

1 EDUCATION AND LABOR CABINET

2 Kentucky Board of Education

3 Department of Education

4 (Amendment)

5 702 KAR 7:065. Designation of agent to manage middle and high school interscholastic athletics.

6 RELATES TO: KRS 61.805 - 61.850, 156.070(2), 158.162, 160.380, 160.445, 20 U.S.C. 1681

7 STATUTORY AUTHORITY: KRS 156.070(1), (2)

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.070(1) requires the Kentucky Board  
9 of Education to manage and control the common schools, including interscholastic athletics in the  
10 schools. KRS 156.070(2) authorizes the board to designate an agency to manage athletics. This  
11 administrative regulation designates an agent for middle and high school athletics; establishes the  
12 financial planning and review processes for the agent; and incorporates by reference the bylaws,  
13 procedures, and rules of the agent.

14 Section 1. Definitions.

15 (1) "Contact Drill" means that drills are run at Level 3, Level 4, or Level 5.

16 (2) "KBE" means Kentucky Board of Education.

17 (3) "KHSAA" means Kentucky High School Athletics Association.

18 (4) "Level 0" or "air" means that players run a drill unopposed without contact.

19 (5) "Level 1" or "bags" means that a drill is run with a bag or against another soft contact surface.

20 (6) "Level 2" or "control" means that:

21 (a) A drill is run at an assigned speed until the moment of contact;

- 1 (b) One (1) player is predetermined the winner by the coach;
- 2 (c) Contact remains above the waist; and
- 3 (d) Players stay on their feet.
- 4 (7) "Level 3" or "Control to Ground" means that:
- 5 (a) A drill is run at an assigned non-competitive speed or with players pre-engaged;
- 6 (b) There is a pre-determined winner; and
- 7 (c) Players are allowed to take their opponent to the ground in a controlled manner.
- 8 (8) "Level 4" or "thud" means that:
- 9 (a) A drill is run at a competitive speed through the moment of contact;
- 10 (b) There is no predetermined winner;
- 11 (c) Contact is above the waist;
- 12 (d) Players stay on their feet; and
- 13 (e) A quick whistle ends the drill.
- 14 (9) "Level 5" or "live" means that a drill is run at a competitive speed in game-like conditions.
- 15 (10) "Non-Contact Drill" means that drills are run at Level 0, Level 1, or Level 2.
- 16 (11) "OCR" means the United States Department of Education, Office for Civil Rights.
- 17 Section 2. The KHSAA shall be the Kentucky Board of Education's agent to manage
- 18 interscholastic athletics at the middle and high school level in the common schools and private
- 19 schools desiring to associate with KHSAA or to compete with a common school.
- 20 Section 3. To remain eligible to maintain the designation as the agent to manage interscholastic
- 21 high school athletics, the KHSAA shall:
- 22 (1) Accept four (4) at-large members appointed by the Kentucky Board of Education to its high
- 23 school Board of Control;

- 1 (2) Sponsor an annual meeting of its member high schools;
- 2 (3) Provide for each member high school to have a vote on the KHSAA Constitution and bylaw  
3 changes submitted for consideration;
- 4 (4) Provide for high school regional postseason tournament net revenues to be distributed to the  
5 member high schools in that region participating in that sport, utilizing a share approach  
6 determined by the high schools within that region playing that sport;
- 7 (5) Provide for students desiring to participate at the high school level (regardless of the level of  
8 play) to be enrolled in at least grade seven (7);
- 9 (6) Require its governing body to annually establish goals and objectives for its commissioner and  
10 perform a self-assessment and submit the results annually to the KBE by December 31;
- 11 (7) Advise the Department of Education of all legal action brought against the KHSAA;
- 12 (8) Permit a board of control member to serve a maximum of two (2) consecutive four (4) year  
13 terms with no region represented for more than eight (8) consecutive years;
- 14 (9) Employ a commissioner and evaluate that person's performance annually by October 31, and  
15 establish all staff positions upon recommendation of the commissioner;
- 16 (10) Permit the commissioner to employ other personnel necessary to perform the staff  
17 responsibilities;
- 18 (11) Permit the Board of Control to assess fines on a member high school;
- 19 (12) Utilize a trained independent hearing officer instead of an eligibility committee for a high  
20 school athletic eligibility appeal;
- 21 (13) Establish a philosophical statement of principles to use as a guide in a high school eligibility  
22 case;
- 23 (14) Conduct continual cycles of field audits of the association's entire high school membership,

1 which provides that each high school is audited regarding each school's compliance with 20 U.S.C.  
2 Section 1681 (Title IX) and submit annual summary reports, including the highlighting of any  
3 potential deficiencies in OCR compliance to the Kentucky Board of Education;

4 (15) As a condition precedent to high school membership, require each member high school and  
5 superintendent to annually submit a written certification of compliance with 20 U.S.C. Section  
6 1681 (Title IX);

7 (16) Conduct all meetings related to high school athletics in accordance with KRS 61.805 through  
8 61.850;

9 (17) Provide written reports of any investigations into possible violations of statute, administrative  
10 regulation, KHSAA Constitution, KHSAA Bylaws, or other rules governing the conduct of high  
11 school interscholastic athletics conducted by KHSAA or their designees to the superintendent and  
12 principal of the involved school district and school before being made public;

13 (18) Not punish or sanction, in any manner, a school, student, coach, or administrator for allowing  
14 a student to play in an athletic contest or practice with the team during a time when an order of a  
15 court of competent jurisdiction permits the student to participate or otherwise stays or enjoins  
16 enforcement of a KHSAA final decision on eligibility;

17 (19) Require any student enrolled initially in grade seven (7) through twelve (12) who is repeating  
18 a grade for any reason, to be ineligible, during the school year that the grade is repeated, to compete  
19 in an interscholastic athletics competition at any level; and

20 (20) Produce a public report or reports of member schools' compliance with submitting the  
21 required member school application and the required training aspects of KRS 158.162 and KRS  
22 160.445 regarding emergency and cardiac action plans related to interscholastic athletics.

23 Section 4. To remain eligible to maintain the designation as the agent to manage interscholastic

1 athletics at the middle school level, the KHSAA shall implement the following requirements for  
2 all participants in middle school interscholastic athletics, distribute these requirements to all  
3 middle schools, and publish via the KHSAA Web site:

4 (1) Require that these provisions apply to all middle school interscholastic athletics. The following  
5 indicates that a team is representative of a school and classified as middle school athletics:

6 (a) The contest, event, or tournament is sponsored by a school or combined group of schools;

7 (b) Competitors wear a school-issued uniform;

8 (c) The contest, event, or tournament is sponsored by an outside entity as a school entry event,  
9 which is advertised or promoted as a school event, whether or not an entry fee is required;

10 (d) A school entity pays an entry fee, for the student or team, including payment by booster  
11 organizations;

12 (e) A school representative accompanies the student-athlete or transports the student-athlete to the  
13 contest, event, or tournament;

14 (f) A designated or hired member of a school coaching staff, whether paid or unpaid, is present  
15 and offering instruction, advice, evaluation, or refinement of skills or exercising other duties  
16 defined as coaching within the sport rules;

17 (g) Transportation to or from the contest, event, or tournament utilizes school provided or approved  
18 transportation;

19 (h) Competitors in the contest, event, or tournament wear apparel identifying them by the name of  
20 the school, including the formal name, informal name, or team nickname;

21 (i) Competitors in the contest, event, or tournament are provided promotional or other resources  
22 by the school including school media recognition, signage, and items indicative of school  
23 representation;

(j) Competition in a contest, event, or tournament has, in any form, jurisdiction of the local school board or school-based decision-making body, including financial or other approval control; or

(k) Competition in a contest, event, or tournament is covered by any school or school system provided or procured insurance policy;

(2) Require that any head or assistant coach, whether paid or unpaid, desiring to coach interscholastic athletics at the middle school level:

(a) Meet the requirements of KRS 156.070(2)(h)2;

(b) Meet the requirements of KRS 160.380(5) and (6); and

(c) Provide to the school documentation of successful completion of a C.P.R. course including the use of an automatic external defibrillator and the first aid training, conducted by an instructor or program approved by a college or university, the American Red Cross, the American Heart Association, or other bona fide accrediting agency that is approved by the KHSAA based upon industry standards. The certification shall be updated as required by the approving agency;

(3) Require adherence to the following items regarding safety, sports medicine, and risk minimization for all interscholastic athletics at the middle school level:

(a) Each student, before trying for a place on a middle school athletic team, shall provide an annual medical examination, in accordance with KRS 156.070(2)(e), and shall use the KHSAA form MS-01 [~~PPE01, with PPE02 being optional for the health care provider~~];

(b) All participants at the middle school level shall adhere to all sports medicine and risk minimization policies in use at the high school level that may be supplemented by the school, school district, conference, or association including:

1. Heat index and heat illness programs;

2. Wrestling weight management programs;

3. Concussion and other head injury policies including policies for minimizing impact exposure and concussion risks;

4. The following football equipment drill work and practice activity limitations:

a. Football contact and non-contact practice shall use the appropriate clothing and equipment for the level of drill, including:

(i) A drill conducted in helmets-only shall be a Level 0, or Level 1;

(ii) A drill conducted in shells (shorts, shoulder pads, and helmets) shall be a non-contact drill; and

(iii) A contact drill shall be conducted in full equipment;

b. Middle school football shall practice a minimum of eleven (11) days before engaging another group or opponent in full contact, using the following minimum schedule:

(i) Five (5) days in helmets;

(ii) Followed by three (3) days in helmets and shoulder pads; and

(iii) Concluding with three (3) days in full equipment practice; and

c. Contact drills shall not be conducted more than twenty-one (21) days before the first regular-season contest;

d. The first regular season interscholastic contest shall not be played before the Saturday preceding week seven (7) of the National Federation of High Schools Standardized Procedure for Numbering Calendar Weeks; and

e. All middle schools shall maintain protective helmets in accordance with manufacturer's warranty guidelines for recertification;

5. The following baseball pitching limitations shall apply to all interscholastic play at the middle school level including scrimmages, regular season, and post season games:

a. The pitch count shall be based on pitches thrown for strikes (including foul balls), balls, balls in

1 play, and outs;

2 b. Warm-up pitches allowed before each inning, warm-up pitches allowed by the umpire in case  
3 of injury or game delay, and plays attempted against the batter-runner or any runner at first, second,  
4 or third base shall not count against this limit;

5 c. A pitcher at any level who reaches the pitch count limit in the middle of an at-bat shall be  
6 allowed to finish that hitter;

7 d. The required calendar rest shall begin on the day following the date on which the game began,  
8 or a resumed game began regardless of the conclusion time of the game; and

9 e. The rest periods shall be based on the following total pitches:

10 (i) Maximum pitches - eighty-five (85);

11 (ii) Fifty-six (56) pitches or more - three (3) calendar days rest;

12 (iii) Thirty-six (36) to fifty-five (55) pitches - two (2) calendar days rest;

13 (iv) Twenty (20) to thirty-five (35) pitches - one (1) calendar day rest; and

14 (v) One (1) to nineteen (19) pitches - no mandated rest;

15 6. Students seeking to play or practice, including scrimmages, regular season, and post season  
16 games, in the sport of fastpitch softball, shall be required to wear face protection, commercially  
17 manufactured for softball facial protection and worn as intended by the manufacturer, when  
18 playing the positions of first base, third base, and pitcher; and

19 7. Teams participating in middle school athletics as defined by subsection (1) of this section shall  
20 use KHSAA licensed officials in the sports of baseball, basketball, field hockey, football, soccer,  
21 softball, and volleyball;

22 (4) Create a permanent Middle School Athletics Advisory Committee. This committee shall:

23 (a) Report regularly, not less than annually to the Board of Control of the KHSAA with the Board



of Control obligated to make a recommendation to the Kentucky Board of Education with respect to annually proposed regulatory changes;

(b) Be composed of no less than three (3) middle school representatives from each Supreme Court district as well as no less than three (3) at large representatives from throughout the state;

(c) Provide an opportunity for nonprofit athletic groups, parents, and others to participate and provide input on the sport, athletic event, or athletes involved in interscholastic activities through local school districts;

(d) Meet not less than twice annually to review current programs and policies, make recommendations for improvements to and participation in middle school interscholastic activities, as well as any changes in statute, administrative regulation, or policy related to middle school interscholastic athletics, and assist in the development of model guidelines for schools, districts, conferences, and associations to be used in implementing a middle school athletic program; and

(e) Report regularly, not less than annually, to the commissioner of the KHSAA and issue, in conjunction with the commissioner, a formal written report annually to the KBE with recommendations for changes in statute, administrative regulation, or policy;

(5) Require any organization conducting a school-based event at the middle school level to submit the following, which shall be published and listed on the KHSAA Web site:

(a) Annual financial reports of all sanctioned and approved events sponsored by the organization; and

(b) Documentation of financial accountability including verification of federal status and tax documents including an annual IRS Form 990;

(6) Provide notice to the middle schools related to any program conducted by KHSAA related to educating school administrators about the provisions of 20 U.S.C. 1681, Title IX;

(7) Provide educational materials and a mechanism to facilitate the monitoring and tracking capabilities for the middle schools to ensure compliance with the provisions of KRS 160.445 and other requirements for coaches at the middle school level;

(8) Require that any student who turns:

(a) Fifteen (15) years of age before August 1 of the current school year shall not be eligible for interscholastic athletics in Kentucky in competition against students exclusively enrolled in grades eight (8) and below;

(b) Fourteen (14) years of age before August 1 of the current year shall not be eligible for interscholastic athletics in Kentucky in competition against students exclusively enrolled in grades seven (7) and below; and

(c) Thirteen (13) years of age before August 1 of the current school year shall not be eligible for interscholastic athletics in Kentucky in competition against students exclusively enrolled in grades six (6) and below;

(9) Require each school, school district, conference, or association of schools to develop rules and limitations regarding student participation at the middle school level to include:

(a) A defined age limitation for participating students;

(b) A policy regarding the participation of students below grade six (6);

(c) A limitation on practice time before the season in any sport or sport activity which shall not exceed the practice time adopted for play at the high school level;

(d) A limitation on the number of school-based scrimmages and regular season, school based contests in each sport or sport-activity, which shall not include post season contests and shall not exceed the allowable number of contests for that sport or sport-activity at the high school level; and

(e) A limitation on the length of the regular competitive season in each sport or sport-activity, not including any post season activities, which shall not exceed the length for that sport or sport-activity at the high school level;

(10) Conduct all meetings related to middle school athletics in accordance with KRS 61.805 through 61.850;

(11) Issue an annual report to the KBE on the status of interscholastic athletics at the middle school level, including any recommendations for changes in statute, administrative regulation, or policy;

(12) Allow a school or school district to join a conference or association that has developed rules for any particular sport or sport-activity to satisfy the requirements of this administrative regulation; and

(13) The period of June 25 to July 9, inclusive, shall be a dead period for middle school athletics. During the dead period:

(a) Students shall not receive coaching or training from school personnel, whether salaried or non-salaried;

(b) School facilities, uniforms, nicknames, transportation, or equipment shall not be used;

(c) School funds shall not be expended in support of interscholastic athletics; and

(d) A postseason wrap-up activity, celebration, or recognition event relating to a spring sports team at a school may be held.

#### Section 5. Financial Planning and Review Requirements.

(1) KHSAA shall annually submit the following documents to the KBE by October 31:

(a) Draft budget for the next two (2) fiscal years, including the current year;

(b) End-of-year budget status report for the previous fiscal year;

(c) Revisions to the KHSAA Strategic Plan as a result of an annual review of the plan by the

1 KHSAA governing body;

2 (d) A summary report of operations including summaries of financial, legal, and administrative  
3 actions taken and other items ongoing within KHSAA. This report shall also include a summary  
4 of items affecting:

5 1. Athletic appeals and their disposition, including the name of the individual, grade, school, and  
6 the action taken by KHSAA;

7 2. Eligibility rules;

8 3. Duties of school officials;

9 4. Contests and contest limitations;

10 5. Requirements for officials and coaches; and

11 6. Results of a biennial review of its bylaws that results in a recommendation for a change,  
12 directing any proposals for change in association rules to be considered for a vote by the member  
13 schools at the next legislative opportunity; and

14 (e) A review of all items which have been submitted to the membership for approval through the  
15 processes established in the KHSAA Constitution and the result of the voting on those issues.

16 (2) The KHSAA shall annually submit at the next meeting of the Kentucky Board of Education  
17 following receipt and adoption by the Board of Control, audited financial statements with the  
18 KHSAA Commissioner's letter addressing exceptions or notes contained in management  
19 correspondence if any.

20 Section 6. Forms. The forms incorporated by reference in this administrative regulation shall be  
21 filed:

22 (1) Using the paper form; or

23 (2) Using the electronic forms found on the Kentucky High School Athletic Association Web site

at [www.khsaa.org](http://www.khsaa.org).

Section 7. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "KHSAA Constitution", 5/2025~~[7/2021]~~;

(b) "KHSAA Bylaws", 5/2025~~[7/2023]~~;

(c) "KHSAA Due Process Procedure", 5/2025~~[7/2023]~~;

(d) "KHSAA Board of Control Adopted Policies", 5/2025~~[9/2023]~~;

(e) KHSAA Form BA101- Baseball Pitching Limitation", 6/2016;

(f) KHSAA Form GE01, "Application for Membership", 7/2023;

(g) KHSAA Form GE04, "Athletic Participation Form, Parental and Student Consent and Release for High School Level (grades 9 - 12) Participation", 5/2025~~[5/2023]~~;

(h) KHSAA Form DP02, "Request for Statutory Waiver of Bylaw 2", 6/2018;

(i) KHSAA Form DP06, "Application for Athletic Eligibility for Domestic Students", 5/2025~~[7/2023]~~;

(j) KHSAA Form DP07, "Application for Athletic Eligibility for Non-Domestic Students", 5/2025~~[07/2023]~~;

(k) KHSAA Form DP16, "Request for Waiver of 20 Day Notice", 6/2018;

(l) KHSAA Form DP17, "Add. Info for Appeal", 6/2018;

(m) KHSAA Form DP18 "Waiver – 15 Day Exceptions", 6/2018;

(n) "KHSAA Form GE14- Contract for Athletic Contests", 5/2025~~[7/2020]~~; and

(o) "KHSAA Form GE19-Title IX Procedures Verification", 5/2011;

(p) KHSAA Form GE110, "Wet Bulb Globe [~~GE20~~, "~~Heat Index~~] Measurement and Record", 6/2023; and ~~[4/2014]~~.

- 1 (q) "KHSAA Form MS01- Athletic Participation Parental and Student Consent and Release for
- 2 Middle School (grades 5-8) Participation", 5/2025.
- 3 (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the
- 4 Office of Legal Services, Department of Education, 5th Floor, 300 Sower Blvd, Frankfort,
- 5 Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

This is to certify that the chief state school officer has reviewed and recommended this administrative regulation prior to its adoption by the Kentucky Department of Education, as required by KRS 156.070(5).

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Dr. Robbie Fletcher  
Commissioner of Education

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Dr. Sharon Porter Robinson, Chairperson  
Kentucky Board of Education

#### PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this proposed administrative regulation shall be held on August 27, 2025, at 10am in the State Board Room, 5<sup>th</sup> Floor, 300 Sower Blvd, Frankfort, Kentucky. Individuals interested in being heard at this meeting shall notify this agency in writing five working days prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through August 31, 2025.

CONTACT PERSON: Todd Allen, General Counsel, Kentucky Department of Education, 300 Sower Boulevard, 5<sup>th</sup> Floor, Frankfort, Kentucky, 40601, phone 502-564-4474, fax 502-564-9321; email [regcomments@education.ky.gov](mailto:regcomments@education.ky.gov)



## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation Number: 702 KAR 7:065  
Contact Person: Todd G. Allen  
Phone number: 502-564-4474  
Email: todd.allen@education.ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does: KRS 156.070 requires the Kentucky Board of Education (KBE) to manage and control the common schools, including interscholastic athletics in the schools, and authorizes the KBE to designate an agency to manage athletics. This regulation designates the Kentucky High School Athletic Association (KHSAA) as the agent to manage high school and middle school interscholastic athletics, and incorporates by reference the bylaws, procedures and rules governing interscholastic sports.

(b) The necessity of this administrative regulation: This regulation is necessary to designate the agency to provide the day-to-day management activities of interscholastic athletics in Kentucky; to set forth the financial, planning and review processes governing the agent; and to incorporate by reference the bylaws, procedures and rules of the agency.

(c) How this administrative regulation conforms to the content of the authorizing statutes: The regulation designates the agency to manage interscholastic athletics, as authorized by the authorizing statute, and outlines the conditions under which this authority is granted.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: It designates the KHSAA as the agent to manage interscholastic athletics in the schools and districts at the high school and middle school levels, and publishes changes in bylaws, procedures and rules for affected schools and districts.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: These amendments make changes to the documents incorporated by reference, including the bylaws, to make the rule compliant with the provisions of recent legislation. Finally, additional changes were made to update policies and other documents according to recent board action.

(b) The necessity of the amendment to this administrative regulation: Pursuant to the KHSAA Constitution, which is incorporated by reference in this regulation, the members are required to have an annual meeting to discuss and recommend any needed changes to the Constitution and Bylaws. While they are not required to make changes to the Constitution and Bylaws, substantive changes must be made through this process. This amendment incorporates changes approved at the annual meeting of the Delegate Assembly. This amendment also is necessary to designate the KHSAA as the agent to manage interscholastic athletics at the high school and middle school level.

(c) How the amendment conforms to the content of the authorizing statutes: The statute authorizes the KBE to designate an agency to manage interscholastic athletics in the common schools. The regulation designates the KHSAA as that agent at both the high school and middle school levels, and incorporates by reference the KHSAA Handbook, which consists of the KHSAA Constitution, Bylaws, Due Process Procedure, and Board of Control Policies to provide rules and guidance to the member schools and districts governing sporting events. The amendments in the Bylaws are made annually, according to the process outlined in the Constitution, and reflect input given by member schools and districts on changes that need to be made to provide a sounder structure of governance.

(d) How the amendment will assist in the effective administration of the statutes: See (c) above.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 171 School Districts; students participating in interscholastic athletics

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): There will be minimal impact because of the nature of the changes to the regulation. There are requirements that continue to be placed on schools and coaching personnel, However, the training required to meet these requirements will be provided at no costs to the schools, administrators, or the coaching personnel resulting in a safer and more complete education-based athletic experience for the Commonwealth's student-athletes.

(5) Provide an estimate of how much it will cost to implement this administrative regulation:

(a) Initially: Minimal

(b) On a continuing basis: None

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: KHSAA is funded through membership dues, as well as from gate receipts and sponsorships related to the various state championships.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: None

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: None

(9) TIERING: Is tiering applied? (Explain why tiering was or was not used) Tiering was not appropriate in this administrative regulation because the administrative regulation applies equally to all school districts.

## FISCAL IMPACT STATEMENT

Regulation Number: 702 KAR 7:065  
Contact Person: Todd G. Allen  
Phone: 502-564-4474  
Email: todd.allen@education.ky.gov

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation: KRS 156.070; KRS 160.380; and KRS 160.445.

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act: KRS 156.070 (2) authorizes the promulgation of administrative regulations to implement the provisions of this statute.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions: School districts, the Department of Education, and the Kentucky High School Athletic Association

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year: Minimal

For subsequent years: Minimal

2. Revenues:

For the first year: None

For subsequent years: None

3. Cost Savings:

For the first year: Neutral

For subsequent years: Neutral

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts): School Districts with member schools

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year: Minimal

For subsequent years: Minimal

2. Revenues:

For the first year: None

For subsequent years: None

3. Cost Savings:

For the first year: Neutral

For subsequent years: Neutral

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a): Non-public Schools who are members

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year: Minimal

For subsequent years: Minimal

2. Revenues:

For the first year: None

For subsequent years: None

3. Cost Savings:

For the first year: Neutral

For subsequent years: Neutral

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a):

(a) Fiscal impact of this administrative regulation: The fiscal impact of this administrative regulation is minimal as the schools (districts) impacted are already expending their resources in this regard. These costs would generally remain in place regardless of this administrative regulation.

(b) Methodology and resources used to reach this conclusion: This information is based on a review of current systems and processes to see if any additional expenditures are necessary to carry on these amendments. This review shows little no impact.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a “major economic impact”, as defined by KRS 13A.010(13): This administrative regulation will not have a major impact as defined above.

(b) The methodology and resources used to reach this conclusion: This information is based on a review of current systems and processes to see if any additional expenditures are necessary to carry on these amendments. This review shows this will not have a major impact as defined above.

## SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

- (a) "KHSAA Constitution", 5/2025[7/2021];
- (b) "KHSAA Bylaws", 5/2025[7/2023];
- (c) "KHSAA Due Process Procedure", 5/2025[7/2023];
- (d) "KHSAA Board of Control Adopted Policies", 5/2025[9/2023];
- (e) KHSAA Form BA101- Baseball Pitching Limitation", 6/2016;
- (f) KHSAA Form GE01, "Application for Membership", 7/2023;
- (g) KHSAA Form GE04, "Athletic Participation Form, Parental and Student Consent and Release for High School Level (grades 9 - 12) Participation", 5/2025[5/2023];
- (h) KHSAA Form DP02, "Request for Statutory Waiver of Bylaw 2", 6/2018;
- (i) KHSAA Form DP06, "Application for Athletic Eligibility for Domestic Students", 5/2025[7/2023];
- (j) KHSAA Form DP07, "Application for Athletic Eligibility for Non-Domestic Students", 5/2025[07/2023];
- (k) KHSAA Form DP16, "Request for Waiver of 20 Day Notice", 6/2018;
- (l) KHSAA Form DP17, "Add. Info for Appeal", 6/2018;
- (m) KHSAA Form DP18 "Waiver – 15 Day Exceptions", 6/2018;
- (n) "KHSAA Form GE14- Contract for Athletic Contests", 5/2025[7/2020]; ~~and~~
- (o) "KHSAA Form GE19-Title IX Procedures Verification", 5/2011;
- (p) KHSAA Form GE110, "Wet Bulb Globe [GE20, "Heat Index"] Measurement and Record", 6/2023; and [4/2014];
- (q) "KHSAA Form MS01- Athletic Participation Parental and Student Consent and Release for Middle School (grades 5-8) Participation", 5/2025.

## SUMMARY OF CHANGES TO MATERIAL INCORPORATED BY REFERENCE

702 KAR 7:065. Designation of agent to manage middle and high school interscholastic athletics

### REVISIONS:

KHSAA Constitution, 5 pages

Changes have been made to the KHSAA Constitution to clarify qualifications of sectional and designated members. The balloting process has also been clarified to recognize the use of electronic balloting.

KHSAA Bylaws, 30 pages

Substantive changes to the KHSAA Bylaws as a result of action taken by member schools at the Annual Meeting. These changes include an amendment to amend Bylaw 5 (Minimum Academic Requirement) to require member schools to develop a written policy to determine reinstatement of a student's eligibility once they have been ineligible under the

bylaw. This change allows flexibility for schools that have different grading periods (semester, trimester, etc.) and allows the bylaw to more equitable.

An amendment was also made to Bylaw 23 regarding the starting date for practice in the sport-activities of Archery, Bass Fishing, and Bowling. This change allows the season to more closely mirror other sports and sport-activities throughout the year.

Other substantive changes to the Bylaws were made to incorporate recent statutory or regulatory changes. Bylaw 4 was amended to align with 702 KAR 7:125 in determining what a full-time student is.

Changes in Bylaws 6/7 (Transfer Rule) were made to recognize recent implementation of local board of education decisions relating to transportation plans and the impact on enrollment and assignment that result from such changes. Additional changes were also made to continue to clarify the applicability of the bylaw.

Changes were made to Bylaw 10 (Amateur/Awards) to recognize the elimination of the National Letter of Intent by the Collegiate Commissioners Association causing the necessary re-write of many of the programs surrounding NIL. This landscape continues to evolve and change continues to be made at the statutory level as well NCAA/NAIA levels.

Changes were made to Bylaw 25 (Requirement for Coaches and Others Working With High School Teams) to continue to clarify and emphasize the relationship between KHSAA, listed coaches, member schools and school districts, emphasizing the school district's responsibility for personnel matters while maintaining KHSAA's oversight in terms of eligibility and rule compliance. This eliminates any perceived confusion relative to responsibilities for the hiring, evaluation, and management of coaches, streamlining processes for personnel matters. This also reinforces the authority of member schools and school districts over their staff, including coaches, which can lead to better alignment with district-specific policies and procedures.

Changes were also made to the bylaws to recognize the addition of Boys'/Coed and Girls' Lacrosse as well as Boys'/Coed Volleyball. Also, changes were also made to recognize and prepare for the implementation of an on-line/electronic submission process for rulings.

Finally, other non-substantive changes were made in the form of technical revisions to correct drafting and formatting errors.

#### KHSAA Due Process Procedures, 3 pages:

Changes were made to streamline the processing of requests for initial rulings. With electronic transmission being utilized to request the initial rulings, the Association is able to accelerate the time in which the ruling can be made. Additionally, changes were made to clarify and reiterate that initial rulings will take no less than 3 business days.

Other non-substantive changes were made in the form of technical revisions to correct drafting and formatting errors.

KHSAA Board of Control and Officials Division Policies, 54 pages:

Several changes were made to conform to decisions of Board of Control on matters of policy as well as recognize recent legislation passed by the Kentucky General Assembly. Included in these changes are:

- Member and compliance expectations to ensure the provisions of HB 169 of the 2023 Regular Session of the Kentucky General Assembly were included which require school to report on an annual basis to KDE the number and locations of the automated external defibrillators in every school building as well as the names and training dates of the training or rehearsal required by HB 169.
- Changes to clarify and ensure how statistics and records will be maintained regarding those students who elected to take part on the Supplemental School Year Program and authorized by SB128 of the 2021 Regular Session of the Kentucky General Assembly.

Changes were made to the policy regarding disqualified students to emphasize no administrative review may overturn or substitute the judgment of an official. There were also changes to clarify the impact of subsequent ejections within the same playing season as well as the impact of an ejection in the final contest of the season or school year.

Changes were made to the policy on alignment in the sport of Football to use an average enrollment for two years (as opposed to four) in light of the recent continuing enrollments changes across the state.

Policies related to the use of drones were amended to emphasize that they may not be used at KHSAA sanctioned events.

Changes were made to sports medicine policies to eliminate consideration of heat index and rely on Wet-Bulb Globe Temperature as this has become the “gold standard” method in measuring heat and humidity. Additional requirements for Cold Water Immersion and other methods of rapid cooling were also added or adjusted. These changes were all reviewed by various interest groups including the Sports Medicine Advisory Committee which includes physicians and trainers across the Commonwealth.

Minor adjustments to criteria for consideration to the KHSAA Hall of Fame were made to ensure proper consideration and submission of documentation for consideration.

Changes to the policy on the required background checks of officials were made to ensure matters in other states were properly reviewed through additional reviews through the Kentucky State Police and or Federal Bureau of Investigation (paid for by the applicant) accordingly. This policy was also amended to allow for recognition of licensing in another state if needed due to an inadequate number of officials.



Additional changes were made to the fine schedule as it relates to unsportsmanlike behavior by fans, coaches, and administrative staff.

Various changes throughout the policies were made to recognize the addition of Boys' and Girls' Lacrosse as well as Boys'/Coed Volleyball.

Further technical revisions to reformat or correct drafting errors have also been made.

KHSAA Form GE04, "Athletic Participation Form, Parental and Student Consent and Release for High School Level (grades 9 – 12) Participation", 4 pages:

This form was revised to recognize recent statutory changes found in KRS 156.070(2)(g) to ensure proper participation.

KHSAA Form DP06, "Application for Athletic Eligibility for Domestic Students", 6 pages:

This form was revised to recognize recent changes to the subject matter bylaw. Additional revisions were made in an effort to streamline the process and simplify the form to allow for a quicker ruling by the Ruling Officer.

KHSSA Form DP07, "Application for Athletic Eligibility for Non-Domestic Students", 4 pages:

This form was revised to update the list of certified exchange programs under CSJET regarding J1/F1 visa programs. Further revisions were made to ensure the proper exception and bylaw is properly identified.

KHSAA Form GE14, "Contract for Athletic Contests", 1 page:

This form was revised clarify obligations to a school who is cancelling a game under contract. The revisions also further clarify the terms and obligations of each school who is a party to the contract.

KHSAA Form GE110, "Wet Bulb Globe Measurement and Record" 1 page:

These revisions complete the transition from Heat Index to Wet Bulb Globe in sports medicine risk management policies. The revisions continue to result in a more accurate measurement of environmental conditions and helps ensure student safety during participation.

KHSAA Form MS01- "Athletic Participation Parental and Student Consent and Release for Middle School (grades 5-8) Participation", 4 pages:

This form was added to ensure middle schools and their students had a form to help facilitate the requirements of KRS 156.070(2)(e) as well as the requirements of this administrative regulation.