

## **BYLAWS**

### **Article I**

#### **DUTIES OF OFFICERS**

##### **Section 1**

The President shall have the power to call, and preside over, meetings of this Association.

##### **Section 2**

The First Vice President shall exercise these powers in the absence of the President. The Second Vice President shall exercise these powers in the absence of the President and the First Vice President.

##### **Section 3**

The Executive Director shall have the following duties and powers:

- A. To administer the financial affairs of this Association, under the direction of the Executive Committee, and shall render a financial statement at the Annual Meeting.
- B. To prepare the annual budget.
- C. To handle all the correspondence of the Association.
- D. To prepare and present agenda for, and attend all the meetings of this Association or its committees.
- E. To make all arrangements for the Annual Meeting. To notify the member schools in advance of the legislation, nominations, and other business to be discussed at the meeting.
- F. To represent NJSIAA on the DAANJ Board of Directors, and oversee all athletic leagues and conferences.
- G. To manage or arrange for the management of all state championship meets and tournaments.
- H. To arrange for such playoffs as may be directed by the Executive Committee.
- I. To arrange for an athletic insurance program to be offered to the member schools.
- J. To manage the Central Office of this Association, engaging office space, hiring the necessary office personnel and procuring office supplies, and designate the Attorneys for the Association
- K. To arrange for the publication of the annual handbook in an electronic format.
- L. To handle the public and press relations of this Association or make arrangements to handle press relations of the Association.
- M. To keep the program up-to-date and sponsor new activities under the direction of the Executive Committee.
- N. To be empowered to rule on the interpretations of the Constitution and Bylaws, and rules of the Association, subject to confirmation by the Executive Committee at its next meeting.
- O. To perform such other duties as the Executive Committee directs.
- P. To designate one or more persons to attend one or more meetings of the Executive Committee to assure all views on a given subject are represented, such persons will not be permitted to vote.

## **Article II**

### **DUTIES OF THE EXECUTIVE COMMITTEE**

#### **Section 1**

The Executive Committee shall meet at the call of the President, and shall conduct such business as may be necessary or useful for furthering the interests of this Association and shall adopt such rules and regulations for the conduct of sports contests as they deem proper. The Executive Committee is empowered to act upon any areas not specifically covered by the Constitution, Bylaws, and Rules and Regulations.

#### **Section 2**

The Executive Committee shall direct the financial affairs of this Association, and shall appropriate such monies as may be necessary or useful for its operation.

#### **Section 3**

The Executive Committee shall appoint an Advisory Committee to be composed of one member from each county of the State and two members from the non-public schools division. The term of each member of the Advisory Committee shall be for one year. The appointments should be made on an equal distribution from Athletic Directors, secondary Principals and superintendents.

The Executive Committee may, at its discretion, appoint other committees to which it may delegate specific functions. These committees may be formed from its own members, from the personnel of member schools, or from both, provided that no more than one member be appointed from any one school.

#### **Section 4**

Duties of the Executive Committee Members with relation to District or Regional organizations:

- A. Help plan, control and assist in the management of all interscholastic athletics of the district or region as organized by the Executive Committee, in cooperation with other counties within their district or region.
- B. Assist member schools in proposing legislation to the Advisory Committee for action, if any is required.
- C. Report the proceedings of all district or regional meetings to the Central Office of the NJSIAA.
- D. Foster a Code of Ethics.
- E. Conduct district or regional meetings for the orientation of new Principals, Athletic Directors and coaches; also, for the election of new members to the Executive Committee when needed.
- F. Attend meetings of the NJSIAA when called by the President of the Association.
- G. Assist in the clarification of eligibility rules to member schools within a given district, but will not rule on cases of eligibility.
- H. Conduct such hearings as he is directed to hold by the Executive Committee.

#### **Section 5**

The Executive Committee shall hold hearings in such a manner as they shall by rule provide.

## Article III

### CLASSIFICATION OF MEMBER SCHOOLS

#### **Section 1**

Public and non-public member schools shall be divided into a “Public Schools Division” and a “Non-public Schools Division,” respectively.

#### **Section 2**

The affairs of the non-public secondary schools of the State shall be regulated in accordance with the Constitution.

#### **Section 3**

Classification of Public Schools for Purposes of State Championship Tournaments:

##### A. Groups

1. Every two years, the public schools shall be divided by enrollment into four Groups. The Groups shall be designated as “Group I” (schools with fewer students) through “Group IV” (schools with a larger number of students). Football and wrestling will be divided into five groups.
2. Enrollment shall be defined as the sum of a school’s student population for grades 9, 10 and 11. Enrollment figures shall be those reported to and certified by the Department of Education for the purpose of obtaining state school aid.

*CL: The central office will determine enrollment for each school based on the figures submitted by the school to the department of Education for state school aid. The enrollment figures shall include classified students. This determination of enrollment shall be deemed final, and not subject to appeal, unless it can be documented that there was an error in the Department of Education report.*

3. To determine the group classification of each school, the total number of public schools with an enrollment greater than 150 shall be divided by four, and an equal number of schools assigned to each of the four groups, in order of enrollment. If the total number of public schools with an enrollment greater than 150 cannot be divided evenly by four, the number of schools in Group 1 shall be increased by the remainder.

##### B. Sections

1. Every two years the schools in each of the four Groups shall be divided by geography into four sections, to be known as North I, North II, Central and South.
2. To determine the Section assignment of each school, the total number of schools in each group shall be divided by four, and an equal number of schools assigned to each Section, based on north-south geography. If the total number of schools cannot be divided by evenly by four, and the remainder is one, the number of schools in North I shall increase by one. If the remainder is two, the number of schools in North I and North II shall increase by one. If the remainder is three, the number of schools in North I, North II and Central shall increase by one.

3. The geographic boundary of each Section shall run along the east-west parallel that shall be placed midway between the southernmost school of the North I Section and the northern most school of the North II Section, the southernmost school of the North II Section and the northern most school of the Central Section, and the southernmost school of the Central Section and the northern most school of the South Section (unless changed by the Northing number).
- C. Public schools with an enrollment of 150 or fewer students are considered to be Group 1 schools and shall be placed in the geographic Section in which they are located.

#### **Section 4**

The Executive Committee shall review and approve public school classifications for state tournaments in baseball, boys basketball, girls basketball, boys bowling, girls bowling, cross-country, fencing, field hockey, football, gymnastics, ice hockey, winter track and field, boys lacrosse, girls lacrosse, spring track and field, boys tennis, girls tennis, skiing, boys soccer, girls soccer, softball, boys swimming, girls swimming, boys volleyball, girls volleyball and wrestling, in accordance with sport-specific standards.

#### **Section 5**

Classification of non-member schools, non-public schools and out-of-state schools, for awarding power-points and determining tournament tie-breakers, shall be as follows:

- A. The enrollment of a non-member or out-of-state school must be verified, in writing, to the NJSIAA, by the principal or headmaster of the school.
- B. The pupil population of an all-male or all-female school shall be doubled to determine the enrollment used for classifying the school.
- C. Non-member, non-public, and out-of-state schools shall be classified as though they were public schools in New Jersey with the same enrollment.
- D. If the enrollment of a non-member, non-public, or out-of-state school does not fall within the enrollment range of any then-existing Group, the non-member, non-public, or out-of-state school shall be classified with the Group that will, with the addition of that school, have the least disparity from largest to smallest school.

*CL: A non-member school has an enrollment of 704. The Group III range that year includes New Jersey public schools with enrollments between 708 and 992. The Group II range includes schools with enrollments between 452 and 698. The non-member school would be considered to be a Group II school, since the enrollment disparity in Group III, with the addition of the non-member school, would be 288 (992 minus 704), whereas the disparity in Group II would be just 252 (704 minus 452).*

#### **Section 6**

All Non-public schools shall be divided into two equal Groups (A and B) in each Section – North and South. Pupil population shall be determined every other year, based upon the official school report of enrollment in Grades 9, 10, and 11, dated June 1. However, sport specific committees may propose to the Executive Committee different classification models where there is a perceived need.

**Section 7**

Secondary schools are grouped for competitive athletics according to enrollments. The main objective of this grouping procedure is the health and safety of the students as well as balance in numbers among all groups. Therefore, groupings will be established for all schools only on the basis of their enrollments and may not be changed even at the request of the school. Such requests tend to circumvent the purposes of grouping.

New Jersey non-public schools with football shall be classified together for football and then divided into three (3) Groups based on pupil enrollment in Grades 9, 10 and 11, as submitted to NJSIAA as follows:

Non-public IV, Non-public III, and Non-public II.

**Section 8**

Intentionally not used.

**Section 9**

State championship play will be conducted as approved by the Executive Committee and delineated in the regulations of each sport as follows:

General Classification: N/A

Sport Specific Classification:

<b>Baseball</b>	<b>Field Hockey</b>	<b>Lacrosse</b>	<b>Skiing</b>
<b>Basketball</b>	Football	Spring Track	Tennis
<b>Bowling</b>	Golf	Softball	Winter Track
<b>Cross Country</b>	Gymnastics	Soccer	Wrestling
<b>Fencing</b>	Ice Hockey	Swimming	Volleyball

Tournament of Champion competition:

<b>Basketball</b>	<b>Golf</b>	<b>Tennis</b>
<b>Bowling</b>	Lacrosse	G Volleyball
<b>Cross Country</b>	Spring Track	Winter Track
<b>Field Hockey</b>	Softball	

**Section 10**

**Cooperative Sports Programs**

- A. The Executive Committee shall approve all Cooperative Sports Programs (CSP) upon the recommendation of the Cooperative Sports Committee (CSC) or the Cooperative Sports Appeals Committee (CSAC). Such Cooperative Sports Programs will be based upon an agreement between the cooperating schools whereby one of the two schools shall have the complete responsibility as the Local Education Agency (LEA) for the conduct of the specific sport(s), which will be available to the students at both schools.

*CL 1: Cooperative Sports Program applications should be signed by an officer of the Participating League or Conference, and indicate whether the League or Conference endorses or not endorses the application. The Participating League or Conference is defined as the entity that schedules the regular season games for that particular sport.*

- B. The purpose of a Cooperative Sports Program is to provide opportunities for participation when none would otherwise exist, as for instance when a school lacks a particular program or when a school has declining enrollment in a particular program. Under no circumstances is a CSP to be used for purposes of creating a stronger or more competitive team, or as an excuse for eliminating an otherwise viable athletic program.

Cooperative Sports Programs should be comprised of schools from the same Participating League or Conference or General League or Conference. Crossover to other Leagues or Conferences is only permitted after efforts have been exhausted to partner with a school within the same League or Conference. If a CSP is comprised of schools from different Leagues and Conferences, then approval must be received from all Leagues and Conferences involved.

- C. Schools may enter into a Cooperative Sports Program for any sport and for any Group size. However, the following conditions must be met in order for a Cooperative Sports Program application to be considered by the CSC:

1. A public high school can only enter into Cooperative Sports Programs with another public high school while non-public high schools can only enter into such programs with another non-public high school.
2. A member school may enter into Cooperative Sports Programs with more than one other school for more than one sport; however, a member school may only enter into one Cooperative Sports Program for a particular sport.
3. In Cooperative Sports Programs involving ice hockey, three public schools or three non-public schools may combine to form a tri-school Cooperative Sports Program with a maximum thirty (30) student athlete roster, if their respective leagues approve. Public schools may not combine with non-public schools.
4. A Cooperative Sports Program is for a two year period with an automatic two year renewal. Written notification of automatic renewal must be submitted by the sports specific deadlines indicated below.

Completed applications and required written documentation must be submitted to the NJSIAA office by the following sports specific deadlines:

**Fall sports – January 15<sup>th</sup>; Winter sports – April 15<sup>th</sup>; Spring sports – September 15<sup>th</sup>**

- D. The total enrollment used for classification purposes of the Cooperative Sports Program will be determined based upon the most current year joint pupil enrollment of grades 9, 10, and 11. One hundred percent (100%) of the partner school's enrollment shall be added to the LEA's enrollment for the purpose of postseason playoff classification. In addition, the Cooperative Sports Committee may place a CSP in a more competitive classification if necessary for competitive balance. Such classification of the CSP will not affect either school's classification in any other sport.
- E. Cooperative Sports Committee (CSC):  
The President of the Executive Committee shall nominate a Cooperative Sports Committee of no less than five members and a chairperson, none of whom shall be members of the NJSIAA Executive Committee. The CSC will approve or disapprove each Cooperative Sports Program application. Approved applications will be presented at the next Executive Committee for final approval.

The CSC will also make classification determinations at the time of approval of the Cooperative Sports Program. The CSC will take into consideration the combined enrollments as well as other factors determined by the Committee.

The LEA, Partner school or Participating League or Conference may appeal any such decision by the CSC. Such appeal will be heard by the Cooperative Sports Appeal Committee per Article III, Section 10.E.

*CL 2: The CSC will meet three times per year and their decisions will be based on written documentation submitted to the committee. Such meetings will occur within 45 days after each deadline prescribed in Article III, Section 10.B. Decisions of the CSC will be communicated to the applying schools within 10 business days of the meeting date.*

*CL 3: The CSC may change the classification determination previously made. Such change in classification will coincide with the automatic renewal period.*

F. Cooperative Sports Appeals Committee (CSAC):

The President of the Executive Committee shall nominate a Cooperative Sports Appeals Committee of no less than five members and a chairperson, all of whom shall be members of the NJSIAA Executive Committee. All appeals from initial decisions of the CSC shall be determined by the Cooperative Sports Appeals Committee. The CSAC will not hear appeals of the classification determination made by the CSC.

The CSAC shall consider Cooperative Sports Program matters, in accordance with the following procedures:

- i. The CSAC shall decide an appeal on either written submission or at a hearing.
- ii. The CSAC shall meet to determine any pending appeals on days corresponding with the regularly scheduled meetings of the Executive Committee.
- iii. Four members of the CSAC shall constitute a quorum. The Chairperson shall be a non-voting member of the Committee except where there is a tie to vote on any appeal. A member shall not vote on any appeal, the outcome of which would affect the schedule of that member's school.

If the CSAC approves a Cooperative Sports Program application, then they will make the classification determination at the time of approval. The CSAC will take into consideration the combined enrollments as well as other factors determined by the Committee.

- G. The LEA, Partner school or Participating League or Conference may appeal any such decision of the CSAC. Such appeal will be heard by the Executive Committee and such decision will be considered final.
- H. Cooperating schools may include all school names on their uniforms; however, the LEA name will be used by the NJSIAA for classifications and seeding brackets.
- I. Either the LEA or Partner school may exit a Cooperative Sports Program at any time during the time period covered by the approved application. Written notice must be submitted to the NJSIAA and the other participating school(s). Upon early termination, the participating schools will be reclassified to their natural classification as a single school.
- J. A Cooperative Sports Program for a particular sport will cover all levels of competition (i.e. freshman, J.V. and varsity). However, either school may establish a stand-alone sub-varsity team while continuing in the cooperative program in that same sport.

- K. The Executive Committee shall be authorized to adopt appropriate guidelines, not inconsistent with the provisions of this Section, so as to implement the Cooperative Sports Programs.
- L. No Cooperative Sports Program shall be allowed unless approved by the Executive Committee after prior approval by the Boards of Education of the cooperating schools.

#### **Article IV**

#### **ANNUAL DUES**

##### **Section 1**

Member schools shall pay an Annual Due of \$2,150.00.

##### **Section 2**

Annual dues become payable at the beginning of each school year, and must be remitted to the Executive Director no later than September 1st.

#### **Article V**

#### **ELIGIBILITY OF ATHLETES\***

##### **Section 1**

A student, to be eligible for participation in the interscholastic athletic program of a member school, must be enrolled in that school and must meet all the eligibility requirements of the Constitution, Bylaws, and Rules and Regulations, of the NJSIAA.

*CL 1: Students being home-schooled (by parents or other parties) may be eligible if the local Board of Education has approved their participation and the requirements of the Homeschool Guidelines have been satisfied. Properly enrolled students on Home Instruction provided by the Board of Education are eligible if the student satisfies Section 4E. (Refer to NJSIAA Guidelines, Policies and Procedures).*

##### **Section 2**

**Amateur-Athlete** – An amateur-athlete is one who participates in athletics solely for the physical, mental, social and educational benefits derived from such participation. The amateur-athlete treats all athletic activities in which he/she participates as an avocational endeavor. One who takes or has taken pay, or has accepted the promise of pay, in any form, for participation in athletics or has directly or indirectly used his/her athletic skill for pay in any form shall not be considered an amateur and will not be eligible for high school interscholastic athletics in the State of New Jersey.

The following are the basic interpretations of the principles' involved in the amateur code which may lead to the loss of an athlete's eligibility:

- A. Participation in any athletic activity under an assumed name. Being guilty of any act of fraud, subterfuge, or, other sharp practice relative to this principal.
- B. Accepting pay or material remuneration for a display of athletic ability.



- C. Any student who signs or has ever signed a contract to play professional athletics (whether for a money consideration or not); plays or has ever played on any professional team in any sport; receives or has ever received directly or indirectly, a salary or any other form of financial assistance from a professional sports organization or any of his/her expenses for reporting to or visiting a professional team is no longer an amateur as defined by this code.
- D. A Student-Athlete may participate as an individual, or as a member of a team against professional athletes, or as a member of a team on which there are some professionals who are not currently under contract with a professional team and are not receiving payment for their participation; but he/she may not participate on a professional team.
- E. A Student-Athlete may work as a counselor in a summer camp, lifeguard, swimming pool attendant and swimming instructor for children without affecting his/her eligibility under the terms of this principle; he/she may work in a tennis or golf shop provided he/she does not give instruction for compensation, and he/she may obtain employment with a recreation department, his/her duties to include some officiating and coaching responsibilities; however, he/she may not be employed as an athletic coach.
- F. If a Student-Athlete's appearance on radio or television is related in any way to his/her athletic ability or prestige, the athlete may not under any circumstances receive remuneration for his/her appearance. Under such circumstances, however, an athlete may appear on a sponsored radio or television program or have his/her name appear in newsprint ads or in player of the week, month or year advertisement promoting products provided he/she does not endorse or imply endorsement of any commercial product.
- G. Individual interscholastic awards and similar mementos to Student- Athletes should be limited to those approved by the local Board of Education, in keeping with traditional high school requirements which are basically symbolical in nature, i.e., letters, sweaters, jackets, pins, trophies, other similar type awards, and rings or watches which are properly inscribed. No other award of any monetary value may be granted to any athletes without prior approval by the Board of Education and NJSIAA.
- H. No awards shall be given to an athlete by anyone other than his/her own Board of Education, unless prior approval of the NJSIAA and the Board of Education is obtained.
- I. A student-athlete may accept a monetary award under the United States Olympic Committee's "Operation Gold" program without compromising his/her eligibility for NJSIAA competition. Operation Gold awards athletes for top-place finishes in a sport's most competitive international competition of the year.
- J. A student-athlete who participates in non-NJSIAA sponsored events may receive reasonable travel, meal, and lodging expenses. A student-athlete may accept items with a monetary value not to exceed \$250.00.

### **Section 3**

**Reinstatement of Amateur Eligibility** – The Executive Committee of the NJSIAA is the only body that may reinstate a Student-Athlete of a member school to eligibility status under the provisions of the organization's Constitution, Bylaws, and Rules and Regulations. In cases where the Executive Committee has determined that a Student-Athlete inadvertently participated in an activity that has caused his/her loss of eligibility, the Executive Committee may reinstate said athlete after a period of not less than one year. An application for reinstatement must be made in writing by the high school Principal to the Executive Committee and shall include all data pertinent to the case.

#### **Section 4**

**Eligibility Requirements** – Eligibility rules herewith stated shall apply to all freshman, sophomore, junior varsity, and varsity teams involved in interscholastic athletic competition.

**Ineligibility Lists** – Member schools must submit an affidavit of ineligible students to the Executive Director of the NJSIAA annually for each of the three seasons prior to the beginning of those seasons. This form, signed by the Principal, will certify that any and all students listed do not meet the eligibility requirements of the NJSIAA. This affidavit should be based on carefully compiled lists of ineligible student/athletes for all sports in that season which are on file in each member school and in the event of any questions, are available upon request by other member schools and/or appropriate NJSIAA officials. Sample available on NJSIAA website (On main page, click on REFERENCES>FORMS TO DOWNLOAD>[Ineligibility List & Instruction Memo](#) This is a sample only. Schools may use own forms as long as all information on sample form is included on school form.)

*CL: This record must be compiled prior to the student's participation in the first interschool scrimmage or game in that sport and kept on file in the Principal's office. Schools are reminded that determining eligibility or ineligibility must be based on the following: (a) name of the student/athletes, (b) date of birth, (c) documentary proof of age (birth certificate, baptismal certificate, insurance policy or school record), (d) date of first enrollment in 9th grade, and (e) school from which student transferred, if such transfer was effected during the current or just past school year, (f) credits passed previous year (first semester eligibility) or previous semester (second semester eligibility), and (g) participation prior to entry into the 9th grade.*

- A. **Eligibility Certification** – Upon the request of the Executive Director, schools must furnish him/her with lists of ineligible student/athletes for their various teams, containing such information as he may deem necessary.
- B. **Eligibility Responsibility** – The Principal of a school is responsible for the observance of the eligibility rules contained in this Article and for the entire program of his/her member school.

*CL: It is local option for schools to permit ineligible students to practice or compete in interscholastic scrimmages while ineligible for regular or post-season games. [Scrimmages refer to pre-season scrimmages only and not scrimmages during the regular season or post-season for those sports that allow such.] Such practices will count to satisfy the six (6) days practice rule. The above is applicable provided the school meets the medical examination and parental permission as required by the State Board of Education.*

- C. **Age** – An athlete becomes ineligible for high school athletics if he/she attains the age of nineteen prior to September 1. However, any athlete attaining age nineteen (19) on or after September 1 shall be eligible for the ensuing school year. A birth certificate, issued at the time of birth, is the normal proof of age; in the absence of this, other proofs may be used. The records used will be baptismal records or the earliest school records.

*CL 1: Junior High/9th Grade regulations provide that a student becomes ineligible for 9th grade athletics if they reach age sixteen (16) prior to September 1 of that school year. However, said students may participate above the 9th grade athletic level based upon a waiver as set forth in CL 4 noted below.*

*CL 2: The following evidence of proof of age can be used when the Bureau of Vital Statistics in the state of birth reports no records exist:*

- a. Birth certificate.*
- b. Affidavit of attending physician.*
- c. Documentary evidence, such as family record of birth in Bible, certificate of arrival in the United States, or a passport.*
- d. Public school records, school, state or national census records.*
- e. Baptismal certificate.*

*CL 3: This requirement will not be waived for the sole reason that a student was born day(s), week(s), or month(s) just prior to September 1.*

*CL 4: In order to assure the opportunity for eight consecutive semesters of interscholastic eligibility, member schools may request waivers to permit students who are enrolled in the 6th, 7th and 8th grades and who are otherwise academically eligible, to participate on the junior varsity or varsity teams where such students will be sixteen (16) years of age or older upon entrance into the 9th grade prior to September 1st. Guidance Departments/School Administrators of elementary schools should provide the Athletic Director with ages of all students so they can be assured of four (4) years of eligibility prior to becoming ineligible at age nineteen.*

**D. Athletic Recruitment** – Athletic recruitment is prohibited.

1. Athletic recruitment is contrary to the purposes and objectives of high school sports. Prohibiting athletic recruitment helps to keep athletics in its proper place and subordinate to academics; protects student-athletes from those having interests that might not be consistent with the interests of the student-athletes; and maintains competitive equity on a level playing field among member schools.
2. Athletic recruitment is defined as any effort to, proselytize, pressure, urge or entice a student to enroll in or transfer to a school for athletic purposes. It is a violation for a member school to engage in athletic recruitment or for a student-athlete to enroll in or transfer to a school as a result of athletic recruitment. Athletic recruitment includes, but is not limited to:
  - a. Using mail, letters, brochures, or news media to compare high schools and to solely point out the athletic assets of the sender;
  - b. Engaging in proselytizing interviews, initiated by school personnel or associates;
  - c. Offering athletic scholarships, free tuition or other monetary assistance, either from the school directly or indirectly through some affiliated body or individual, to induce a student to attend the school for athletic reasons.
3. A member school shall be responsible for athletic recruitment by anyone associated with the school or acting at the direction of the school, including but not limited to administration, staff, coaches, students, parents, booster clubs, or any organization having a connection with the school.
4. Any evidence of recruiting by a member school shall subject the school to a hearing before the Controversies Committee. A school that is found to have violated the athletic recruitment rule shall be subject to the penalties set forth in Art. X

5. Any evidence of a student-athlete enrolling in or transferring to a school as a result of athletic recruitment shall subject the student-athlete to a prompt determination of eligibility by the Eligibility Appeals Committee. A student-athlete who is found to have violated the athletic recruitment rule shall be subject to a one year period of ineligibility in all sports, except that the student-athlete may return to his/her original school without penalty.

#### E. Credits

1. To be eligible for athletic competition during the first semester (September 1 to January 31) a pupil must have passed 25% of the credits (30) required by the State of New Jersey for graduation (120), during the immediately preceding academic year.
2. To be eligible for athletic competition during the second semester (Feb. 1 to June 30), a pupil must have passed the equivalent of 12½% of the credits (15) required by New Jersey for graduation (120) at the close of the preceding semester (Jan. 31). Full-year courses shall be equated as one-half of the total credits to be gained for the full year to determine credits passed during the immediately preceding semester.

*CL 1: The NJSIAA does not establish grading policies or standards for granting credits. The local school's Board of Education has the exclusive authority to address such matters within the parameters of the State Board of Education guidelines. Therefore, the NJSIAA will not waive, either the standards set by a member school or the minimum standards set forth in Article V, Section 4.E except as provided in Section 4.F (1).*

*CL 2: The credit status of a transferred student, determined by the previous school, may not be changed by the present school.*

*CL 3: There is no provision for make-up work for credits for second semester.*

*CL 4: Waivers will not be considered for a senior who does not attain 15 credits and who fails a subject in his/her first semester, unless that senior is passing all subjects in the subsequent marking period. The student must be on track for graduation and passing all classes during the third marking period.*

*CL 5: An athlete who is ineligible under Article V, Section 4.E(2) may become eligible for the remainder of the spring sports season on May 1, if he/she meets the requirements of Article V, Section 4E(2) as of that date.*

Note: In order for a 9th, 10th, or 11th grader to become eligible per CL 5, the student must be passing all courses taken during the 3rd marking period and accumulated 22.50 credits when grades are averaged for marking periods 1, 2, and 3. 22.50 credits after three (3) marking periods puts the student-athlete on track to obtain the required 30 credits at the end of the school year.

3. The above paragraph 1 shall not apply to incoming students from grammar school (8th grade).
4. Notwithstanding the provisions of Paragraph 1 and 2 above, a pupil who is eligible at the beginning of a sports season shall be allowed to finish that season.

*CL 1: According to regulations of the New Jersey State Board of Education, credit must be assigned equally to all secondary school courses. Thus, courses which at one time were considered "minor,"*

*e.g. Physical education, art, music, industrial arts, etc., must be included in the determination of academic requirements.*

*CL 2: Graduation Requirements – The provisions of Article V, Section 4.E (1) and (2) of the Bylaws will not be waived even though a school allows a student to carry only those courses necessary to meet minimal graduation diploma credit requirements.*

- a. If a student has received a diploma, he/she is ineligible. However, he/she may continue to represent his/her school until the official end of that semester—either January 31 or June 30.*
- b. If a student has left school, but re-enrolls, he/she will be eligible thirty (30) calendar days from the date of re-enrollment.*
- c. If a student has continued enrollment while absent from school, he/she will be eligible provided he/she is enrolled in and attends at least one course.*

*CL 3: It is recognized that students may accelerate their academic programs during their first three years of secondary schooling. Consequently, such students may be eligible in the second semester of their senior year even when they carry less than 12½% of the State minimum (15 credits) during the first semester provided they are meeting their school district's graduation requirements and are passing all courses in which they are enrolled at the start of the first semester. Seniors who withdraw from courses with a passing grade (WP) will be eligible provided they are carrying sufficient credits for graduation purposes.*

*CL 4: When a student does not fail a course and/or withdraws passing and is unable to pass the required credits for reasons not under the control of the student, or the school, a waiver shall be granted. A student who enters from an out-of-state school or a foreign country that has passed all courses in which the student is enrolled, meets the requirements of this Section.*

*CL 5: Students receiving credits for courses at their previous school may use those credits to satisfy the credit requirements for athletic eligibility even though the present school does not grant credit for same. Such a situation is acceptable only on an immediate basis at the time of the transfer. The student subsequently becomes subject to the requirements of the present school.*

*CL 6: An athlete, whose education is interrupted after his/her entrance into the 9th grade (4 or 6 yr. high school) or 10th grade (3 yr. high school) and who does not pass the required courses as provided for in Article V, Section 4.E (1) and (2) of the Bylaws at the end of the semester, upon being readmitted at the beginning of the next semester, is ineligible for failure to meet the requirements of this section.*

*Exceptions to this rule are returned servicemen/servicewomen who have been honorably discharged and cases of unavoidable absence due to illness. Substance abuse is not considered as unavoidable absence due to illness; when illegal substance is the reason for not passing the required credits, a waiver will not be granted.*

*CL 7: An athlete who is ineligible under Article V, Section 4.E (1), may become eligible for the remainder of the winter sports season on February 1 if he/she meets the requirements of Article V, Section 4.E (2).*

*CL 8: Any summer work for makeup purposes for failed courses, completed and approved by the school before the sixth school day, in the Fall semester, may be used for eligibility purposes.*

*CL 9: A student eligible to represent his/her school in Winter Sports may continue to do so until the end of that season.*

*CL 10: A passing grade for a semester can only be used once for eligibility purposes. A student who has a semester's passing grade in a subject may not repeat that subject during a later semester and use it for eligibility purposes.*

## **F. Handicapped/Classified Students**

1. Course Waiver – All handicapped/classified students, as defined by the New Jersey State Department of Education, defined as Individuals with Disabilities Education Act-(IDEA), shall comply with the athletic eligibility rules and regulations of the NJSIAA (with the exception of Section 4.E of this Article V re: Credits), and in addition the student must have evidence of the following:
  - a. Parents, or guardians, must give consent for such competitive experience.
  - b. The Child Study Team must certify that the student successfully completed the I.E.P. in the previous year/semester commensurate with the student's ability. Final approval for participation must be given by the Principal.

*CL 1: A student who is initially classified after failing to have satisfied the provisions of Section 4.E Credits (30 or 15) cannot regain eligibility until the Child Study Team has monitored that classified student for a semester/90 school days.*

*CL 2: Courses cannot be waived for ADA or 504 students.*

- c. The medical inspector of the school district must certify that the youth has physical ability to compete equally with other participants.
2. Definition – Since handicapped or “disabled” children (as defined in this section) are not subject to Section 4.E of this Article V, the academic credit rule, it is important that schools understand what children may be eligible.
  - a. Any handicapped child must be in a program approved by the State Department of Education for handicapped children.
  - b. Any handicapped child must be classified as such by an examiner approved by the State Department of Education.
  - c. Any handicapped child must be approved by the local Child Study Team to attend regular high school classes, home instruction, or he/she must be a member of a class in which he/she spends the greater part of each school day with other children under a teacher holding a certificate to teach.
  - d. All handicapped students, assigned to another school by the Board of Education, Division of Child Protection and Permanency and the courts and classified by the Child Study Team, will be eligible to compete on the interscholastic athletic teams of the school district in which the student resides, providing such receiving school does not sponsor an interscholastic athletic program in that sport, and so long as such students meet all other applicable NJSIAA eligibility requirements.

*CL 1: Exception: In County Special Services School Districts, e.g., Bergen County where the district is not an adjunct school of the local public school district and where all schools are under the authority of the same Superintendent of Schools, all students are eligible to participate in the*

*interscholastic athletic programs of that County's vocational high school(s) unless they are approved to participate at the public high school where they reside and are processed as provided for in Section 4.F (2)e. and 4.G–CL 3.*

- e. A handicapped student is permitted to participate in the interscholastic program of the school where the student is enrolled or the school where the student resides, when extenuating circumstances are present. A waiver shall be granted, upon review by the NJSIAA Executive Director or designee when agreed to by the principals of the involved schools.

## **G. Enrollment**

1. Late Enrollment – A student who enters school after the first Monday in October shall not be eligible to represent that school until after the lapse of thirty (30) calendar days from date of his/her first entrance.

Note: The term “entrance” as used in this section and elsewhere in these Bylaws, means registration plus actual attendance at a school.

*CL 1: Late enrollment refers to a student who does not enroll at any school at the beginning of the school year.*

*CL 2: A short period enrollment at any school will not be treated as entrance to that school and/or subsequent transfer will be recognized as uninterrupted enrollment at the original school absent any appeal from the previous school.*

2. Initial Enrollment – At the beginning of his/her secondary school career a student is free to choose any secondary school he/she may legally attend, (9th grade in a 4- or 6-year high school or 10th grade in a 3-year high school).

Note: After this initial enrollment a student is subject to the transfer provision as provided for in Section 4.K (2) of this Article.

*CL 1: A high school student is a regularly enrolled student as defined by the Department of Education.*

*CL 2: Vo-Tech/Public Academy Shared Time – When a student is carried on the Official Register and attends some classes at a school, but also attends additional classes at another school, he/she is eligible for interscholastic athletics at the school where he/she is carried on the Official Register. If a student is carried on both Official Registers, the student may choose the school at which he/she wishes to participate in all sports on a full school-year basis.*

*CL 3: Vo-Tech/Public Academy Full Time – If a Vocational/Technical High School/Public Academy does not offer the particular sport in which one of its full-time students desires to participate, that student may participate in that sport at his/her sending school upon agreement of both Principals, regardless of the number of sports programs offered at the Vocational/Technical High School/Public Academy.*

*CL 4: Vo-Tech/Public Academy – When a student-athlete transfers to or from a Vocational/Technical High School to or from the district school where the student resides the*

*student is eligible immediately provided such assignment is by the Board of Education of the district where the student resides and the student satisfies all other eligibility regulations.*

*CL 5: Charter School – If a secondary Charter School does not offer the particular sport in which one of its full-time students wishes to participate, that student may participate in that sport at his/her school of residence upon agreement of both principals, regardless of the number of sports programs offered at the Charter School.*

*CL 6: Choice School – A choice student who attends a Choice School, pursuant to regulations adopted by the New Jersey Department of Education, shall be subject to the transfer restrictions contained in Article V, Section 4.K (1) and (2).*

*CL 7: Disabled Students: A pupil who is disabled and who is placed by the parents or guardians at their own expense in a non-public school for treatment of the disability shall be eligible to participate in the interscholastic athletic program of the student's resident school district, provided the student otherwise meets the eligibility requirements of the program and the student's participation has written approval of the board of education of the school district where the program is located.*

- H. **Post-Graduates** – No post-graduate student shall be eligible for high school competition. When a student graduates from a school (days or weeks) before the official end of the semester that student may continue to represent his/her school until the official end of that semester – either January 31 or June 30. A student becomes ineligible for high school athletics when the class in which he/she originally enrolled is graduated.

*CL: A League/Conference or County may grant a waiver (as provided for in the Rules & Regulations, Rule 2, Specific Sport Regulations, Note 3) to permit teams or individuals from the New Jersey Association of Independent Schools to participate if such Student-Athletes are in the first year of post-high school matriculation.*

- I. **Pre-High School Students** – Students in any 9th grade are eligible for teams in the Senior High School in that district at the discretion of the administrators and the Board of Education in that district. Students in any 6th, 7th, or 8th grades of any school (Jr. High or Sr. High) who play on 9th grade or so-called freshman or sophomore, junior varsity and varsity teams will be ineligible at the conclusion of eight consecutive semesters of such participation. Junior High School 9th grade teams may play against 9th grade teams from 4-year or 6-year high schools.

*CL 1: Article V, Section 4.I is applicable to all 9th grades including those which are under the supervision and control of an administrative head (Principal) separate and apart from the administrative head (Principal) of the Senior High School. All 9th grade students in an 8-4, 6-6 or 6-3-3, or other administrative plan may participate on a junior varsity or varsity team without jeopardizing their eligibility to participate on a 9th grade team in that sport; however, when 9th grade students are under a separate administrative head than that of the Senior High School such agreement must be affirmed, in writing, to the NJSIAA over the signature of both administrative heads.*

*Any 9th grade Student-Athlete who participates on a junior varsity or varsity team or any team at the high school level will be subject to the eligibility provisions of the Bylaws, Article V, 4.G (2). This means that such 9th grade students will be subject to the transfer provisions of Article V, Section 4.K.*



*CL 2: Students below the 9th grade are not permitted to practice with students of grade nine (9) through twelve (12), neither may they “suit up” with those teams for games or scrimmages involving grades nine (9) through twelve (12) unless a waiver has been granted (to ensure eight (8) consecutive semesters of participation). Student will be considered to have begun his/her eight semesters of eligibility on a sport specific basis pursuant to Article V, Section 4.I.*

*CL 3: All games in which 6th, 7th and 8th grade students participate will cause forfeiture of said games under this Section unless a waiver has been granted.*

*CL 4: Students in 6th, 7th or 8th grades who will reach age sixteen (16) prior to September 1 while properly enrolled in a member school may request a waiver of the Bylaws, Article V, Section 4.I, Pre-High School Student, to have an opportunity to participate in interscholastic athletics for four (4) years prior to becoming ineligible.*

**J. Semester of Eligibility:**

1. No student shall be eligible for high school athletics after the expiration of eight consecutive semesters following his/her entrance into the 9th grade. A student becomes ineligible for high school athletics when the class in which he/she was originally enrolled has graduated.
2. This rule shall not apply to classified students who are ungraded. Classified students who are ungraded will have eight consecutive semesters of eligibility beginning with the first semester of participation in interscholastic athletics at the freshman, junior varsity, or varsity level.
3. This rule shall not apply to an honorably discharged serviceman/servicewoman, in which case the Executive Committee may make any adjustments of this rule as it may deem equitable.
4. Students below the 9th grade who participate on a high school team will be ineligible at the conclusion of eight consecutive semesters, beginning with the student’s initial pre-9th grade participation. If a student’s pre-high school participation in high school sports occurred in a state other than New Jersey, the student’s eight consecutive semesters of eligibility shall begin when the student enters high school, provided that (a) the student has transferred into New Jersey with a bona fide change of residence; (b) a Transfer Form has been completed; and (c) the student meets all other eligibility requirements, including academic requirements.

*CL 1: In order to assure the opportunity for eight consecutive semesters of interscholastic eligibility, member schools may request waivers to permit students who are enrolled in the 6th, 7th and 8th grades and who are otherwise academically eligible, to participate on the junior varsity or varsity teams where such students will be sixteen (16) years of age or older upon entrance into the 9th grade prior to September 1st. Guidance Departments/School Administrators of elementary schools should provide the Athletic Director with ages of all students that qualify under this Clarification so they can be assured of four (4) years of eligibility prior to becoming ineligible at age nineteen.*

*CL 2: Guidance Departments should provide the Athletic Director with ages of all classified students so they can be assured of four (4) years of eligibility prior to becoming ineligible at age nineteen.*

K. **Transfers** – After his/her initial enrollment in a secondary school, as provided for in Article V, Section 4.G (2) of the Bylaws, a student-athlete is subject to the following transfer rules:

1. A student-athlete who transfers from one secondary school to another because of a bona fide change of residence by his/her parents or guardians, or through assignment by the Board of Education, becomes eligible to represent his/her new school immediately upon entrance unless recruitment or transfer for athletic advantage is alleged and provided all other eligibility regulations are satisfied.

Both the former and new school must complete a transfer form affirmatively stating that the transfer is a bona fide change of residence and that there was no athletic recruitment or a transfer for athletic advantage.

A bona fide change of residence takes place when:

- a. The parent/guardian moves with the student from one public high school district to another public high school district;
- b. The parent/guardian completes an affidavit or certification with proof of the new residence;
- c. The change of residence must have occurred on or before the following dates: July 1, to be immediately eligible to participate during the Fall sports season; October 1, to be immediately eligible to participate in the Winter sports season; and February 1, to be immediately eligible to participate in the Spring sports season; and
- d. The new residence may not be associated with, leased, or provided by anyone associated with the school or acting at the direction of the school, including but not limited to administration, staff, coaches, students, parents, booster clubs, or any organization having a connection with the school.

The form of the affidavit or certification shall be approved annually by the Executive Committee. The affidavit or certification must be filed with the new school and be available to the NJSIAA upon request. Any school official with actual knowledge that the affidavit or certification is false may be subject to punishment as set forth in Article X

The affidavit or certification must be accompanied by proof of the new residence. Such proof shall include at least two of the following: (i) a New Jersey driver's license or non-driver's identification showing change of address; (ii) mortgage or lease documents; (iii) utility bills; (iv) voter registration; (v) bank statement; (vi) homeowner's insurance or renter's insurance; or (vii) any business record or document issued by a governmental entity.

The term "guardian" refers to that person who has control over the person and property of a child as established by the order of a court of competent jurisdiction. A student who becomes emancipated shall be deemed not to have made a bona fide change of residence.

Note: To provide ample notice to schools and families, the July 1 deadline for a bona fide change of residence set forth in paragraph c. above shall not be applicable in 2019. All other requirements will take effect 20 days after approval, unless determined otherwise by the Commissioner of Education.

*CL 1: Residential placement by the Division of Child Protection and Permanency or by the Courts is treated as a change of residence by the parents except in cases involving juvenile or criminal court proceedings.*

*CL 2 : In cases where a student resides with one parent and elects to change residence for transfer to another secondary school where the other parent reside, said student will be declared eligible immediately since this is considered a parental change of residence provided the parents do not reside in the same public high school district. However, subsequent retransfers to the school previously attended may be considered a transfer for athletic advantage, which may result in a loss of eligibility.*

*CL 3: Immediate eligibility will be granted when a Board of Education or a non-public school has a non-tuition policy for students whose parents/guardians are employees of the District or non-public school provided a Transfer Form is filed and such a transfer takes place at the first opportunity to do so with the provision that a subsequent transfer or a transfer after the initial opportunity for enrollment has passed will be subject to Section 4.K (2) i.e., the 30-day transfer sit rule, or 2 When the previous school terminates their secondary school academic program.*

*CL 4: When a previous school brings forth a complaint as provided for in 4.D or K (5) recruitment or (6) transfer for athletic advantage, eligibility will not commence under K (1) until the Eligibility Appeals Committee reaches a decision.*

## 2. Transfers:

- a. A student-athlete transferring from one secondary school to another, without a bona fide change of residence by that student's parent or guardian, shall be ineligible to participate for a period of thirty (30) calendar days or one half of the maximum number of games allowed in the sport by NJSIAA rules (the ineligibility period) from the beginning of the regular schedule, whichever is less, in any sport in which the student has previously participated at the varsity level.
- b. To prevent possible recruitment or transfer for athletic advantage, a Transfer Form must be executed by the two involved schools and filed with the NJSIAA before any interscholastic participation.
- c. A student who transfers during the second half of a sports season, regardless of whether the transfer was the result of a bona fide change of residence, shall be ineligible to participate in any post-season championship competition at the new school. The Executive Director of the NJSIAA will annually publish the dates that will define the halfway point of each sports season.
- d. Any student who is subject to the 30-day period of ineligibility set forth in subsection (2)(a) may nevertheless participate in interscholastic scrimmages. It is local option for schools to permit ineligible students to practice or compete in interscholastic scrimmages.

*CL 1: Since the minimal thirty (30) days or one half the maximum number of games allowed in a sport by NJSIAA rules ineligibility period (whichever is less) is intended to serve as a deterrent for students transferring from one school to another without a bona fide parental/guardian change of residence and is recognized as one of the most lenient penalties in the United States, appeals will not be heard, regardless of reason. For sports which have a maximum participation limitation, the NJSIAA maximum (half the maximum) will be used to determine the sit out period. For sports that do not have a maximum number of contests allowed by rule, the sit out period will be 30 days from the beginning of the regular varsity season or half of the games/meets/matches/events scheduled at the beginning of that school's sport season. Only games played may be counted.*

*CL 2: For purposes of this section, a school's regular schedule shall begin with the first interscholastic varsity contest played in that respective sport by the involved school (other than scrimmages).*

*CL 3: Student-athletes subject to the transfer sit may not participate at any level of interscholastic competition (freshmen, junior varsity or varsity.)*

*CL 4: Notwithstanding the provisions of (1) and (2) of Section 4.K, a student may be declared ineligible for violations of the recruiting or transfer for athletic advantage regulation.*

*CL 5: The Transfer Form must be processed whenever a student-athlete transfers from one secondary school to another with or without a bona fide change of residence having been made by his/her parents/guardians unless the transfer is by Board of Education assignments or by other conditions of 4.K.(1). In addition, the Student-Athlete Residency Affidavit must be processed and kept on file by the school.*

*In cases where a student-athlete resides with one parent and elects to change residence for transfer to another secondary school where the other parent resides, said student will be declared eligible immediately since this is considered a parental change of residence provided the parents do not reside in the same public high school district. However, subsequent retransfers to the school previously attended may be considered a transfer for athletic advantage, which may result in a loss of eligibility.*

*CL 6: Date of entrance means registration plus actual class attendance.*

*CL 7: For purposes of this section, participation in a sport is defined as playing any interscholastic contest at any level. Playing in practices or pre-season scrimmages does not constitute participation.*

*CL 8: Vo-Tech/Public Academy Shared Time – When a student-athlete is carried on the Official Register and attends some classes at a school, but also attends additional classes at another school, the student is eligible for interscholastic athletics at the school where he/she is carried on the Official Register. If a student is carried on both Official Registers, the student may choose the school at which he/she wishes to participate in all sports on a full school year basis. However, if the chosen school does not offer a particular sport then that student may participate in that sport at the other school upon agreement of both Principals. If the student wishes to change the school where he/she participates during his/her eight semesters of athletic eligibility, the student will be subject to the transfer restrictions contained in Art. V, Section 4.K (1) and (2).*

*CL 9: Vo-Tech/Public Academy – Full-Time – When a student-athlete elects to transfer to or from a Vocational-Technical High School to or from the district school where the student resides the student is subject to the transfer restrictions contained in Article V, Section 4.K (1) and (2). If a Vocational-Technical High School Public Academy does not offer the particular sport in which one of its full-time students desires to participate, that student may participate in that sport at his/her sending school upon agreement of both Principals, regardless of the number of sports programs offered at the Vocational-Technical High School\_Public Academy.*

*CL 10: Charter School – Transfers to and from Charter Schools will be subject to the restrictions contained in Article V, Section 4.K (1) and (2). If a secondary Charter School does not offer the particular sport in which one of its full-time students wishes to participate, that student may participate in that sport at his/her school of residence upon agreement of both Principals, regardless of the number of sports programs offered at the Charter School.*

*CL 11: Choice School – A choice student who attends a Choice School, pursuant to regulations adopted by the New Jersey Department of Education, shall be subject to the transfer restrictions contained in Article V, Section 4.K (1) and (2).*

*CL 12: We understand that there may be rare instances when a student is forced to transfer as a result of bullying at the previous school. Under the Anti-Bullying Bill of Rights Act, a state law that public schools are required to follow and non-public schools are encouraged to follow, bullying is a matter that is investigated and addressed by the school. The NJSIAA does not hold hearings to determine whether a student was bullied. However, if a school, after investigation of a complaint of bullying, determines that the proper action to remediate the complaint is an alternative placement or a school transfer, then the NJSIAA will consider the school's action to be a new assignment by the board of education, and the 30-Day Transfer Rule will not apply.*

3. A student whose parents move to another school district maintaining a secondary school of equal grade or higher shall remain eligible to represent his/her present school provided he/she remains properly enrolled; any subsequent transfer will be subject to Article V, Section 4.K(2).

4. The fact that a student is expelled from one high school because of academic or disciplinary reasons may not exempt him/her from any of the transfer provisions of this section.

5. Any evidence of a transfer for athletic advantage shall subject the athlete to a prompt determination of eligibility by the Eligibility Appeals Committee and may subject the school and the athlete to appropriate disciplinary proceedings as set forth in Article X herein. A transfer for athletic advantage is defined as, but not limited to:

- a. Seeking a superior athletic team;
- b. Seeking relief due to a conflict with the philosophy or action of an administrator, teacher or coach relating to sports;
- c. Seeking a team consistent with the student's athletic abilities; or
- d. Seeking a means to nullify punitive action by the previous school;
- e. Seeking to be coached by the coach at the new school.

The NJSIAA 30-Day Transfer Rule applies to students who have participated at the varsity level and who have transferred from one school to another without a bona fide change of residence or without a new assignment by the board of education. Because the sit-out period is among the shortest in the country, there are no waivers permitted from this rule.

- L. Administrative Responsibility – The Association must rely upon the voluntary compliance by its member schools in enforcing the eligibility standards set forth in this article. Toward that end, the Principal in each member school has the affirmative obligation to report to the NJSIAA any violations of these standards. The fact that a school has disclosed that there has been an eligibility violation will not relieve the affected school of sanctions that may be imposed against it, pursuant to Article X of these By-Laws, including the forfeiture of games or events. However, the failure to disclose an eligibility violation may be grounds for imposing additional sanctions upon the offending school.

*CL 1: Although the penalty of forfeiture for the use of an ineligible player is mandatory and not appealable to the Executive Committee, the school may appeal the determination of eligibility provided such request for waiver occurs prior to the participation by the Student-Athlete.*

*CL 2: Participation by an ineligible player in any game during the regular season results in forfeiture of said game. If such forfeit(s) would have caused the school's failure to qualify for the*

*tournament or if an ineligible player participates in a tournament game, said SCHOOL will be disqualified from the tournament immediately, unless the championship has been concluded, and their last opponent will advance in their place. Schools eliminated prior to the last opponent will not re-enter tournament competition.*

## **Article VI**

### **CONTRACTS**

#### **Section 1**

The Principal of the school is responsible to the State Association for all matters pertaining to the athletic relation of his/her school, and all contracts must be signed by the Principal.

#### **Section 2**

All athletic contests between schools shall be regulated by written contract, setting forth the details of time, place, finances, officials, or other agreed upon provisions.

*CL 1: "Principal" refers to high school principal, superintendent of schools, or headmaster in this and all sections of the NJSIAA Constitution, Bylaws, and Rules and Regulations.*

*CL 2: Schedules approved by Leagues or Conferences will constitute contractual obligations for the purposes of this article.*

*CL 3: All athletic contests between schools must be approved by the District Board of Education.*

*CL 4: It is recommended that written contracts be executed for all scrimmages.*

*CL 5: Absence of a written contract, or as provided here, declares nonexistence of an obligation by either party.*

## **Article VII**

### **PROTESTS**

#### **Section 1**

Protests against alleged violations of contracts, violations of the accepted standards of good sportsmanship, or the Constitution and Bylaws of this Association, should be reported in writing and posted by the Principals of the participating schools or the game officials to the Executive Committee, through the Executive Director, within one hundred twenty (120) hours of the time of such violation, with a copy to the alleged violator. Protests based upon an official's judgement or misinterpretation (*misapplication*) of the playing rules will not be honored.

*CL 1: The one hundred twenty (120) hour provision will be satisfied, if the school's Principal notifies the League or Conference expected to report a violation of good sportsmanship or any violation within 120 hours as required by Article IX, Section 4, and other Articles and Sections contained in the Constitution or Bylaws, cannot use the failure of such disclosure as an excuse to prevent the NJSIAA Executive Committee or Controversies Committee from taking jurisdiction of such a matter as provided by Section 4 of Article VII.*

*CL 2: "Protests based upon an official's judgement or misinterpretation (misapplication) of the playing rules will not be honored" does not preclude a League or Conference from addressing same; however, the NJSIAA will not honor such protests for non-conference games/meets, neither*

*will the NJSIAA hear appeals to a League or Conference decision based upon an official's judgement or misinterpretation (misapplication) of the playing rules.*

## **Section 2**

There shall be a committee consisting of the Executive Director, the President, and a member of the Executive Committee who shall meet at the call of the Executive Director to hear any disputes and grant interim relief pending a decision on the matter by the Eligibility Committee, Controversies Committee or Executive Committee.

Any relief granted will expire at the end of the next Executive Committee meeting unless extended by resolution of the Executive Committee. The President and Executive Committee member, if they act in such capacity, shall be disqualified from discussion and voting on such matter before the Executive Committee.

## **Section 3**

No protests against alleged violations of contracts shall be entertained in the absence of a duly executed contract made in accordance with Sections 1 and 2 of Article VI of the Bylaws.

## **Section 4**

The Executive Committee may initiate proceedings on its own motion or may in its discretion refer the matter to the Controversies Committee.

# **Article VIII**

## **CONTEST RULES – CHAMPIONSHIPS – OFFICIALS**

### **Section 1**

In all tournaments and meets conducted by this Association each member school must compete in its own group and section classification, unless fewer than eight (8) schools qualify. In that case, the Executive Committee may combine one or more groups. **When the Committee eliminates sectional championships because of an insufficient number of schools qualifying, the State Group Championships will be conducted on a statewide quartile basis or State Championships may be conducted without regard to Groups or Division.**

Federated members shall not be eligible for NJSIAA tournament competition.

*CL 1: When submitting records for tournament qualification, schools listing forfeit wins/losses must attach an explanation for same.*

*CL 2: When fewer than eight (8) schools qualify in a group and section, the Executive Committee may combine one or more groups/divisions because of insufficient competition without regard to Public/Non-public classification.*

### **Section 2**

All contests involving member schools must be played according to the rules of the National Federation of State High School Associations. This applies to all sports for which rules are formulated by that Association.

*CL 1: The NJSIAA does not permit "exhibition" (non-scoring) participation in any sport. Therefore, any reference to "exhibition" events, bouts and the like (e.g., in the National Federation Swimming Rules) are not permitted.*

*Cl 2: In dual swim meets in pools with six (6) or more lanes, an independent swimmer representing a member school that does not have a swim team, may swim in up to four (4) events in an open lane, provided both teams competing agree, the pool site administration agrees, and the officials agree.*

### **Section 3**

All baseball, basketball, field hockey, fencing, football, gymnastics, ice hockey, lacrosse, soccer, softball, swimming, tennis, volleyball, and wrestling officials working in any NJSIAA interschool varsity baseball, basketball, field hockey, fencing, football, ice hockey, lacrosse, soccer, softball, tennis, or volleyball game, gymnastics or swimming meet, or wrestling match, must be registered with the Association and listed in the Directory of approved officials published by the NJSIAA.

### **Section 4**

The Executive Committee may approve the certification of officials and/or officials' chapters in all sports; and the minimum requirements for testing, training and evaluating all officials. (See Requirements for Registration of Officials for NJSIAA minimum requirements for approval of officials' chapters and minimum requirements for registration of officials.)

## **Article IX**

### **SPORTSMANSHIP**

#### **Section 1**

##### **Statement of Administrative Responsibility:**

Member schools are expected to conduct their relations with each other at all levels of competition in a spirit of good sportsmanship in keeping with the objectives we have set for ourselves. Everyone involved has the obligation to clearly see his/her influence and act accordingly.

The Association acknowledges that the school administration is responsible for the athletic program, including the making of broad and specific policies relating to sportsmanship and the conduct of activities in the schools. The school Principal, for example, as the administrative head of his/her school, has the responsibility for establishing the principles of good sportsmanship in the minds of the entire school family. He/she realizes that the kind of sportsmanship that is practiced or displayed by the representatives of his/her school will reflect to its credit or otherwise.

The Principal, therefore, is the final authority responsible for all athletic activity of his/her school at whatever level of competition in which that school is engaged. In recognition of this authority and responsibility, the following general recommendations are suggested by the Association as a guide to school administrators with respect to sportsmanship policy.

#### **Section 2**

##### **General Guideline Recommendations:**

- A. Each school administration shall establish broad and specific policies and procedures relating to sportsmanship and to identify responsibilities of administrators, coaches and students to ensure their observance.
- B. Each school administration shall insist that personnel set good examples of deportment and sportsmanship and to correct those individuals at fault at a time convenient and in a manner adequate for the situation. Reporting of the action taken, in writing, to the NJSIAA by the Principal is mandatory.
- C. Each school administration shall utilize all appropriate occasions and means to emphasize desirable deportment and sportsmanship of all coaches, students and other personnel.



- D. The supervision of trips and “away” contests shall be such as to assure that the conduct of school representatives brings credit to themselves, their school and their sport. To this end, the Association advocates the full promotion of cooperative “host-guest” relationships between and among schools entering into athletic competition.
- E. Hazing – Continuing the focus on sportsmanship, citizenship and leadership, the NJSIAA encourages member schools to establish local policies, procedures and regulations pertaining to incidents of “Hazing.”
- F. Coaches must be cautioned not to refuse to play or to complete a game/meet. Such decisions are within the jurisdiction of the game/meet officials once game/meet has started, or rest with home management and/or tournament director if the game/meet has not started.

Penalty – Any school whose coach violates Section 2.F shall be placed on probation by the Association for not less than one year from the date of violation, and shall not receive championship recognition from this Association in that sport, or enter any championship games, matches, meets or tournament sponsored by the Association in that sport unless the NJSIAA deems sufficient administrative action has been taken against the coach. Conditions of probation are outlined in the Bylaws, Article X, Section 2.A. Probation. In addition, the coach will be fined a minimum of \$300.00.

### **Section 3**

#### **Association Responsibility:**

The Association recognizes and appreciates that the influence and responsibility of the school administration with regard to good sportsmanship extends to all levels of competition. However, it must also be seen that the NJSIAA has been vested with the responsibility to ensure that all contests under its jurisdiction are conducted satisfactorily. In exercising its responsibility as it applies to the principles of good sportsmanship, the Association will be guided by the Sportsmanship Rule/Policy below.

#### **SPORTSMANSHIP RULE/POLICY**

High standards of courtesy, fair play and sportsmanship must be featured at association competitions.

While this rule is a general statement and one which may be difficult to reduce to objective standards in terms of enforcement, it is the heart of the entire Association program. Good sportsmanship, respect for rules, respect for others, and fair play, are basically the motives through which an interscholastic athletic program is justified and defended.

It shall be the responsibility of each member school to insure that all individuals employed by or directly associated with the athletic program, including its Student-Athletes, comport themselves in a sportsmanlike manner when representing their school, especially at interscholastic events.

Unsportsmanlike conduct shall subject the individual to disciplinary action. The member school with which the individual is associated may also be subject to disciplinary action if it is found that the member school’s policies, actions, or failure to act, substantially contributed to the individual’s conduct.

Unsportsmanlike conduct shall include but not be limited to the following:

- A. Any person (athletic department, staff member, Student-Athlete or a fan or spectator associated with a member school) who strikes or physically abuses an official, opposing coach, player, or spectator.
- B. Any person (athletic department, staff member, Student-Athlete or a fan or spectator associated with a member school) who intentionally incites participants or spectators to violent or abusive action.

- C. Any person (athletic department, staff member, Student-Athlete or a fan or spectator associated with a member school) who uses obscene gestures or profane or unduly provocative language or action towards officials, opponents, or spectators.
- D. Any person (athletic department, staff member, Student Athlete, or a fan or spectator associated with a member school) who engages in harassing verbal or physical conduct related to race, gender, ethnicity, disability, sexual orientation or religion at an interscholastic event.
- E. Any school or athletic staff member who is publicly critical of a game official, opponents and/or opposing coaches/players.
- F. The administration of a member school will be responsible for the unsportsmanlike conduct of that school's fans or spectators.

*CL 1: Schools are not permitted to conduct pre-meet/game activities of an intimidating nature, e.g., the use of fog machines, the blaring of sirens or loud music/unusual sound effects, strobe/unusual lighting effects, or similar type activities.*

#### **Section 4**

##### **General Prohibition against Performance Enhancing Drugs:**

It shall be considered a violation of the Sportsmanship Rule for any student-athlete to possess, ingest or otherwise use any of the substances on the list of banned substances, without written prescription by a fully-licensed physician, as recognized by the American Medical Association, to treat a medical condition. Violations found as a result of NJSIAA testing shall be penalized in accordance with this policy. Violations found as a result of a member school's testing shall be penalized in accordance with the school's policy. The NJSIAA policy shall consist of this general prohibition, the NJSIAA Steroid Testing Procedures, the NJSIAA Steroid Testing Protocol, and the NJSIAA Banned Drug Classes.

#### **Section 5**

##### **Executive Authority:**

- A. The Investigation of Complaints. The Association vests authority in its President and Executive Director to investigate and take appropriate action on any reported flagrant violation of the sportsmanship rule occurring during the regular season or NJSIAA tournament competitions. The President or Executive Director may request the school or the league or conference to investigate the violation and report any action taken. The President or Executive Director may also refer the violation to the Controversies Committee for investigation.
- B. Bias incidents. In addition to any other investigation undertaken by a school, league conference or the NJSIAA, the Executive Director shall forward to the New Jersey Division on Civil Rights any report of a violation of the sportsmanship rule resulting from harassing verbal or physical conduct related to race, gender, ethnicity, disability, sexual orientation or religion at an interscholastic event.
- C. Reported violations shall be resolved in a manner sufficient to correct the problem, and may range from a written statement of the findings by the Executive Director to the school administration, to appropriate disciplinary action.
- D. Any report of a violation of good sportsmanship occurring during an NJSIAA sanctioned event, must be submitted in writing and include the violator and/or his/her school.

### **Article X**

#### **PENALTIES**

PENALTIES SHALL BE ASSESSED BY THE EXECUTIVE COMMITTEE OR THE CONTROVERSIES COMMITTEE FOR INFRACTIONS OF THE ASSOCIATION CONSTITUTION, BYLAWS OR RULES AND SHALL INCLUDE BUT NOT BE LIMITED TO:

### **Section 1**

To assure that member schools make certain that all Student-Athletes comply with eligibility standards or that they obtain appropriate waivers where necessary prior to competition, the following forfeiture penalties will be imposed. If the ineligible student participated in a TEAM SPORT, then that team will forfeit any games that it has won, irrespective of how long the ineligible student participated in that contest. This is so because it is impossible to calculate the impact made on a team contest by one or more individual players. In cases where the ineligible player participated in an INDIVIDUAL SPORT, then the team will only forfeit the events in which that player participated, since the impact of individual players can be calculated with some certainty. This penalty is mandatory and will not be subject to any appeal to the Executive Committee.

*CL 1: Although the penalty of forfeiture for the use of an ineligible player is mandatory and not appealable to the Executive Committee, the school may appeal the determination of eligibility.*

### **Section 2**

After conducting a hearing and subject to an appeal to the Executive Committee, as set forth in Article XIII of the Bylaws, the Controversies Committee may impose the penalties set forth in this Section.

- A. Probation – A probationary period not to exceed two years may be imposed, which may include a requirement that a member school submit appropriate reports to the Association, certifying that the violations are not continuing. The Controversies Committee may determine that an offending school may not participate in championship contests in the sport in which the violation occurred.
- B. Forfeit of Games – Under such terms and conditions as the Controversies Committee shall provide.
- C. Forfeit of Championship Rights – A school may be required to forfeit championship rights as determined by the Controversies Committee.
- D. Suspension of Coaches and Players – In addition to any disqualifications imposed for unsportsmanlike and flagrant verbal or physical misconduct during an interscholastic contest a coach or player may be suspended for a violation of the Constitution and Bylaws or Rules of this Association, or for violations of the rules of good sportsmanship or the rules of a particular game.
- E. Fines – Member schools, Principals, Athletic Directors, and/or coaches may be fined by the Controversies Committee in an amount not to exceed \$1,000.00 per party. Member schools may also be required to pay any property damages caused by their improper behavior and for the transcript and court stenographer costs of the Controversies Committee hearing, which would be payable within sixty (60) days.

*\* This amendment approved by letter from Commissioner of Education dated July 6, 1987 and published in the September, 1987 NJSIAA Bulletin.*

### **Section 3**

#### **Major Fines and Expulsion:**

The Controversies Committee may recommend for approval by the Executive Committee, the imposition of major fines against member schools, principals, athletic directors and coaches exceeding \$1,000.00 per party for serious violations of the Bylaws or Rules of the Association and/or the expulsion of member schools and/or coaches for serious violations of the Constitution, Bylaws and Rules of the Association after a hearing or review on appeal by the Executive Committee, pursuant to Article XIII of the Bylaws.

## **Article XI**

### **ANNUAL MEETING**

#### **Section 1**

The Annual Meeting of the Association shall be held on the first Monday in May.

#### **Section 2**

The Executive Director shall draw up the agenda to include all legislative proposals which have been properly presented and such other business which the Executive Committee has approved.

#### **Section 3**

Each school holding membership shall have one vote on subjects before the meeting. Only one accredited delegate shall vote for each school.

#### **Section 4**

A quorum shall be defined as a majority of the member schools which must be present at the beginning of the meeting.

#### **Section 5**

The Executive Committee shall engage the services of a competent parliamentarian whose rulings shall be binding upon the chairperson and all member schools. The meeting shall be conducted in accordance with recognized rules of parliamentary law.

#### **Section 6**

The minutes of the Annual Meeting shall show the full and exact vote of the membership on each proposal.

## **Article XII**

### **GENERAL PROVISIONS**

#### **Section 1**

For the purposes of these Bylaws the term “boy” or “he” refers to all students, both male and female.

#### **Section 2**

All Constitutions of Conferences will be submitted to the New Jersey State Interscholastic Athletic Association Executive Committee for review.

#### **Section 3**

All Constitutions shall maintain a provision to the effect “only member schools of New Jersey State Interscholastic Athletic Association may be voting members of the Conference providing, however, that affiliated (non-voting) membership may be afforded to any school which is not a member of the said Association.”

## Article XIII

### HEARING PROCEDURE

#### **Section 1**

The President of the New Jersey State Interscholastic Athletic Association shall nominate an Eligibility Committee and a Controversies Committee of no less than four members each and a chairman of each committee, none of whom shall be members of the New Jersey State Interscholastic Athletic Association Executive Committee. The Eligibility Committee will make initial determinations of controversies involving eligibility except unsigned Transfer Forms arising under the Constitution, Bylaws and Rules and Regulations of the New Jersey State Interscholastic Athletic Association. The Controversies Committee shall make determinations of all other controversies arising under the Constitution, Bylaws and Rules and Regulations of the New Jersey State Interscholastic Athletic Association.

*CL 1: The Eligibility Committee meets **six** times per year at the beginning of each of the three sports seasons and at the end of the year. This Committee makes determinations based on written documentation.*

Those persons nominated to the Controversies Committee shall be members of the Advisory Committee of the New Jersey State Interscholastic Athletic Association. Those persons nominated to both Committees by the President, shall be confirmed by the Executive Committee by a majority vote prior to beginning their service on the respective Committee. They shall serve for one year, to expire on the last day of June, following their appointment. The Chairman of the respective Committees shall not vote except in the case of ties. The Committees shall be as representative as possible of all groups represented on the Executive Committee of the New Jersey State Interscholastic Athletic Association.

#### **Section 2**

All appeals from initial decisions of the Eligibility Committee, as well as initial decisions when the Eligibility Committee cannot consider an eligibility request in a timely fashion, shall be determined by an Eligibility Appeals Committee, consisting of a Chairperson and the following members of the Executive Committee: 4 representatives of public high schools, one from each section of the State; 1 representative from the non-public high schools; 1 representative from either the ex-officio members or the at-large members of the Executive Committee, as they are defined in Article V of the Constitution of the NJSIAA; and 4 alternates, all of whom can vote, and one of whom shall be a representative from the non-public high schools and one of whom shall be the Second Vice President of the Association.

The First Vice President of the Association shall serve as Chairperson of this Committee and in his or her absence, the Second Vice President shall serve as Chairperson. The President of the NJSIAA shall nominate the remaining members of the Eligibility Appeals Committee, who shall be confirmed by majority vote, and who shall serve for one year to expire on the last day of June following their appointment. The Eligibility Appeals Committee shall be delegated with the final authority to render determinations concerning eligibility.

The Eligibility Appeals Committee shall consider eligibility matters, in accordance with the following procedures:

1. The Eligibility Appeals Committee shall decide an appeal on either written submissions or at a hearing.
2. Any party seeking an eligibility determination must file a request with the NJSIAA at least ten days prior to the next scheduled Eligibility Appeals Committee meeting, together with ten copies of any initial determination, and ten copies of any and all documents it wishes to have the Committee

consider in determining its appeal. The request shall indicate whether the Appellant wishes to proceed on the basis of the written submissions or at a hearing.

3. The Eligibility Appeals Committee shall meet to determine any pending appeals on days corresponding with the regular scheduled meetings of the Executive Committee.
4. If a hearing cannot be scheduled in a timely fashion, the Eligibility Appeals Committee may decide any appeal on the basis of the written submissions.
5. If an eligibility appeal proceeds to a hearing, any party shall be entitled to be represented by counsel, all witnesses will be sworn and the right of cross-examination shall be provided.
6. Four members of the Eligibility Appeals Committee shall constitute a quorum. The Chairman shall be a non-voting member of the Committee except where there is a tie vote on any appeal. A member shall not vote on any appeal involving a school or Conference to which such member is affiliated; or an appeal that would impact upon a member's school.
7. The Eligibility Appeals Committee may designate the Attorney for the Association as a hearing officer for any formal hearings. The hearing officer shall conduct the hearing and make all appropriate rulings concerning evidence and the manner of proceeding, but shall not cast a vote concerning the appeal.
8. Except for private deliberations concerning a disposition of an appeal, all proceedings of the Eligibility Appeals Committee shall be transcribed by a certified court stenographer and transcripts shall be available to any requesting party, at cost.
9. All determinations of the Eligibility Appeals Committee shall be set forth in a written decision to be sent to the parties no later than ten (10) days after the conclusion of a hearing.
10. As a voluntary association of member schools, the NJSIAA must rely upon those schools in providing notice and all other relevant information concerning eligibility rules and appeal procedures to affected students and parents.

### **Section 3**

Any Conference may make determinations of controversies arising out of the Conference's Constitution, Bylaws and Rules and Regulations, as well as those of the NJSIAA, where such controversies involve only member schools of the Conference, but do not deal with issues of eligibility and conform with the Conference's written hearing procedures, which shall have been approved by the Executive Director of the NJSIAA.

### **Section 4**

All complaints, protests or disputes referred to the Association by a Conference or others, shall be reviewed by the Executive Director and referred to the Controversies Committee where applicable. The Controversies Committee shall hear controversies directly or on appeal from a Conference determination. This Committee shall conduct formal hearings, on notice to all involved parties, who shall be afforded the right of counsel, the presentation of testimony under oath, cross-examination and a written decision. The Committee shall conduct hearings against any party charged with a violation of Association Bylaws or Rules, notwithstanding the failure of the charged party to attend such hearings. All parties will be allowed to submit any relevant documents or written presentations to the Controversies Committee for its consideration, provided ten copies of such submissions are provided to the NJSIAA, with a copy to each involved party, and if on appeal from a Conference determination to the affected Conference, at least ten days before the scheduled hearing.

### **Section 5**

In the event any party is aggrieved by any decision of the Controversies Committee, it may appeal to the Executive Committee of the New Jersey State Interscholastic Athletic Association which shall determine the matter in accordance with the provisions of the Bylaws and Constitution of the New Jersey State Interscholastic Athletic Association. In considering such appeals, the Executive Committee shall serve as an appellate body, and the appeal shall be confined to the record developed before the Controversies

Committee. It is recommended that at least one member of the Controversies Committee be present at all appeal hearings relating to any Controversies Committee decision. All appeals to the Executive Committee must be accompanied by a check in the amount of \$500.00 to serve as a deposit for transcript and court steno-grapher costs of the Executive Committee proceeding.

*CL 1: It shall be the obligation of the appealing party to reproduce fifty (50) copies of any portion of the record that party will rely upon in its appeal to the Executive Committee which shall be furnished to the NJSIAA and any other parties at least ten (10) days before the scheduled Executive Committee meeting.*

*CL 2: The \$500.00 deposit is an estimate of transcript and reporter appearance costs for an appeal to the Executive Committee. If the appeal is successful, then the deposit will be returned to the appealing party. If the appeal is unsuccessful, then the appealing party will either (a) receive a rebate to the extent that such costs are less than the deposit; or (b) pay an additional amount to the extent that such costs are more than the deposit*

### **Section 6**

In emergent circumstances where time will not permit a controversy to be heard by the Controversies Committee. The Executive Committee may hear such a controversy and render a decision thereon in an informal manner after all involved parties are provided with notice and an opportunity to present their positions before the Executive Committee.

### **Section 7**

The President of the Association may refer any matter to the Attorney for the Association to conduct a hearing. In the event such referral is made, the Attorney shall conduct a hearing and preside as the hearing officer. The Attorney shall make findings of fact and make recommendations to the Executive Committee in writing. Objections to the Attorney's report shall be heard by the Executive Committee.

### **Section 8**

Any member school which institutes an unsuccessful appeal before the Commissioner of Education and/or the courts challenging a rule or a decision of the Association, not involving the eligibility of Student-Athletes, either prior to or after having first exhausted the internal appeal procedures of the Association, will assume the full cost of such litigation, including costs and counsel fees incurred by the Association and member school(s).

*CL 1: By way of illustration without limitations the type of actions for which litigation costs will be imposed. The full costs of litigation, including counsel fees, will be imposed upon a member school which does not prevail in challenging a decision of the NJSIAA. The following circumstances are provided by way of illustration and without limitation:*

- 1. Any litigation which challenges, in whole or part, the Constitution, Bylaws, Rules or Regulations adopted by the general membership of the NJSIAA, or which was enacted by the Executive Committee by a two-thirds ( $\frac{2}{3}$ ) vote, and subject to amendment, addition or rescission by the general membership, pursuant to Article V, Section 6 of the NJSIAA Constitution.*
- 2. Since participation in a particular sport, or in post-season tournament play conducted by the NJSIAA, is completely voluntary, any member school which unsuccessfully challenges either the rules and regulations for a particular sport, or the tournament rules, and/or the interpretation or implementation of such rules or regulations by responsible NJSIAA Committees, will be assessed the full costs of litigation.*

3. *All challenges brought before the Commissioner or any Court, prior to exhaustion of internal processes provided by the NJSIAA, except where time does not permit the convening of appropriate NJSIAA Committees to determine the controversy, which is the subject of the appeal.*

*CL 2: The payment of any litigation costs or counsel fees shall be rendered in accordance with the following procedures:*

1. *At the conclusion of any unsuccessful litigation brought by a member school, as defined by CL 1 above, Counsel for the NJSIAA shall transmit to the NJSIAA Executive Director a Statement of Costs and Counsel Fees incurred in this litigation. Costs shall include all filing fees, reproduction and transcript costs, appearance fees and expenses of any witnesses at any hearing or other proceeding, as well as all postage and telephone costs incurred in this litigation, after a final decision is rendered by the NJSIAA Executive Committee.*
2. *The Executive Director shall thereafter transmit the Statement of Costs and Counsel Fees to the unsuccessful litigating member school, for payment to be rendered within sixty (60) days, payable to the Association.*
3. *In the event that a member school joins another member school or an athletic conference as an adverse party, in any unsuccessful litigation, as defined by Section A, then the unsuccessful litigating school will be liable to the other school or conference in the same manner and to the same extent as it is liable to the NJSIAA.*
4. *Any member school which does not make full payment of the costs and fees within sixty days of the rendering of the Statement of Costs and Counsel Fees to that school, shall be deprived of all rights to participate in any post-season interscholastic championship contests conducted by the NJSIAA. The prohibition shall continue until and unless the full amount of Costs and Counsel Fees is paid to the NJSIAA, with interest at prevailing rates, assessed beginning sixty days after the rendering of such Costs and Counsel Fees. This prohibition will also extend to a member school which joined another member school or an athletic conference as an adverse party in such unsuccessful litigation.*

### **Section 9**

Except as provided in Section 4 herein, no proceeding dealing with a specific school(s), staff or student(s) shall be conducted by any committee of the Association unless the Principal of the involved school(s) or his or her authorized representative is in attendance. A school shall be bound by any statements made by such representatives at committee proceedings. Requests for waiver of an NJSIAA regulation by any party other than the school will be heard and interpreted as not having the support of the school when the Principal or his or her authorized representative is not present.

### **Section 10**

In cases involving recruitment, jurisdiction over the member school shall lie with the Controversies Committee, and jurisdiction over the student-athlete shall lie with the Eligibility Appeals Committee.

## **Article XIV**

### **AMENDMENTS**

#### **Section 1**

These Bylaws and Rules and Regulations may be amended by a majority vote at the Annual Meeting based upon the total number of **ballots cast** at the Annual Meeting. Such amendment will become effective on



July 1 following the Annual Meeting unless, by a separate two-thirds ( $\frac{2}{3}$ ) vote based upon the total number of **ballots cast** at the Annual Meeting, an earlier date is set.

**Section 2**

Any member school may initiate an amendment to the Bylaws, Rules or Regulations by following the procedures set forth in Article XII, Sections 1 and 2 of the Constitution.

**Section 3**

Bylaws, Rules and Regulations may also be amended by the Executive Committee as provided in Art. V, Section 5 of the Constitution.