

**CASE SITUATIONS RELATED TO THE DUE PROCESS PROCEDURE 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 Due Process Procedure. 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 precedents 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.

Due Process Procedure	DPP-1, DPP-2, DPP-3, DPP-4, DPP-5
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**Case DPP-1- What address should be used for filing appeals to the KHSAA?**

For appeals to the KHSAA, address the appeal to Commissioner, KHSAA, 2280 Executive Drive, Lexington, KY 40505. All material mailed to the Hearing Officer or Board of Control shall be mailed to the same address. Appeals will only be accepted via US mail or other common carrier.

**Case DPP-2- Is there an appeal process for students ineligible according to KHSAA Bylaws?**

Yes, there is a Due Process Procedure. Appeals should be directed to the Commissioner c/o the KHSAA, 2280 Executive Drive, Lexington, KY 40505.

**Case DPP-3- Is there a Philosophical Statement to guide the Ruling Officer in making rulings in Hearing Officer matters or the Commissioner in making rulings in Board of Control matters in accordance with this procedure?**

Yes. The Constitution and Bylaws of the KHSAA were developed and approved by the member schools of the Association and represent the direction the schools desire in governing high school athletics. The ruling officer (or the Commissioner in Board of Control matters) is to determine if strict application of the rule is unfair to the student-athlete and the circumstances creating the ineligibility are clearly beyond the control of the parties involved. In those cases and in accordance with the applicable bylaws and this procedure, The ruling officer (or the Commissioner in Board of Control matters) may waive the rule and declare the student eligible or may choose not to waive the provisions of the rule. Participation in interscholastic athletics is a privilege for students who are in compliance with the Constitution and Bylaws of the KHSAA.

**Case DPP-4- Is there a Philosophical Statement to guide appeals heard by the Hearing Officer and Commissioner in Hearing Officer Matters, and the Board of Control in Board of Control matters?**

Yes. The Constitution and Bylaws of the KHSAA were developed and approved by the member schools of the Association and represent the direction the schools desire in governing high school athletics. The Hearing Officer and Commissioner shall be empowered to conduct eligibility hearings and determine the eligibility status of a student in hearing officer matters. The Hearing Officer or Commissioner, in Hearing Officer matters, shall determine if strict application of the rule is unfair to the student-athlete and the circumstances creating the ineligibility are clearly beyond the control of the parties involved. In those cases, a waiver of the rule may be granted or the Hearing Officer or the Commissioner may choose not to waive the provisions of the rule. In addition, the Hearing Officer may direct the Commissioner to study revisions in the applicable rules. Participation in interscholastic athletics is a privilege for students who are in compliance with the Constitution and Bylaws of the KHSAA.

**Case DPP-5- If the Hearing Officer recommends overruling the original decision of the Ruling Officer when does that decision take effect?**

When the Hearing Officer makes a recommended order to the Commissioner, his/her findings of fact, conclusions of law, and recommended order are to be submitted to the Commissioner in accordance with the timelines of the Due Process Procedure. The Commissioner may accept, reject, modify or remand that recommendation. Until final action is adopted by the Commissioner, the original ruling under appeal remains in force.