unless otherwise noted)
10/27 Lexington, KHSAA Office, 3:30 p.m.
12/12 Make-Up (\$50 Fine) Lexington, KHSAA Office

SANCTIONS

Just a reminder regarding the policy of the National Federation for sanctioning out-of-state contests. KHSAA member schools hosting an event are to complete the sanction form and include a processing fee in the amount of \$75.00. The fee should be made payable to the National Federation and sent to the KHSAA. The KHSAA is responsible for forwarding the form and fee to the National Federation Office.

When Kentucky member schools are participating in out-of-state contests, the host school from out-of-state is responsible for completing the sanction form. A sanction form is not required if all participating schools are from bordering states of Kentucky. Please note, however, that Tennessee and West Virginia require a sanction form for every out-of-state event. If you have any questions, please contact Marilyn Mitchell at the KHSAA office (859)299-5472 or email mmitchell@khsaa.org.

OWENSBORO CATHOLIC CLEARED OF RECRUITING CLAIMS

As printed 10/18/02

By [Mark Mathis](#)

Messenger-Inquirer

The Kentucky High School Athletic Association sent a letter Wednesday saying it found no wrongdoing by Owensboro Catholic High School concerning allegations of violating recruiting rules.

The state high school governing body spent much of the 2001-2002 academic year investigating Owensboro High School's allegations that Catholic had recruited three student-athletes for its boys' basketball program in the summer of 2001.

"We're very glad," Catholic principal Harold Staples said. "It totally exonerates us. I felt confident from the beginning.

"We investigated all the allegations when they were presented," Staples said. "We didn't find any validity to any of the allegations at all. This is the way we felt it would come down."

The complaint was initiated for OHS by K.C. Thomaskutty and Gordon Powers. Thomaskutty was principal at OHS until taking a job in the central office last summer. Powers is football coach at OHS and was athletic director until last summer.

Thomaskutty was satisfied with the investigation.

"There was a feeling of recruiting violations taking place," Thomaskutty said. "We complained to the KHSAA. I don't have a problem if they didn't find anything.

"I never expected it to have any kind of penalty for Catholic," Thomaskutty said. "I told the commissioner who retired (Louis Stout) that punishment was not the intent." Powers didn't agree with the association's findings but said OHS will abide by the decision. "Both schools are members of the association. It's one of those things where you may not agree with it, but you've got to honor what they decided," Powers said. "If we're going to work with and support the athletic association, we've got to feel like they did what was right."

Mike Orr, Catholic's boys' basketball coach, hopes both schools can now move forward. "I'm glad that the process has come to a conclusion, and both schools can move on," Orr said. "I do mean that."

Bylaw 10 in the KHSAA manual defines recruiting as "an act, on behalf or for the benefit of a school, which attempts to influence a student to transfer to a member school for the purpose of participating in athletics."

The KHSAA, in its final letter of explanation sent to both schools Wednesday, said it had interviewed more than 40 people concerning the case.

The athletic association found many of the statements to be third-party and "in many cases, superficial hearsay, which simply could not lead to defensible conclusions."

The letter said "this case was so fraught with contradictions, innuendo and inconsistent statements, it is nearly impossible to draw any definitive findings."

The KHSAA letter specifically addressed allegations against Second Chance Auto and Andre Smith.

There was "clearly no evidence of (violations of KHSAA rules) involving or including representatives of Second Chance Auto." The car dealership has been involved equally with a variety of sports and schools in Daviess County, the letter explained.

Smith reportedly identified himself as a representative of both Owensboro and Owensboro Catholic high schools. "This office is unable to give any statement made by or on behalf of Mr. Smith any credibility due to the inconsistencies of the statements."

There were also concerns in the KHSAA letter about basketball camps being held during the summer at the four high schools in the city and county. These camps "will continue causing problems within the community unless changes committed to by school representatives are consistently upheld in the coming years."

All the schools have told the KHSAA they will continue to hold camps but will not take students from across school district lines.

A letter of inquiry was sent to Owensboro Catholic on April 8 asking for the school to clear up several questions. The KHSAA said it was satisfied with the answers Catholic gave in the following areas.

— No prospective student-athlete was given a financial advantage or illegal incentive to attend an Owensboro Catholic camp. "The school has made arrangements to ensure that the basketball coach (Orr) is not involved in any financial aid decisions of this type."

— There was no payment of NIKE or Morehead State camp fees to nonenrolled student-athletes in the summer of 2001.

— The basketball coach (Orr) will not be involved in determining financial aid and need to any required financial payments.

— No student-athlete received any financial aid in excess of a determined need.

— School personnel proved there was no official or unofficial relationship with Smith.

— There was no unethical or other relationship in violation of KHSAA rules between Smith and Orr.

— Catholic High has begun using a third-party agency for determining financial aid for students. That change was made in the fall of 2001 and was initiated by Staples. That move "illustrated the school's efforts to cooperate with the association and administer a compliant program" the letter said.

Both Thomaskutty and Staples believe that the schools can continue to have a good relationship in athletics and other areas.

"It is better for the community for both schools to work together and prosper, rather than fighting," Thomaskutty said.

"We've had a longtime relationship with Owensboro, but also with the other high schools," Staples said. "They had a new administration at Owensboro. They seem as eager as we are to continue that relationship. They see what we are about, and hopefully that is a factor."