

# Commissioner's Notes April 2012



A monthly newsletter from Commissioner Julian Tackett, Kentucky High School Athletic Association, 2280 Executive Drive, Lexington, Kentucky 40505 859-299-5472 • www.khsaa.org

It's difficult to explain the feeling that comes with something new. It doesn't matter if it's a new house, a new car or a new job. Just the feeling of something new is like a jolt of pure adrenaline. We all like our comfort zones, learn how to do something, get good at it, and then the natural feeling is to simply keep doing the same thing over and over. Frankly, this is no way to be successful. We have to constantly challenge ourselves, be willing to put ourselves out there and possibly fail. But at least we learn from it.

Think about the things you do every day in your profession or your personal life. How often do you get to try something completely new? Something that is completely out of your comfort zone and something you would otherwise never try on your own? After you get past your fears and anxiety, do you remember how it feels to do something for the first time? Doesn't it feel good to know you are capable of just about anything?

Our staff, our event workers and our volunteers had this experience recently with the first Ebonite/KHSAA Bowling State Championships in late March. Whether it's a blessing or a curse, 28 years of experience has given me the ability to read people pretty accurately, especially members of our staff. Words seldom tell the entire story – if you really want to get an accurate gage of a person, read their body language. How convincing are the words if the eyes are shifting and the body is drooping?

Coming off the PNC/KHSAA Boys' Sweet 16®, the following Monday around the office is usually a sight to behold. Bodies tend to move slower and not many words are spoken. This year though, I'd say more life was shown by the staff on that Monday than all of my previous years combined. It was a different kind of communication – it was a chatter, a giddiness that comes from the pure excitement over the event we were about to witness.

This was something new for all of us and frankly, just what all of us needed. This new group of student-athletes competing for a state championship in a newly sanctioned sport-activity was a feeling none of us had experienced and a real shot in the arm to see their wide-eyed excitement. The last new sport added to the KHSAA stable was slow pitch softball in 1983, which pre-dated all of us and was the year before I arrived at the KHSAA.

It was also great to meet a new group of event workers and volunteers who are passionate about bowling and add them to the growing KHSAA family. From PRPs girls winning the team title, or Scott County's Brandon Hatton besting Manual's Kiefer Hillerich on the final frame of the championship singles match, there was no shortage of excitement. With such enthusiastic support it makes it so easy to want to try something new and that much easier to succeed.

Not only was the entire event new but staff members stepped out of their comfort zones as well. Our IT Director stepped into



a different role and compiled results flawlessly. Our Sports Information Director stepped out of results-oriented, behind the scenes mode and into PA announcing. It's natural for them to be unsure of their abilities at first but by the end of the event all had gotten comfortable in their roles and picked up valuable new skills in the process.

The first Ebonite/KHSAA Bowling State Championships were a great learning experience at just the right time when we needed to try something new. As the stable of sports and sport-activities continues to expand with bass fishing and a cheer championship next year, so too will opportunities to be a part of something new. And there may be more to come.

Don't pass up a wonderful opportunity for yourself and the students who look to you for guidance. When was the last time you got out of that comfort zone and did something for the first time?

# **UPDATE ON KHSAA / NFHS / LRG LICENSING PROGRAM**

In its second full year, the licensing program continues to grow and generate revenue for participating schools. Licensing Resource Group (LRG) has collaborated with Home Team Marketing (HTM) in an outreach program to educate individual schools about protecting their marks and signing the individual school licensing agreement. One of the things we are very concerned about in the KHSAA office is how many of our schools are unknowingly violating licensing agreements and copyrights. When preparing for our semifinal rounds of our basketball tournaments, we discovered two schools whose team logos as submitted to the Association clearly are identical to logos that are registered to specific colleges. We think this valuable partnership with LRG and HTM, and the research they can do, could alleviate a major problem for member schools.

Last year, the KHSAA was able to have the schools opt-in to the program by signing the membership agreement. Due to complications with some major retailers, we have been asked to ask each school to sign individual forms authorizing participation. A form for that purpose is attached. If you do not sign the form and fax it back to the KHSAA, you will not be included for 2012-2013.

Keep in mind that this is not a mandatory program, and it IS NOT EXCLUSIVE. It is simply a means by harnessing the selling power of the entire membership, LRG can help all of our schools.

LRG and HTM will continue contacting individual schools with program information through this school year and again in the fall. To date, more than 3,000 individual schools have signed up with the LRG program. If you have specific questions about which you need clarification, contact LRG directly. Dick Welsh is our contact at 513-492-9278. You can find additional information online at <u>http://www.nfhslicensing.com/</u>. In the coming days, you will also be receiving information about how you can take this merchandise and create an online store to increase sales through a company called Rockitwear. Rockitwear is LRG's approved online outlet.

Royalty revenue for 2011-2012 will be distributed by the end of this fiscal year and immediately upon receipt of the fees by the KHSAA.

# MEMBER SCHOOLS REMINDED TO PROPERLY PREPARE FOR IMPLEMENTATION OF END OF COURSE ASSESSMENTS

In many cases, student-athletes at member schools have been able to use summer school classes to "catch up" on the Bylaw 5 requirements before the start of school. With the advent of end of course assessments, this will require more planning by the student-athletes in the future if summer school work is to be included in that first day of school credit check.

During end of course assessments, there will be electronic pass/ fail assessments which will be taken and result in near-immediate scoring for the student-athletes. That will result in the information being available to determine if the student-athlete will have that credit posted to the transcript. We are being advised by the Kentucky Department of Education that the additional constructed response piece required at the end of course WILL NOT factor into the student's credit, but WILL impact the school accountability formula. Therefore, that piece does not factor into the academic decisions.

The additional preparation will be made necessary by the fact that we are being informed that the online pass/fail exams will stop for the summer on July 31. Essentially then, there will be NO opportunity for summer school classes to count for the first day credit check if the end of course assessment is taken after the test closes. It is critical that student-athletes be counseled as to what is necessary for the subsequent year and that athletic administrators avoid letting this change in systems negatively impact an otherwise deserving student-athlete.

#### FOUR ELECTED TO KHSAA BOARD OF CONTROL

Michelle Dillard, Ron Dawn, Jeff Saylor and Henry Webb have each been elected to a four-year term on the KHSAA Board of Control, starting with the 2012-13 school year in July.

Dillard, the principal at Seneca High School in Louisville, will serve as the female representative for regions 1-8. Dillard assumes the spot currently occupied by Anita Burnette of Owensboro, who is completing a four-year term on the Board. Saylor, the Title I Director for the Bell County Schools, was elected as the representative for regions 13-14. He will replace Arthur 'Ozz' Jackson, who served the maximum two term limit.

Webb, the superintendent of Floyd County Schools, will replace Marvin Moore as the representative for regions 15-16. Moore also served the two-term maximum limit.

Dawn is a current sitting board member who was appointed to fill the term of Bob Schneider, who retired at the conclusion of the 2010-2011 school year. Dawn will serve as the private school representative for regions 9-16.

The KHSAA Board of Control is comprised of 18 members, 14 who are elected and four who are appointed by the Kentucky Department of Education. Of the 14 elected members, eight board members are elected to represent specific geographic regions. Two female members, two private school members and two African-American members represent the entire state – one for regions 1-9 and the other for regions 9-16.

Each representative serves a four-year term with a limit of two consecutive four-year terms.

The next regularly scheduled meeting of the KHSAA Board of Control is Monday, April 16, at the KHSAA Office in Lexington.

#### DAWAHARES/KHSAA HALL OF FAME CELEBRATION SOON

Make plans now to join us on Saturday night, April 28, at the Lexington Center as we celebrate 25 years of the Dawahares/ KHSAA Hall of Fame with the induction of the 2012 class.

This year 12 former high school coaches, athletes, officials and/or administrators make up the silver anniversary class The induction of the 12 will bring the total number of individuals honored to 403.

The evening begins with a social hour and silent auction at 5:30 p.m., followed by dinner and the induction ceremonies at 6:30 p.m.

The 2012 class includes Libby Burr, the late Tim Cahill, Randy Embry, Maxine Graham, Joe Hood, Kim LaBelle, Jim McDaniels, Marvin Moore, Jim Perrin, Alvin Ratliff, Jim Tucker and Randy Wyatt.

In addition to the 2012 class, all living previous Dawahares/ KHSAA Hall of Fame inductees have been invited back to share in this year's celebration.

For tickets please contact Butch Cope or Marsha Day at the KHSAA.

#### BASEBALL, SOFTBALL DRAW SHOW TO AIR ON APRIL 20

Baseball and softball postseason tournaments may not begin until May 21 but at least teams will soon find out the region it will face in the first round of the state tournament should it advance. The draws for the 2012 Kentucky National Insurance/KHSAA State Baseball Tournament and the Rawlings/KHSAA State Softball Tournament will be conducted on Friday, April 20 at 2 p.m. at the KHSAA Office in Lexington. The draw show will air live on www.khsaa.tv.

Brackets will be posted to the Riherd's/KHSAA Scoreboard and the KHSAA website at the conclusion of the program.

# **OFFICIALS BANQUET SET FOR MAY 6**

The 20th annual KHSAA Officials Division Recognition Awards Banquet is scheduled for Sunday, May 6, at the KHSAA Office in Lexington.

The ceremony gets underway with a social time at 4:30 p.m., followed by dinner and recognition at 5. A total of 33 officials will be honored this year, including an Official of the Year in all KHSAA sanctioned sports. The Larry Boucher Supervisor of the Year award will also be given out.

The banquet is free to all KHSAA licensed officials in all sports. If you plan to attend the banquet please contact Angela Passafiume or Fay Swann with the KHSAA.

For a complete listing of this year's honorees please review the attached document to this edition of the Commissioner's Notes.

#### REMINDER ABOUT SCRIMMAGE LIMITS AND PRACTICE REGULATIONS

Recently, we have received several inquiries from schools about using males in practice for girls sports against members of the girls' sports team. If this occurs, the members of the squad are practicing against students (regardless of the grade level) who are not eligible to be on the eligibility list for the girls team.

Each time this is done, the school has conducted an illegal practice by the use of ineligible students, and the school has utilized one of its allowable two scrimmages (if the first regular season game has not been played) or a contest against the contest limit (albeit against an illegal team) if the regular season has begun.

There are a myriad of reasons why this practice is not permitted, not the least of which is the fact that Bylaw 25 precludes the activity. Schools should also be mindful that using outside members in a situation like this could certainly be viewed as depriving females at the younger or less talented levels of participation opportunities, which is not in the best interest of the students.

Please contact the office should you have any questions.

# SCHOOLS REMINDED OF MULTIPLE METHODS TO MEET PRIME DATE REQUIREMENTS FOR GIRLS BASKETBALL

As 2012-2013 basketball scheduling has begun, member school representatives are reminded that there are two different methods for meeting the prime date policy. Please contact Assistant Commissioner Darren Bilberry (Title IX Coordinator) or Assistant Commissioner Angela Passafiume (Regular season basketball contact) if you have questions about your specific schedule.

KHSAA BASKETBALL PRIME DATE SCHEDULING A) PRIME DATE REQUIREMENT Each basketball season, a member school shall meet one of two alternative methods of prime date compliance. The member schools shall:

1) Play at least forty (40) percent of its girls home basketball games on a prime date, defined as Friday night, Saturday or Sunday, wherein tournaments shall only count as one game played toward this requirement; or

2) Play at least forty (40) percent of its girls basketball schedule (all games) on a prime date, defined as Friday night, Saturday or Sunday. Schools using this method must play at least one prime date game in each of the months of December, January and February.

B) ANNUAL PRIME DATE COMPLIANCE PROCESS

Each year, the KHSAA shall audit all girls' regular season basketball schedules (hereinafter "current schedule"). These annual audits shall begin with the first legal regular season playing date. Schools that are not in compliance with the forty (40) percent requirement on the first playing date shall be contacted on or before December 31 of the playing season in an effort to allow for schedule corrections or revisions to comply with the forty (40) percent requirement. The school shall be notified of the potential penalties for non compliance with this correspondence.

Schedules shall be posted on the KHSAA website in the manner as instructed by the Commissioner's office prior to the published deadline. Schedules shall be accurate and include entry and designation of games that are involved in tournaments, classics, festivals and other multi-game events.

At the end of the regular playing season, the schedules shall be audited for final compliance with the requirement.

C) PENALTY FOR NON-COMPLIANCE WITH THE PRIME DATE REQUIREMENT

Based on the final audit at the end of regular season, if a member school's total home games for girls' do not comply with the forty (40) percent requirement, the following penalty shall be applied:

1) The boys' regular season total game schedule for the following school year's basketball season shall be reduced by two games as compared to the current boys' schedule.

2) The overall two contest reduction shall be achieved by reducing boys' home games.

3) In the case that a school does not have any home games, the two game penalty shall be applied to away games.

4) In the event that this penalty is imposed, the offending school shall count the game as a forfeit with respect to KHSAA Bylaws and shall comply with the provisions of Bylaw 24 as it relates to forfeit fees and other penalties. The game may not be replaced on the offending team's schedule but may be replaced on the opponent schedule.

5) Schools may not schedule or enter additional tournaments from the benchmark year as a means of circumventing the penalties within this policy.

6) Schools will be notified of the reduction in the allowable boys' games for the following season after the conclusion of the current season.

D) EXAMPLES OF POSSIBLE PENALTY APPLICATIONS

On the first legal playing date for the season, Jones High School's regular season girls' basketball schedule reflects they are not meeting the forty (40) percent requirement. Jones High School is audited again at the end of the season, and does not meet the forty (40) percent requirement.

During that same season, the boys' total number of regular season games played is 23 as defined by Bylaw 25. Within this 23 count, there are 21 single games being played and two tournaments counted in a reduced fashion per the rule. The boys' team played six regular season home single games.

Due to non-compliance with the forty (40) percent requirement for girls', Jones High School's total number of allowable boys' regular season single games for the following regular season shall be reduced to 21. This reduction would not apply to the allowable two tournaments that may be counted in a reduced fashion.

In this example, the total allowable number of regular season home games for the following season may not exceed four single games.

Should this reduction occur, the KHSAA Staff shall work with member schools to accomplish the identified contractual game reductions.

#### SPORT UPDATES

#### Basketball

Schools scheduling contests should note that the basketball tournaments seem like they are very early in 2013, but they remain in NFHS week 34 (District), 35 (Region), 36 (Boys State, which is first), and 37 (Girls State, which is second). It will seem early because the NCAA has always used a different set of dates and next year, their dates "roll over" and don't match ours. This occurs about once every 13 years and 2012-2013 is that year. The regular season remains 12 weeks long as is its standard. Also complicating things next year is the early date for the boys' and girls' state tournaments, due to the unavailability of Rupp Arena due to NCAA hosting. For complete scheduling dates, schools can always check <u>http://www.khsaa.org/</u> handbook/correspondingdates/basketballcorrespondingdates. pdf as well as http://www.khsaa.org/basketball/ futuredatesforboysandgirlsbasketball.pdf

# Cheer

This is a reminder to Cheer coaches that you are permitted a two week period between April 1 and the end of school to conduct tryouts for next year. Details about the KHSAA Cheer Sport Activity event that will be conducted during the 2012-13 school year will be communicated following the upcoming Advisory Committee Meeting.

#### Football

Football schools are reminded to monitor the heat index during spring practice (if the ambient air temperature reaches 83 degrees. With some schools choosing to hold their spring practice on later dates, the complication of the Heat Index is involved. Written reports must be submitted once spring practice is over about the dates of practice (FB103 at <u>http://www.khsaa. org/forms/fb103.pdf</u>) or <u>http://www.khsaa.org/forms/fb103.doc</u> as well as the heat index (GE20 at <u>http://www.khsaa.org/forms/ ge20.pdf</u> or <u>http://www.khsaa.org/forms/ge20.doc</u>)

#### Track and Field

All regional sites and dates are confirmed. Please notify Assistant Commissioner Angela Passafiume at apassafiume@ khsaa.org if your school has a wheelchair athlete competing. For more information on adapted track go to <u>www.khsaa.org/</u> <u>track/adapted.html/</u>

#### Volleyball

Dates for Volleyball competition in the Bluegrass State Games have been announced. Play will be July 27-29 in Lexington. A reminder that participation in the Games does not count toward your two scrimmage limit within Bylaw 25. More details are posted at www.bgsg.org/volleyball.

# REMAINING 2011-12 KHSAA CHAMPIONSHIP DATES

May 17-19	Boys' & Girls' Tennis	Shilito Park and Boone- Downing Tennis Center, Lexington
May 17-19	Boys' & Girls' Track and Field	Owsley Frazier Cardinal Park, Louisville
June 7-9	Rawlings/KHSAA Softball	Jack C. Fisher Park, Owensboro
June 4-9	Kentucky National Insurance/KHSAA Baseball	Whitaker Bank Ballpark, Lexington

#### UPCOMING EVENTS

April 16	KHSAA Board of Control Meeting,	
	KHSAA Office, Lexington	
April 16	Deadline for Current School Year Title IX	
	Forms to be submitted via website to the	
	KHSAA Office	
April 28	Dawahares/KHSAA Hall of Fame Banquet,	
	Lexington Center, Lexington	
April 29	Forcht Group of Kentucky/Kentucky National	
	Insurance/KHSAA Sportsmanship Banquet,	
	KHSAA Office, Lexington	
May 6	Officials Banquet, KHSAA Office, Lexington	

Thanks for all of your continued support!

Julian Tackett



# LICENSE AGREEMENT

THIS LICENSE AGREEMENT ("Agreement") is by and between <u>(print school name here)</u> (the "School") and LRG Prep, LLC, of 442 Century Lane, Suite 100, Holland, Michigan 49423 ("LRG"). For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the School and LRG agree as follows:

1. <u>Use of Marks</u>. The School gives LRG the **non-exclusive** right and a license to use its Marks and to authorize the distribution and sale of merchandise by vendors approved by LRG. "Marks" shall mean the School's school name, nicknames, mascots, logos, designs and graphics. "Products" shall mean all merchandise utilizing the School's Marks. LRG may place a tag, label, imprint, or other appropriate mark designating the Products as associated with a merchandising program of the National Federation of State High School Associations and/or state high school association.

2. <u>Payments</u>. The School will be paid a minimum royalty of fifty percent (50%) on Revenues received by LRG from the sale of Products. Royalties will be paid to the School within sixty (60) days after the end of each school year. "Revenues" means royalty income resulting from the sale of Products during the term of this Agreement, which is paid to LRG by third-party licensees. "Revenues" shall not include deductions made for commissions, freight, uncollectible accounts, costs incurred in the manufacture, sale, advertisement, or distribution of the Products, or any indirect or overhead expense.

# 3. <u>Booster Clubs</u>. Nothing in this Agreement shall prevent the School's bookstore, booster club, concessionaires, or similar entities from purchasing, selling, marketing or distributing **Products**.

4. <u>Termination</u>. This Agreement is effective upon execution by the School and will remain in effect with a perpetual term unless and until terminated in accordance with the provisions herein. **The School may terminate this Agreement at any time by sending written notice to LRG**. Upon termination, LRG and its vendors may continue to sell the existing inventory of Products, and after sale of the existing inventory LRG shall stop using the School's Marks.

5. <u>Use of Marks</u>. LRG will use manufacturers and vendors to produce and distribute the Products in a manner that maintains the **integrity**, **character**, **and reputation of the School**. To serve as example only and without limitation, distribution channels for Products may include large retailers such as Walmart, drug stores such as Walgreens, sporting goods stores and online retailers. The School authorizes its Marks to be used for manufacture and distribution by LRG's vendors and in order to perform rights under this Agreement can be assigned or sublicensed by LRG.

6. <u>Ownership</u>. LRG is not obtaining any ownership of the Marks, and except as licensed to LRG by this Agreement, **all rights in the Marks will be retained by the School**. The School represents to LRG that it is the owner of all rights in the Marks, that it has the right to license the Marks to LRG.

7. <u>Miscellaneous</u>. This Agreement is the entire understanding between the School and LRG. This Agreement supersedes all previous understandings or agreements, oral or written, between the School and LRG, and cannot be modified except by a written agreement signed by the School and LRG. The signatory below has the authority to enter into this Agreement on behalf of School.

The following signature represent the parties have read this Agreement in its entirety and by their execution below, the parties have agreed to all the terms and conditions of this Agreement.

	LRG Prep, LLC
[School Name]*	
Signature:	Signature:
Name:	Name:
(Please Print)	(Please Print)
Title:	Title:
Date:	Date:
Address:	
Email Address:	
Please return this signed agreement by mail, fax or email to:	
LRG Prep, LLC	
442 Century Lane, Suite 100	
Holland, Michigan 49423	
Fax: (616) 395-2517 Email: Agreement@LRGPrep.com	
*If you represent more than one school please list them below:	
[School 2]	

[School 3]

# **Outstanding Official Award Nominees**



Officials please plan to attend the annual KHSAA Officials' Awards Banquet. The banquet (free to all licensed KHSAA officials in all sports) will be Sunday, May 6, 2012, at the KHSAA Office in Lexington. Social time will be from 4:30-5 p.m., with a buffet and awards program immediately following. Following are the 2012 Official of the Year nominees by sport.

#### BASEBALL

Brad Lambdin, Shaun Williams, Mike Wooten BASKETBALL Scott Bottoms, Judith Dyehouse, Tony Franklin FOOTBALL Jim Colwell, P.D. Harris, Joe Stephen GOLF Steve Houchen, Tom Oldendick, Dean Terry SOCCER Daniel Barber, Jeff Hall, Robin Joska SOFTBALL Jason Booth, Marty Gibson, Don Pack **SWIMMING & DIVING** Jay Grigsby, Kent Pleasants, Bill Sherrard TENNIS Karen Henson, Sarah Pendergrass, Greg Quenon **TRACK & FIELD/CROSS COUNTRY** Jim Johnson, Jack Keller, Patty Rouse VOLLEYBALL Doug Lunsford, Angie Reckers, Tim Sharp WRESTLING Joe Cattan, Robert Durham, Christopher Reeves

SUPERVISOR OF THE YEAR -- TBA

#### 2012 KHSAA Outstanding Official Awards Banquet

Sunday, May 6, 2012 KHSAA Office • Lexington 4:30 p.m. doors open • dinner at 5 p.m.





