

Bylaw 3. Age

Pursuant to KRS 156.070 (2) (e), a student who becomes nineteen (19) years old before August 1 shall be ineligible for interscholastic athletic competition. A student who becomes nineteen (19) on or after August 1 shall remain eligible for the entire school year. The Board of Control and the Commissioner may waive the provisions of this regulation and the student shall be eligible for high school athletics in Kentucky if the written documentation is provided to clearly demonstrate that the student:

1. Qualified for exceptional children services and had an individual education program developed by an admissions and release committee (ARC) while the student was enrolled in the primary school program;
2. Was retained in the primary school program because of an ARC committee recommendation; and
3. Has not completed four (4) consecutive years or eight (8) consecutive semesters of eligibility following initial promotion from grade eight (8) to grade nine (9).

The Board of Control and the Commissioner may not adopt administrative procedures that allow for waiver of this rule under any other condition.

(Case situations related to this bylaw appear on pages 19 through 43 of this Handbook)

CASE SITUATIONS RELATED TO THE BYLAWS of the KENTUCKY HIGH SCHOOL ATHLETIC ASSOCIATION

Contained in this section of the KHSAA Handbook are interpretations and rulings which have been made in accordance with applicable provisions of the KHSAA Bylaws. This section is printed as a supplement to the actual printed rules and does not in any manner substitute for the actual rule. Many of these rulings have established precedent for the interpretation or enforcement of these provisions, and remain in place until further altered, re-interpreted, or otherwise set aside. Specific inquiries not addressed by these interpretations should be submitted in writing to the Commissioner of the KHSAA, 2280 Executive Drive, Lexington, KY 40505. Interpretive questions or eligibility rulings will not be addressed via electronic mail and must be requested and issued in writing. The following table represents cross-referencing to the relevant portions of the KHSAA Handbook.

Case BL-3-1- Can rulings related to Bylaw 3 (Age) be appealed?

No. Bylaw 3 as approved by the Kentucky Board of Education expressly prohibits appeals concerning this bylaw. In addition, with the adoption of HB215 from the 1998 Legislative Session, the Kentucky General Assembly has placed this provision in KRS 156.070 in the form of state law with the only exception being the provisions passed by the 2007 Kentucky General Assembly.

Case BL-3-2- How can a principal verify the age of a player?

The Principal can refer to the Bureau of Vital Statistics of the state in which the player was born. In the absence of a state record, he/she should refer to the earliest available school enrollment and census records. It has been the policy of the Association to accept older records rather than parental affidavits in establishing the birth date of a player. The physician's affidavit will not be accepted unless the record that guided him/her in fixing the date of birth is open for inspection by the Board of Control and is clear of alteration. A delayed certificate, based on information filed with the State Bureau of Vital Statistics several months or years subsequent to the date of birth, will not be accepted as proof of the correct date of birth.

Case BL-3-3- What is the primary school program as used in KRS 156.070 (2) (e) as amended by the 2007 Kentucky General Assembly?

KRS 158.031 and 704 KAR 3:340 defines "primary school program" as "that part of the elementary school program which children are enrolled from the time they begin school until they are ready to enter the fourth grade" (PK-3).