



May 5, 2021

From: Eric Kennedy, KSBA Director of Advocacy
To: Local school board members (*copy to all superintendents and superintendent assistants*)

This is an **urgent message** re: students who have requested to use next year as a **supplemental school year under SB 128**.

The deadline for students to submit a request to you was May 1st, so all the requests you have to consider are now in your hands and the decision to approve all of them, or deny all of them, is in your hands. [KDE has issued](#) some guidance on this, along with [KHSAA re: athletics issues](#). Please review all that info. Some **new developments** have gotten new attention in the last few days that impact eligibility of students to play college athletics, especially in **NCAA Division 1 schools**. This new information has been shared around social media, and it is imperative that you and your students understand how the NCAA rules could impact them. This is **especially vital to any students currently in grades 9-11 this year**, who have asked to use next year as a supplemental year. The **NCAA rules could possibly make them ineligible for NCAA Division 1 after high school if they take a supplemental year next year**, depending on how long they are in high school in total, and what classes they take at what point in high school. Keep in mind that no one but NCAA can change NCAA rules or their eligibility determinations. Local boards can't, KHSAA can't, and even our state legislature cannot change these NCAA rules.

The issue is, according to an NCAA official this week, the NCAA rules state that Division 1 play requires the 16 core-course units to be completed within 8 semesters from the initial start of year 9 (on-time graduates may also complete one additional core unit within a year after graduation and before initial full-time college enrollment). In addition, 10 of the required 16 units (including 7 units in English, math or science) must be completed before starting the 7th semester (resulting in a max of 6 core units in grade 12). As a result, **repeating a year could detrimentally impact a student's ability to meet Division I core-course requirements**.

In other words, from the moment that a student begins 9th grade, the NCAA rules generally require that student to complete certain courses within 8 semesters to be eligible for Division 1. Whether you call them a sophomore, junior, or senior, or something else during any given year, and whether you consider any given year a supplemental year or not, that NCAA 8-semester rule will apply. Therefore, the courses that each student completes during those 8 semesters of time, with that 8 semester clock running from the moment they began 9th grade, is critical. Also keep in mind that if a given student takes a supplemental year and takes courses that year which are still on their normal 4-year track (such as, a current 9th grader takes 10th grade core courses next year during their supplemental year), that could still impact them when they get to their normal graduation point of 4 years after starting 9th grade. That is because SB 128 has a special rule only for this year's seniors that can let them graduate now but still come back next year anyway. That special rule will not apply to current 9-11 graders when they reach the normal 4-year graduation point either 1, 2 or 3 years from now. So, if a current 9th grader takes a supplemental year, and takes core courses on the normal 4-year schedule to remain eligible under the NCAA 8-semester rule, that student would likely meet their high school graduation requirements on a normal 4 year schedule and under state law at that point they would have to graduate and could not stay and play in high school for a fifth year because the special rule of SB 128 in place for this year's seniors will not apply to them at that point 3 years from now.



KEY TAKEAWAY for Boards:

It is critical that you look at all students who have requested a supplemental year. For all of them, but especially for any current 9-11 graders who have any possible desire to eventually play in NCAA Division 1, it's vital that they read and understand both the NCAA 8-semester rule, and the state law on graduation and course requirements. No one wants these kids to inadvertently become ineligible to play any Division 1 sports when they reach that point and it's too late to go back in time and fix it! Consider having school staff (i.e., counselors, athletic directors, coaches, etc.) discuss this directly with these students now to fully understand this. Also, keep in mind that under SB 128, it is possible for you to allow any student to rescind their request for a supplemental year before you (the local board) make a decision on this which must happen by June 1. Remind those students, and their parents/guardians, that no one at the state/local level here can change the NCAA rules.

More info quoted from the NCAA official's communication is below my signature. KHSAA guidance is at their website [at this link](#) under "NCAA Implications".

-Eric Kennedy
KSBA Director of Advocacy

From NCAA official's email yesterday:

"I spoke with our eligibility team and in short, this law could have an impact on the initial eligibility of prospective student-athletes and we would advise students in Kentucky who are considering a reclassification to work with their H.S. counselor, the athletics compliance office at the NCAA school they would like to attend and the NCAA Eligibility Center to ensure the potential impact to their NCAA eligibility is fully understood before moving forward. If you are receiving questions from parents, student-athletes or other stakeholders, please feel free to direct them to the NCAA Customer Service line at 877-262-1492. For your additional reference below, I have also included the specific information our eligibility team shared.

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Academic Eligibility

- No concerns for Divisions II or III.
- Division I requires 16 core-course units to be completed within 4 years/8 semesters from the initial start of year 9 (on-time graduates may also complete one additional core unit within a year after graduation and before initial full-time enrollment). In addition, 10 of the required 16 units (including 7 units in English, math or science) must be completed before starting the 7th semester (resulting in a max of 6 core units in grade 12). As a result, repeating a year could detrimentally impact a student's ability to meet Division I core-course requirements. [Here is a link](#) with additional information about the requirements for DI academic eligibility.

Athletic Eligibility (Amateurism Certification)

Generally, NCAA legislation permits students to participate one year after their expected high school graduation date (based on four years after the initial start of year 9) without impacting their NCAA eligibility (four seasons of competition). The only shorter timeframe is Division I tennis, which permits participation for six months after the expected graduation date. As a result, if students repeat a year of high school, they should be mindful of the potential impact on their seasons of eligibility. [Here is a link](#) with more information about delayed enrollment."