To: NJSIAA Program Review Committee

From: Colleen Maguire, Finance Director

Date: June 1, 2020

RE: NJSIAA COVID-19 Compliance Package

NJSIAA staff recognizes that the standards and deadlines for certain NJSIAA Bylaws for the 2020-2021 school year must be relaxed to accommodate the continuing fallout from the COVID-19 pandemic. After soliciting input from the League & Conference officers, NJSIAA proposes to amend the following Bylaws for the 2020-2021 school year:

(1) NJSIAA Bylaws, Article V, Section 4(K) Transfer Rule – The COVID-19 pandemic has had a detrimental impact on finances for families across New Jersey. For this reason, families may need to send student-athletes to a different school for the 2020-2021 school year. To ensure that student-athletes in families that have suffered financially during this crisis are able to participate in athletics during the 2020-2021 school year without penalty, NJSIAA proposes relaxing the Transfer Rule to essentially dispense of the “bona fide change of residence” provision, as outlined below, which normally requires a bona fide change of residence for a student-athlete to be declared immediately eligible for athletics. The proposal also adjusts transfer deadlines.

(2) NJSIAA Bylaws, Article V, Section 4(E) Credits Rule – NJSIAA understands that, in a homeschool setting, some student-athletes may face challenges to achieve the required number of credits to participate in athletics. These challenges include, but are not limited to, lack of access to technology and differing learning methods. To accommodate those student-athletes, NJSIAA proposes a waiver request protocol, to be completed by the student-athlete’s school principal, as outlined below.

(3) NJSIAA Bylaws, Article III, Section 10 Cooperative Sports Programs – The extent of how the COVID-19 pandemic will affect enrollment and sport participation numbers at NJSIAA member schools is currently unknown. Therefore, NJSIAA staff believes it is necessary to allow schools additional time to assess their situation and to decide whether the school may need to consider entering into a Cooperative Sports Program for the 2020-2021 school year. The proposed deadlines are set forth below.
It is important to specifically note that these proposed amendments, if adopted, shall only be in effect for the 2020-2021 school year.

**NJSIAA Bylaws, Article V [Eligibility of Athletes], Section 4(K) [Transfers]**

1. For the 2020-2021 school year, each student-athlete is permitted one “free transfer,” subject to the provisions herein.

2. For the 2020-2021 school year, for athletes with varsity participation in the 2019-2020 school year, the “bona fide change of residence” requirements listed in Article V, Section 4(K)(1) shall be modified as follows:
   a. There shall not be a requirement that the parent/guardian moves with the student-athlete from one public high school district to another public high school district.
   b. A student-athlete may transfer to or from a public or non-public school without being subject to the 30-day sit period.
   c. The transfer must have occurred on or before the following dates:
      i. September 1, 2020, to be immediately eligible to participate in the fall season;
      ii. November 1, 2020, to be immediately eligible to participate in the winter season;
      iii. Given that the spring season for the 2019-2020 school year was cancelled, no student-athlete participated at the varsity level in 2019-2020 in a spring sport. Therefore, there is no deadline by which a student-athlete must transfer to participate in a spring sport to be immediately eligible.
   d. If a student-athlete transfers after the above-listed deadlines related to the fall and winter seasons, the student-athlete shall be ineligible to participate for a period of 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.

3. The requirement regarding eligibility for post-season play in Article V, Section 4(K)(2)(c) remains in effect; “A student who transfers during the second half of a sports season . . . shall be ineligible to participate in any post-season championship competition at the new school.”

4. Article V, Section D of the Bylaws, pertaining to “Athletic Recruitment,” remains in effect. Athletic recruitment is prohibited, and the relevant hearing procedures remain in place.

5. The provisions related to “transfer for athletic advantage” in Bylaws, Article V, Section 4(K) remain in effect. Transfer for athletic advantage is prohibited, and the relevant hearing procedures remain in place.

6. To prevent possible recruitment or transfer for athletic advantage, all transfers must be processed in the NJSIAA Home Campus Portal before any interscholastic competition.
7. For administration purposes, the parent/guardian is still required to complete the “Student-Athlete Residency Affidavit,” however, the affidavit does not need to be notarized.

8. This amendment applies retroactively to all transfers that occurred on or after March 16, 2020 (the date of Executive Order 104, which indefinitely closed schools for the 2019-2020 school year), and through the 2020-2021 school year.

NJSIAA Bylaws, Article V [Eligibility of Athletes], Section 4(E) [Credits]

The provisions in NJSIAA Bylaws Article V, Section 4(E) regarding the number of credits that must be passed for a student-athlete to be eligible for athletic competition remain in effect. For individual issues that arise that are not under the student-athlete’s control, the following modification applies:

If a student-athlete is unable to meet the credit requirements provided in NJSIAA Bylaws Article V, Section 4(E) due to a disruption in the student-athlete’s education as a result of the COVID-19 pandemic, i.e., the student-athlete did not have access to the necessary technology to participate successfully in a home school environment, the student may be declared eligible to participate in athletics if the student’s school principal sends a letter to the NJSIAA requesting that the student-athlete be declared eligible, and the NJSIAA approves of the request.

The principal’s letter shall, in detail, explain the following:

- The circumstances that prohibited the student-athlete from meeting the credit requirement; Note – The circumstances must be “out of the student-athlete’s control.”

- The Action Plan that will be put in place to ensure that the student-athlete “catches up” on the required number of credits.

NJSIAA staff shall review the letter and determine if the student-athlete shall be eligible to participate in athletics. The determination shall be made administratively; there shall be no hearings held in this regard.

NJSIAA Bylaws, Article III [Classification of Member Schools], Section 10 [Cooperative Sports Programs]

The provisions in NJSIAA Bylaws, Article III, Section 10 regarding Cooperative Sports Programs remain in effect, however, the application deadlines in Subsection C shall be modified as follows:
Fall sports – September 1, 2020  
Winter sports – November 1, 2020  
Spring sports – February 1, 2021

Additionally, schools applying to be in a Cooperative Sports Program for the 2020-2021 school year must demonstrate an emergent need for the program.

These dates are only effective for the 2020-2021 school year.